

CAP. 100.

CYPRUS

TREE PLANTING (VILLAGE AREAS)

CHAPTER 100 OF THE LAWS

1959 EDITION

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1959

CHAPTER 100.

TREE PLANTING (VILLAGE AREAS).

ARRANGEMENT OF SECTIONS.

Section		Page
1	Short title ...	2
2	Interpretation ...	2
3	Meeting of owners in the village ...	3
4	List of voters ...	3
5	Claims for rectification of List of Voters ...	3
6	Consideration of claims by mukhtar ...	4
7	Objections to decisions of mukhtar ...	4
8	Revision of List of Voters by Commissioner ...	4
9	Notice of meeting ...	4
10	Proceedings at meeting ...	5
11	Report of mukhtar ...	5
12	Declaration of Tree Planting Area by Commissioner ...	5
13	Provision when there is more than one mukhtar ...	6
14	Power to Commissioner ...	6
15	Offences and penalties ...	6
16	Power to Governor to make Regulations ...	7
17	Establishment of village fund ...	7
18	Limitation as to construction of Law ...	7
19	Saving ...	8
20	Extension of expired period ...	8

A LAW TO AMEND AND CONSOLIDATE THE LAWS RELATING
TO THE RESERVATION OF TREE PLANTING AREAS IN
VILLAGES.

[22nd January, 1948.]

1949.
Cap. 175.
56 of 55.

Short title.

1. This Law may be cited as the Tree Planting (Village Areas) Law.

Interpre-
tation.

2. (1) In this Law—

“animal” means any bull, cow, ox, heifer, calf, camel, horse, mule, donkey, sheep, goat or swine ;

“Commissioner” means the Commissioner of the district in which the area proposed to be reserved as a Tree Planting Area is situate ;

“mukhtar” means the mukhtar of the village in which the area proposed to be reserved as a Tree Planting Area is situate ;

“owner in the village” means any person of over eighteen years of age who, whether being an inhabitant of the village or not, is the proprietor or possessor of not less than ten donums of land situated within the

limits of the village whether such land is or is not registered in the name of such person in the books of the District Lands Office ;

“ Tree Planting Area ” means the area or areas in any village declared, under the provisions of this Law, to be reserved as the Tree Planting Area of the village.

(2) Any notice required to be posted up under the provisions of this Law shall be posted at every church and mosque in the village affected thereby or in such conspicuous place or places in the village affected thereby as the Commissioner may direct, and the certificate of the Commissioner that such notice has been so posted shall be conclusive evidence of such posting.

3. The Commissioner may, whenever he thinks it advisable, and shall, upon a requisition signed by not less than ten owners in the village, serve or cause to be served upon the mukhtar a notice in writing calling upon him to convene a meeting of the owners in the village for the purposes specified in section 10 of this Law.

Meeting of
owners in
the village.

4. Within fourteen days of the receipt of a notice in writing as in section 3 of this Law provided, the mukhtar shall—

List of
voters.

(a) prepare or cause to be prepared a list of voters (hereinafter referred to as the “ List of Voters ”) showing therein the name and surname and place of residence of every owner in the village :

Provided that the names and surnames and place of residence of the Christian and Moslem owners in the village shall be shown therein in the Greek and Turkish languages respectively, as the case may be ;

(b) sign the List of Voters and post up, or cause to be posted up, signed copies of the List of Voters ;

(c) forward to the Commissioner a copy of the List of Voters, such copy to be signed and sealed by the mukhtar.

5. Any owner in the village who is not included in the List of Voters and who claims to be included therein and any owner in the village who objects to the inclusion of a person in the List of Voters, shall deposit his claim or objection, duly signed by him, with the mukhtar within seven days of the posting of the List of Voters as in section 4 of this Law provided,

Claims for
rectification
of List of
Voters.

Consideration of claims by mukhtar.

6. Within seven days of the expiration of the period prescribed in section 5 of this Law, the mukhtar shall—

- (a) consider and decide upon any claim or objection duly made ;
- (b) notify his decision in writing to any person affected by such decision ;
- (c) make such alterations in the List of Voters as he may think necessary in consequence of any such decision as aforesaid ; and
- (d) notify such alterations in writing to the Commissioner.

Objections to decisions of mukhtar.

7. Any person affected by any decision given by the mukhtar may object to such decision by depositing in writing his objection, duly signed by him, at the office of the Commissioner within seven days of the notification to him of such decision.

Revision of List of Voters by Commissioner.

8. (1) The Commissioner, having considered the objections, shall make such alterations in the List of Voters as he may think necessary or shall confirm the List of Voters and shall cause a copy thereof, as finally altered or confirmed, to be served upon the mukhtar and to be posted up forthwith.

(2) The List of Voters so altered or confirmed by the Commissioner shall be final and conclusive for all the purposes of this Law :

Provided that, if no claims for rectification have been deposited with the mukhtar of the village as in section 5 of this Law provided, the List of Voters prepared and posted by the mukhtar of the village under the provisions of section 4 of this Law shall, on the expiration of the period therein prescribed, be deemed to be final and conclusive for all the purposes of this Law.

Notice of meeting.

9. (1) The mukhtar shall, within one month from the date on which the List of Voters has become or shall be deemed to have become final and conclusive, post up or cause to be posted up a notice, duly signed and sealed by him, convening a meeting for the purposes of this Law and specifying in such notice the date, place and time for the meeting.

(2) Copy of the notice posted as aforesaid, duly signed and sealed by the mukhtar, shall be forwarded forthwith by him to the Commissioner.

10. (1) Every meeting so convened shall be held under the presidency of the mukhtar on the date and at the place and time appointed as in section 9 of this Law provided and business may be transacted thereat if not less than one-third of the owners in the village whose names appear in the List of Voters are actually present :

Proceedings
at meetings.

Provided that the mukhtar may adjourn the meeting for seven days if at least one-third of such owners are not actually present and at every such adjourned meeting any number of such owners as may be actually present shall constitute a quorum.

(2) Every owner in the village whose name appears in the List of Voters and who is actually present at the meeting shall be entitled to vote on all questions or resolutions proposed at every such meeting.

(3) All questions and resolutions proposed at every such meeting shall be determined in open voting by a majority of not less than the two-thirds of the owners in the village present thereat and entitled to vote.

(4) Every such meeting shall determine whether an area shall be reserved as the Tree Planting Area of the village and shall fix and describe with boundaries and particulars the area so reserved :

Provided that—

(a) such area shall not comprise in the aggregate more than one quarter of the total extent of the lands situated within the limits of the village ;
and

(b) no place in the built-up part of the village or within a distance of four hundred yards therefrom shall be comprised in such area.

11. Whenever at any meeting convened and held as in section 10 of this Law provided it is determined that an area is to be reserved as the Tree Planting Area of the village, the mukhtar shall forward forthwith to the Commissioner a report signed and sealed by him, containing a description of the area in question with boundaries and particulars and stating whether such area fulfils the conditions prescribed in section 10 (4) of this Law.

Report of
mukhtar.

12. (1) If the Commissioner approves the report submitted and considers it expedient, having regard to all the circumstances, that the area described in such report should be

Declaration
of Tree
Planting
Area by
Commis-
sioner.