

CYPRUS

WORKMEN'S COMPENSATION

CHAPTER 188 OF THE LAWS

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CHAPTER 188.

WORKMEN'S COMPENSATION.

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A LAW TO PROVIDE FOR THE PAYMENT OF COMPENSATION TO WORKMEN FOR INJURY BY ACCIDENT.

[1st April, 1944.]

Short title.

1. This Law may be cited as the Workmen's Compensation Law.

2. (1) In this Law—

Interpreta-
tion.

“adult” means a person who is not under the age of eighteen years;

“agriculture” includes horticulture and the cultivation of the ground for any purpose, sowing seeds, planting, removing crops, animal husbandry, but does not include forestry;

“compensation” means compensation as provided by this Law;

“Court” means a Court of competent jurisdiction;

“dependants” means those members of the family of a workman who were wholly or in part dependent upon his earnings at the time of his death, or would but for the incapacity due to the accident have been so dependent, and, where the workman, being the parent or grandparent of an illegitimate child, leaves such child so dependent upon his earnings, or, being an illegitimate child, leaves a parent or grandparent so dependent on his earnings, shall include such an illegitimate child or parent or grandparent respectively:

Provided that a person shall not be deemed to be a partial dependant of another person unless he was dependent partially on contributions from that other person for the provision of the ordinary necessities of life suitable for persons in his class and position;

“earnings” includes wages paid to the workman by the employer and the value of any food, fuel, or quarters supplied to the workman by the employer if as a result of the accident the workman is deprived of such food, fuel, or quarters and any overtime payments or other special remuneration for work done, whether by way of bonus or otherwise, if of constant character or for work habitually performed, but shall not include remuneration for intermittent overtime, or casual payments of a non-recurrent nature, or any *ex-gratia* payment whether given by the employer or other person, or the value of a travelling allowance, or the value of any travelling concession or a contribution paid by the employer of a workman towards any pension or provident fund, or a sum paid to a workman to cover any special expenses entailed on him by the nature of his employment;

“employer” includes Her Majesty in Her Government of the Colony and any body of persons corporate

or unincorporate and the legal personal representative of a deceased employer, and, where the services of a workman are temporarily lent or let on hire to another person by the person with whom the workman has entered into a contract of service or apprenticeship, the latter shall, for the purposes of this Law, be deemed to continue to be the employer of the workman whilst he is working for that other person; and in relation to a person employed for the purposes of any game or recreation and engaged or paid through a club, the manager, or members of the managing committee of the club shall, for the purposes of this Law, be deemed to be the employer;

“insurer” includes any insurance society, association, company or underwriter;

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“medical practitioner” means a medical practitioner registered under the Medical Registration Law;

“member of the family” means wife, husband, father, mother, grandfather, grandmother, stepfather, stepmother, son, daughter, grandson, granddaughter, stepson, stepdaughter, brother, sister, half-brother, half-sister;

“minor” means a person who is under the age of eighteen years;

“outworker” means a person to whom articles or materials are given out to be made up, cleaned, washed, altered, ornamented, finished, or repaired, or adapted for sale in his own home or on other premises not under the control or management of the person who gave out the articles or materials;

“partial incapacity” means, where the incapacity is of a temporary nature, such incapacity as reduces the earning capacity of a workman in any employment in which he was engaged at the time of the accident resulting in the incapacity, and, where the incapacity is of a permanent nature, such incapacity as reduces his earning capacity in every employment which he was capable of undertaking at that time:

First
Schedule.
3 of 14/51.

Provided that every injury specified in the First Schedule hereto, except such injury or combination of injuries in respect of which the percentage or aggregate percentage of the loss of earning capacity as specified in that Schedule against such injury or injuries amounts to one hundred per centum or more shall be deemed to result in permanent partial incapacity;

“total incapacity” means such incapacity whether of a temporary or permanent nature, as incapacitates a workman for any employment which he was capable of undertaking at the time of the accident resulting in such incapacity:

Provided that permanent total incapacity shall be deemed to result from an injury or from any combination of injuries specified in the First Schedule hereto where the percentage or aggregate percentage of the loss of earning capacity as specified in that Schedule against such injury or injuries, amounts to one hundred per centum or more;

First
Schedule.

“tributer” means a person who is granted permission to win minerals, receiving a proportion of the minerals won by him or the value thereof.

(2) The exercise and performance of the powers and duties conferred or imposed upon any local authority or body under any Law in force for the time being shall, for the purposes of this Law, be deemed to be the trade or business of such local authority or body.

3. (1) In this Law, unless the context otherwise requires, the expression “workman”, subject to section 5 and the proviso to this subsection, means any person who has, either before or after the commencement of this Law, entered into or works under a contract of service or apprenticeship with an employer, whether by way of manual labour, or otherwise, whether the contract is express or implied, is oral in or writing, and whether the remuneration is calculated by time or by work done:

Meaning of
“workman”
and applica-
tion of Law.

Provided that the following persons shall not be regarded for the purposes of this Law as workmen—

- (a) persons employed otherwise than by way of manual labour, whose remuneration exceeds four hundred and fifty pounds a year; or
- (b) persons employed to perform work of a casual nature not connected with the employer's trade or business not being persons employed for the purposes of any game or recreation and engaged and paid by a club; or
- (c) outworkers; or
- (d) a member of the employer's family dwelling in his house; or

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14/51.