

CYPRUS

VILLAGE OBLIGATIONS

CHAPTER 246 OF THE LAWS

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1959

CHAPTER 246.

VILLAGE OBLIGATIONS.

ARRANGEMENT OF SECTIONS.

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TO ENABLE VILLAGE AUTHORITIES TO ENTER INTO
CONTRACTS AND OBLIGATIONS ON BEHALF OF VILLAGE
COMMUNITIES.

1949
Cap. 258.
65 of 55.

[8th July, 1901.]

Short title.

1. This Law may be cited as the Village Obligations Law.

Interpreta-
tion.
2 of 34/28.

2. In this Law—

“householder” includes any male inhabitant of a village of not less than eighteen years of age whether assessed for taxation or not and any female inhabitant of a like age who is assessed for any form of taxation;

“proprietor” means any person of not less than eighteen years of age possessing any immovable property or entitled to enjoy any water rights within the boundaries of the lands of the Village;

“Village Community” means the community of a village possessing a mukhtar and azas and includes the community of any quarter possessing as such a mukhtar and azas.

3. Whenever, at a meeting convened for the purpose by the Commissioner of the district (of which at least ten days' notice in writing shall have been posted in two conspicuous places in the village) the majority of the householders then present decide that any contract or obligation shall be entered into on behalf of the Village Community, and the Governor is satisfied that such contract or obligation is for the benefit of the village, the Governor may authorize the mukhtar, and any one member of the Village Commission to execute the contract or obligation on behalf of the village; and every contract or obligation so executed shall be binding upon the Village Community according to the terms thereof.

Power of mukhtar and aza to execute obligations on behalf of villages.
3 of 34/28.

4. The mukhtar for the time being of any village shall be competent to sue and be sued for and on behalf of the Village Community in any legal proceedings arising out of or relating to any contract or obligation entered into in accordance with this Law.

Mukhtar to represent village in legal proceedings.

5. (1) If any Village Community wishes to enter into a contract or obligation under this Law an application in writing (signed and sealed by the mukhtar) must be sent to the Commissioner of the district expressing such desire and accompanied by a list of the householders and proprietors of the village, signed and sealed as aforesaid.

List of householders and proprietors.

(2) On receipt of the said lists the Commissioner shall cause a copy thereof to be posted in the village and any person desiring to make any objection to either of the lists must apply within seven days of the posting to the Commissioner who shall cause such alterations to be made in the lists as he shall deem necessary.

6. No contract or obligation which may impose any pecuniary liability upon a Village Community shall be entered into on behalf of a Village Community unless more than one-half of the aggregate number of householders and proprietors of such Village Community are in favour of such contract or obligation being entered into on behalf of such Village Community.

Pecuniary liability on village not permissible without agreement of majority.
4 of 34/28.

7. If at a meeting convened in manner required by section 3 of this Law, to which the proprietors of the village shall be also summoned, and for the purpose of deciding if any contract or obligation which may impose any pecuniary

Power of Commissioner to ascertain views when

meeting in-
sufficiently
attended.
5 of 34/28.

liability upon a Village Community shall be entered into, there are not present at any such meeting more than one-half of the aggregate number of householders and proprietors of such Village Community required under the provisions of section 6 of this Law for the purpose of deciding if such contract or obligation shall be entered into, the Commissioner of the district in which such Village Community is domiciled shall ascertain in manner hereinafter described if more than one-half of the aggregate number of householders and proprietors of the Village Community are in favour of such contract or obligation being entered into on behalf of such Village Community.

Mode of
ascertaining
views when
meeting in-
sufficiently
attended.

8. If at a meeting convened in manner and for the purposes referred to in section 7 of this Law there is not present a number of householders and proprietors sufficient to decide if any contract or obligation in relation to which the meeting is convened shall be entered into on behalf of such Village Community the Commissioner of the district in which such Village Community is domiciled may call upon each householder and proprietor of such Village Community to state if he is in favour of such contract or obligation being entered into on behalf of such Village Community.

Com-
missioner to
report to
Governor
and pro-
ceedings
subse-
quent to
such report.
6 of 34/28.

9. If as a result of an inquiry referred to in section 8 of this Law the Commissioner of a district finds that more than one-half of the aggregate number of householders and proprietors of a Village Community required under the provisions of section 6 of this Law for the purpose of deciding if the contract or obligation shall be entered into are in favour of such contract or obligation being entered into on behalf of the Village Community of which the said persons are householders or proprietors he shall forthwith report the result of such finding to the Governor and the Governor if satisfied that such contract or obligation is for the benefit of the village may authorize the mukhtar and any one member of the Village Commission to execute the contract on behalf of the village.

Mode of
assessment
of liability.
List to be
prepared.
2 of 2/39.

10. (1) In every case in which any contract or obligation imposing any pecuniary liability upon a Village Community has been entered upon in manner hereinbefore in this Law provided, it shall be the duty of the mukhtar in conjunction with the other members of the Village Commission of such Village Community to prepare, within twenty-eight days from the date of the execution of such

contract or obligation, a list showing the amount of money which should equitably be contributed by each householder and proprietor for the purpose of meeting such pecuniary liability and providing for the payment of a fee to the mukhtar at the rate of five hundred mils in respect of the first year and at the rate of two hundred and fifty mils in respect of each subsequent year during which such pecuniary liability will continue under such contract or obligation. In the case of a proprietor the assessment shall be based upon the extent of the benefit accruing to the property of each proprietor under such contract or obligation.

(2) The aggregate of the amounts of money thus assessed upon and to be contributed by the householders and proprietors of a Village Community shall be sufficient to provide for all the due and proper payments required by the terms and conditions of such contract or obligation and for the payment of the fee of the mukhtar in subsection (1) prescribed.

Aggregate must cover payments under contract.
2 of 15/37.

(3) A copy of the list of householders and proprietors and of the amounts of money assessed for contribution by such householders and proprietors prepared in manner in this section hereinbefore provided shall within fourteen days after the period prescribed for the preparation thereof be posted or caused to be posted by the mukhtar of the village concerned for a period of at least seven consecutive days in a conspicuous place in such village.

List of persons assessed and assessments to be posted in village.

(4) Within twenty-eight days from the date of the first posting of such list and assessments any person whose name is included in such list who objects to the payment of the amount of money which is assessed upon him therein may apply to the Commissioner of the district in which the Village Community concerned is domiciled for a rectification of such list and assessments.

Appeal from assessment.

(5) The Commissioner shall hear such application and his decision thereon shall be final.

(6) If as a result of a decision by a Commissioner it becomes necessary to rectify the list and assessments the Commissioner shall forthwith rectify the same in such manner as he shall think fit and shall make such adjustments in all or any of the assessments as such rectification may necessitate and which the Commissioner shall under the circumstances deem right and proper.

Commissioner may adjust assessments.