

CYPRUS

TURKISH RELIGIOUS HEAD (MUFTI)

CHAPTER 340 OF THE LAWS

1959 EDITION

PRINTED BY

C. F. ROWORTH LIMITED, 54, GRAFTON WAY, LONDON, W.1.

[Appointed by the Government of Cyprus the Government Printers of this Edition of Laws within the meaning of the Evidence (Colonial Statutes) Act, 1907.]

1959

CHAPTER 340.

TURKISH RELIGIOUS HEAD (MUFTI).

ARRANGEMENT OF SECTIONS.

<i>Section</i>	<i>Page</i>
1 Short title ...	2
2 Interpretation ...	2
3 Election in accordance with Schedule ...	2
4 Qualifications for election as Mufti ...	2
5 Notification of election to Governor for his approval ...	3
6 Duties and powers of Mufti ...	3
7 Vacancy in the office of Mufti ...	4
8 Retiring age ...	4
9 Compulsory retirement and removal of Mufti ...	4
10 Emoluments ...	5
11 The words " Fetva Emini " to be substituted by the word " Mufti " ...	5
SCHEDULE ...	5
FIRST ANNEX ...	8
SECOND ANNEX ...	8

A LAW TO MAKE PROVISION FOR THE ELECTION OF A
RELIGIOUS HEAD OF THE TURKISH COMMUNITY IN
CYPRUS.

5 of 53.

26 of 53.

[24th February, 1953.]

Short title.

1. This Law may be cited as the Turkish Religious Head
(Mufti) Law.

Interpreta-
tion.

2. In this Law, unless the context otherwise requires—
“ Presiding Officer ” means the person appointed by
the Governor as provided in sub-paragraph (1) of
paragraph 1 of the Schedule and includes any person
nominated by him as provided in sub-paragraph (2) of
paragraph 1 of the said Schedule;

Schedule.

“ quarter ” means a quarter of a town or village.

Election in
accordance
with
Schedule.

3. The election of a Religious Head of the Turkish
Community (in this Law referred to as “ the Mufti ”),
shall take place in accordance with the provisions set out
in the Schedule.

Qualifica-
tions for
election as
Mufti.

4. (1) No person shall be eligible for election or shall be
elected as a Mufti unless he is a moslem of Turkish race who
has attained the age of forty years and possesses an Ijazet

diploma or a degree in theology from the Istanbul, Ankara or El Azhar universities.

(2) For the purposes of this section "Ijazet diploma" means a certificate of competence granted by a former "Medreseh", that is to say, an authoritative high school of religion functioning at the time, in the presence of religious dignitaries, to those who had completed their studies therein on the following subjects:—

Arabic language and literature,
Sheri law and jurisprudence of Islam,
Traditions of Mohammed and commentaries thereon,
Interpretation and commentaries on Koran,
Theology, Logic, Philosophy, and
The Moslem Sacred Law of Inheritance.

5. Upon the election of a Mufti, the Presiding Officer shall notify the name of the person elected to the Governor for his approval, and, upon such approval being signified, the person elected shall be the Mufti invested with all duties and powers as in this Law provided:

Notification
of election
to Governor
for his
approval.

Provided that no approval shall be given unless the Governor is satisfied that the person elected possesses the qualifications set out in subsection (1) of section 4.

6. The Mufti shall have and exercise the following duties and powers with regard to matters concerning persons of the Turkish Community in Cyprus, that is to say:

Duties and
powers of
Mufti.

- (a) to appoint, due regard being had to the funds available, Muderris, the Mussevit, Imams, Muezzins, Preachers and such other personnel as may be required to assist in religious functions and prescribe their training and duties, exercising such supervision over them as may be necessary to secure proper compliance, with power to suspend or dismiss them if they fail to carry out their respective duties in a satisfactory manner;
- (b) to pay periodical visits to towns and villages, to deliver sermons in the Mosques and, generally, to advise the members of the Turkish Community on religious matters;
- (c) to issue "Fetvas" defining religious principles and prescribing the religious holidays, the time for prayers, and the fasting hours;

- (d) to direct and supervise the distribution to the poor of alms and "Zekats" contributed by moslems;
- (e) to authorize the erection of new Mosques and major repairs to existing Mosques and to supervise the running of Mosques, Tekkes, Shrines and Moslem Cemeteries, due regard being had to the funds available.

Vacancy in
the office
of Mufti.

7. If for any reason the Mufti ceases to hold office the senior Mudderis shall exercise all the duties and powers of a Mufti until a Mufti is elected.

Retiring age.

8. Subject to the provisions of section 9, a Mufti shall retire on attaining his seventy-fifth year.

Compulsory
retirement
and removal
of Mufti.

9. (1) If at any time a representation is made to the Governor that a Mufti—

- (a) by reason of physical or other disability is unable to attend or perform the duties of his office; or
- (b) has been guilty of conduct unbecoming to the office of Mufti as by this Law established or of serious, persistent or continuous neglect of duty,

the Governor may appoint a committee consisting of four moslems of Turkish race under the chairmanship of a Turkish judicial or legal officer of moslem faith to inquire into the matter.

(2) An inquiry under this section shall be conducted in such manner as the Governor may direct and, at every such inquiry, the Mufti shall have a right to be present or be represented.

(3) If, after inquiring into the matter, the committee is satisfied as to the truth of any representation made under this section, it may require the Mufti to retire or may advise him with regard to his future conduct in the matter forming the subject of the inquiry.

(4) Any decision of the committee shall be subject to appeal to the Supreme Court, whose decision shall be final and conclusive. The Rules of Court relating to civil appeals in force for the time being shall be applicable to any such appeal.

(5) Any decision which involves the removal of the Mufti shall be published in the Gazette and, thereupon, the Mufti