

6 OF 1900.⁽¹⁾

TO AMEND AND CONSOLIDATE THE VILLAGE ROADS LAWS.

W. F. HAYNES SMITH.]

[July 28, 1900.

PRELIMINARY.

Short title.

1. This Law may be cited as the Village Roads Law, 1900.

Definitions.

2. In this Law, except where the context otherwise requires, the following words have the following meanings,—

“Able-bodied Inhabitant” means every male between the ages of eighteen and sixty residing within the limits of the village who is not disabled by any mental or bodily infirmity from manual labour, other than ministers of religion of all denominations, Presidents of Municipal Councils, Mukhtars, schoolmasters and persons permanently employed in the public service of the Island.

“Village” means all towns and villages in Cyprus other than the principal towns of Nicosia, Larnaca (including Scala), Famagusta (including Varoshia), Limassol, Ktima (including old Paphos) and Kyrenia, and any two or more villages united into a group under the provisions of this Law.

“Commissioner” includes the Assistant to the Commissioner.

“Commission” means the Azas of any village for the time being.

“Village Authority” in the case of a non-Municipal village means the Mukhtar and Azas of the village for the time being, and in the case of a Municipal Village the Municipal Council.

REQUISITION OF LABOUR FOR WORKS.

Power to group villages.

3. The High Commissioner may order that two or more adjacent villages shall be united into a group for the purposes of this Law.

Power of Village Authority to requisition labour.

4.—(1) The Village Authority of every village shall, subject to the proviso in sub-section 2 of section 10, require every able-bodied inhabitant of the village to labour from time to time as may be convenient upon any work authorized to be undertaken under this Law for a number of days not exceeding six in any one year.

(1) Ss. 2-11 were formerly ss. 3-12; ss. 12-20 were formerly ss. 14-22; and ss. 21-39 were formerly ss. 24-42.

(2.) The Mukhtar or President of a Municipal Council shall make the requisition by posting in some conspicuous place in the village a notice under his hand and seal, which notice shall be in such form as the High Commissioner shall from time to time prescribe, calling upon the able-bodied inhabitants of the village in general terms to labour at the times and places specified in the notice.

Manner of requisitioning.

(3.) The notice shall be posted at least five days before the earliest date at which any person is thereby required to labour.

When notices to be posted.

(4.) Any able-bodied inhabitant of a village who fails to comply with the terms of any notice published in the village under this Law shall be liable to pay to the Mukhtar, or to the President of the Municipal Council in respect of each day on which he has made such default, the sum of one shilling.

5. For the purpose of computing the six days' labour mentioned in the preceding section the year shall be taken to commence on the 1st of May and to end on the 30th of April of the following year.

Computation of six days' labour.

6. Where any able-bodied inhabitant, at the request of the Village Authority, provides any cart or beast of burden for the purposes of this Law, he shall be credited with a corresponding number of days according to the following scale:—

Allowance to be made where animals are supplied.

One ox	...	...	...	...	...	...	1 day.
One mule or horse	...	...	...	...	...	...	1 day.
One donkey	...	...	...	...	...	...	$\frac{1}{2}$ day.
One cart (without animal)	...	...	...	...	...	...	$\frac{1}{2}$ day.
One cart with one animal	...	...	...	...	...	...	$1\frac{1}{2}$ days.
One cart with two animals	...	...	...	...	...	...	2 days.

The Village Authority may make such allowance as they think fit (not exceeding one day) for the driver of a cart or beast of burden.

WORK TO BE UNDERTAKEN.

7. The following works are authorized to be undertaken under the provisions of this Law⁽¹⁾; namely,—

Works authorized by this Law.

- (1.) The construction, maintenance and repairs of any road, track or footpath, the public use of which is lawful to the inhabitants (hereinafter referred to as a village road);
- (2.) The draining of any standing water within the limits of the village;

⁽¹⁾ See also 13 of 1919 s. 6, p. 347.

(3.) The cleansing of public drains, pools or watercourses in, or in the vicinity of, any village whenever they are in such a state as to be injurious to the health of the inhabitants or liable to cause danger by flooding;

(4.) Any work for the improvement or sanitation of the village.

Statement of
works for
year.

8. The Village Authority shall, before the 30th of April in each year, cause to be prepared and shall submit to the Commissioner a statement under their hands of the works to be undertaken during the ensuing twelve months, which shall state:—

(a) The locality, nature and extent of the works to be undertaken;

(b) Whether the works require any special tools or the assistance or supervision of any skilled person;

(c) The provision which is proposed to be made for the maintenance in proper order of the roads within the village area and for the drainage work necessary for the sanitation of the village;

(d) The times at which each work is proposed to be carried out;

(e) The number of able-bodied inhabitants resident in the village.

Loan of tools
and assistance
by Govern-
ment.

9. Upon receipt of the statement, the Commissioner shall arrange for a loan by Government of the necessary tools; and shall make a representation to the Chief Secretary to Government with a view to obtain such assistance as may be in the power of the Government to grant for the purchase of materials, for the supply of skilled labour and for the construction of the necessary bridges or culverts.

Power of
Mejlis Idaré
to prepare
statement on
default of
Village
Authority.

10.—(1) Where the Village Authority neglects to submit within the time appointed for the purpose a statement of the works to be carried out in the ensuing year, or where they submit a statement which in the opinion of the Mejlis Idaré of the District is defective or inadequate, the Mejlis Idaré may determine the work to be carried out by the village during the year, and shall prepare a statement in writing describing the works and requiring the Village Authority to execute the works so described within the year; and thereupon the Village Authority so required shall proceed in accordance with the provisions of this Law to carry out the work specified in the statement according to the terms thereof, and to enforce the obligations imposed by this Law, as if they had resolved on the execution of the works,

(2.) Provided that the provisions of this Law shall not be applicable in any village where the Government is unable to supply the necessary tools, and that the Mejlis Idaré shall not require any Village Authority to execute any work at a greater distance than four English miles from their village.

(3.) Provided also that any Village Authority affected by the proceedings under this section may appeal to the Central Mejlis Idaré to review the proceedings taken by the District Mejlis Idaré under this section; and thereupon the Central Mejlis Idaré shall have full power to make such order as the circumstances of the case may require; and thereupon the Village Authority shall carry out the work specified in the order of the Central Mejlis Idaré as if they had resolved on the execution of the works.

(4.) Such appeal may be made at any time within the year; but no appeal shall delay any proceedings under this Law while the appeal is pending.

11. Where any Mukhtar or President of a Municipal Council neglects to carry out any of his duties under this Law, or expresses a wish that some other person should be appointed to carry out the duties, the Commissioner may, by writing under his hand, appoint some fit and proper person to exercise the powers and perform the duties assigned to the Mukhtar or President of a Municipal Council; and any person so appointed shall have all the powers of the Mukhtar or President of a Municipal Council to carry out the provisions of this Law, and shall dispose of and account for any moneys collected by him under this Law in accordance therewith.

Appointment
of person to
carry out
duties of
Mukhtar, etc.

COMPULSORY ACQUISITION OF PROPERTY.

12.—(1) Where any road, street or alley in any village requires widening, straightening, or improvement, and it is thought necessary to acquire any property for this purpose, and the substitution therefor of the words "where it is thought necessary to acquire any property in any village for any of the following purposes:—

- (a) The construction of any road, street or alley;
- (b) The opening, widening, straightening, or improving of any existing road, street or alley;
- (c) Any work for the improvement or sanitation of the village."

Vide Law 5 of 1928

(2.) Provided that the provisions of this Law shall not be applicable in any village where the Government is unable to supply the necessary tools, and that the Mejlis Idaré shall not require any Village Authority to execute any work at a greater distance than four English miles from their village.

(3.) Provided also that any Village Authority affected by the proceedings under this section may appeal to the Central Mejlis Idaré to review the proceedings taken by the District Mejlis Idaré under this section; and thereupon the Central Mejlis Idaré shall have full power to make such order as the circumstances of the case may require; and thereupon the Village Authority shall carry out the work specified in the order of the Central Mejlis Idaré as if they had resolved on the execution of the works.

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Appointment of person to carry out duties of Mukhtar, etc.

COMPULSORY ACQUISITION OF PROPERTY.

12.—(1) Where any road, street or alley in any village requires to be widened, straightened, or improved, and it is thought necessary to acquire any property for this purpose, the Commissioner may hold a meeting of the taxpayers of the village to consider whether the property shall be acquired. Notice of the meeting shall be posted on the door of the village church or mosque and in some other conspicuous place in the village at least fourteen days previous to the holding of the meeting. If two-thirds of the persons present (being assessed for payment of verghi in the village) shall vote for the acquisition of the property, the Village Authority may, with the leave of the Mejlis Idaré of the District, acquire the property; and the amount of compensation to be paid for it shall be raised and paid in manner hereinafter provided.

Compulsory acquisition of property for improving roads, etc.