

Repealed  
Law 25/1939

- (l.) Prescribe the amount, the rate of interest and other conditions upon which a society may borrow loans or accept deposits, and the periods for which such loans and deposits may be accepted and made;
- (m.) Prescribe the conditions to be complied with by members applying for loans, the period for which loans may be made, and the amount which may be lent, to an individual member or in the aggregate;
- (n.) Provide for the formation and maintenance of reserve funds, and the objects to which such funds may be applied, and for the investment of any funds under the control of the society;
- (o.) Prescribe the extent to which a society may limit the number of its members;
- (p.) Subject to the provisions of section 43, determine in what cases an appeal shall lie from the orders of the Registrar and prescribe the procedure to be followed in presenting and disposing of such appeals; and
- (q.) Prescribe the procedure to be followed by a liquidator appointed under section 43, and the cases other than those provided in section 43 in which an appeal shall lie from the order of such liquidator.

Rules to be published.

49. All rules made under section 48 shall be published in the *Cyprus Gazette* and on such publication shall have effect as if enacted in this Law.

10 OF 1923.

TO PROVIDE FOR CO-OPERATIVE SOCIETIES (OTHER THAN CO-OPERATIVE CREDIT SOCIETIES).

MALCOLM STEVENSON.]

[May 12, 1923.

*Title, Application and Definition.*

Repealed by  
Law 25/1939

Short title.  
Application.  
Definitions.

1. This Law may be cited as the Co-operative Societies Law, 1923.
2. This Law shall not apply to Co-operative Credit Societies.
3. In this Law, unless the context otherwise requires:—
  - (a.) "Bye-law" means a registered bye-law for the time being in force and includes a registered amendment of the bye-laws.
  - (b.) "Committee" means the governing body of a society to which the management of the affairs of such society is entrusted.

- (c.) "Member" includes a person joining in the application for the registration of a society, and a person admitted to membership after registration in accordance with the bye-laws and any rules.
- (d.) "Officer" includes a chairman, secretary, treasurer, member of committee, or other person empowered under the bye-laws to give directions with regard to the business of the society.
- (e.) "Registrar" means a person appointed to perform the duties of Registrar of Co-operative Societies under this Law.
- (f.) "Society" means a co-operative society registered under this Law.
- (g.) "Rules" means rules made under this Law.

*Repealed  
by Law  
25/1939.*

### *Registration.*

4. The High Commissioner may appoint a person to be Registrar of Societies under this Law and may appoint persons to assist such Registrar and may by general or special order confer on any such persons all or any of the powers of a Registrar under this Law. Registrar.

5. Any society which has as its object the promotion of the economic interests of its members in accordance with co-operative principles shall register under this Law before commencing business with or without limited liability: Provided that any such society now in existence shall register under this Law within a period of six months from the date of the coming into operation of this Law. Such societies shall include:— Societies to be registered

- (a.) Savings Banks.
- (b.) Co-operative Societies for the purchase of raw materials for agricultural and industrial purposes.
- (c.) Societies for producers for the sale of their produce.
- (d.) Co-operative Stores for the purchase and sale of commodities.
- (e.) Societies for the acquisition and use in common of machinery and other implements of production.
- (f.) Co-operative Building Societies for the purpose of building houses.
- (g.) Any other society which the High Commissioner in Council shall authorize to be registered under the provisions of this Law.

6. A society may register with limited or unlimited liability. Liability.

7. No society shall be registered under this Law which does not consist of at least ten persons above the age of eighteen years. Conditions of registration.

Restriction  
on interest of  
member.

8. When the liability of the members of a society is limited by shares no member shall:—

(a.) hold more than such portion of the share capital of the society, subject to a maximum of one-fifth, as may be prescribed by the rules; or

(b.) have or claim any interest in the shares of the society exceeding two hundred pounds sterling.

“Co-operative” and  
“Limited”  
in title of  
society.

9. The word “Co-operative” shall form part of the name of every society, and every society of which the liability of members is limited shall have the word “Limited” as the last word of its name.

Application  
for registra-  
tion.

10. For purposes of registration an application to register shall be made to the Registrar. Such application shall be signed by at least ten persons qualified in accordance with section 7 hereof. The application shall be accompanied by two copies of the proposed bye-laws of the society.

Registration.

11. If the Registrar is satisfied that a society has complied with the provisions of this Law and the rules and that the bye-laws as settled are not contrary to the Law or to the rules, he shall, with the approval of the High Commissioner register the society and its bye-laws, and a notice to the effect that such society and its bye-laws have been registered under this Law shall forthwith be published in the *Cyprus Gazette*.

Evidence of  
registration.

12. A certificate of registration signed by the Registrar shall be conclusive evidence that the society therein mentioned is duly registered unless it is proved that the registration of the society has been cancelled.

Amendment  
of bye-laws.

13.—(1.) No amendment of the bye-laws of a society shall be valid until the same has been registered under this Law, for which purpose a copy of the amendment shall be forwarded to the Registrar.

(2.) If the Registrar is satisfied that any amendment of the bye-laws is not contrary to this Law or to the Rules, he may, if he thinks fit, register the amendment.

(3.) When the Registrar registers an amendment of the bye-laws of a society, he shall issue to the society a copy of the amendment certified by him, which shall be conclusive evidence that the same is duly registered.

Annual  
report.

14. The Registrar shall prepare and present in each year to the High Commissioner a report of his proceedings and of the principal matters transacted during the preceding calendar year, together with a statement showing the financial position of all societies on the 31st December last preceding.

*Rights and Liabilities of Members.*

15. No member of a society shall exercise the right of a member unless or until he has made such payment to the society in respect of membership or acquirement of such interest in the society as may be prescribed by the rules or bye-laws. Member not to exercise his rights till due payment made.

16.—(1.) When the liability of the members of a society is unlimited, each member shall notwithstanding the amount of his interest in the capital have one vote only as a Member in the affairs of the society. Votes of members.

(2.) When the liability of the members of a society is limited by shares, each member shall have as many votes as may be prescribed by the bye-laws.

17.—(1.) The transfer or charge of the share or interest of a member in the capital of a society shall be subject to such conditions as to maximum holding as may be prescribed by this Law or the rules. Restrictions on transfer of share or interest.

(2.) In case of a society registered with unlimited liability a member shall not transfer any share held by him or his interest in the capital of the society or any part thereof unless:—

- (a.) he has held such share or interest for not less than one year, and
- (b.) the transfer or charge is made to the society or to a member of the society.

*Duties of Societies.*

18. Every society shall have an address, registered with the Registrar, to which all notices and communications may be sent, and shall send to the Registrar notice of any change thereof. Address of societies.

19. Every society shall keep a copy of this Law and of the rules governing such society and of its bye-laws and the list of its members and of its last balance-sheet and any report of the Auditors open to inspection free of charge at all reasonable times at the registered address of the society. Copy of Law, &c., to be open to inspection

20.—(1.) The Registrar shall audit or cause to be audited by some person authorized by him by general or special order in writing in this behalf the accounts of every society once at least in every year. Audit.

(2.) The audit under sub-section (1) shall include an examination of overdue debts, if any, and a valuation of the assets and liabilities of the society.

Registrar to have access to books, accounts, &c.

21. The Registrar or any person authorized by general or special order in writing in this behalf by the Registrar shall at all times have access to all the books, accounts, papers and securities of a society and every officer of the society shall furnish such information in regard to the transactions and working of the society as the person making such inspection may require.

*Privileges of Societies.*

Societies to be bodies corporate.

22. The registration of a society shall render it a body corporate by the name under which it is registered with perpetual succession and a common seal, and with power to hold property, to enter into contracts, to institute and defend suits and other legal proceedings and to do all things necessary for the purposes of its constitution.

Prior claim of society.

23.—(1.) Subject to the prior claim of the Government or of a landlord in respect of rent or any money recoverable as rent, a society shall be entitled in priority to other creditors to enforce any outstanding demand due to the society from a member or past member :

(a.) in respect of the supply of seed or manure—upon the crops or other agricultural produce of such member or person at any time within eighteen months from the date of such supply.

(b.) in respect of the supply of cattle, fodder for cattle, agricultural or industrial implements or machinery, or raw materials for manufacture—upon any such thing so supplied or on any articles manufactured from raw materials so supplied.

(2.) All moneys payable by a member to a society under this Law or the rules or the bye-laws of such society shall be a debt due from such member to the society and shall be recoverable as such by action in the District Court of the District where the society has its office or at the option of the society in the District Court of the District where the member is resident.

Charge and set off.

24. A society shall have a charge upon the share or interest in the capital or on the deposits of a member or past member and upon any dividend, bonus or profits payable to a member or past member in respect of any debt due from such member or past member to the society and may set off any sum credited or payable to a member or past member in or towards payment of any such debt.

Shares or interest not liable to attachment.

25. Subject to the provisions of section 24 the share or interest of a member in the capital of a society shall not be liable to attachment or sale under any decision or order of a Court of Justice in respect of any debt or liability incurred by such member.