

No. 26 OF 1930.

TO ESTABLISH MUNICIPAL CORPORATIONS AND TO CONSOLIDATE WITH AMENDMENTS THE LAWS RELATING TO MUNICIPALITIES. A.D. 1930. 26 of 1930.

H. HENNIKER-HEATON.]

[June 5, 1930.

BE it enacted :—

Amended by law 23/40, 24/42, 13/43, 25/43, 41/44, See Law 11 of 1932, 12/46

1. This Law may be cited as the Municipal Corporations Law, 1930. Short title.

2. In this Law, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them (that is to say) :— Interpretation:

“ Building ” means any construction whether of stone, concrete, mud, iron, wood or other material and includes any foundation, wall, roof, chimney, verandah, balcony, cornice or projection or part of a building, or anything affixed thereto, or any wall, earthbank, fence, paling or other construction enclosing or delimiting or intended to enclose or delimit any land or space.

For bye see C.G. 1931. p 2 f 551

“ Christian electors ” and “ Christian votes ” shall be deemed to include all electors not being Moslems and the votes of such electors.

“ Cinematograph exhibition ” means any exhibition of pictures or other optical effects presented by means of a cinematograph or other similar apparatus, whether accompanied by spoken words or not.

“ Colony ” means the Colony of Cyprus.

“ Council ” means the council of a municipal corporation constituted in accordance with the provisions of this Law.

“ Councillor ” means a duly elected member of a council.

“ Commissioner ” in relation to a municipal corporation means the Commissioner of the district within which the municipal limits of such corporation are situated.

“Elector” means a person enrolled as an elector in accordance with the provisions of this Law.

“Election” means the election of a candidate as a councillor.

“Gazette” means the *Cyprus Gazette*.

“Medical officer of health” means a medical officer of health appointed by a council and includes a District Medical Officer and a Rural Medical Officer.

“Municipal corporation” means a corporation established under the provisions of this Law.

“Municipal limits” means the limits of a municipal corporation determined in accordance with the provisions of this Law.

“Stage play” includes any tragedy, comedy, farce, opera, melodrama, dialogue, pantomime, circus, dancing, singing, music, or other public entertainment of the like kind.

“Street” includes any square, road, bridle-path, pathway, blind-alley, passage, footway, pavement or public place.

“Town” means the town <sup>villages</sup> or collection of towns or villages comprised within any municipal limits.

Law 23/43.

PART I.

MUNICIPAL CORPORATIONS AND COUNCILS.

3.—(1) Every town in the Colony which at the coming into operation of this Law has a municipal council shall be a municipal corporation.

Certain towns to be municipal corporations.

(2) The Governor may, at his discretion, if authorised thereto by a resolution of the Legislative Council, proclaim any town or village or collection of towns or villages a municipal corporation.

Such proclamation shall be published in the *Gazette*.

(3) When the Governor declares any town or village or collection of town or villages to be a municipal corporation under the provisions of sub-section (2) hereof he shall fix such days, times and places and nominate such officers and persons for the purpose of an election or otherwise and do such other acts and give such directions as may appear to him to be necessary for applying this Law to such corporation upon the constitution thereof.

4. The municipal corporation of a town shall bear the corporate name of the mayor, deputy mayor, councillors and townsmen of the town, and shall have perpetual succession, a corporate seal and the right to sue and be sued in its corporate name.

Name, etc.,  
of municipal  
corporation.

5.—(1) No person shall be deemed a townsman for any purpose of this Law unless he is enrolled as an elector.

Townsmen.

(2) A person shall not be entitled to be enrolled as an elector unless he is qualified as follows:—

Qualifica-  
tions of  
electors.

(a) is a male person of twenty-one years of age, and

(b) is on the first day of January of any year ordinarily resident within the municipal limits and has during the twelve months prior thereto actually resided therein: Provided that he shall not be deemed not to have actually resided within the municipal limits by reason only that he has been temporarily absent therefrom for short periods, and

(c)—(i.) is assessed for and has up to the first day of January of any year paid *verghi kimat* for property situated within the municipal limits, or

(ii.) has on the first day of January of any year and has had for the whole period of twelve months prior thereto any house, warehouse, shop or other building or part thereof within the municipal limits for which he has paid, or is liable to pay, under a lease or contract in writing a rent of not less than three pounds a year, and

(d) has on the first day of January of any year paid any town rate which he is liable to pay in respect of property situated in the town wherein he seeks to be enrolled, and

(e) has at the date of enrolment obtained a licence to carry on a profession, trade or other occupation in accordance with the provisions of this Law, if required so to do.

Determination of municipal limits.

Power to abolish municipal corporation.

6. The Governor may, by notice to be published in the *Gazette*, fix, alter, extend or diminish the municipal limits.

7. The Governor may at his discretion, if authorised thereto by a resolution of the Legislative Council, abolish any municipal corporation and thereupon the affairs of the town or village or collection of towns or villages shall be managed and all property of such corporation shall vest as though such municipal corporation had never existed, and the Governor shall do such acts and give such directions as may be necessary for carrying out the provisions of this section.

Municipal corporations to act by a council.

8.—(1) Municipal corporations shall be capable of acting by a council and such council shall exercise all the powers lawfully vested in the municipal corporation.

(2) The council shall consist of councillors one of whom shall be mayor and one of whom shall be deputy mayor.

Councillors.

9. The councillors shall be fit persons elected by the electors of a town as in this Law provided.

Number of councillors.

10. The Governor in Council shall from time to time direct the number of councillors for each council: Provided that such number, including the mayor and deputy mayor, shall be not less than six nor more than twelve: Provided also that the number of Christian councillors and the number of Moslem councillors shall, so far as possible, be in the same proportion as are the numbers of Christian adult male residents and Moslem adult male residents respectively within the municipal limits as ascertained by the last census. Such direction shall be final and conclusive.

Duration of councils.

11. The duration of a council shall be five years from the first day of April next after the election of the first members thereof: Provided,

(a) If any general election for a new council shall be declared void under the provisions of section 26 or 46 hereof or for any reason any such election is not held in accordance with the provisions of this Law the duration of the council then existing shall be extended until one week after a valid election has been held.

(b) The duration of any council coming into office after the first day of April in any year shall be to such date as shall be five years from the day when the preceding council would have expired save for the provisions of the first proviso hereto.

(c) When any election is held under the provisions of section 62 hereof the duration of the council so elected shall be to the date when the preceding council would have expired save for the provisions of that section.

12.—(1) A person shall not be qualified to be elected or to be a councillor of any town, if—

Qualification of councillors.

(a) he is not a male person enrolled in the electors roll of such town in force for the time being, or

Law 23/48.

(b) he is a judge of any Court in the Colony, or

(c) he holds any office of profit, other than that of

"(d) he is a person who, having been surcharged or charged by the Government Auditor under the provisions of section 110 thereof, has not made good the surcharge or charge to the municipal corporation to the satisfaction of the Government Auditor, at least three days before the date fixed in the notice prepared, signed and published by the returning officer under the provisions of section 19 hereof:

19 of 1945

Provided that no person shall be disqualified under the provisions of this paragraph by reason of a surcharge or charge which is the subject of an appeal, still pending, before the Governor in Council, or".

being a director, manager, officer or agent of such company: Provided that such councillor shall not take part in any discussion upon or vote upon any question directly affecting the affairs of such company, or

(e) he is an undischarged bankrupt, or

(f) he is a lunatic or person of unsound mind, or

(g) within a period of two years next before the election he has been, or having been elected he is, convicted, either on information or summarily, of any crime and