

No. 20 OF 1931.

A.D. 1931. A LAW TO CONTINUE IN OPERATION THE MUNICIPAL
CORPORATIONS (MOTOR OMNIBUSES) LAW, 1930.

20 of 1931.

RONALD STORRS.] [21st December, 1931.

BE it enacted:—

Short title. 1. This Law may be cited as the Municipal Corporations
(Motor Omnibuses) Continuance Law, 1931.

Continuance of Law 35 of 1930. 2. Notwithstanding anything contained therein, the
Municipal Corporations (Motor Omnibuses) Law, 1930,
shall continue in force until the 31st day of December, 1932.

Date of coming into operation. 3. This Law shall come into operation as from the 1st
day of January, 1932.

*This Law was published in the Cyprus Gazette No. 2187
of the 21st December, 1931.*

No. 21 OF 1931.

A.D. 1931. A LAW TO MAKE PROVISION FOR CERTAIN PAYMENTS.

21 of 1931.

RONALD STORRS.] [21st December, 1931.

WHEREAS disturbances have occurred in Cyprus and
damage has been done and expense has been
incurred in consequence thereof:

AND WHEREAS such damage and expense amounts in
the aggregate to thirty-four thousand three hundred and
fifteen pounds:

AND WHEREAS it is expedient that provision be made
for the payment of the said sum:

BE it enacted:—

Short title. 1. This Law may be cited as the Reparation Impost
Law, 1931.

Imposition of impost. 2. There shall be paid to the Treasurer on or before the
thirtieth day of June, 1932, by the towns and villages set
out in the first schedule to this Law the amount appearing
against such town or village in such schedule:

Provided that the Governor may reduce all or any of
such amounts or direct that any such amount may be paid
by instalments.

Levying and collection of impost. 3.—(1) The amount payable by each town and village
shall be levied upon and collected from the Orthodox-
Christian inhabitants thereof in accordance with the
provisions of the sections following:

Provided that no levy shall be made upon and no amount shall be collected from such,

(a) officials and servants of the Government of Cyprus, or

(b) persons who rendered service to the Government of Cyprus during the disturbances which commenced upon the 21st day of October, 1931, or

(c) other persons whenever there shall appear to the Governor good reason so to do, as the Governor may, at his discretion, exempt from the operation of this Law.

(2) If any dispute shall arise as to whether any person is or is not a person exempted under the proviso to subsection (1) hereof it shall be referred to the Colonial Secretary whose decision shall be final and no appeal shall lie therefrom.

A certificate purporting to be given under the hand of the Colonial Secretary shall, without further proof, be evidence in any Court of Law that the person named therein is so exempted.

(3) For the purposes of this Law Orthodox-Christian inhabitant, (hereinafter in this Law referred to as inhabitant), means any member of the Greek-Orthodox Church resident or possessing property in the town or village upon the 21st day of October, 1931, and includes all persons whose names appear in the list of assessment in respect of the town or village made under the Elementary Education Law, 1929, section 67, last posted before the 21st day of October, 1931.

4.—(1) In towns and villages having municipal corporations the amount payable by each inhabitant liable to contribute shall be assessed by the council in office at the time of the coming into operation of this Law, and a list of such assessments (hereinafter in this Law referred to as the assessment list) shall be prepared and signed by the Mayor and town clerk or town clerk and treasurer.

Assessment of amount payable by inhabitants in towns and villages having municipal corporations.

(2) In the making of such assessment the amount for which any inhabitant is assessed shall as nearly as circumstances permit bear the same proportion to the total amount to be paid by the town or village as the amount for which such person was assessed if he was so assessed, or would have been assessed if he was not assessed, in the list of assessment made under the Elementary Education Law, 1929, section 67, last posted before the 21st day of October, 1931, bore to the total amount for which such assessment under such section was made.

(3) The assessment list so prepared and signed shall within ten days of the coming into operation of this Law be deposited by the Mayor at the offices of the council in some convenient place, where it shall be open to the inspection of all persons assessed or liable to be assessed, and the Mayor shall give public notice of the deposit of such list by affixing a notice in writing thereof at the places where municipal notices are usually affixed.

(4) If any assessment list is not prepared and deposited as required by this section each member of the council responsible for the preparation of such list (unless he shall be able to prove to the satisfaction of the Court that he was prevented by illness) shall be guilty of an offence and shall upon summary conviction be liable to imprisonment for any term not exceeding three years or to a fine not exceeding one hundred pounds or to both such punishments.

(5) If for any reason a municipal commission shall have been appointed in any municipality under the provisions of the Municipal Corporations Law, 1930, the powers and duties by this Law vested in the council which has been superseded by such commission shall be exercised by such commission, without prejudice to the infliction of any penalties which may have been incurred under the preceding sub-section hereof.

(6) The provisions of sections 79 and 80 of the Municipal Corporations Law, 1930, shall apply to any default by a council under this Law as though such default were in the performance of a duty mentioned in the Municipal Corporations Law, 1930.

Appeal from
assessment
by council.

5. Any inhabitant whose name appears therein who may feel himself aggrieved by any assessment list on the ground of his inclusion therein, or of the amount for which he is assessed, or of the omission of any other person therefrom may within seven days of the deposit of such list give notice of appeal therefrom to the Commissioner, and shall in such notice state the grounds of his appeal.

Upon the giving of such notice the Commissioner may require the person giving such notice to deposit with him a sum not exceeding one-eighth of the amount for which the person giving such notice is assessed.

Within fourteen days of the giving of such notice and upon the payment of any deposit required by the Commissioner, the Commissioner shall hear and determine such appeal, and his decision shall be final and no appeal shall lie therefrom.

When all such appeals have been heard and determined by the Commissioner he shall amend the assessment list in red in accordance with his decisions and shall initial the list.

If such appeal is abandoned or upon the hearing thereof fails from any cause, the Commissioner may, in his absolute discretion, direct that the whole or any part of the deposit made on account of such appeal be forfeited and such deposit or part thereof shall thereupon be paid to the council to be used by them in the payment of the amount due by the town or village under this Law. Any deposit or part thereof not ordered by the Commissioner to be forfeited shall be returned to the appellant.

6. Upon the eighth day after the deposit of the assessment list if there are no appeals therefrom, or upon the day upon which it is initialled by the Commissioner if there are appeals therefrom, a copy of the list shall be posted at the place where municipal notices are usually affixed and every inhabitant whose name appears therein shall within seven days of such posting pay to the treasurer or town clerk and treasurer of the municipal corporation the amount appearing therein against his name :

Collection of amount assessed by municipal council.

Provided that where under the provisions of section 2 of this Law the Governor has directed that any sum be paid by instalments the council may give notice that such amount may be paid by such proportionate instalments and upon such dates as may be necessary to comply with the Governor's directions.

7.—(1) If any inhabitant liable to pay any contribution under this Law shall refuse or neglect to pay the same in accordance with the provisions of this Law the Mayor shall issue a warrant under his hand and the corporate seal directed to the town bailiff requiring and commanding him to recover the contribution on the property of such defaulting inhabitant, and every such warrant shall, notwithstanding any of the provisions of the Municipal Corporations Law, 1930, be executed in accordance with the provisions of the second schedule to this Law :

Recovery of unpaid contributions.

Provided that the Mayor may, in lieu of issuing separate warrants in respect of each defaulter, issue under his hand and the corporate seal one warrant and annex or subjoin to such warrant a schedule of the names of the defaulters for which it is issued, and such warrant shall be taken to apply in respect of each of the defaulters named in the schedule annexed or subjoined thereto.

(2) Any Mayor who shall refuse or neglect to comply with the provisions of this section shall be guilty of an offence and shall upon summary conviction be liable to imprisonment for any term not exceeding three years or to a fine not exceeding one hundred pounds or to both such punishments.

(3) Town bailiff means the town bailiff appointed under the provisions of the Municipal Corporations Law, 1930. If in any town or village having a municipal corporation no town bailiff has been appointed one shall forthwith be appointed under the provisions of that Law. The municipal corporation shall be liable for all acts done by the town bailiff in execution of the duties of his office under the provisions of this Law.

Procedure on failure to recover from any inhabitant.

8. If for any reason whatsoever the amount for which any inhabitant is assessed or any part thereof is not paid by or recovered from such inhabitant within eight weeks of the posting of the assessment list or within such further time as the Governor may direct either generally or in respect of any town or village such unpaid amount or part thereof shall be assessed by the council and levied upon the other inhabitants of the town or village who are assessed in the assessment list for a sum of two pounds or over two pounds *pro rata* to the sum for which they are so assessed :

Provided that such assessment upon such other inhabitants shall not be deemed to extinguish the liability of the person first assessed.

If after any such assessment upon such other inhabitants the amount assessed or any part thereof shall be recovered from the person first liable therefor the amount so recovered, less any costs properly incurred in the recovery thereof, shall be repaid *pro rata* to the persons who shall have paid upon such assessment.

The Mayor shall cause a list of such additional assessments to be posted at the place where municipal notices are usually affixed and the amount of such additional assessments shall thereupon become payable to the treasurer or town clerk and treasurer of the municipal corporation and if any such amount shall remain unpaid at the expiration of seven days it shall be recovered in accordance with the provisions of section 7 of this Law.