

(b) By the addition thereto of the following sub-section, the first part thereof being numbered as sub-section (1):—

“(2) Subject to the provisions of section 10 of the Order, an officer who has served as a constable for ten years or upwards may be granted on his retirement an addition to a pension under the preceding sub-section, not exceeding in the aggregate sixty-seven-hundred-and-twentieths, of one seven-hundred-and-twentieths of his pensionable emoluments for each complete month’s service as a constable in excess of twenty-five years:

Provided that where an officer is not a constable at the date of his retirement, his pensionable emoluments for the purpose of computing the said addition shall be the sum which would have been taken as his pensionable emoluments for the purpose of calculating his pension if he had retired and been awarded a pension on the last day upon which he served as a constable.”

No. 7 OF 1938.

A LAW TO AMEND AND CONSOLIDATE THE LAW RELATING TO SUMMER RESORTS.

H. R. PALMER,]
Governor.

[13th April, 1938.

BE it enacted by His Excellency the Governor and Commander-in-Chief of the Colony of Cyprus as follows:—

PART I.

PRELIMINARY.

1. This Law may be cited as the Summer Resorts (Development) Law, 1938. Short title.

2. In this Law, unless the context otherwise requires,— Interpre-

“Board” means a Summer Resort Development Board constituted in accordance with the provisions of this Law; tation.

“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;

“Commissioner” means the Commissioner of the District in which the summer resort is situated ;

“District Medical Officer” means the person who is for the time being lawfully discharging the duties of the Government District Medical Officer of the District in which the summer resort is situated and includes his duly authorized representative ;

“Divisional Engineer” means the person who is for the time being lawfully discharging the duties of the Government Divisional Engineer of the District in which the summer resort is situated and includes his duly authorized representative ;

“land” includes land (with the grazing rights and all water, whether mineral or otherwise, and water rights on, over or under such land), buildings, trees, vines, easements and standing crops and any other immovable property situated within a summer resort which may by law be sold, purchased or exchanged ;

“Mukhtar” means the Mukhtar of the village which is or has been declared to be a summer resort under the provisions of this Law ;

“street” includes any square, road, bridle-path, pathway, blind-alley, passage, footway, pavement or public place situated in a summer resort.

“summer resort” means—

(a) any village or area deemed to be a summer resort under the provisions of section 3, and

(b) any village or any area in the Colony declared to be a summer resort under the provisions of section 4 (1),

and includes any area added thereto under the provisions of section 4 (2) ;

“village” includes the lands of a village.

PART II.

SUMMER RESORTS AND BOARDS.

3.—(1) Every village in the Colony which at the date of the commencement of this Law has been declared to be a summer resort under the provisions of any of the Laws hereby repealed shall be deemed to have been declared to be a summer resort under the provisions of this Law and shall be a summer resort for the purposes of this Law.

(2) The area of Troödos which at the date of the commencement of this Law has been declared to be a sanitary area under the provisions of the Troödos Public

Application of Law to existing summer resorts and to the Troödos sanitary area.

Health Laws, 1920 to 1936, shall be deemed to have been declared to be a summer resort under the provisions of this Law and shall be a summer resort for the purposes of this Law.

22 of 1920
37 of 1930
8 of 1936.

4.—(1) The Governor may, at his discretion, by Order to be published in the *Gazette* declare any village or any area in the Colony to be a summer resort and thereupon such village or area shall be a summer resort for the purposes of this Law.

Power to Governor to declare any village or area to be a summer resort.

(2) The Governor may, at his discretion, by Order to be published in the *Gazette* declare any area in the Colony to be added to any summer resort and thereupon such additional area shall form part of such summer resort for the purposes of this Law.

5.—(1) There shall be established in every summer resort a Summer Resort Development Board composed as follows:—

Composition of Boards and matters relating thereto.

- (a) The Commissioner, as Chairman ;
- (b) The District Medical Officer ;
- (c) The Divisional Engineer ;
- (d) The Mukhtar, where the summer resort is a village ; and
- (e) such number of persons not exceeding three at any one time to be appointed by the Governor.

(2) Every member of a Board appointed by the Governor—

- (a) shall hold office for a period of two years from the date of his appointment: Provided that the Governor may, if he deems it expedient, terminate at any time the appointment of any such member ;
- (b) shall upon the expiration of his period of office be eligible for re-appointment thereafter ;
- (c) may resign his membership upon giving notice in writing to the Colonial Secretary through the Chairman of the Board.

(3) Any vacancy on a Board shall be filled by the Governor by appointing a person to fill the vacancy.

6.—(1) The Chairman of the Board shall summon meetings of the members thereof as often as he may deem necessary :

Meetings of Boards.

Provided that if requested to do so by a notice in writing signed by any two members, he shall summon a meeting within seven days of the receipt of the notice, such meeting to be held not later than fourteen days from the receipt of the notice.

(2) The meetings of the Board shall be held at such time and place as the Chairman may from time to time appoint.

(3) Want of service of the summons on any member of the Board shall not affect the validity of the meeting.

(4) Save as in this Law otherwise provided, no business shall be transacted at any meeting of the Board unless three members, at least, are present.

If, on the second successive summons, three members are not present at the time and place appointed for the meeting, the Board may proceed with business if two members only are present.

(5) If at any time the Chairman of the Board is unable to attend any meeting of the Board, he may appoint in writing one of the members to act as Chairman for that meeting.

(6) At any meeting of the Board, when the votes are equal the Chairman or acting Chairman, as the case may be, shall have a second or casting vote in addition to his own vote.

Minutes of
the Board.

7. Minutes of the proceedings of every meeting of the Board shall be drawn up correctly and entered in a book kept for that purpose and shall be signed by the Chairman or acting Chairman, as the case may be, and when so signed shall be received in evidence without further proof.

Effect of
vacancy in
the Board.

8. No act or proceeding of the Board shall be deemed to be invalid by reason only of any vacancy in the Board.

Executing
decisions
of Boards.

9. It shall be the duty of the Chairman—

(a) to see that all and every decision of the Board is duly executed, and

(b) where such decision necessitates the expenditure of funds to see that such expenditure is in accordance with the estimates as approved by the Board, unless special expenditure is authorized by the Board.

Contracts.

10.—(1) Contracts on behalf of the Board shall be made in writing under the hand of the Chairman: Provided that contracts incidental to the ordinary conduct of the current business of the Board may, subject to the provisions of the Contract Law, 1930, be made in writing or parol, as the case may be, on behalf of the Board by the Chairman, and any such contract made in writing may be varied or discharged in writing and any such contract made by parol may be varied or discharged in writing or parol.

(2) All contracts made in accordance with this section shall be effectual in law and shall bind the Board for the time being and all other parties thereto, their heirs, executors or administrators as the case may be.

11.—(1) The Board may from time to time appoint fit persons, not being members thereof, to be the Secretary and Treasurer of the Board.

Appoint-
ment of
Secretary,
Treasurer
and other
officers or
servants.

(2) The Board may appoint such other officers and servants as they think necessary for the purposes of this Law.

(3) Every person appointed under this section shall hold office during the pleasure of the Board or during such time as the Board may determine and shall receive such salary or remuneration as the Board may appoint.

(4) The Chairman of the Board may employ at the current rate of daily wages any servants or labourers required in the service of the Board to carry out any work for which provision is made in the current estimates, as approved by the Board, or which has been specially authorized by the Board.

12.—(1) All property acquired by or vested in or held by, and all rights and liabilities of, any Public Health Board constituted under the provisions of any of the Laws hereby repealed shall, without prejudice to the right of any person, vest in the Board established under the provisions of this Law for the summer resort concerned.

Vesting of
property.

(2) All property that shall hereafter be acquired under the provisions of this Law shall vest in the Board for the summer resort concerned.

13.—(1) All immovable property vested in or acquired by a Board which is by any Law or custom required to be registered in the books of the Land Registry Office shall be registered in the name of the Board for the summer resort concerned.

Registration
of im-
movable
property of
summer
resorts.

(2) Upon application being made to register any immovable property in the name of a Board or to do any transaction, act or thing required to be done in the Land Registry Office the Chairman of the Board shall be the lawful attorney of the Board.

14. It shall not be lawful for a Board to sell, mortgage or otherwise deal with any immovable property registered in their name under the provisions of this Law save upon a resolution of two-thirds of the members of the Board and with the sanction of an order of the Governor in Council and subject to such terms and conditions as may be prescribed in such order,

Sale or
mortgage of
immovable
property by
Board.