

No. 67 OF 1954.

A LAW TO PROVIDE FOR THE ESTABLISHMENT OF A CORPORATE BODY TO BE CALLED THE CYPRUS INLAND TELECOMMUNICATIONS AUTHORITY AND FOR THE EXERCISE AND PERFORMANCE BY SUCH BODY OF FUNCTIONS RELATING TO THE PROVISION AND MAINTENANCE OF THE INLAND TELECOMMUNICATIONS SERVICE AND CERTAIN RELATED MATTERS : TO EMPOWER SUCH BODY TO ACQUIRE THE INLAND TELEPHONE AND TELEGRAPH UNDERTAKING OF CABLE AND WIRELESS LTD. ; AND TO PROVIDE FOR THE REGULATION OF THE INLAND TELECOMMUNICATIONS SERVICE AND FOR PURPOSES CONNECTED WITH THE MATTERS AFORESAID.

R. P. ARMITAGE,]
Governor.

[30th December, 1954.

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 Inland Telecommunications Service Law, 1954. Short title

Interpretation.

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

“ Authority ” means the Cyprus Inland Telecommunications Authority established under section 3 ;

“ Authority installation ” means an installation the property of, or operated by or on behalf of, the Authority ;

“ Chairman ” means the person designated to be the Chairman of the Authority under section 5 ;

“ functions ” includes powers and duties ;

“ immovable property ” has the same meaning as in section 2 of the Immovable Property (Tenure, Registration and Valuation) Law ;

“ installation ” means any equipment, apparatus or any other appliances or accessories whatsoever provided for, or used in connection with, the inland telecommunications service operated by or on behalf of the Authority ;

“ installations and plant ” includes all buildings, land, interests in land, and any installation provided for, or used in connection with the inland telecommunications service operated by or on behalf of the Authority ;

“ member of the Authority ” includes the Chairman, the Deputy Chairman, a temporary Chairman, a temporary Deputy Chairman and any temporary member of the Authority ;

“ operate ” includes the functions of establishment, promotion, installation, construction, development, use, work, or maintenance ;

“ private safety ” means the obviation of danger to individuals or to private property ;

“ property ” includes movable and immovable property ;

“ public officer ” means a person holding any office of emolument under the Crown in the Colony ;

“ public safety ” means the obviation of danger to the general public, to public property and to roads, streets, railways, docks, wharves, piers, bridges, electric-works, waterworks, and any appurtenances thereof, and to telegraphic, telephonic and other electrical signalling lines owned or operated by the Government or by any Department of Her Majesty's Government in the United Kingdom ;

“ street ” includes any way, road, lane, path, square, court alley, passage or open space, whether a thoroughfare or not, over which the public have a right of way and also the roadway and footway over any public bridge ;

“ subscriber ” means any party to a telecommunications contract other than the Authority ;

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“telecommunication” means any transmission, emission or reception of signs, signals, writing, images and sounds or intelligence of any nature by wire, radio, visual or other electromagnetic systems ;

“telecommunications contract” means a contract made by or on behalf of the Authority, for the provision by or on behalf of the Authority of any inland telecommunications service ;

“telecommunications equipment” includes any appliance, apparatus or accessory, used in connection with a telecommunications service ;

“telecommunications service” means the enjoyment of means of telecommunication ;

“telegram” has the same meaning as in section 2 of the Telegraphs Law ;

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“telegraph” has the same meaning as in section 2 of the Telegraphs Law ;

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“telegraph line” has the same meaning as in section 2 of the Telegraphs Law.

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PART II.—CYPRUS INLAND TELECOMMUNICATIONS AUTHORITY.

Establishment and Constitution of the Authority.

3. There is hereby established a body to be called “the Cyprus Inland Telecommunications Authority” which shall be a body corporate with perpetual succession and a common seal and with power to acquire, hold and dispose of property, to enter into contracts, to sue and be sued in its said name and to do all things necessary for the purposes of this Law :

Establishment and constitution of the Cyprus Inland Telecommunications Authority.

Provided that during the subsistence of a guarantee given under section 16, the Authority shall not alienate, mortgage, charge or demise any of its immovable property without the approval of the Governor-in-Council.

4.—(1) The common seal of the Authority may from time to time be broken, changed, altered and made anew as to the Authority seems fit, and until a seal is provided, a stamp bearing the inscription “the Cyprus Inland Telecommunications Authority” may be used as the common seal.

Common seal.

(2) All deeds, documents and other instruments requiring the seal of the Authority shall be sealed with the seal of the Authority in the presence of the Chairman or Deputy Chairman of the Authority, and of the Secretary of the Authority or some other person authorized by the Authority to act in that behalf, who shall both sign every such deed, document or other instrument to which such seal is affixed, and such

signing shall be sufficient evidence that such seal was duly and properly affixed and that the same is the lawful seal of the Authority.

Constitution
of the
Authority.

5.—(1) The Authority shall consist of not more than eight persons appointed by the Governor (hereinafter referred to as "the appointed members") one of whom shall be designated by the Governor as Chairman, and of the person for the time being holding the office of the General Manager, as *ex officio* member who shall be the Deputy Chairman :

Provided that the appointed members need not be persons whose full time services shall be required :

Provided further that if at any time the office of the General Manager is vacant, the Governor may appoint a person (whose full-time services shall not be required) to be the Deputy Chairman for such time and under such terms and conditions as the Governor may determine.

(2) The appointed members shall hold office for a period of not more than five years subject to such conditions as the Governor may determine :

Provided that the Governor may, at any time, remove any such member from office without assigning any reason therefor.

(3) The Governor may at any time accept the resignation of any appointed member.

(4) In case of incapacity from illness or any other temporary cause or temporary absence from the Colony of any appointed member or of the Chairman or Deputy Chairman of the Authority, the Governor may appoint some other person to act as a Deputy Chairman or as a temporary appointed member, or any member of the Authority to act as Chairman, during the time such incapacity or absence continues.

(5) The Authority may act notwithstanding any vacancy in its membership.

(6) The Chairman or the Deputy Chairman may, by instrument in writing, authorize any person to exercise any power or perform any function, other than the functions referred to in sub-section (2) of section 4, conferred on the Chairman or the Deputy Chairman by or under this Law.

Remuneration and allowances payable to members of the Authority. Disqualification, disposal and discovery of interests of members of the Authority.

6. There shall be paid to the appointed members of the Authority, out of the funds of the Authority, such remuneration (whether by way of salaries or fees) and such allowances for expenses as the Governor may determine.

7.—(1) A person shall be disqualified for being appointed as member of the Authority so long as he is a member of the Executive Council.

(2) A member of the Authority, if he is interested in any company or undertaking, with which the Authority has or proposes to make any contract, shall disclose to the Authority

the fact and nature of his interest and shall not take part in any deliberation or decision of the Authority relating to such contract, and such disclosure shall be forthwith recorded in the minutes of the Authority.

8.—(1) The quorum at all meetings of the Authority shall be four members present in addition to the Chairman or the Deputy Chairman : Quorum.

Provided that if at any time the number of the members of the Authority is less than nine, then three members present, in addition to the Chairman or the Deputy Chairman, shall form a quorum.

(2) The Chairman, and in his absence, the Deputy Chairman shall preside at such meetings :

Provided that when the votes of the members present with regard to any question shall be equally divided the presiding member shall have a casting vote in addition to his own.

9. Subject to the provisions of this Law, the Authority may make standing orders regulating its own procedure generally, and, in particular, regarding the holding of meetings, the notice to be given of such meetings, the proceedings thereat, the keeping of minutes, and the opening, keeping, closing and audit of accounts. Procedure of the Authority.

Officers and Servants of the Authority.

10.—(1) The Authority shall appoint a General Manager, a Secretary, and such other officers and servants as may be necessary for the purposes of this Law. Officers and servants of the Authority.

(2) All officers and servants of the Authority shall be under the administrative control of the Authority.

(3) The Authority may authorize any member thereof or any of its officers or servants to exercise such of the administrative powers conferred on the Authority under the provisions of sub-section (2) as the Authority may think fit.

11.—(1) All members, officers and servants of the Authority shall be deemed to be employed in the public service within the meaning of the Criminal Code. Members, officers and servants of the Authority deemed public officers.

(2) The Public Officers Protection Law shall apply to any action, prosecution or other proceeding against the Authority or against any member, officer or servant thereof in respect of any act, neglect or default done or committed by him in such capacity. Cap. 13
27 of 1949
12 of 1951
28 of 1952
4 of 1953
45 of 1953
28 of 1954
Cap. 290.