

**No. 1042. THE MUNICIPAL CORPORATIONS LAW.**

CAP. 252 AND LAWS 11 OF 1950, 31 OF 1951, 20 OF 1953, 29 OF 1954,  
57 OF 1954 AND 14 OF 1955.

BYE-LAWS MADE BY THE COUNCIL OF THE MUNICIPAL CORPORATION  
OF LARNACA.

In exercise of the powers vested in them by the Municipal Corporations Law and otherwise, the Council of the Municipal Corporation of Larnaca hereby make the following bye-laws :—

1. These bye-laws may be cited as the Larnaca Municipal (Amendment) Bye-laws, 1956, and shall be read as one with the Larnaca Municipal Bye-laws, 1949 to 1955 (No. 2) (hereinafter referred to as "the principal Bye-laws"), and the principal Bye-laws and these bye-laws may together be cited as the Municipal Corporation (Larnaca) Bye-laws, 1949 to 1956.

*Gazettes :*  
Supplement  
No. 3 :  
9. 9.1949  
16. 4.1952  
25. 6.1953  
6. 5.1954  
31. 3.1955  
1.12.1955.

2. Part VI, Chapter 1.—Pensions and Gratuities (as set out in the principal Bye-laws, 1949) is hereby repealed and the following bye-laws substituted therefor :—

“ PART VI.

*Chapter 1.—PENSIONS AND GRATUITIES.*

180. In this Chapter of these bye-laws unless the context otherwise requires the following words shall have the meaning assigned to them, that is to say :—

‘ Commissioner ’ means the Commissioner of the District of Larnaca ;

‘ Council ’ means the Council of the Corporation ;

‘ the Law ’ means the Municipal Corporations Law and includes any Law amending or substituted for the same ;

‘ officer ’ means the town clerk, treasurer, municipal engineer, sanitary surveyor, Medical Officer of health, or other officer or servant appointed by the Council in the permanent service of the Corporation ;

‘ pensionable office ’ means an office which has been declared by the Council, with the sanction of the Governor, to be pensionable ;

‘ salary ’ means the annual salary of an officer as approved by the Commissioner under the provisions of the Law, or where no such approval is required the annual salary of an officer as may be appointed by the Council ;

‘ service ’ means service under the Corporation as an officer thereof either before or after the commencement of the Law ;

‘ Corporation ’ means the Municipal Corporation of Larnaca ;

‘ gratuities and pension fund ’ means the gratuities and pension fund established under these bye-laws.

181. Subject to the provisions of these bye-laws the Corporation shall charge on and pay out of the gratuities and pension fund pensions and gratuities to officers who retire from service and to officers who have been removed from their office on any grounds other than misconduct or inefficiency in the performance of their duties :

Provided that the Corporation may, with the approval of the Commissioner, charge and pay out of the gratuities and pension fund to an officer who has been removed from office on grounds of misconduct or inefficiency in the performance of his duty a pension or gratuity not exceeding the amount of pension or gratuity which might have been granted to such officer if he had not been so removed.

182. Subject to the provisions of these bye-laws, every officer holding a pensionable office in the service of the Corporation who has been in such service for ten years or upwards may be granted on his retirement a pension at the rates hereinafter following :—

- (a) on attaining the age of 60,  $\frac{1}{720}$ th (one seven hundred and twentieth) of his salary for each complete month of service ;
- (b) on voluntary retirement made with the approval of the Council on or after the age of 55,  $\frac{1}{600}$ th (one six hundredth) of his salary for each complete month of service :

Provided that whenever the services of an officer who exercised his option to retire at the age of 55 are considered essential for the municipal service, the Council may with the approval of the Commissioner extend such officer's services for such time as the Council may deem necessary and in such case such officer upon retirement shall be entitled to the pension constant he would have enjoyed had his services with the Municipality not been extended ;

- (c) upon retirement on grounds of incapacity or abolition of office made with the approval of the Council prior to reaching the age of 55,  $\frac{1}{600}$ th (one six hundredth) of his salary for each complete month of service :

Provided that a pension granted to an officer under these bye-laws shall not exceed two-thirds of the highest salary drawn by him at any time in the course of his service.

183. Every officer otherwise qualified for a pension who has not completed the minimum period of service qualifying for a pension, may be granted on retirement a gratuity not exceeding five times the annual amount of the pension which, if there had been no qualifying period, might have been granted to him under bye-law 181.

184. Subject to the provisions of these bye-laws, service qualifying for pension or gratuity, as the case may be, shall be the inclusive period between the date on which an officer begins to draw salary from the funds of the Corporation and the date of his leaving the service of the Corporation without deduction of any period during which he had been absent on leave.

185.—(1) Service in respect of which pension or gratuity may be granted must be unbroken except in cases where the service has been interrupted by abolition of office or other temporary suspension of employment not arising from misconduct or voluntary resignation.

(2) For the purpose of computing the amount of an officer's gratuity or pension there shall be taken into account—

- (a) in the case of an officer who has held one office for a period of three years immediately preceding the date of his retirement, the full salary payable to him at that date in respect of that office ;
- (b) in respect of an officer who at any time during such period of three years has been transferred from one office to another, but whose salary has not been changed by reason of such transfer or transfers, the full salary payable to him at the date of his retirement in respect of the office then held by him ;
- (c) in other cases, the average of the full salary payable in respect of each of the offices substantively held by the officer during his tenure thereof within such period of three years.

186. No service other than service in a pensionable office shall be taken into account in computing pensions except that where the service in a pensionable office has been immediately preceded by an unbroken period of service in an appointment other than a pensionable office or of service paid from funds of the Corporation or of both such services, that period or any part of it may be taken into account.

187. If an officer holding a pensionable office retires or be removed from the service in consequence of the abolition of his office, or for the purpose of facilitating improvements in the organization of the office to which he belongs, by which greater efficiency and economy can be effected, he may be granted a pension calculated in accordance with bye-law 182 :

Provided, however, that if he has been in the service of the Corporation for less than the qualifying period of ten years, he may be granted a pension calculated in accordance with that regulation as if there had been no qualifying period.

188.—(1) In the case of an officer whose office is abolished, his pension may be increased by the addition of a certain number of sixtieths of his salary, that is to say :—

(a) in the case of an officer who has served 20 years	..	7	sixtieths.
(b) in the case of an officer who has served less than twenty years but not less than fifteen years	..	5	”
(c) in the case of an officer who has served less than fifteen years but not less than ten years	.. ..	3	”

(2) No additions shall be made under this bye-law so as to entitle an officer to a higher pension than the maximum two-thirds or to a higher pension than that to which he would have been entitled by length of service on reaching the age of sixty years.

189. Where an officer has been permanently injured—

- (a) in the actual discharge of his duty ;
- (b) without his own default ; and
- (c) by some injury specifically attributable to the nature of his duty, and his retirement is thereby necessitated or materially accelerated he may, if he is qualified for a pension under bye-law 182, be granted in addition to the pension granted to him under that bye-law an additional pension at the rate of the proportion of his actual salary at the date of his injury appropriate to his case as shown in the following table when his capacity to contribute to his own support is—

Slightly impaired	.. .. .	5	sixtieths.
Impaired	.. .. .	10	”
Materially impaired	.. .. .	15	”
Totally destroyed	.. .. .	20	”

Provided that the amount of additional pension shall, subject to the approval of the Commissioner, be reduced to such an extent as the Council shall think reasonable in the following cases :—

- (a) where the injured officer has continued to serve for not less than one year after the injury in respect of which he retires ;
- (b) where the injured officer is at the date of injury within ten years of the age at which he is retired ;
- (c) where the injury is not the sole cause of retirement but the retirement is caused partly by age or infirmity not due to the injury :

Provided further that the total amount of the pension shall not exceed the maximum two-thirds of the pension to which he would have been entitled by length of service on reaching the age of sixty years.