

## THIRD SCHEDULE.

(Section 10.)

## ENACTMENTS REPEALED.

Enactments	Extent of repeal
1. The Oaths and Affidavits Law, 1931, (No. 2 of 1931) . . . . .	The whole.
2. The Oaths and Affidavits (Amendment) Law, 1933, (No. 22 of 1933)	The whole.
3. The Oaths and Affidavits (Amendment) Law, 1936, (No. 39 of 1936)	The whole.

## No. 6 OF 1938.

## A LAW TO AMEND THE CYPRUS PENSIONS ORDERS AND LAW, 1929 TO 1936.

H. R. PALMER,]  
Governor.

[1st April, 1938.

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

1. This Law may be cited as the Cyprus Pensions Order in Council, 1929, (Amendment) Law, 1938, and shall be read as one with the Cyprus Pensions Orders and Law, 1929 to 1936, (hereinafter called "the Order"), and the Order and this Law may together be cited as the Cyprus Pensions Orders and Laws, 1929 to 1938. Short title.  
6 of 1936

2. Section 2 of the Order shall be amended as follows :— Amendment  
of section 2  
of the Order.

(a) By the insertion at the end of paragraph (a) of the definition of the term "pensionable emoluments" of the following proviso :—

" provided that in the case of a constable it shall also include good conduct pay and merit allowance but shall not include house allowance ; "

(b) By the insertion therein at the end thereof of the following definition :—

" The term ' constable ' includes all members of the Cyprus Police Force (hereinafter called ' the Force ' ) below the rank of Sub-Inspector :

Provided that the Governor in Council, with the sanction of the Secretary of State, may, from time to time by notice in the *Gazette*, declare that the term 'constable' shall or shall not apply to any office in the Force specified in such notice and such declaration may contain such provisions as may be considered equitable for the purpose of safeguarding existing rights."

Amendment of section 7 of the Order.

3. Section 7 of the Order shall be amended by the insertion in paragraph (a) thereof of the words "or in the case of a constable on or after attaining the age of fifty years," after the words "fifty-five years,".

Amendment of section 9 of the Order.

4. Section 9 of the Order shall be amended by the addition thereto of the following sub-section, the first part thereof being numbered as sub-section (1) :—

"(2) Notwithstanding anything in sub-section (1) of this section contained, it shall be lawful for the Governor in Council to require any constable to retire from the service of Cyprus at any time after he has attained the age of fifty years, and retirement shall be compulsory for every constable on attaining the age of fifty-five years."

Insertion of new section 18A in the Order.

5. The Order shall be amended by the insertion immediately after section 18 of the following section :—

"Pensions, etc., to dependants when an officer is killed on duty.

18A.—(1) Where an officer holding a pensionable office, who is not serving on probation or agreement, dies as the direct result of injuries received—

(a) in the actual discharge of his duty ; and

(b) without his own default ; and

(c) on account of circumstances specifically attributable to the nature of his duties,

while in the service of Cyprus, it shall be lawful for the Governor in Council to grant in addition to the grant (if any) made to his legal personal representative in accordance with section 18 of this Order—

(i) if the deceased officer leaves a widow, a pension to the widow, while unmarried and of good character, at a rate not exceeding ten-sixtieths of his pensionable emoluments at the date of the injury

or ten pounds a year, whichever be the greater; and also a gratuity not exceeding one pound multiplied by the total number of their years, starting from their ages at the time of their father's death and ending with fifteen years, to each child alive at the date of the father's death, and a gratuity not exceeding fifteen pounds to any posthumous child:

Provided that the gratuities so granted shall not in the aggregate be less than ten pounds nor more than sixty pounds;

- (ii) if the officer's wife predeceases him or if no pension is granted to her, and he leaves children who would have been eligible for gratuity if a pension had been granted to the widow, gratuities of twice the amount of the gratuities for which they would have been eligible in such circumstances;
- (iii) if the deceased officer does not leave a widow, or if no pension is granted to his widow, and if his mother was wholly dependent on him for her support, a pension to the mother, while of good character and without adequate means of support, at a rate not exceeding the rate of the pension which might have been granted to his widow:

Provided that—

- (a) if the mother is a widow at the time of the grant of the pension and subsequently remarries such pension shall cease as from the date of remarriage; and
- (b) if the mother is not a widow and it appears that the deceased's father is in a position to support her, such pension shall cease from such date as the Secretary of State may determine.

(2) When an officer not holding a pensionable office or an officer serving on probation or agreement in a pensionable office dies in the

circumstances mentioned in sub-section (1) of this section, it shall be lawful for the Governor in Council to grant the pension or gratuities which might have been granted if his case had fallen under the said sub-section."

Amendment  
of Regu-  
lations  
contained  
in the First  
Schedule to  
the Order.  
Saving.

6. The Regulations contained in the First Schedule to the Order shall be amended in accordance with the provisions of the Regulations contained in the Schedule hereto.

7. Upon the coming into operation of this Law—

(a) the office of constable shall be deemed to be pensionable as from the 1st day of January, 1938, and

(b) the provisions of sections 26 to 35, both inclusive, of the Police Laws, 1878 to 1934, shall be deemed to have ceased on the date aforesaid to apply to—

(i) any member of the Force appointed prior to and serving in the office of constable on the date aforesaid, and

(ii) any member of the Force appointed to the office of constable after the date aforesaid :

Provided that the provisions of this Law shall not apply to any member of the Force appointed prior to and serving in the office of constable on the date aforesaid who shall elect in writing to be delivered to the Colonial Secretary on or before a date to be specified by the Governor by notification to be published in the *Gazette* not to come under the provisions of this Law.

#### SCHEDULE.

*Gazettes :*

24. 6.1929  
7.11.1930  
30. 1.1931  
20. 2.1931  
15. 4.1932  
11.11.1932  
30.12.1932  
11. 5.1934  
21. 9.1934  
9.10.1936  
15.10.1937  
21. 1.1938

1. These Regulations may be cited as the Cyprus Pensions (Amendment, No. 2) Regulations, 1938, and shall be read as one with the Cyprus Pensions Regulations, 1929 to 1938, (hereinafter called "the Principal Regulations"), and the Principal Regulations and these Regulations may together be cited as the Cyprus Pensions Regulations, 1929 to (No. 2) 1938.

2. Regulation 1 of the Principal Regulations shall be amended as follows :—

(a) By the insertion immediately after the words "these Regulations" of the words "and save as in sub-section (2) of this Regulation provided",

(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.

**B**E 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;

“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; tation.