



SUPPLEMENT No. 2

TO

**THE CYPRUS GAZETTE No. 3640 OF 29TH AUGUST, 1952.
LEGISLATION.**

THE STATUTE LAWS OF CYPRUS

No. 17 of 1952.

A LAW TO AMEND THE ELEMENTARY EDUCATION LAW.

**CAP. 203
22 of 1950.**

A. B. WRIGHT,]
Governor.

[28th August, 1952.

BE 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 Elementary Education (Amendment) Law, 1952, and shall be read as one with the Elementary Education Law (hereinafter referred to as "the principal Law").

Short title.
Cap. 203
22 of 1950.

Amendment of section 9 (3) of the principal Law.

2. Sub-section (3) of section 9 of the principal Law is hereby amended by the insertion therein of the following proviso, the full stop at the end thereof being substituted by a colon :—

“ Provided that, in lieu of the Director, the Governor may appoint for any such school a board consisting of not more than six persons with the Director as Chairman to perform the duties and exercise the powers of a Board of Education for the school in respect of which such Board is appointed.”

Repeal of section 19 of the principal Law and substitution of new section.

3. Section 19 of the principal Law is hereby repealed and the following section substituted therefor :—

“ Resignation of membership. 19. Any member of a Town Committee may resign his membership upon giving notice thereof in writing to the Governor through the Director with copy to the Chairman of such Committee.”

Amendment of section 22 of the principal Law.

4. Paragraph (b) of section 22 of the principal Law is hereby amended by the substitution therein for the word “ Commissioner ” of the word “ Director ” (line 1) and the deletion therefrom of the words “, and if the Commissioner is not able to adjust the same he shall forward the complaint to the Director for consideration and adjustment ” (lines 4, 5, 6 and 7).

Repeal of section 24 of the principal Law and substitution of new section.

5. Section 24 of the principal Law is hereby repealed and the following section substituted therefor :—

“ Estimates. 24.—(1) Every Town Committee or Village Commission or Committee of Management shall, not later than the 1st day of June in each year, make a detailed estimate of the amount required—

(a) for furniture, equipment, cleaning, lighting, warming, caretaking and general school maintenance in the town or village ;

(b) for rent, erection, repairs, extension, improvement or development of any school buildings, premises, playgrounds, yards and gardens in the town or village ;

(c) when necessary, in the case of villages, for the erection, repairs or extension of teachers dwellings or, if no such dwellings are provided, for the rent of the house occupied by the teacher ;

(d) for the medical examination and treatment and the nutrition of pupils attending schools in the town or village, in accordance with any Regulations that may be made in that behalf ;

§ 5 repealed & substituted by s. 3 of L. 12/54

(e) for the provision of books and writing materials for pupils attending schools in the town or village ; and

(f) for any other purpose connected with schools in the town or village,
in the school year next ensuing :

Provided that, save with the consent of the Governor, such estimate shall not exceed the approved estimate in the immediately preceding year, in respect of the school to which the new estimate relates.

(2) The estimate shall be forwarded to the Director who shall submit the same to the Board of Education concerned with the school to which the estimate relates, for their consideration.

(3) The Board of Education concerned shall consider the estimate and make such alterations therein or additions thereto as they may deem fit and shall then, subject to any alteration or addition, approve the estimate, whereupon the amount therein appearing shall, after deducting any grant payable under the provisions of section 86 of this Law, be assessed, provided, collected and paid—

(a) for schools in any village, in the manner set out in section 90 of this Law ; and

(b) for schools in any town, in the manner set out in section 95 of this Law :

Provided that, save with the consent of the Governor, no addition shall be made by a Board of Education which shall cause the estimate to exceed the approved estimate in the immediately preceding year in respect of the school to which the new estimate relates."

6. Section 28 of the principal Law is hereby repealed and the following section substituted therefor :—

"Vacancies. 28. The Director may fill any vacancy whenever it occurs or make such arrangements in connection therewith as the exigencies of the service may require."

Repeal of section 28 of the principal Law and substitution of new section.

7. Sub-section (2) of section 33 of the principal Law is hereby amended by the deletion therefrom of the words beginning with "such teacher" to the end of the section (lines 6, 7, 8, 9, 10 and 11) and the substitution therefor of the following words :—

"such teacher, whilst so acting or performing such duty,

Amendment of section 33(2) of the principal Law.

shall continue to receive salary under this Law, such salary to be reimbursed to Government by the institution employing him, together with such additions as may, from time to time, be fixed by the Governor."

Repeal of section 36 (1) of the principal Law and substitution of new section.

8. Sub-section (1) of section 36 of the principal Law is hereby repealed and the following sub-section substituted therefor:—

"Leave.

36.—(1) A teacher may be granted sick leave by the Director of such duration and on such terms as may be prescribed."

Amendment of section 40 (2) of the principal Law.

9. Paragraph (c) of sub-section (2) of section 40 of the principal Law is hereby repealed and the following paragraph substituted therefor:—

"(c) he fulfils the requirements prescribed by Regulations in that behalf."

Insertion of new section 61A in the principal Law.

10. The principal Law is hereby amended by the insertion therein, immediately after section 61, of the following section:—

"Power to amend Part V of the Law.

61A. The Governor-in-Council, if it appears to him that, having regard to all the circumstances, it is desirable that any of the provisions of this Part of this Law should be brought into line with the provisions of any Law relating to pensions of public officers, in force for the time being, may by order, with the sanction of the Secretary of State, amend or adapt any of the provisions of this Part of this Law accordingly and, thereupon, such provisions shall apply subject to such amendments or adaptations as may be set out in the order:

Provided that nothing in any such order shall diminish or affect the rights acquired, or rights saved under any election, by any teacher prior to the making of such order or the pension granted to any teacher who has retired prior to the making of such order."

Amendment of section 74 of the principal Law.

11. Section 74 of the principal Law is hereby amended by the deletion therefrom of the words "and the Commissioner" (line 4).

Repeal of section 86 of the principal Law and substitution of new section.

12. Section 86 of the principal Law is hereby repealed and the following section substituted therefor:—

"Government grants for certain purposes.

86. There shall be defrayed in every year, out of the general revenue of the Colony, such amount as may be required for the payment of the grants set out in the Schedule to this Law, such grants to be calculated and paid in the manner and at the time set out in such Schedule and to be utilized for the purposes therein contained."

Schedule.

Repealed; S. 16 of L. 12/54

13. Section 87 of the principal Law is hereby repealed and the following section substituted therefor:—

Repeal of section 87 of the principal Law and substitution of new section.

“Education tax. 87.—(1) There shall be levied, assessed, collected and paid in every school year an additional tax (to be called ‘the Education tax’) on all immovable property which is subject to immovable property tax at the rate of four per thousand in towns and of one and a half per thousand in villages on the capital value of such property.

(2) The Education tax shall be payable at the same time as the immovable property tax is payable and shall be paid, collected and recovered in the same manner as Government taxes are paid, collected and recovered.”

14. Sub-section (5) of section 88 of the principal Law is hereby amended by the deletion therefrom of paragraph (a) and the substitution therefor of the following paragraph:—

Amendment of section 88 (5) of the principal Law.

“(a) be paid out of the Education (A), (B) or (C) Funds, as the case may be, any amount credited to, or paid into, any such Fund for the purposes for which such amount is raised.”

15. Section 89 of the principal Law is hereby amended as follows:—

Amendment of section 89 of the principal Law.

(a) by the deletion in sub-section (1) of paragraphs (a), (b) and (c) and the substitution therefor of the following paragraphs:—

“(a) for schools situated in any village in the manner in section 90 of this Law provided;

(b) for schools situated in any town in the manner in section 95 of this Law provided.”;

(b) by the substitution for sub-section (2) of the following sub-section:—

“(2) The interest and sinking fund on any loans made under the provisions of this Law or of any Law relating to Elementary Education previously in force shall likewise be provided in the manner in section 90 or 95 of this Law provided, as the case may be, or in such other manner as the Governor may in any special case direct.”

16. Section 90 of the principal Law is hereby repealed and the following section substituted therefor:—

Repeal of section 90 of the principal Law and substitution of new section.

90.—(1) For the purposes of this section—

“Assessments for schools situate in villages.

‘Committee’ means the Committee of Management for a school situated in a village;

‘inhabitant’ includes every person belonging to the same religious community as the Village

Commission or the Committee who, on the 15th day of October in the year of assessment—

- (a) was ordinarily resident in the village; and
- (b) is not less than eighteen years of age; and
- (c) has means such as to justify an assessment on him of a sum not less than one shilling, and no others;

‘religious corporation’ means any religious establishment or religious institution belonging to any denomination and any throne, church, chapel, monastery, mosque, tekye, shrine or synagogue and includes the Delegates of Evcaf;

‘village’ means the village in respect of which the assessment is to be made.

- (2) No person shall be deemed to be an inhabitant of more than one village or group in respect of any one school year; and where any person has been assessed in more than one village in respect of any one school year, he may appeal to the Commissioner as hereinafter provided, and the Commissioner shall thereupon determine of which village he shall be deemed to be an inhabitant:

Provided that where the villages or groups in which such person is assessed are situated in different districts, the Commissioners of the districts concerned shall refer the appeal to the Director, whose decision shall be final.

- (3) Every teacher employed under the provisions of this Law shall be deemed to be an inhabitant of the village in which he is employed as a teacher on the 15th day of October in the year of assessment:

Provided that no assessment made upon any such teacher shall exceed one per centum of his salary (including any duty allowance and any special allowance).

- (4) The Director shall, not later than the 15th day of October in each year, cause to be forwarded to the Chairman of each Village Commission or Committee a notice calling upon the Commission or the Committee to assess—

- (a) the amounts required under sections 24 (3) and 89 of this Law;
- (b) any amount which may have been written off as irrecoverable from past assessments; and

(c) in the case of a Village Commission, a fee for the Chairman of the Village Commission calculated at the rate of five per centum on the amounts required under sections 24 (3) and 89 of this Law but not exceeding a total fee of five pounds in any one school year :

Provided that, where two or more villages are grouped together, the fee shall be divided among the mukhtars of the group in proportion to the amount assessed upon the inhabitants of each village in the group.

(5) Within thirty days of the receipt of the notice the Village Commission or the Committee shall assess the said amounts on every religious corporation owning or possessing any immovable property situated in the village, according to the value of such property, and on the inhabitants of the village, according to the means of each person.

(6) Where two or more villages are grouped together for the purposes of this section of this Law, the Director shall determine the amount which shall be assessed upon each village of the group.

(7) A list of the amounts assessed as in this section provided shall be made in writing and certified by the signatures of all or a majority of the members of the Village Commission or the Committee.

(8) A copy of the list shall be posted or caused to be posted by the Chairman of the Village Commission or the Committee in a conspicuous place in each village or group concerned and shall remain so posted for ten days, and two copies shall be sent by the Chairman aforesaid within seven days from the completion of the list to the Commissioner, accompanied by a certificate signed by the Chairman that a copy has been so posted :

Provided that whenever any amount is assessed on any immovable property owned or possessed by a religious corporation a special notice of the amount so assessed shall be immediately sent by the Chairman aforesaid to the head of such corporation.

(9) If the copies of such lists are not sent to the Commissioner within the time aforesaid or if the Village Commission or the Committee fails or neglects to make the assessment aforesaid, the Commissioner shall make the assessment and shall send a list thereof to the Chairman of the Village Commission or the Committee to be posted in the village or group in the manner aforesaid.

of the same religion or denomination as the Village Commission or the Commi

(10) Any person who may feel himself aggrieved by any assessment made upon him under the provisions of this section may appeal to the Commissioner within ten days of the posting of the list in the village or group. Such appeal shall be in writing and shall state the grounds on which the assessment is objected to :

Provided that the head of a religious corporation may appeal to the Commissioner within twenty days from the date of the receipt of the notice :

Provided further that when the assessment is made by the Commissioner under sub-section (9), the appeal shall be made within the aforementioned periods to the Board of Education of the religious Community affected by the assessment.

(11) The Commissioner or the Board of Education, as the case may be, shall as soon as possible proceed to inquire into the justice of the assessment in respect of which any appeals may have been made.

(12) The Commissioner or the Board of Education, as the case may be, after such inquiry, shall make such alterations and amendments including the rectification of any omissions in the assessment list as he shall think just, and shall then approve it, and shall cause a copy of the list so approved to be handed to the Chairman of the Village Commission or the Committee to be posted in the village or group in the manner set out in sub-section (8) and such copy shall remain so posted for two months.

(13) If it shall appear to the Board of Education that any substantial injustice or irregularity has been committed in the assessment, and such injustice or irregularity has been brought to the knowledge of the Board by the aggrieved persons by a notice in writing within two months from the date of the posting of the copy of the list as in sub-section (12) hereof provided, the Governor may, on the recommendation of the Board of Education, order the redress of the injustice or irregularity in such manner as he may think fit and his decision shall be final.

(14) On the approval of the list by the Commissioner or the Board of Education or following an order of the Governor under sub-section (13), as the case may be, the sum assessed on each person

shall be payable by every such person and his heirs in such instalments and at such time or times as the Governor may from time to time direct, and shall be recoverable in the same manner as Government taxes may be recovered, and the amount so paid or recovered shall be credited to the Education (A), (B) or (C) Funds, as the case may be, for the purpose for which it is raised.

(15) If any person has paid any sums assessed upon him under this section in more than one village or group in respect of any one school year, and for good reason shown to the satisfaction of the Commissioner did not appeal as in sub-section (10) hereof provided, he may within the school year to which such assessment relates appeal to the Commissioner, who shall give his decision upon the matter as in sub-section (5) hereof provided and shall order the refund to him of any sums paid by him in respect of any village or group of which he is not deemed to be an inhabitant."

17. Section 92 of the principal Law is hereby amended as follows :—

Amendment of section 92 of the principal Law.

(a) by the deletion in sub-section (1) thereof of the words " the Town Committee or the Village Commission of the town or village " (lines 8 and 9) and the substitution therefor of the words " the Village Commission or Committee of Management of the village " ;

(b) by the deletion in sub-section (2) thereof of the words " the Town Committee or Village Commission " (line 3) and of the words " the Education (A) Fund." (line 7) and the substitution therefor, respectively, of the words " the Village Commission or the Committee of Management " and the words " the Education (A), (B) or (C) Funds, as the case may be."

18. Section 93 of the principal Law is hereby repealed and the following section substituted therefor :—

Repeal of section 93 of the principal Law and substitution of new section.

93. Where a payment out of the Education (A), (B) or (C) Funds is made as in section 92 of this Law provided, the Director shall notify the Chairman of the Village Commission or the Committee of Management of the village for the educational requirements of which the assessment was made, and the Commission or Committee shall thereupon

"Payments out of Education (A), (B) or (C) Funds for illegal assessments to be recoverable from village concerned.

assess the amount so paid out of the aforementioned Education Funds, in the same manner as in the case of amounts which had been written off as irrecoverable from past assessments and such amount when recovered shall be repaid to the Education (A), (B) or (C) Funds, as the case may be.”

Repeal of section 95 of the principal Law and substitution of new section.

19. Section 95 of the principal Law is hereby repealed and the following section substituted therefor:—

“Increase of Education tax for schools situate in towns.

95.—(1) The total amount required in any one year under sections 24 (3) and 89 of this Law in respect of all schools in any town shall be provided by an increase of the Education tax, payable in towns (as imposed by section 87 of this Law) by such further percentage in each town as shall be sufficient to provide for the amount so required in respect of all schools in such town for that particular year.

(2) The increase of the Education tax as in sub-section (1) provided shall be payable at the same time as the Education tax is payable and shall be paid, collected and recovered in the same manner as Government taxes are paid, collected and recovered and, when recovered, shall be credited to the Education (A), (B) or (C) Funds, as the case may be, for the purpose for which it is raised.”

Repeal of section 96 of the principal Law and substitution of new section.

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28 of 1949

20. Section 96 of the principal Law is hereby repealed and the following section substituted therefor:—

“Effect of increases of immovable property tax on the Increase of Rent (Restriction) Law.

96. The Education tax and every increase thereof as in this Law provided shall, for the purposes of paragraph (b) (i) of sub-section (2) of section 5 of the Increase of Rent (Restriction) Law, be deemed to be and be treated in the same manner and to the same effect as an increase of the immovable property tax as therein provided.”

Amendment of section 104 (3) of the principal Law.

21. Sub-section (3) of section 104 of the principal Law is hereby amended by the insertion therein of the following proviso, the fullstop at the end thereof being substituted by a colon:—

“Provided that any Town Committee, Village Commission or Committee of Management may charge for books and writing materials supplied to pupils whose parents, in the opinion of the Committee or Commission, are in a position to pay for the same.”

22. The principal Law is hereby amended by the insertion therein, at the end thereof, of the following Schedule:—

Insertion of
Schedule in
the principal
Law.

“ SCHEDULE.

(Section 86.)

GOVERNMENT GRANTS.

1. In this Schedule—

‘ dwelling ’ means a residence provided by the Village Commission or Committee of Management for the teacher in the village or group ;

‘ suburb ’ means the village of Ayios Dhometios, Engomi, Eylenja, Kaimakli Beuyuk, Kaimakli Kuchuk (Omorphita), Orta Keuy (Minzeli), Palouriotissa, Strovolos and Trakhonas.

2. The grants shall be—

- (a) the School Maintenance Grant ;
- (b) the Teachers’ Residences Grant ; and
- (c) the School Premises Grant.

3. The School Maintenance Grant shall be—

- (a) in the towns and the suburbs, two pounds for every pupil in every school year ;
- (b) in villages (other than suburbs), twenty-five shillings for every pupil in every school year,

and shall be payable to Town Committees, Village Commissions and Committees of Management, as the case may be, through the Director, not later than the 31st December in every school year, to be calculated on the basis of the average attendance of pupils for the immediately preceding year in the school of which such Town Committee, Village Commission or Committee of Management has the general management and supervision and to be utilized for the purposes set out in section 24 (1) of the Law.

4. The Teachers’ Residences Grant shall be ten pounds for every teacher’s dwelling situated in a village (other than a suburb) and shall be payable to the Village Commissions and Committees of Management, through the Director, not later than the 31st December in every school year, in respect of every dwelling owned, rented or provided by the Village Commission or Committee of Management for use as a teacher’s dwelling whether or not it is actually occupied at any time during the school year :

Provided that, where any building serves as a residence for more than one teacher, it shall be for the Director to determine whether such building may be treated as constituting more than one dwelling.

5. The School Premises Grant shall be six thousand and five hundred pounds in every school year and shall be paid to the Director for allocation to such Town Committees, Village Commissions and Committees of Management, towards their cost of providing adequate school premises, as in the opinion of the Director are in need of assistance.”

23. This Law shall come into operation on the 1st day of September, 1952.

Date of
commence-
ment.

J. FLETCHER-COOKE,
Colonial Secretary.

28th August, 1952.