

Amendment
of section 5
of the
principal
Law.

2. Sub-section (1) of section 5 of the principal Law is hereby amended by the substitution for paragraph (j) thereof of the following paragraphs:—

- “(j) with the consent of the Governor to borrow money from any person in such manner and subject to such conditions as the Governor may deem fit to impose for the purpose of carrying out its functions;
(ja) with the approval of the Governor to make loans or advances in the performance of its functions;”.

Amendment
of the
principal
Law by
insertion of
new section
8A.

3. The principal Law is hereby amended by the insertion therein immediately after section 8 of the following new section:—

“Exemption
from
taxation
and stamp
duties.

8A. The Commission shall be exempt from—

- (a) payment of any dues or duties under any Customs Law for the time being in force on machinery, including parts and accessories, apparatus, appliances, vehicles, instruments, tools, stores and materials of whatsoever kind imported for the use of the Commission and not intended for sale to the general public;
(b) payment of any dues or duties under any Customs Law for the time being in force on any grain declared to be a controlled article under sub-section (1) of section 3;
(c) payment of stamp duty under any Law for the time being in force relating to stamp duties.”

2nd September, 1954.

J. FLETCHER-COOKE,
Colonial Secretary

NO. 46 OF 1954.

CAP. 267.

A LAW TO AMEND THE RURAL CONSTABLES LAW.

R. P. ARMITAGE,
Governor.

[3rd September, 1954.]

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

Short title.

1. This Law may be cited as the Rural Constables (Amendment) Law, 1954, and shall be read as one with the Rural Constables Law (hereinafter referred to as “the principal Law”).

Cap. 267.

2. The principal Law is hereby amended by the insertion, immediately after section 19, of the following new Part and sections :—

Amendment
of the
principal
Law by
insertion
of new
Part IIA.

“PART IIA.

RETIREMENT OF RURAL CONSTABLES AND
GRATUITIES.

Definitions.

19A. For the purpose of this Part of this Law—

‘gratuity’ means any gratuity granted under this Part of this Law ;

‘salary’ shall be exclusive of any amount paid by way of bonus under sub-section (2) of section 24 of this Law.

Gratuities on
retirement.

19B. Subject to the provisions of this Part of this Law every rural constable appointed under sub-section (2) of section 6 of this Law who has served for not less than seven years shall, on his retirement, be granted a gratuity at the rate of half a month’s salary for every complete year of service at the average rate of the salary such rural constable was receiving for the last three years immediately preceding the date of his retirement :

Provided that a gratuity may be granted to a rural constable who retires after three years’ service in any of the following cases :—

- (a) when by reason of age or other disability, not arising from his own misconduct or neglect, his efficiency is in the opinion of the Commissioner impaired or affected ;
- (b) when he has been certified by a District Medical Officer (or a Medical Board appointed to enquire into the state of his health) to be unfit for further employment on account of ill-health.

Qualifying
service.

19C. Service qualifying for gratuity shall be the continuous service between the date of the appointment of the rural constable under sub-section (2) of section 6 of this Law and the date of his leaving the service without deduction of any period during which he was on vacation or sick leave.

Rural
Constables
Gratuity
Fund.

19D. There shall be established in each district under the control of the Commissioner a fund to be called ‘the Rural Constables Gratuity Fund’ which shall be operated on a district basis into which there shall be paid moneys collected

under this Part of this Law from annual assessments and from Government contribution and out of which all gratuities to rural constables shall be paid.

Assessment of amount required for gratuities.

19E.—(1) Notwithstanding anything in section 8 of this Law contained, in every annual assessment made thereunder there shall be included an amount required for the purposes of the payment in the ensuing year of the one-half of any gratuity under section 19B of this Law :

Provided that such amount shall be approved by the Commissioner and shall not be in excess of three per centum of the total amount of assessment for that year.

(2) Any amount assessed under sub-section (1) of this section shall, on its recovery, be paid into the Rural Constables Gratuity Fund.

Government contribution.

19F.—(1) The Governor shall direct that out of the public revenue of Cyprus a contribution shall be made in every year in payment of the one-half of the amount required in that year for the payment of gratuities to rural constables under this Part of this Law.

(2) Any contribution made under sub-section (1) of this section shall be appropriately distributed amongst the Rural Constables Gratuity Funds.

Gratuity in case of death.

19G.—(1) Upon the death of a rural constable to whom section 19B of this Law applies the Governor may at his discretion grant to the deceased's dependants a sum not exceeding the amount of the gratuity for which such rural constable would have been eligible if at the date of his death his efficiency had been impaired or affected under paragraph (a) of the proviso to section 19B of this Law or if he had been certified to be unfit for further employment on account of ill-health under paragraph (b) of that proviso.

(2) For the purposes of sub-section (1) of this section—

‘dependants’ means those members of the family of a rural constable who were wholly or in part dependent upon his earnings at the time of his death, or would but for any of the grounds mentioned in the proviso to section 19B of this Law have been so dependent, and, where the rural constable, being the parent or

grandparent of an illegitimate child, leaves such child so dependent upon his earnings, or being an illegitimate child, leaves a parent or grandparent so dependent on his earnings, shall include such an illegitimate child or parent or grandparent respectively :

Provided that a person shall not be deemed to be a partial dependant of another person unless he was dependant partially on contributions from that other person for the provision of the ordinary necessities of life suitable for persons in his class and position.

19H. The Governor may make Regulations for all or any of the following matters :—

- (a) to provide for the grant of vacation leave or sick leave to a rural constable and the conditions of such grant ;
- (b) to regulate the operation of the Rural Constables Gratuity Funds and the books to be kept in connection therewith ;
- (c) generally for the better carrying out of the purposes of this Part of this Law.

19I. This Part of this Law shall come into force on the first day of November, 1954, and shall apply to any rural constable who on that date shall be eligible for gratuity under section 19B of this Law.”.

3. Sub-section (2) of section 30 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) :—

Amendment
of section 30
of the
principal
Law.

“ Provided that the Court to which an application by the Mukhtar for an order directing a defaulter to pay the sum due together with costs of execution shall be made (under paragraph 7 of the First Schedule to the Recovery of Compensation for Injury to Property Law) shall be the District Court of the district within which the damage was caused.”.

Cap. 146
38 of 1954.

J. FLETCHER-COOKE,

Colonial Secretary.

4th September, 1954.