

CAP. 353.

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DIANELLOS ORPHANAGE

CHAPTER 353 OF THE LAWS

1959 EDITION

PRINTED BY

C. F. ROWORTH LIMITED, 54, GRAFTON WAY, LONDON, W.1.

[Appointed by the Government of Cyprus the Government Printers of this Edition of Laws within the meaning of the Evidence (Colonial Statutes) Act, 1907.]

1959

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CHAPTER 353.

DIANELLOS ORPHANAGE.

ARRANGEMENT OF SECTIONS.

<i>Section</i>		<i>Page</i>
1	Short title	2
2	Interpretation	2
3	Orphanage and Training School to be a body corporate ...	3
4	Vesting of property	3
5	Management and control	3
6	Compulsory acquisition of immovable property ...	4
7	Regulations	5
8	Powers of the Supreme Court and the Attorney-General ...	5
	SCHEDULE	5

A LAW TO PROVIDE FOR THE INCORPORATION OF AN
ORPHANAGE AND TRAINING SCHOOL ESTABLISHED BY
DEMETRAKIS G. DIANELLOS OF LARNACA.

1 of 50.

[11th January, 1950.]

WHEREAS Demetrakis G. Dianellos of Larnaca (in this Law referred to as "the settlor," which expression where the context so admits includes his heirs, executors, administrators and assigns), has, by trust deeds made on the 15th and 20th days of December, 1949, declared that he holds as a trustee the immovable properties described in the Schedule hereto together with a sum of fifty thousand pounds in cash in trust for poor orphan children of the Greek-Orthodox community for the establishment of an orphanage and training school for such children:

AND WHEREAS it is expedient to provide by Law for the establishment of the orphanage and training school as aforesaid, and for the vesting of the said immovable property and money in such orphanage and training school and the management and control thereof:

Short title.

1. This Law may be cited as the Orphanage and Training School (Demetrakis G. Dianellos of Larnaca) Law.

Interpre-
tation.

2. In this Law—

"orphan" means a poor child belonging to the Greek-Orthodox community of the town and district of Larnaca who has lost both his parents:

Provided that the above definition may, by regulations made under this Law, be extended to include—

- (a) any poor child of the said community who has lost his father only;
- (b) any poor child of any other Greek-Orthodox community in the Colony who has lost either both his parents or his father only.

“Orphanage and Training School” means the Orphanage and Training School established as in this Law provided.

3. The Orphanage and Training School shall be a body corporate by the name of “Orphanage and Training School, Demetrakis G. Dianellos of Larnaca” and by that name shall have perpetual succession and a corporate seal, in such form as may be prescribed, with power to hold property, to enter into contracts, to institute and defend suits and other legal proceedings and, generally, to do all things as may be necessary for the purposes of its establishment.

Orphanage and Training School to be a body corporate.

4. Upon the coming into operation of this Law—

- (a) the immovable properties set out in the Schedule hereto situated in the town of Larnaca and registered in the name of the settlor shall vest, and be registered, in the name of the Orphanage and Training School without payment of any fees and the necessary amendments of the registrations in the books of the District Lands Office shall be effected forthwith by the proper authority without any further formality;
- (b) the sum of fifty thousand pounds as aforesaid, shall be forthwith paid into a bank approved by the Governor in the name and for the account of the Orphanage and Training School, thereafter to be disposed of in such manner as may be prescribed.

Vesting of property.

5. (1) The Orphanage and Training School shall be managed and controlled as follows:—

Management and control.

- (a) by the settlor, during his lifetime, or, if he is incapacitated by illness or is absent from the Colony, by such person as the settlor may appoint in his place until he resumes his duties:

Provided that, if the settlor fails to make any

such appointment, the Governor may appoint a person to act for the settlor until the settlor resumes his duties;

- (b) after the death of the settlor, by a board of management consisting of such persons, not being less than five, as the settlor may appoint by his will or other document or, if he fails so to appoint, of such persons as the Governor may appoint.

(2) The Governor may—

- (a) at any time terminate any appointment made by him under the provisions of this section;
- (b) upon the death, resignation, retirement or termination of appointment of any person appointed by him under the provisions of this section, appoint another person to fill the vacancy;
- (c) in the case of illness or absence from the Colony of any member of the board of management, appoint a person in the place of such member until such member shall resume his duties.

(3) Any appointment made under the provisions of this section may be of a person by name or of the person for the time being holding a public, municipal, ecclesiastical or other office:

Provided that every person appointed by the Governor shall belong to the Greek-Orthodox community of the town and district of Larnaca.

Compulsory
acquisition of
immovable
property.

6. If any immovable property required in connection with the Orphanage and Training School cannot be acquired by agreement, the person or board managing the Orphanage and Training School shall report the matter to the Governor forwarding to him for his consideration a plan of such immovable property together with particulars as regards its owner, estimated value, and the special reasons which make the acquisition desirable and the Governor may declare that the property be acquired under the provisions of the Law in force for the time being providing for the acquisition of land for public purposes and the provisions of such Law shall apply to an acquisition under the provisions of this Law as they apply to the acquisition of land for public purposes:

Provided that the Governor, before sanctioning the acquisition, may impose such terms and conditions in connection therewith as to him may seem fit.

7. (1) The person or board managing the Orphanage and Training School may make regulations for the better carrying out of the purposes of this Law: Regulations.

Provided that such regulations shall be subject to the approval of the Governor and shall not come into operation until approved by him and published in the Gazette.

(2) In particular and without prejudice to the generality of the powers contained in subsection (1), such regulations may—

- (a) make provision in respect of all matters stated or required in this Law to be prescribed;
- (b) provide for the mode of convening the meetings of the board, the number required to form a quorum and the procedure to be followed thereat;
- (c) prescribe rules for the internal management of the Orphanage and Training School;
- (d) provide for any matter in respect of which any person or board managing the Orphanage and Training School may exercise any power or perform any duty under this Law.

8. The Supreme Court and the Attorney-General shall have and exercise, in respect of the Orphanage and Training School, the same powers vested in and exercised by them respectively under the Charities Law, as if the Orphanage and Training School is a charity registered and incorporated under the provisions of the said Law and any Rules of Court made under the provisions of the said Laws shall apply to any proceedings taken in respect of any matter arising under this Law. Powers of the Supreme Court and the Attorney-General. Cap. 41.

SCHEDULE.

(Section 4.)

1. Building site at locality "Road to Nicosia" under registration No. G256 of 20.12.1948.
2. House at locality "Road to Nicosia" under registration No. G257 of 30.12.1939.
3. House at locality "Road to Nicosia" under registration No. G258 of 30.12.1939.
4. House at locality "Road of the French Monastery" under registration No. G275 of 15.12.1949.
5. House near the Bishopric under registration No. J10 of 20.12.1949.
6. Field with two cypress trees, bamboos and one palm tree at locality "Road Bargili" under registration No. J224 of 20.12.1949.
7. Field at locality "Road Bargili" under registration No. J226 of 20.12.1949.

