

No. 18 OF 1933.

A LAW TO MAKE BETTER PROVISION AND TO CONSOLIDATE THE **A.D. 1933.**
 LAW IN REGARD TO ELEMENTARY EDUCATION AND 18 of 1933.
 TO PURPOSES CONNECTED THEREWITH.

R. E. STUBBS,
 Governor.

[27th May, 1933.

BE it enacted:—

PART I.

PRELIMINARY.

1. This Law may be cited as the Elementary Education Law, Short title.
 1933.

2. In this Law, unless the context otherwise requires—

“Assistant Director” means the Assistant Director of
 Education.

“child”, except in so far as may be otherwise prescribed
 by regulations, means any person between the ages of four
 and fourteen.

“Colony” means the Colony of Cyprus.

“Commissioner” means the Commissioner of the District
 in which the town or village, where a school is in operation,
 is situate.

“Director” means the Director of Education.

“dwelling house” means any house, room, structure,
 yard or place situated within any compulsory school attendance
 area and owned, occupied or used by any parent.

“married” or “married woman” includes in respect of a
 female teacher who professes the Mohammedan faith, a female
 teacher who has been betrothed (*nikah*) in accordance with
 the rites of the Mohammedan faith.

“Orthodox-Christian” means—

(a) where used in respect of persons, any person who belongs
 to the Greek-Orthodox Church, and

(b) where used in respect of schools, any school prescribed
 for the community belonging to the Greek-Orthodox
 Church, and

(c) where used in respect of educational bodies established
 under this Law, any educational body performing duties
 and exercising powers in relation to any Greek-Orthodox
 school.

“parent” means the father or other person having control
 or care of, or in his employment, any child.

Interpreta-
 tion.

amg 3/44

11/05
 4/05
 14/07
 27/07
 3/44

“ regulations ” means the regulations made by the Governor under the provisions of this Law.

“ school ” means any elementary school prescribed by the Governor to be in operation under this Law in any town or village.

“ school year ” means a period of twelve months commencing on the first day of September in any year.

“ service ” means service in a school in the Colony.

“ town ” includes the towns of Nicosia, Larnaca and Scala, Limassol, Famagusta and Varosha, Ktima and Paphos, and Kyrenia, and any other village or town which the Governor may hereafter prescribe to be a town for the purposes of this Law.

“ village ” includes all villages, village areas, groups of villages and towns other than a village or town which is or may be prescribed by the Governor to be a town for the purposes of this Law.

“ Village Commission ” means—

(a) in respect of a village which is not a Municipal Corporation, the Mukhtar and Azas of the religious community for which the school has been prescribed, with the Mukhtar as Chairman :

Provided that where in any village or group of villages there is more than one Mukhtar of the religious community for which the school has been prescribed, all the Mukhtars and Azas of such religious community shall be the Village Commission, with the Mukhtar of the village or quarter possessing the greatest number of inhabitants of such religious community as Chairman.

(b) in respect of a village which, not being a town, is a Municipal Corporation, the members of the Municipal Council thereof belonging to the religious community for which the school has been prescribed, with the Mayor or Deputy Mayor or, if neither of them belong to such religious community, the oldest of such members, as the case may be, as Chairman :

Provided that where the number of such members does not exceed four, the Mukhtar and Azas of the religious community for which the school has been prescribed, shall be the Village Commission, with the Mukhtar as Chairman.

PART II.

CENTRAL AUTHORITY AND DIRECTOR.

3. The Governor shall be the central authority for all matters relating to elementary education in the Colony and, subject to the provisions of this Law, he is hereby charged with the control and supervision and the performance of all duties and the exercise of all powers connected therewith.

Central
authority.

4.—(1) The Governor may from time to time delegate to—

Power of
delegation to
Governor.

- (a) the Director,
- (b) the Boards of Education,
- (c) the Town Committees,
- (d) the Village Commissions,
- (e) the Committees of Management,

the performance of all or any of the duties and the exercise of all or any of the powers vested in the Governor under this Law.

(2) The Governor may at any time revoke any such delegation.

Power of
revocation.

5.—(1) The Governor may from time to time make regulations to be published in the *Cyprus Gazette* for all or any of the purposes of this Law.

Power to
Governor to
make regula-
tions.

(2) In particular and without prejudice to the generality of the foregoing power, such regulations may relate to all or any of the following matters, except where specific provision therefor is made in this Law, that is to say:—

Regulations
for specific
subjects.

- (a) the ages (not being less than four or more than fourteen) between which children shall be entitled to attend school or to receive elementary instruction therein free of charge, and the ages (not being less than four or more than twelve) between which children shall attend school in a compulsory school attendance area;
- (b) the attendance of children at school, their expulsion, removal or superannuation therefrom and the transfer of children from one school to another;
- (c) the auditing of school accounts;
- (d) the books to be used in schools and in school libraries;
- (e) the conduct of business at meetings of Boards of Education, Town Committees, Village Commissions and Committees of Management;
- (f) the classification, examination, registration and promotion of teachers and by whom they shall be made;
- (g) the curriculum, syllabus and courses of instruction to be followed in schools;

am. g 3/44

- (h) the development, erection, extension, improvement, provision, renting or repairing of any school buildings, gardens, playgrounds, premises and yards in any town or village and, in any village, of teachers' dwellings ;
- (i) the duties and powers of school attendance officers, inspectors, assistant inspectors and sub-inspectors of schools ;
- (j) the duties and powers of teachers ;
- (k) the discipline to be enforced upon children ;
- (l) the establishment, management and maintenance of school libraries ;
- (m) the furniture and equipment of schools ;
- (n) the grading of schools ;
- (o) the grants and loans to be made from the Education Funds established under this Law or otherwise ;
- (p) the health, cleanliness, medical inspection and nutrition of children attending school ;
- (q) the holidays and vacations to be kept in schools and by teachers, and the manner of celebrating any holiday ;
- (r) the inspection, examination, management, supervision and hours of opening and closing of schools ;
- (s) the nature of information which shall be furnished to teachers or school attendance officers by any person from whom such information may be demanded ;
- (t) the mode of administering and accounting for any school property by Town Committees, Village Commissions and Committees of Management ;
- (u) the mode of payment of teachers' salaries and the times at which they are to be paid ;
- (v) the qualifications, educational and otherwise, to be possessed by teachers.

Regulations may provide for penalties for breaches thereof.

(3) The regulations may provide for the imposition on offenders against the same of penalties not exceeding five pounds for each offence, and in case of a continuing offence a further penalty not exceeding two pounds for each day during which the offence continues.

Power to Governor to prescribe any village to be a town.

6. The Governor may from time to time by Order prescribe any village or town to be a town for the purposes of this Law and from and after the date of the publication of such Order in the *Cyprus Gazette* the village or town therein prescribed shall be a town for all the purposes of this Law.

229 3144

7. The Director shall have power from time to time to issue, and when issued amend, alter or revoke, directions—

Specific powers to Director.

- (a) prescribing the form of account books, records and registers to be kept by Town Committees, Village Commissions, Committees of Management and teachers ;
- (b) prescribing the form of returns to be made by Town Committees, Village Commissions, Committees of Management and teachers and the times at which such returns are to be made ;
- (c) prescribing the form of estimate to be used by Town Committees, Village Commissions and Committees of Management ;
- (d) authorizing any Town Committee, Village Commission or Committee of Management to utilize any item in the Estimates not required for the purposes for which it was provided or any saving thereon for any other purpose specified therein or for the purpose of covering any excess of expenditure in respect of any other item appearing therein ;
- (e) regulating the sanitation in school buildings or premises ;
- (f) regulating the supply or sale to children by Town Committees, Village Commissions, Committees of Management and teachers of books prescribed by regulations to be used in schools.

amended

PART III.

EDUCATIONAL BODIES.

BOARDS OF EDUCATION.

8. There shall be established Boards of Education composed as hereinafter provided.

Establishment of Boards of Education.

9.—(1) The Board of Education for Orthodox-Christian schools shall be composed as follows :—

Composition of Board for Orthodox-Christian schools.

- (a) the Director, as Chairman ;
- (b) the Assistant Director, as Vice-Chairman ;
- (c) the Archbishop of Cyprus or his representative ; and
- (d) six other duly qualified members of the Orthodox-Christian community, having knowledge of and an interest in elementary education, appointed by the Governor, one from each District.

Composition
of Board for
Moslem
schools.

(2) The Board of Education for Moslem schools shall be composed as follows :—

- (a) the Director, as Chairman ;
- (b) the Assistant Director, as Vice-Chairman ;
- (c) the Delegates of Evecaf ; and
- (d) six other duly qualified members of the Mohammedan community, having knowledge of and an interest in elementary education, appointed by the Governor, one from each District.

Board for
other schools.

(3) The Director shall perform the duties and exercise the powers of a Board of Education for the schools of any other religious community in the Colony.

Tenure of
office.

(4) Every member of a Board of Education, other than an ex-officio member, shall hold office for a period of two years from the date of his appointment :

Provided that the Governor may, if he deems it expedient, terminate at any time the appointment of any such member.

Calling of
meetings of
Boards.

10. The Chairman shall call all meetings of Boards of Education or Sub-Committees thereof.

Duties and
powers of
Boards.

11. The Boards of Education—

- (a) shall deliberate upon such matters relating to or connected with elementary education in the Colony as may be referred to them from time to time by the Governor and report thereon through the Director to the Governor ;
- (b) may consider any other matter relating to or connected with elementary education in the Colony and make recommendations thereon through the Director to the Governor ; and
- (c) shall perform all duties and exercise all powers which are vested in them by this Law or any regulations or which may be delegated to them by the Governor under this Law.

Number of
meetings.

12. There shall be at least two meetings of every Board of Education in the course of each year.

Quorum at
meetings of
Boards.

13. No business shall be transacted at any meeting unless four members at least are present :

Provided always that every Board of Education may appoint so many of its members as it may deem sufficient to form a Sub-Committee to transact such business as the Board may determine that may require to be dealt with in the intervals between the meetings of the Board. The Director shall be Chairman of each Sub-Committee.

If, on the second summons from the Chairman, four members are not present at the time and place appointed for the meeting, the Board may proceed with business if two members are present.

14.—(1) Any member of a Board of Education, other than an ex-officio member, may resign his membership upon giving notice in writing to the Colonial Secretary. Resignation of membership.

(2) Any member, other than an ex-officio member, who has not on the thirty-first day of December in each year, attended one-half of the meetings of the Board during the preceding twelve months or during his tenure of office in such months shall thereupon cease to be a member of the Board unless good cause is shown for such absence to the satisfaction of the Colonial Secretary. Cessation of membership.

(3) Any vacancy on a Board of Education shall be filled by the Governor by appointing a duly qualified person to fill the vacancy. Filling of vacancies.

15. Any member of a Board of Education, other than an ex-officio member, whose period of office has expired, shall be eligible for re-appointment thereafter. Members may be re-appointed.

TOWN COMMITTEES, VILLAGE COMMISSIONS AND COMMITTEES OF MANAGEMENT.

16.—(1) For Orthodox-Christian schools in any town, there shall be a Town Committee composed as follows:— Town schools. Orthodox-Christian.

(a) the Metropolitan of the Diocese or in the case of the Diocese of Nicosia and Famagusta the Archbishop of Cyprus, as Chairman;

(b) the Mayor of the town concerned, if an Orthodox-Christian, as Vice-Chairman; and

(c) seven other duly qualified members of the Orthodox-Christian community of the town concerned, having knowledge of and an interest in elementary education, appointed by the Governor.

(2) For Moslem schools in any town, there shall be a Town Moslem Committee composed as follows:—

(a) the Turkish Delegate of Evcaf, as Chairman;

(b) the Assistant Director, as Vice-Chairman;

(c) the English Delegate of Evcaf; and

(d) one of the Moslem Municipal Councillors appointed by the Moslem Municipal Councillors of the town concerned; and

(e) three other duly qualified members of the Mohammedan community of the town concerned, having knowledge of and an interest in elementary education, appointed by the Governor.

Absence of
Chairman or
Vice-Chair-
man from
meetings.
Assistant
Director to
have charge
of funds.

(3) If the Chairman or Vice-Chairman of a Town Committee is not present at any meeting the members present shall choose one of their number to be Chairman for that meeting.

(4) The Assistant Director shall have charge of the funds at the disposal of every Town Committee for Moslem schools and may appoint some other member thereof to represent him locally in that behalf.

Tenure of
office.

(5) Every member of a Town Committee, other than an ex-officio member, shall hold office for a period of two years from the date of his appointment :

Provided that the Governor may, if he deems it expedient, terminate at any time the appointment of any such member.

Members
may be re-
appointed.

(6) Any member of a Town Committee, other than an ex-officio member, whose period of office has expired, shall be eligible for re-appointment thereafter.

Duties and
powers of
Town
Committees.

17. Every Town Committee—

(a) shall have the general management and supervision of the schools of the town subject to any regulations in that behalf or any directions issued by the Director under this Law ; and

(b) shall perform all duties and exercise all powers which are vested in it by this Law or any regulations or which may be delegated to it by the Governor under this Law.

Meetings of
Town
Committees.

18.—(1) The Chairman or Vice-Chairman of every Town Committee shall summon meetings of the members thereof as often as may be necessary, and he shall summon a meeting, if requested so to do by a notice in writing signed by two of the members, within three days of the receipt of the notice, such meeting to be held within fourteen days of the receipt of the notice.

(2) If the Chairman or Vice-Chairman shall fail to summon a meeting as lastly hereinbefore mentioned, any two members may summon the Chairman, Vice-Chairman and members to a meeting by a notice in writing signed by them.

Quorum at
meetings.

(3) No business shall be transacted at any meeting unless four members, at least, are present.

If, on the second successive summons, four members are not present at the time and place appointed for the meeting, the Town Committee may proceed with business if two members only are present.

Resignation
of member-
ship.

19. Any member of a Town Committee, other than an ex-officio member, may resign his membership upon giving notice in writing to the Chairman of such Committee, who shall within seven days of the receipt of such notice report such resignation in writing to the Director.

am 8/3/44

20. Any vacancy in a Town Committee shall be filled by the Governor by appointing a duly qualified person to fill the vacancy. Filling of vacancies.

21.—(1) Within twenty-one days of the fifteenth day of July in every year the accounts of every Town Committee down to that date shall be closed and, after having been examined and verified by the Committee, shall be signed by at least three members thereof and shall be submitted for audit in accordance with regulations in that behalf. Accounts to be closed and submitted for audit.

(2) If any Town Committee makes default in submitting its accounts for audit within the period in the preceding sub-section prescribed, the members of such Committee shall be guilty of an offence and on conviction shall be jointly and severally liable to a penalty not exceeding one pound for every day during which such default continues. Default in submitting accounts for audit.

22. In every village in which an Orthodox-Christian or Moslem school is in operation under the provisions of this Law, the Village Commission concerned— Village schools. Duties and powers of Orthodox-Christian and Moslem Village Commissions.

(a) shall have the general management and supervision of the school of the village subject to any regulations in that behalf or any directions issued by the Director under this Law ;

(b) shall bring to the notice of the Commissioner all matters relating to or connected with elementary education in the village and any complaints of the inhabitants regarding the school, and if the Commissioner is not able to adjust the same he shall forward the complaint to the Director for consideration and adjustment ; and

(c) shall perform all duties and exercise all powers which are vested in it by this Law or any regulations or which may be delegated to it by the Governor under this Law.

23.—(1) For schools other than Orthodox-Christian or Moslem, the Governor shall from time to time as he may deem expedient appoint suitable persons to be the Committee of Management for such schools or any such school and may, if he deems it expedient, terminate at any time the appointment of any such person or persons. Schools other than Orthodox-Christian or Moslem. Committees of Management.

(2) Every Committee of Management—

(a) shall have the general management and supervision of the schools or school for which it is appointed, subject to regulations in that behalf or any directions issued by the Director under this Law ; and Duties and powers.

(b) shall perform all duties and exercise all powers which are vested in it by this Law or any regulations or which may be delegated to it by the Governor under this Law.

Estimate.

24.—(1) Every Town Committee or Village Commission or Committee of Management shall by the first 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; and

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

(c) for the salary of any teacher of foreign languages or any technical branch of elementary education; and

(d) for any other purpose connected with the school in the town or village,

in the school year next ensuing.

Estimate to be forwarded to Director through Commissioner.

(2) The estimate shall be forwarded to the Commissioner, who, after consideration thereof, shall forward the estimate to the Director with such recommendations as he may think fit to make.

Director to submit estimate to Board of Education.

(3) The Director shall submit the estimate, together with the recommendations of the Commissioner, if any, to the Board of Education for their consideration.

Powers to Board of Education in relation to estimate.

(4) The Board of Education shall consider the estimate and may make such alterations or amendments therein as they shall think just, and shall then approve the estimate and upon such approval the amount therein appearing shall be assessed, provided, collected and paid—

(a) for Orthodox-Christian schools as in section 72 of this Law prescribed; and

(b) for Moslem schools as in section 73 of this Law prescribed; and

(c) for schools of any religious community other than Orthodox-Christian or Moslem as in section 74 of this Law prescribed.

Failure to perform duties.

25. In the event of a Town Committee or Village Commission or Committee of Management neglecting or refusing or being unable or unwilling for any reason to perform all or any of the duties which are vested in it by this Law or any regulations or which may be delegated to it by the Governor under this Law, the Board of Education may, save as in section 72 (6) of this Law provided, perform all or any of such duties in accordance with the provisions of this Law or of any regulations or as nearly as circumstances shall admit, and anything done by the Board of Education in pursuance of this section shall be deemed to be as duly and effectively done as if done by the Town Committee or Village Commission or Committee of Management in default.

PART IV.

PRESCRIPTION OF SCHOOLS, APPOINTMENT AND
QUALIFICATIONS OF TEACHERS AND
CLOSING OF SCHOOLS.

26.—(1) The Governor on or before the fifteenth day of June shall in each year prescribe for each religious community the towns, villages and groups of villages in which schools shall be in operation during the school year next ensuing, the nature and grade of each school, the class and names of the teachers to be appointed to each school, the salaries to be paid to each according to their classification, and the name of any teacher of foreign languages or any technical branch of elementary education to be appointed to any school and the salary to be paid to such teacher :

Prescription
of schools
and
appointment
of teachers.

am 9 2/44

Provided that with regard to schools other than Orthodox-Christian or Moslem the prescription by the Governor of schools which shall be in operation during any school year next ensuing shall be a sufficient compliance with this section without any further particulars.

(2) No school in which any curriculum, syllabus or course of instruction, or any part thereof, prescribed by regulations is being taught or followed shall be opened, maintained, conducted or be in operation in any town or village, unless—

No schools
other than
those
prescribed
or authorized
by Governor.

(a) such school has been prescribed by the Governor under the provisions of this section or of section 27 of this Law, or

(b) the written authority of the Governor therefor has been previously obtained.

(3) Any person acting in contravention of sub-section (2) hereof, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding fifty pounds, and in case of a continuing offence to a further fine not exceeding five pounds for each day during which the offence continues :

Penalty.

Provided that no prosecution for an offence under this section shall be instituted except by or with the consent of the Attorney-General.

27. If for any reason it is not possible to prescribe a school or appoint definitely a teacher for any school for the school year next ensuing by the fifteenth day of June, the prescription or appointment shall be made as soon thereafter as possible in the manner provided in section 26 of this Law.

Late pre-
scription of
schools or
appointment
of teachers.

Vacancies. 28. Whenever a casual or temporary vacancy arises owing to the death, sickness, dismissal, suspension, resignation or retirement of a teacher or to any other cause, the Director shall immediately appoint another teacher to fill the vacancy.

Transfers. 29. Teachers may be transferred by the Director from one school to another at any time during the school year according to the exigencies of the service.

Inter-dictions. 30.—(1) The Director may interdict from his duties any teacher whose conduct may appear to him prejudicial to the interests of the school in which he is teaching or of the religious community interested in such school, and may provide a substitute for the performance of his duties :

am. by 1/14
 Provided that such interdiction shall immediately be laid before the Governor.

Salary during interdiction. (2) A teacher who has been interdicted shall, pending consideration of his case by the Governor, receive one-half of his salary. If the Governor decides not to take any action against such teacher as in section 31 of this Law provided, such teacher shall be entitled to the full amount of salary which he would have received if he had not been interdicted :

Provided that a teacher who is interdicted on account of his conviction on a criminal charge shall receive no salary from the date of his conviction pending consideration of his case by the Governor.

do **Dismissal, reduction in class, etc.** 31. The Governor may in the case of misconduct, neglect of duty, inefficiency or of conduct which appears to the Governor to be prejudicial to the interests of education, religion, good government or social order in the Colony, order the dismissal, reduction in class, withholding of salary or suspension of any teacher from employment as a teacher for such period as may seem just and may revoke any such order :

Provided that in every such case where the teacher has not been convicted on a criminal charge the grounds of intended dismissal, reduction or suspension are stated in writing and communicated to the teacher in order that he may have full opportunity of exculpating himself, and that the matter is investigated by the Governor with the aid of the Director.

do **Register of teachers.** 32.—(1) The Director shall keep a register of teachers according to their classification as prescribed by regulations in that behalf.

(2) The register so kept shall be called the Permanent Staff Register and there shall be separate sections therein for— Permanent Staff Register.

- (a) Orthodox-Christian,
- (b) Moslem, and
- (c) other teachers.

(3) The number of teachers to be registered in each class shall be regulated according to the requirements of the schools as graded by regulations in that behalf. Number of teachers to be registered in each class.

(4) Teachers may be promoted to a higher class as vacancies occur in accordance with the regulations for the classification of teachers. Promotion of teachers.

(5) The Director shall remove from the Permanent Staff Register the names of any teachers who— Teachers who have died, etc., to be removed from Permanent Staff Register.

- (a) have died, or
- (b) have retired, or
- (c) have ceased to possess the qualifications required by this Law or by regulations in that behalf, or
- (d) for any reason have ceased to be employed under this Law.

33. Any teacher on the Permanent Staff Register unemployed in any year, except owing to suspension or dismissal or to refusal to accept a proposed post, or to absence on study leave or to the abolition of his post, shall continue to receive the salary of his class as if he were employed : Continuance of salary during unemployment. *an 3/4 y*

Provided that any teacher on the Permanent Staff Register may be permitted by the Director to act as a teacher in a secondary school or other recognized school for a definite period or to perform temporarily any duty in connection with education and that his service while so acting or performing such duty shall count as service under this Law and shall be taken into account in the computation of any gratuity, benevolent grant or additional grant, but that he shall not receive any salary under this Law while so acting or performing such duty.

34. Any teacher on the Permanent Staff Register employed owing to the exigencies of the service in a post usually filled according to the grading of the school by a teacher of a lower class shall continue to receive the salary of his own class while so employed. Salary of teacher acting in a lower class. *do*

35. Any teacher on the Permanent Staff Register employed owing to the exigencies of the service in a post usually filled according to the grading of the school by a teacher of a higher class shall receive half his substantive salary and half the initial salary of the higher class in which he is acting, while so employed. Salary of teacher acting in higher class. *do*

Sick leave.

Rep. 2/44

36.—(1) A teacher may be granted sick leave by the Director or the Commissioner on the certificate of a Government Medical Officer which shall state the nature of the illness and its probable duration. If the illness is not caused by his own fault he may receive full salary for a period of twenty-eight days and may receive half salary for a further period not exceeding twenty-eight days in any one school year. If the illness still continues after the lapse of that period the case shall be submitted to the Governor who may in his discretion grant to such teacher an extension of leave for such period either with half-pay or without salary, as he may think fit :

Provided that in all cases the duration of the illness shall be certified by a Government Medical Officer.

Casual leave.

(2) A teacher may be granted casual leave by the Director for special reasons :

Provided that such leave shall not exceed fourteen days in any one school year.

Study leave.

(3) The Governor may, on the recommendation of the Director, grant to a teacher study leave without salary for such period and for such educational purpose and subject to such terms and conditions as the Governor may in each case determine :

Provided that such teacher shall be bound if so required to do by the Governor to satisfy the Director that such study leave has been utilized by him for the educational purpose and in accordance with the terms and conditions under which it was granted, and if such teacher fails so to satisfy the Director his name may be removed from the Permanent Staff Register.

Rep. 3/44

Candidates awaiting registration on Permanent Staff Register.

37.—(1) The Director shall keep a register of candidates who possess the qualifications required of teachers by this Law or any regulations in that behalf and who are waiting for a vacancy to be registered on the Permanent Staff Register or who are willing to serve as temporary teachers.

Temporary Staff Register.

(2) The Register so kept as aforesaid shall be called the Temporary Staff Register and there shall be separate sections therein for—

- (a) Orthodox-Christian,
- (b) Moslem, and
- (c) other candidates.

Temporary appointment in certain event.

(3) In the event of no teacher on the Permanent Staff Register being available, the Director shall, except in so far as may be otherwise provided in any regulations, select a candidate whose name is on the Temporary Staff Register to fill temporarily any vacancy.

(4) The Director may at any time require any candidate whose name is on the Temporary Staff Register to undergo before him an examination in such subjects of elementary education as he may prescribe, and if such candidate fails in such an examination his name may be removed from the Temporary Staff Register.

Power to Director to require candidates to undergo examination.

38. The Governor may at any time by notice in the *Cyprus Gazette* require that teachers of any class whose names appear on the Permanent Staff Register shall qualify and pass within such time as may be specified in such notice an examination in any technical subject of elementary education, and the name of any such teacher who fails to pass such examination may be removed from the Permanent Staff Register.

Teachers may be required to qualify in any technical subjects.

39. No married woman shall be registered on the Permanent Staff Register except by leave of the Governor on the special recommendation of the Director, and the name of any such married woman may in like manner be removed at any time from the Permanent Staff Register.

Married women.

40.—(1) No person shall be registered on the Permanent Staff Register—

Qualifications of teachers. Religion.

- (a) as an Orthodox-Christian teacher who is not a member of the Greek-Orthodox Church, or
- (b) as a Moslem teacher who does not profess the Moham-medan faith.

(2) No person shall hereafter be registered as a teacher on the Permanent Staff Register unless—

Age, nationality, etc.

- (a) he has completed twenty years of age, and
- (b) he is a British subject, and
- (c) he possesses the qualifications prescribed by regulations in that behalf.

(3) No person shall be registered as a teacher on the Permanent Staff Register in the section thereof relating to teachers of religious communities other than Orthodox-Christian and Moslem, unless, in addition to the requirements prescribed in sub-section (2) hereof, his appointment as a teacher has been approved by the Governor.

Teachers other than Orthodox-Christian and Moslem.

(4) Provided that for the teaching of foreign languages or any technical branch of elementary education the foregoing provisions as to religion and nationality shall not be applicable.

Saving.

Teachers on
old Perma-
nent Staff
Register.
4 of 1929.
10 of 1931.
21 of 1932.
59 of 1932.

41. Teachers whose names are already on the Permanent Staff Register under the Elementary Education Laws, 1929 to 1932, and who in the case of males have not attained the age of sixty years and in the case of females have not attained the age of fifty-five years, shall be entitled to be registered on the Permanent Staff Register under this Law in the sections therein relating to (a) Orthodox-Christian, (b) Moslem, and (c) other teachers, as the case may be, and shall be entitled to be classified therein in accordance with the classification already made under any of the laws hereby repealed or any regulations made thereunder.

Power to
Governor to
order the
closing of
schools in
certain cases.

42.—(1) The Governor shall have power at any time by Order to direct the closing of any school whenever it is shown to his satisfaction—

- (a) that teaching of a seditious, disloyal, immoral or otherwise harmful character is being or has recently been imparted in the school ; or
- (b) that the school premises have been used for purposes subversive to good government or social order in the Colony ; or
- (c) that the behaviour of the religious community for which the school has been prescribed or any section thereof has been such as to render it impossible for the teacher to carry out his duties ; or
- (d) that the school is being conducted in a place the sanitary condition of which is detrimental or injurious to the health of the children attending such school or is being kept in contravention of any directions of the Director in that respect ; or
- (e) that outbreak of an infectious or contagious disease renders such closing advisable.

School to
remain
closed until
Order
revoked or
cancelled.

(2) Upon such an Order being made the school to which such Order refers shall be closed and shall remain closed until such Order has been revoked or cancelled by the Governor.

Penalty.

(3) Any person acting in contravention of any Order made under this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding fifty pounds, and in case of a continuing offence to a further fine not exceeding five pounds for each day during which the offence continues.

42 15 - insertion 2/44
42 12

PART V.

RETIREMENT OF TEACHERS AND GRATUITIES.

43.—(1) Every male teacher on the Permanent Staff Register who attains the age of sixty years and every female teacher on the Permanent Staff Register who attains the age of fifty-five years or becomes married after the coming into operation of this Law shall retire and cease to be a teacher on the Permanent Staff Register or employed as a teacher under this Law, and the name of such teacher shall be removed from the Permanent Staff Register :

Age of
retirement
and
marriage.

Case 3/44

Provided that if—

- (a) any male teacher attains the age of sixty years, or
- (b) any female teacher attains the age of fifty-five years or becomes married,

after the commencement but before the end of the school year in which the teacher is employed, such teacher may, with the permission of the Director, continue to be employed as, and receive the salary of, a teacher and the name of such teacher shall remain on the Permanent Staff Register until the end of such school year as if such teacher had not attained such age or become married, as the case may be, and the service of such teacher during any period of such continued employment shall be treated as service under this Law and shall be taken into account in the computation of any gratuity, benevolent grant or additional grant.

(2) The Director may at any time require any teacher on the Permanent Staff Register to produce to him proof of age in such form as may be prescribed by the Governor, and the name of any teacher who shall fail to produce such proof to the satisfaction of the Director may, with the sanction of the Governor, be removed from the Permanent Staff Register.

Power to
Director to
require proof
of age.

44.—(1) Every male teacher so retired who has served for not less than fifteen years and every female teacher so retired who has served for not less than ten years shall on the certificate of the Director that such teacher has discharged the duties of his office with fidelity and zeal receive a gratuity of one month's salary at the rate of the salary such teacher is then receiving for every year of service.

Gratuities on
retirement.

(2) Every male teacher on the Permanent Staff Register who has served for not less than fifteen years and every female teacher on the Permanent Staff Register who has served for not less than ten years may be allowed to retire at his own desire and on the

Gratuities on
voluntary
retirement.

certificate of the Director that such teacher has discharged the duties of his office with fidelity and zeal shall receive a gratuity of one month's salary at the rate of the salary such teacher is then receiving for every year of service.

Gratuities on retirement on medical grounds or appointment to Education Department.

(3) No male teacher who has served for less than fifteen years nor female teacher who has served for less than ten years shall be entitled to a gratuity :

Provided that a male teacher on the Permanent Staff Register who has served for less than fifteen years and a female teacher on the Permanent Staff Register who has served for less than ten years and who —

(a) is being retired on medical evidence to the satisfaction of the Governor that such teacher is incapable by reason of some infirmity of mind or body of discharging the duties of his office and that such infirmity is likely to be permanent, or

(b) is appointed to the Permanent Staff of the Department of Education,

may, with the approval of the Governor, receive a gratuity of one month's salary at the rate of the salary such teacher is then receiving for every year of service, after the date applicable to such teacher in sub-section (5) hereof prescribed.

Gratuities on retirement on ground of unfitness.

(4) If a teacher on the Permanent Staff Register though not suffering from any particular illness or infirmity of mind or body likely to be permanent becomes unfit in the opinion of the Governor on the advice of the Director for the discharge of the duties of his office although not of the prescribed age for retirement, the Governor may order the name of such teacher to be removed from the Permanent Staff Register, and if such unfitness is not attributable to misconduct or gross negligence and on the certificate of the Director that such teacher has discharged the duties of his office with fidelity and zeal, the Governor may authorize the payment of a gratuity to such teacher of one month's salary at the rate of the salary such teacher is then receiving for every year of service.

Period of service in certain cases defined.

(5) The period of fifteen years of service in the case of male teachers and of ten years of service in the case of female teachers in this section prescribed shall in computing the gratuities of teachers who were serving as teachers in Orthodox-Christian schools on the first day of September, 1923, or as teachers in schools other than Orthodox-Christian on the first day of October, 1920, be deemed to have commenced—

(a) for Orthodox-Christian teachers on the first day of September, 1923, and

(b) for teachers other than Orthodox-Christian on the first day of October, 1920.

45.—(1) Teachers on the Permanent Staff Register who although not of the prescribed age for retirement at the coming into operation of this Law cannot by reason of age complete, before attaining the prescribed age for retirement, the prescribed length of service to entitle them to a gratuity may be recommended by the Director to the Governor to receive a benevolent grant according to the merits of each case.

Benevolent grants when prescribed age cannot be completed.

(2) Female teachers on the Permanent Staff Register who retire on account of marriage and cannot complete the prescribed length of service to entitle them to a gratuity may be recommended by the Director to the Governor to receive a benevolent grant according to the merits of each case.

Benevolent grant to females on marriage.

(3) Teachers whose names are removed from the Permanent Staff Register in consequence of the abolition of their post may be recommended by the Director to the Governor to receive a benevolent grant according to the merits of each case.

Benevolent grant to teachers retiring on abolition of post.

(4) When a teacher dies while in the service the Governor may, on the recommendation of the Director, make to his legal representative a benevolent grant of an amount not exceeding one year's salary according to the merits of each case.

Benevolent grant to legal representative.

46. In addition to any gratuities or benevolent grants to teachers under this Part of this Law, any teacher who has served in any elementary school in the Colony previously to the period in section 44 (5) of this Law specified may, on retirement, be recommended by the Director to the Governor to receive an additional grant according to and in respect of the period of years of such previous service :

Additional grant.

Provided that such additional grant shall in no case exceed one-half of one month's salary at the rate of the salary such teacher is receiving on retirement for every year of such previous service.

47. The Governor may at any time grant a bonus to any teacher who, in the opinion of the Director, has rendered to the benefit of any school a specific service worthy of special recognition.

Bonuses.

48. The Governor may declare that any period of continuous service by any teacher or class of teachers, being not less than nine months, may for the purposes of this Part of this Law be deemed to be a year of service, and any such period so declared shall accordingly be taken into account in the computation of any gratuity, benevolent grant or additional grant.

Service for less than one year.

Period of sick leave to be treated as service.

49. Any period of absence on sick leave of a teacher shall be treated as service and taken into account in the computation of any gratuity, benevolent grant or additional grant :

Provided that no such period shall be treated as service—

- (a) after medical evidence has been adduced to the satisfaction of the Governor that such teacher is incapable by reason of some infirmity of mind or body of discharging the duties of his office and that such infirmity is likely to be permanent ; or
- (b) if such teacher has received in respect thereof less than half salary ; or
- (c) if it exceeds three months in any school year, unless the Governor for special reasons otherwise directs.

49A - 49C inserted 3/46

PART VI.

SCHOOL BUILDINGS AND PREMISES.

School premises to be provided and maintained.

50. It shall be the duty of every Town Committee or Village Commission or Committee of Management in any town or village where a school is in operation to provide and maintain proper and sufficient school buildings, premises, playgrounds, yards or gardens in good order, condition and equipment, and, in any village, teachers' dwellings.

Loans from Education Funds.

51.—(1) The Director may, subject to any regulations in that behalf, make a loan from the Education Funds established under this Law for any school purpose or educational purpose approved by the Governor.

Borrowing powers.

(2) The Director may, subject to the approval of the Governor, borrow money on behalf of any town Committee or Village Commission or Committee of Management from the Loan Commissioners or from any bank, corporation or private person for any school purpose or educational purpose approved by the Governor. Such loans shall be made in the name of the Director.

Repayment of loans.

(3) The interest and sinking fund on any such loan shall be raised, collected and paid in the manner hereinafter provided.

Order for compulsory provision of school premises.

52. Whenever it shall appear to the Governor on the report of the Director that it is desirable to compel any Town Committee or Village Commission or Committee of Management to provide, erect, repair, extend, improve or develop any school buildings, premises, playgrounds, yards, gardens or teachers' dwellings, the Governor may make an Order to be published in the *Cyprus Gazette* accordingly.

53. Upon the publication of such Order the Town Committee or Village Commission or Committee of Management concerned shall cause estimates and plans to be prepared to the satisfaction of the Director and the Commissioner, for which purpose an architect or engineer may be employed if necessary and his remuneration included in the estimates.

Estimates
and plans.

54. In case a new site is required the Director and the Commissioner shall, with the assistance of the Town Committee or Village Commission or Committee of Management concerned, proceed to select a suitable site for the establishment of school buildings, premises, playgrounds, yards, gardens or teachers' dwellings, as the case may be, and upon the report of the Director of Health or any Medical Officer deputed by him that the site is suitable from a sanitary point of view and if the owner of such site consents in writing to the acquisition of such site, the site shall at the instance of the Director be registered in the books of the Land Registry Office as an elementary school site, and all right and title of the owner in and to the land, trees or buildings thereon shall thereupon cease and determine and the Immovable Property Tax thereon shall from the day of registration be written off.

Selection of
new site of
school and
acquisition
thereof when
owner
consents.

55. When any site has been so selected and the owner thereof does not consent to its acquisition, upon the certificate of the Commissioner that the site has been so selected and upon the report of the Director of Health or any Medical Officer deputed by him that the site is suitable from a sanitary point of view, the Commissioner shall notify his sanction to the acquisition of the site by notice in the *Cyprus Gazette*, and the site shall at the instance of the Director be registered in the books of the Land Registry Office as an elementary school site, and all right and title of the owner or any other persons in and to the land, trees or buildings thereon shall thereupon cease and determine and the Immovable Property Tax thereon shall from the day of registration be written off:

Acquisition
of new site of
school when
owner does
not consent
and regis-
tration of
title.

Provided that no land or buildings belonging to or used for any church, mosque or other place of worship or school of another religious denomination shall be compulsorily acquired under this Law.

56. In respect of any land, trees or buildings taken under this Law, compensation shall be paid to the owner thereof either—

Compensa-
tion.

- (a) at the rate to be agreed upon between him and the Director and the Commissioner, or
- (b) in case the compensation cannot be agreed upon, at a rate to be assessed as hereinafter prescribed.

Reference to
District
Court.

57. If within one month from the date of the notification of such sanction as aforesaid the persons interested do not agree with the Director and the Commissioner as to the compensation for the site so acquired, the Commissioner shall apply to the District Court to refer the determination of the amount of compensation to arbitrators ; and the Court shall thereupon order that a notice be served, in such manner as it shall think fit, on the persons interested, and shall fix a day for the appearance of the parties before the Court.

Appointment
of arbitrators
and umpire.

58.—(1) On the day so fixed, if all the parties appear and each party names an arbitrator on his behalf, the Court shall appoint the arbitrators, and, in the event of the arbitrators failing to agree, the Court shall be umpire to decide between them.

Failure to
appear, etc.

(2) If any party fails to appear or refuses to name an arbitrator, the Court shall appoint an arbitrator on his behalf.

Time limit
for award.

(3) On appointing an arbitrator, the Court may limit the time within which the award may be filed and may extend it from time to time.

Filing of
award.

(4) The award of the arbitrators shall be duly filed as directed by the Court.

Failure to
file award.

(5) If the arbitrators fail to file their award within the time or extended time limited by the Court, the Court shall be the sole arbitrator.

Proceedings
and costs.

59. The Court may make any order it may think right as to the course and costs of the proceedings, including the amount of fees or expenses to be paid to the arbitrators in connection with their arbitration and award, and may direct by whom they are to be paid.

Construction.

60. When the estimates have been approved and the site, if any, has been acquired, the Town Committee or Village Commission or Committee of Management concerned shall proceed to carry out the works to the satisfaction of the Director and the Commissioner, and the cost of so doing shall be raised, collected and paid in the manner hereinafter provided :

Provided that the Town Committee or Village Commission or Committee of Management concerned before proceeding to carry out the works aforesaid shall, if so required by the Director, call for public tenders in respect thereof and shall not, without the consent in writing of the Director, accept any such tender or enter into any contract or agreement relating to such works.

61. The Director shall have power to prescribe the form in which the estimates for works ordered under this Law shall be submitted and the accounts of the expenditure thereupon shall be kept. He shall also have power to prescribe for the due auditing of such accounts.

Form of estimates, etc.

62. A Town Committee, Village Commission or Committee of Management shall be able and shall be deemed always to have been able to be constituted trustees for any endowment or charity for purposes connected with elementary education, whether the endowment or charity was established before or after the date of the coming into operation of this Law, and shall have power to accept any property given to them as an endowment or upon trust for any purposes connected with elementary education :

Power to accept gifts for educational purposes

Provided that no such property shall be so accepted without the prior consent in writing of the Director.

63.—(1) All property already acquired by or for any school under the provisions of any of the laws hereby repealed or any law heretofore in force or that shall hereafter be acquired under the provisions of this Law or otherwise shall if movable vest in and if immovable vest in and be registered in the names of the following persons to be held in trust for the school concerned—

Vesting of property.

- (a) for Orthodox-Christian schools in towns, the Mayor, and in villages, the Chairman of the Village Commission ;
- (b) for Moslem schools, the Delegates of Evcaf ;
- (c) for schools of other religious communities as the Governor may direct.

3144

(2) All such immovable property of every category shall be registered in the books of the Land Registry Office in accordance with the preceding sub-section unless the same has been acquired by gift or dedication in which case the property shall be held and registered in accordance with the terms of the deed of gift or dedication, if any.

Registration.

(3) No disposition of such immovable property shall hereafter be made without the authority of the Governor.

Disposition.

(4) No such property whether movable or immovable shall be liable to be attached, seized, taken or sold in execution of any judgment.

Exemption of property from attachment, etc.

(5) No tax, rate or due whatsoever shall be leviable in respect of such property.

Exemption of property from taxation.

PART VII.

FINANCIAL.

Provision for
payment, of
teachers'
salaries.

64. The amount required for the payment of the salaries, gratuities, benevolent grants, additional grants and bonuses to teachers shall, save as in sections 24 and 70 (5) of this Law provided, be defrayed out of the general revenue of the Colony.

Additional
tax on
property.

65. There shall be levied, assessed, collected and paid in every year an additional tax on all property which is subject to Immovable Property Tax. In towns the additional tax shall be at the rate of four per thousand and in villages at the rate of one and a half per thousand on the capital value of immovable property which is subject to Immovable Property Tax.

Tax on
sheep, goats
and pigs.

66. There shall be levied, collected and paid in every year, in addition to the tax now ordinarily levied on sheep, goats and pigs, a tax of three piastres on each sheep, goat and pig.

Assessment,
etc., of
additional
tax on
property.

67. The additional tax on property under section 65 of this Law shall be assessed in the same manner and under the same regulations as the Immovable Property Tax payable thereon and shall be collected and paid at such time or times as the Governor may from time to time direct.

Collection,
etc., of tax on
sheep, goats
and pigs.

68. The tax on sheep, goats and pigs under section 66 of this Law shall be collected and paid in the same manner and at the same time as the tax now payable thereon.

Mode of
recovery.

69. The additional tax on property and the tax on sheep, goats and pigs under sections 65 and 66 of this Law shall be recoverable in the same manner as Government taxes may be recovered, and shall, when recovered, form part of the general revenue of the Colony and shall be applied for the purposes of education.

Education
Funds.

70.—(1) To enable the Director to make loans for any of the purposes approved by the Governor as in section 51 of this Law prescribed, the following funds shall be established—

- (a) for Orthodox-Christian schools a fund to be called the Education (A) Fund ;
- (b) for Moslem schools a fund to be called the Education (B) Fund ;
- (c) for schools of other religious communities a fund to be called the Education (C) Fund.

- (2) The Education (A) Fund shall consist of—
- (a) all the assets and revenue of the Education (No. 1) Fund formed under the provisions of the Elementary Education Laws, 1929 to 1932, which said assets and revenue shall, on the coming into operation of this Law, be credited to and form part of the Education (A) Fund ;
- (b) any sum which may from time to time be paid into the Education (A) Fund.
- (3) The Education (B) Fund shall consist of—
- (a) all the assets and revenue of the Education (No. 2) Fund formed under the provisions of the Elementary Education Laws, 1929 to 1932, which said assets and revenue shall, on the coming into operation of this Law, be credited to and form part of the Education (B) Fund ;
- (b) any sum which may from time to time be paid into the Education (B) Fund.
- (4) The Education (C) Fund shall consist of—
- (a) all the assets and revenue of the Education (No. 3) Fund formed under the provisions of the Elementary Education Laws, 1929 to 1932, which said assets and revenue shall, on the coming into operation of this Law, be credited to and form part of the Education (C) Fund ;
- (b) any sum which may from time to time be paid into the Education (C) Fund.
- (5) Notwithstanding anything in this section contained there may—
- (a) be paid on the recommendation of the Board of Education or the Director out of the Education (A) Fund such benevolent grant as may be approved by the Governor to any Orthodox-Christian priest who was registered on the Temporary Staff Register under any of the Laws hereby repealed and whose services were dispensed with at the end of the school year commencing on the first day of September, 1931 ;
- (b) be paid on the recommendation of the Board of Education or the Director out of the Education (A) Fund or the Education (B) Fund such grants in special cases for any school purpose as may be approved by the Governor ;
- (c) be advanced out of the Education (A) Fund or the Education (B) Fund such sums of money as may be temporarily required for any of the purposes in section 24 of this Law prescribed :

Education
(A) Fund.4 of 1929.
10 of 1931.
21 of 1932.
59 of 1932.Education
(B) Fund.4 of 1929.
10 of 1931.
21 of 1932.
59 of 1932.Education
(C) Fund.4 of 1929.
10 of 1931.
21 of 1932.
59 of 1932.

Saving.

Provided that all sums of money so advanced shall be repaid to the Education Fund concerned ;

(d) be paid out of the Education (C) Fund such grants or expenses as may from time to time be approved by the Governor for the salaries of teachers of, or for any other educational purpose relating to, religious communities other than Orthodox-Christian or Moslem.

Director to administer Education Funds.

(6) The Director shall, subject to the provisions of this Law, administer the Education Funds by this Law established and shall keep a separate account in such form as may from time to time be prescribed by the Governor of all moneys paid into and out of the said Education Funds respectively.

Amount required for provision, erection, etc., of school buildings, premises, etc., and recovery thereof.

71.—(1) When the Governor under section 52 of this Law shall have ordered any Town Committee or Village Commission or Committee of Management to provide, erect, repair, extend, improve or develop any school buildings, premises, playgrounds, yards, gardens or teachers' dwellings in any town or village, and the expense has been estimated as provided in section 53 of this Law or otherwise to the satisfaction of the Governor, the Governor may by notice in the *Cyprus Gazette* order the sum required, or if the sum required has been raised by a loan, the annual interest and sinking fund for that loan, to be recovered—

(a) for Orthodox-Christian schools from the Orthodox-Christian inhabitants of the town or village concerned in the manner in section 72 of this Law prescribed, and

(b) for Moslem schools from the Mohammedan taxpayers of the town or village concerned in the manner in section 73 of this Law prescribed, and

(c) for schools of religious communities other than Orthodox-Christian or Moslem from the taxpayers of the town or village being of the same religious community as the school concerned in the manner in section 74 of this Law prescribed.

(2) The interest and sinking fund on existing loans made (a) under the Elementary Education (Greek-Christian) Laws, 1923 and 1924, and (b) under the Elementary Education (other than Greek-Christian) Laws, 1920 to 1927, and (c) under any of the laws hereby repealed, and the interest and sinking fund on any loans to be hereafter made under section 51 of this Law, shall likewise be provided in the manner in section 72 or 73 or 74 of this Law prescribed, as the case may be, or in such other manner as the Governor may in any special case direct.

32 of 1923
4 of 1924.
24 of 1920.
3 of 1924.
28 of 1927

am. 3/44

72.—(1) The Director shall, by the ^{15th} first day of ^{October} September in each year, cause to be delivered to the Chairman of each Town Committee or Chairman of each Village Commission for Orthodox-Christian schools a notice calling upon the Committee or Commission within thirty days of the receipt of the notice to assess the amount required under sections 24 and 71 of this Law, together with any amount which may have been written off as irrecoverable from past assessments, on any church, monastery or throne owning or possessing any immovable property situated in that town or village, according to the value of such property, and on the Orthodox-Christian inhabitants of the town or village according to the means of each person. In the case of two or more villages being grouped together for school purposes, the Director shall determine the amount which shall be assessed upon each village :

Orthodox-Christian schools. Notice, etc., of assessment. S.L. 271/41 No. 228

Reply 2/44

Provided that in assessing the amounts aforesaid on the Orthodox-Christian inhabitants of the town or village, no Orthodox-Christian inhabitant (a) of less than eighteen years of age, or (b) whose means are such as not to justify an assessment on such inhabitant of a sum not less than two shillings in the towns and three piastres in the villages, shall be taken into account.

(2) No Orthodox-Christian shall be deemed to be an inhabitant of more than one town or village in respect of any one school year. Where any Orthodox-Christian has been included in the assessment list of more than one town or 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 town or village he shall be deemed to be an inhabitant :

No Orthodox-Christian deemed inhabitant of more than one town or village.

Provided that where the towns or villages 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) No Orthodox Christian teacher employed under the provisions of this Law shall be assessed during the exercise of such employment for the payment of any sum under this section.

Teachers exempt.

(4) A list of the amounts assessed as in this section prescribed shall be made in writing and certified by the signatures of the majority of the members of the Town Committee or Village Commission and by the seal or seals of the Mukhtar or Mukhtars of the town or village concerned.

List of assessment to be certified, etc.

(5) A copy of the list shall be posted or caused to be posted by the Chairman of the Town Committee or the Chairman of the Village Commission in a conspicuous place in each town or village concerned, and two copies shall be sent by the Chairman aforesaid

* shall and also added by S.L. 271/41 No. 228

Copy of list to be posted in town or village.

within seven days from the completion of the list to the Commissioner accompanied by a certificate from the Mukhtar or Mukhtars, that a copy has been posted in each town or village :

Provided always that whenever any amount is assessed on a church or property attached to a monastery or throne a special notice of the amount so assessed shall be immediately forwarded to the head of the monastery or the Metropolitan of the throne, as the case may be.

Power to
Commis-
sioner
to make
assessment.

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

Appeal to
Commis-
sioner
against
assessment.

(7) 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 town or village. Such appeal shall be in writing and shall state the grounds on which the assessment is objected to :

Provided always that the head of a monastery or the Metropolitan of a throne may raise an appeal to the Commissioner within twenty days from the date of the receipt of the notice.

Enquiry into
assessment.

(8) The Commissioner shall as soon as possible proceed to enquire into the justice of the assessment and into the appeals that may have been made.

Alteration or
approval of
assessment.

(9) The Commissioner, after such enquiry, 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 Town Committee or the Chairman of the Village Commission to be posted in the town or village in the manner aforesaid.

Power to
Governor to
redress
injustices.

(10) 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 of the assessment, 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.

(11) On the approval of the list by the Commissioner, 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) Fund for the purpose for which it is raised.

Method of recovery of assessment.

(12) If any Orthodox-Christian has paid any sums assessed upon him under this section in more than one town or village in respect of any one school year, and for good reason shewn to the satisfaction of the Commissioner did not appeal as in sub-section (7) hereof provided, he may within the school year to which such assessments relate appeal to the Commissioner, who shall give his decision upon the matter as in sub-section (2) of this section provided and shall order the refund to him of any sums paid by him in respect of any town or village of which he is not deemed to be an inhabitant.

Refund of double assessment.

(13) & (14) added by S. L. 271/41

73.—(1) The Governor may by notice in the *Cyprus Gazette* direct that the additional tax on property under section 65 of this Law, payable by the Mohammedan taxpayers of any town or village in which a Moslem school has been prescribed, shall be increased in any year by such a percentage as shall be sufficient to provide the amount or amounts required under sections 24 and 71 of this Law.

Moslem schools. Increase of additional tax on property.

(2) The provisions of sections 67 and 69 of this Law shall apply to the increase in the preceding sub-section provided, except that the amount of such increase, when recovered, shall be credited to the Education (B) Fund for the purpose for which it is raised.

Method of recovery of increase.

74.—(1) Where in any town or village a school has been prescribed for a religious community other than Orthodox-Christian or Moslem, the Governor may by notice in the *Cyprus Gazette* direct that the additional tax on property under section 65 of this Law, payable by the taxpayers of such town or village being of the religious community for which the school has been prescribed, shall be increased in any year by such a percentage as shall be sufficient to provide the amount or amounts required under sections 24 and 71 of this Law.

Schools other than Orthodox-Christian or Moslem. Increase of additional tax on property.

(2) The provisions of sections 67 and 69 of this Law shall apply to the increase in the preceding sub-section provided, except that the amount of such increase, when recovered, shall be credited to the Education (C) Fund for the purpose for which it is raised.

Method of recovery of increase.

PART VIII.

COMPULSORY EDUCATION.

Power to Governor to declare any area to be a compulsory school attendance area.

75.—(1) The Governor may, upon the recommendation of the Board of Education or the Director, from time to time, by Order to be published in the *Cyprus Gazette* declare any area defined therein to be a compulsory school attendance area for the purposes of this Part of this Law.

When order effective.

(2) Upon the publication of such Order the area therein defined shall be a compulsory school attendance area for the purposes of this Part of this Law or of any regulations in that behalf.

School attendance officers.

76. The Governor may appoint fit and proper persons to be school attendance officers within compulsory school attendance areas and may fix their salary or remuneration.

Duty of parent to send child to school.

77. Where any child resides within a compulsory school attendance area it shall be the duty of his parent to send him regularly to a school or to provide him with instruction as efficient, in the opinion of the Director, as that obtainable at a school within such area.

Offences by parent and penalties.

78. If the parent of any child referred to in the preceding section of this Law shall habitually and without reasonable excuse neglect to comply with the provisions of this Part of this Law or of the regulations, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding two pounds for a first offence, and not exceeding five pounds for a second or any subsequent offence.

Reasonable excuse.

79. It shall be a reasonable excuse for a parent failing to comply with the provisions of this Part of this Law or of the regulations if,

- (a) there is not within two miles, measured according to the nearest road or way from the residence of the parent, any school open which the child can attend; or
- (b) the child is prevented from attending the school or receiving instruction by sickness or any unavoidable cause; or
- (c) the parent shall prove to the satisfaction of the Court that he has made all reasonable efforts to comply with the provisions of this Part of this Law or the regulations; or
- (d) there is any other excuse which in the opinion of the Court is a reasonable excuse.

80.—(1) It shall be lawful for any school attendance officer to enter any dwelling house between the hours of six o'clock in the morning and six o'clock in the evening of any day except Sundays and public holidays for the purpose of making such enquiries and discharging such duties as may be imposed upon him by this Part of this Law or by the regulations.

Power of entry of school attendance officer.

(2) Every person who,

Offences and penalties.

(a) obstructs or resists any school attendance officer in the performance of his duties ; or

(b) wilfully makes any false representation to any school attendance officer with respect to the age of any child ; or

(c) wilfully refuses to furnish to teachers or school attendance officers any information which such person may be required to furnish by the regulations,

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding two pounds.

PART IX.

ELEMENTARY EDUCATION TO BE FREE OF CHARGE.

81. Subject to the provisions of this Law or any regulations, all children belonging to the religious community for which a school has been prescribed and inhabiting the town or village in which the school is in operation shall be entitled to attend such school and receive elementary instruction therein free of charge.

Children entitled to attend school free of charge.

see 3/44

82.—(1) No fee or charge of any kind shall be imposed on or taken from any child or the parent of such child in respect of elementary instruction or in connection therewith by any Town Committee or Village Commission or teacher.

No fee or charge to be imposed or taken by Town Committees, Village Commissions or teachers.

do

(2) Any Committee of Management may, with the approval of the Director previously obtained, impose and take fees in schools under their management and supervision.

Committees of Management may, with the Director's approval, impose and take fees.

PART X.

MISCELLANEOUS.

83. In the event of any Board of Education neglecting or refusing or being unable or unwilling for any reason to perform all or any of the duties vested in them by this Law or any regulations, the Governor may perform all or any of such duties in accordance with the provisions of this Law or any regulations or as nearly

Power to Governor to perform duties of Boards.

as circumstances shall admit, and anything done by the Governor in pursuance of the powers conferred on him by this section shall be deemed to be as duly done as if done by the Board of Education concerned :

Provided that the Governor may delegate all or any of the powers conferred upon him under this section to the Colonial Secretary or the Director, and may at any time revoke any such delegation.

Casting vote
to Chairman.

84. At any meeting of any Board of Education or Town Committee or Village Commission or Committee of Management under this Law, when the votes are equal the Chairman shall have a casting vote in addition to his own vote.

Limitation of
scope of
Boards, etc.
Orthodox-
Christian
schools.

85.—(1) The Board of Education, the Town Committees and the Village Commissions for Orthodox-Christian schools shall take cognizance of matters connected with Orthodox-Christian elementary education and of no others.

Moslem
schools.

(2) The Board of Education, the Town Committees and the Village Commissions for Moslem schools shall take cognizance of matters connected with Moslem elementary education and of no others.

Schools other
than
Orthodox-
Christian or
Moslem.

(3) The Director in the performance of the duties and the exercise of the powers of a Board of Education for the schools of any religious community in the Colony other than Orthodox-Christian or Moslem or the Committee of Management for such schools shall take cognizance of matters connected with the elementary education of such religious communities and of no others.

Disqualifica-
tions for
membership
of Boards,
etc.

86.—(1) No person shall be eligible for appointment as a member of any Board of Education or Town Committee or Committee of Management or having been appointed shall remain a member of such Board of Education or Town Committee or Committee of Management who—

- (a) is a judge of any Court in the Colony ; or
- (b) is a public officer in the service of the Colony ; or
- (c) is an uncertificated bankrupt ; or
- (d) is a teacher employed under this Law ; or
- (e) is under 21 years of age ; or
- (f) has been debarred from practising as a legal or medical practitioner by order of any competent authority ; or
- (g) has been convicted of any offence and sentenced to imprisonment for a term not less than three months.

(2) If any person who is subject to any of the disqualifications hereinbefore mentioned shall be appointed as a member of any Board of Education or Town Committee or Committee of Management, such appointment shall be void as regards such person.

Appointment of disqualified person.

(3) Every person who whilst subject to any of the disqualifications hereinbefore mentioned shall sit or vote in a Board of Education or Town Committee or Committee of Management, shall, for every day on which he sits or votes, forfeit the sum of £10, to be recovered by action in the District Court by any person who shall sue for the same.

Forfeiture.

(4)—(a) Nothing in this section contained shall apply to any person who is a member of any Board of Education or Town Committee or Committee of Management under this Law by virtue of his office.

Saving.

(b) Nothing in sub-section (1) (b) of this section contained shall apply to any public officer in the service of the Colony other than Orthodox-Christian.

87. No teacher employed under this Law shall be deemed to be a public officer in the service of the Colony.

Teachers not public officers.

88. Any person acting in contravention of any regulations relating to or affecting such person shall be guilty of an offence and shall be liable on summary conviction to the penalties therein prescribed.

Offences and penalties.

89. Notwithstanding anything in any other Law contained, it shall be lawful for the Director or the Commissioner to compound, if so authorized by the Governor either generally or specifically, all or any offences committed against this Law or any regulations, in the manner provided by the Compounding of Offences Laws, 1901 and 1926.

Power to Director or Commissioner to compound offences.

90. Any person who considers himself aggrieved by the manner in which the Director has exercised any power conferred upon him by this Law or any regulations or delegated to him by the Governor may appeal in writing to the Governor who shall finally determine the matter and give such directions therein as he may think fit.

Appeals to Governor.

91. No action or other civil proceeding shall lie in any Court against the Governor in respect of—

Bar of actions.

(a) any action taken by him under section 31 or 42 of this Law ; or

(b) any decision given by him in exercise of the powers vested in him under section 90 of this Law.

Savings,
Boards of
Education,
Town
Committees
and Com-
mittees of
Manage-
ment.

92.—(1) All Boards of Education, Town Committees and Committees of Management now in office by virtue of the provisions of any of the laws hereby repealed shall continue in office until replaced by Boards of Education, Town Committees and Committees of Management appointed under this Law, and shall during the period aforesaid perform their duties as if this Law had not been passed.

Classifica-
tions of
teachers

(2) All classifications of teachers made by virtue of any of the laws hereby repealed shall be valid and effective until new classifications are made under this Law.

Prescribed
schools.

(3) All schools prescribed to be in operation for the period of one year commencing on the first day of September, 1932, by virtue of any of the laws hereby repealed shall continue to be in operation for the period aforesaid as if prescribed under this Law.

Appoint-
ments of
teachers.

(4) All appointments of teachers made for the period of one year commencing on the first day of September, 1932, by virtue of any of the laws hereby repealed shall be valid and effective for the period aforesaid.

Assessments.

(5) All amounts of money assessed or to be assessed in connection with schools for the period of one year commencing on the first day of September, 1932, by virtue of any of the laws hereby repealed shall be valid and effective for the period aforesaid and shall be collected, recovered and paid as if this Law had not been passed.

Orders
relating to
increase of
Immovable
Property
Tax.

(6) All orders relating to the increase of Immovable Property Tax to provide the sum required for payment of loans or annual maintenance of schools for the period of one year commencing on the first day of September, 1932, made by the Governor and published in the *Cyprus Gazette* by virtue of any of the laws hereby repealed shall be valid and effective for the period aforesaid and shall be performed as if this Law had not been passed, and all sums collected or recovered by virtue of the performance of such orders shall be paid as if this Law had not been passed.

Regulations.

(7) All regulations made by virtue of any of the laws hereby repealed shall be valid and effective and shall continue in force until replaced by regulations made under this Law.

Repeals

93. The laws mentioned in the Schedule to this Law are hereby repealed.

SCHEDULE.

(SECTION 93.)

1. The Elementary Education Law, 1929, (No. 4 of 1929).
2. The Elementary Education Law, 1931, (No. 10 of 1931).
3. The Compulsory Education Law, 1931, (No. 7 of 1931).
4. The Elementary Education (Amendment) Law, 1932, (No. 21 of 1932).
5. The Elementary Education (Amendment, No. 2) Law, 1932, (No. 59 of 1932).

This Law came into operation on 29th May, 1933.

No. 19 OF 1933.

A LAW FURTHER TO AMEND THE KYTHREA WATER
SUPPLY IMPROVEMENT LAW, 1928.

A.D. 1933.

19 of 1933.

R. E. STUBBS,]

[8th June, 1933.

Governor.

BE it enacted:—

1. This Law may be cited as the Kythrea Water Supply Improvement (Amendment) Law, 1933, and shall be read as one with the Kythrea Water Supply Improvement Laws, 1928 and 1932, (hereinafter called "the Principal Law," and the Principal Law and this Law may together be cited as the Kythrea Water Supply Improvement Laws, 1928 to 1933.

Short title.

7 of 1928.
38 of 1932.

2. The preamble to the Principal Law is hereby amended by the deletion therefrom of the words "AND WHEREAS the quantity of such water for the use of the said inhabitants has been estimated to be not more than 30,000 gallons a day;"

Amendment
of preamble
to Law 7 of
1928.

3. Section 3 of the Principal Law is hereby amended by the deletion of the words "in a quantity not exceeding 30,000 gallons in any one day" and the substitution therefor of the words "in any quantity".

Amendment
of section 3
of Law 7 of
1928.

This Law came into operation on 9th June, 1933.