



SUPPLEMENT No. 2

TO

THE CYPRUS GAZETTE No. 3281 OF 27TH DECEMBER, 1946.
LEGISLATION.

THE STATUTE LAWS OF CYPRUS

No. 27 OF 1946.

A LAW TO AMEND THE CO-OPERATIVE SOCIETIES LAW, 1939.

R. E. TURNBULL,]

[24th December, 1946.

Officer Administering the Government.

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

1. This Law may be cited as the Co-operative Societies Short title.
(Amendment) Law, 1946, and shall be read as one with
the Co-operative Societies Law, 1939, (hereinafter referred 25 of 1939.
to as “the principal Law”), and the principal Law and
this Law may together be cited as the Co-operative Societies
Laws, 1939 and 1946.

Amendment
of section 10
of the
principal
Law.

2. Section 10 of the principal Law is hereby amended by the insertion therein immediately after sub-section (3) of the following sub-section:—

“(3A) An amendment of the bye-laws which changes the name of a society shall not affect any right or obligation of the society or of any of its members or past members, and any legal proceedings pending may be continued by or against the society under its new name.”

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

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 Section 19 of the principal Law is hereby repealed and the following section substituted therefor:—

“Disposal of
produce to
or through
a registered
society.

19.—(1) A registered society which has as one of its objects the disposal of any article produced or obtained by the work or industry of its members whether the produce of agriculture, animal husbandry, forestry, fisheries, handicrafts or otherwise may provide in its bye-laws or may otherwise contract with its members:—

(a) that every such member who produces any such article shall dispose of the whole or any specified amount, proportion or description thereof to or through the society; and

(b) that any member who is proved or adjudged, in such manner as may be prescribed by the rules, to be guilty of a breach of the bye-laws or contract shall pay to the society as liquidated damages a sum ascertained or assessed in such manner as may be prescribed by the aforesaid rules.

(2) No contract entered into under the provisions of this section shall be contested in any court on the ground only that it constitutes a contract in restraint of trade.”

Insertion of
new section
28A in the
principal
Law.

4. The principal Law is hereby amended by the insertion therein immediately after section 28 of the following section:—

“Deposits
by or on
behalf of
minors.

28A.—(1) A registered society may receive deposits from or for the benefit of minors and it shall be lawful for a registered society to pay such minors the interest which may become due on such deposits and any contract entered into by any minor with the society, relating to such deposits, shall be enforceable at law or against such minor notwithstanding his minority.

(2) Any deposits made by a minor may, together with the interest accrued thereon, be paid to that minor; and any deposit made on behalf of a minor may, together with the interest accrued thereon, be paid to the guardian of that minor for the use of the minor.

(3) The receipt of any minor or guardian for money paid to him under this section shall be a sufficient discharge of the liability of the society in respect of that money."

5. Section 39 of the principal Law is hereby amended by the insertion therein immediately after sub-section (1) of the following sub-sections:—

Amendment
of section 39
of the
principal
Law.

"(1A) The Committee or any member thereof affected by an order of dissolution made by the Registrar under sub-section (1) may, within three days from the date of the notification of such order to the Committee, appeal to the Governor in Council whose decision thereon shall be final and conclusive.

(1B) Where an order of dissolution has been made by the Registrar under sub-section (1), the order shall not take effect until the expiration of three days of the date of the notification thereof to the Committee and, where an appeal has been made against the order under sub-section (1A), the order shall not take effect until the appeal has been determined and the Governor in Council has confirmed such order."

6. Sub-section (2) of section 48 of the principal Law is hereby amended by the deletion therefrom of the proviso and the insertion therein of the following provisos:—

Amendment
of section 48
of the
principal
Law.

"Provided that, in the liquidation of a society the members of which are registered societies, any surplus may be divided amongst such registered societies in such manner as described in the bye-laws of the society whose registration has been cancelled:

Provided further that any interest accruing on the deposit may be paid into such Audit and Supervision Funds as may be constituted under the rules."

7. Section 52 of the principal Law is hereby amended by the deletion therefrom of sub-sections (2), (3), (4) and (5) and the substitution therefor of the following sub-sections and by the addition thereto of a new sub-section (6):—

Amendment
of section 52
of the
principal
Law.

"(2) The Registrar may, on receipt of a reference under sub-section (1)—

(a) decide the dispute himself; or

(b) refer it for disposal to an arbitrator or arbitrators.

(3) Any party aggrieved by the award of the arbitrator or arbitrators may appeal therefrom to the Registrar within such period and in such manner as may be prescribed.

(4) A decision of the Registrar under sub-section (2) or an appeal under sub-section (3) shall be final and shall not be called in question in any civil court.

(5) The award of the arbitrator or arbitrators under sub-section (2) shall, if no appeal is preferred to the Registrar under sub-section (3), or if any such appeal is abandoned or withdrawn, be final and shall not be called in question in any civil court and shall be enforced in the same manner as if the award had been a judgment of a civil court.

(6) The Registrar, at any time when proceeding to a decision under this section, may refer any question of law arising out of such decision for the opinion of the Supreme Court; and any Judge, or Judges, of the Supreme Court, as the Chief Justice may direct, may consider and determine any question of law so referred and the opinion given on such question shall be final and conclusive."

24th December, 1946.

M. V. SPURWAY,
Acting Colonial Secretary.