

OFFICIAL GAZETTE OF THE REPUBLIC	
No: 2082 of 18 th October 1985	
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THE MUNICIPALITIES LAW No: 111 of 1985

18th October 1985

The Municipalities Law of 1985 is issued by publication in the Government Gazette of the Republic of Cyprus pursuant to Article 52 of the Constitution

Number 111 of 1985

LAW PROVIDING FOR THE ESTABLISHMENT OF MUNICIPALITIES AND THEIR COMPETENCIES, MUNICIPAL ADMINISTRATION AND RELATED MATTERS

The House of Representatives enacts as follows:

PART I

INTRODUCTORY PROVISIONS

- Short title.
1. This Law may be cited as the Municipalities Law of 1985 to (No.2) of 2011.
- 111 of 1985
1 of 1986
8 of 1986
25 of 1986
39 of 1986
50 of 1986
114 of 1986
121 of 1986
149 of 1986
14 of 1987
63 of 1987
165 of 1987
320 of 1987
39 of 1988
204 of 1988
119 of 1990
143 of 1991
190 of 1991
223 of 1991
40(I) of 1992
54(I) of 1992
87(I) of 1992
23(I) of 1994
37(1) of 1995
8(1) of 1996
65(1) of 1996
85(1) of 1997
20 (I) of 2001
112(I) of 2001
127(I) of 2001

128(I) of 2001
139(I) of 2001
153(I) of 2002
23(I) of 2002
227(I) of 2003
47(I) of 2004
236(I) of 2005
53(I) of 2005
86(I) of 2005
118(I) of 2005
127(I) of 2006
137(I) of 2006
157(I) of 2007
25(I) of 2007
147(I) of 2007
153(I) of 2008
19(I) of 2008
73(I) of 2008
51(I) of 2009
97(I) of 2009
48(I) of 2010
121(I) of 2010
30(I) of 2011
137(I) of 2011.

Interpretation.

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

24 of 1979
78 of 1980
79 of 1982.

“abnormal situation” acquires the meaning attributed to this term by virtue of section 2 of the Debtors’ Relief (Temporary provisions) Law;

“Bonds” includes bills of exchange, shares and any other kinds of bonds as may be prescribed.

“Building” means any construction whether of stone, concrete, mud, iron, wood or other material and includes any foundation, wall, roof, chimney, verandah, balcony, cornice or projection or part of a building or anything affixed thereto, or any wall, earth bank, fence, paling or other construction enclosing or delimiting or intended to enclose or delimit any land or space;

“Cinematography exhibition” means any exhibition of pictures of other optical effects presented by means of a cinematograph or other similar apparatus, whether accompanied by spoken words or not;

“Council” means the council of any municipality, constituted in accordance with the provisions of this Law and also includes municipal committee appointed by virtue of this Law;

“Councilor” means the mayor and every duly elected member of a council;

“court” in relation to a certain municipality means the court of the district within which the municipal limits of this municipality is situated;

“District Officer” in relation to a certain municipality means the district officer of the district within which the municipal limits of such municipality are situated;

2(a) of 25 of 1986

“general municipal elections” means municipal elections for all municipalities of the Republic except for any municipality in connection with which there has been an order for the non-carrying out of election by virtue of section 139

“local administration authority” means a municipal council, improvement council and village committee;

“Minister” means the Minister of Interior;

“municipality” means municipality constituted under the provisions of this Law;

“municipal doctor” means the director of the health services of the municipality and includes any doctor, veterinary doctor or sanitary inspector, appointed by the council for the execution of such duties or powers which the council may assign to him from time to time, as well as any doctor or sanitary inspector serving in the public service to whom there have been assigned duties of a medical health officer;

“municipal limits” means the limits of a municipality determined in accordance with the provisions of this Law;

“Refuse” means petules, rough-casting, old-scrap, broken bottles, broken glass, ashes, empty boxes, empty metallic boxes and includes any other objects or things (not constituting dirty material of sewers) which are likely to cause pollution or dirt or become harmful to the amenities of the area;

64 of 1964
15 of 1966
9 of 1970
47 of 1970
89 of 1970
87 of 1972
73 of 1979
89 of 1979

“Repealed law” means the Municipality Laws of 1964 to 1984 repealed by virtue of this Law;

26 of 1981
42 of 1982
22 of 1983
62 of 1984

2 of 25(I) of 2007

“Specified position” means a position determined as such by the Council of Ministers pursuant of section 53A;

“Stage play” includes any tragedy, comedy, farce, opera, melodrama, dialogue, pantomime, circus, dancing, singing, music, or other public entertainment of the like kind;

“Street” includes square, road, bridle-path, pathway, blind-alley, passage, footway, pavement or public-place;

2 (c) of 25 of 1986

“Town” (deleted)

2(b) of 25 of 1986.

“townsperson” has the meaning attributed to this term under section 9;

2 of 97(I) of 2009.

57(I) of 1972
85(I) of 1997.

“Union of Cyprus Municipalities” means the society registered in accordance to section 6 of the Societies and Institutions Law, which continues to operate as an association and where members are all municipalities established and/or will be established pursuant to the provisions of this Law;

PART II

ESTABLISHMENT AND ABOLITION OF MUNICIPALITIES

- Existent municipalities. 3. (1) Municipalities established under the provisions of the municipalities, repealed Law and existing on the date this Law coming into force shall be deemed as established on the basis of the provisions of this Law and shall operate in accordance with the provisions thereof.
- (2) (a) The Council of Ministers may, if it considers it necessary for the smooth operation of any of the municipalities mentioned in subsection (1) by an order published in the official Gazette of the Republic appoint a municipal committee consisting of five to fifteen townspersons, having the qualifications for eligibility required under section 15, in order to exercise provisionally the powers of the council of such municipality for such period of time as may be proscribed in the order but not exceeding six months, or until a council is elected in relation to such municipality,

whichever of these dates is earlier.

- (b) The municipal committee shall consist of five citizens of municipalities having a population not exceeding 8,000 townspersons, of seven citizens of municipalities having a population exceeding 8,000 but not exceeding 12,000 townspersons, of nine citizens of municipalities having a population exceeding 12,000 but not exceeding 18,000 townspersons, of eleven citizens of municipalities having a population exceeding 18,000 but not exceeding 25,000 townspersons, thirteen citizens of municipalities having a population exceeding 25,000 townspersons but not 40,000 townspersons and fifteen citizens of municipalities having a population exceeding 40,000 townspersons.
- (c) The members of the municipal committee shall be appointed from among those townspersons whose names are included in a list submitted by the parties represented in the House of Representatives in a proportion corresponding to such representation for the time being.
- (d) The members of the municipal committee shall elect one amongst them as President.

Establishment of new municipalities.

2 of 1 of 1986.
2 of 40(I) of 1992.

- 4. (1) (a) The Council of Ministers shall order the carrying out of a plebiscite in a manner which may be prescribed among the registered electors of the areas which are referred to herein for the purpose of ascertaining their wish as regards the declaration of the area in question as a municipality:
 - (i) In a town, improvement area, village or group of towns, improvement areas or villages which have a population of over five thousand inhabitants at the latest within three months from the coming into force of the basic law-
 - (ii) In every other case of a town, improvement area, village or group of towns, improvement areas or villages which acquire a population of over 5000 inhabitants within a reasonable time from the completion of such a number-
 - (iii) In improvement areas, villages or complexes of improvement areas and villages which have a population less than 5000, if the Council of Ministers is satisfied that such area has the financial capacity to

function adequately and efficiently as a municipality and the inhabitants of the above areas consent to the plebiscite which is carried out for this purpose with separate majority for the declaration of their area as municipality.

3(a) of 25/1986.

Provided that the registered electors of an area of improvement or village or complex of improvement areas or villages with a population exceeding 5,000 inhabitants in the area of which a plebiscite was carried out under paragraph (a) may, by a written application to the Council of Ministers request the carrying out of a new plebiscite and the Council of Ministers shall in such a case order within a reasonable time the carrying out of such new plebiscite; the aforesaid application must bear the names and signatures of at least one third of the registered electors at the time of such application as well as the number of the voting booklet of each elector and be accompanied by the relevant certification of the Central Election Service.

It is further provided that no new plebiscite shall be ordered by the Council of Ministers before the lapse of at least four years from the time when the previous plebiscite was carried out.

3(b) of 25 of 1986.

(b) If the result of the aforesaid plebiscite is in favour of the above proclamation, the Council of Ministers by an order published in the official Gazette of the Republic proclaims the above town, improvement area or village or group of towns, improvement areas or villages as a municipality under such name as may be prescribed in the order whereupon the provisions of the present law shall become applicable in respect thereof.

3 (c) of 25 of 1986.

(2) The Council of Ministers by the aforesaid order shall appoint for each of the established Municipalities under subsection (1) a municipal committee consisting of five persons eligible under the provisions of section 15, one of which is appointed as President, to exercise temporarily the competencies of the council of such Municipality for such period as may be prescribed in the order which must not exceed six months or until the election of a council in respect of such municipality, whichever of these dates is earlier.

Provided that in the case of a proclamation of an improvement board as a municipality, the municipal committee shall consist of

the council of such improvement board.

3(d) of 25 of 1986.

Cap. 243
46 of 1961
58 of 1962
4 of 1966
31 of 1969
7 of 1979
49 of 1979
65 of 1979
7 of 1980
27 of 1982
42 of 1983
38 of 1984.

Cap. 259
81 of 1963
5 of 1983.

Merger of a unit of local administration with a neighbouring municipality, etc.

- (3) Any rules or regulations –
- (a) of any improvement area issued under the Villages (Administration and Improvement) Law; or
 - (b) of any village issued under the Public Health (Villages) Law;

Which is proclaimed as a municipality by virtue of paragraph (a) of subsection (1) shall be deemed as issued under the provisions of this Law and shall be applicable as if it were issued under the provisions of this Law until they are amended or revoked by municipal rules or regulations issued under the provisions of this Law.

5. (1) (a) The Minister upon an application made to him by the authority of any unit of local administration or if he considers that the merger of such unit of local administration with the neighboring municipality is desirable; and
- (b) The council of such neighbouring municipality consents to such merger, orders within three months at the latest the carrying out of a plebiscite in such manner as may be prescribed, among the registered electors of such of local administration for the purpose of ascertaining their wish regarding such merger.
- (2) If the result of the plebiscite is in favor of the merger the Council of Ministers issues an order to be published in the official Gazette of the Republic ordering such merger.
- (3) Any such order may comprise such supplementary instructions that are considered necessary for the effective implementation of such merger.
- (4) For the purposes of this section “unit of local administration” means municipality, improvement area or village.

Abolition of municipalities.

6. (1) A municipality which is established under the provisions of this Law is abolished nine months before the expiration of the term of office of the council of such municipality is ascertained by the District Officer on the basis of the general register of the townspersons kept by the municipality in question that the

population of such municipality is under 4,000 townspersons during the preceding continuous three years.

- (2) The abolition of a municipality in accordance with the provisions of subsection (1) is effected by an order of the Council of Ministers published in the official Gazette of the Republic. This order will come into force as of the date of the expiration of the term of office the council of the aforesaid municipality.
- (3) Every such order for the abolition of a Municipality may include such supplementary directions which are considered necessary for the effective abolition of the Municipality and the liquidation of the Municipality affairs and property.
- (4) The provisions of subsection (1) are not applicable in respect of an existing Municipality having a population less than five thousand townspersons on the date of this Law coming into force.

2 of 39 of 1986.

- (5) (a) The Council of Ministers by order published in the official Gazette of the Republic shall abolish a municipality in respect of which the provisions of subsection (4) apply if a plebiscite carried out ad hoc among the townspersons who are qualified electors of such municipality results in favor of its abolition.
- (b) Upon the issue of an order abolishing a municipality under paragraph (a) the provisions of subsections (2) and (3) become applicable mutatis mutandis.
- (6) A plebiscite under subsection (5) shall be ordered by the Minister if the council of the Municipality concerned through an application of the Minister requests it.

Every municipality forms a legal person.

- 7. Every municipality under this Law shall form a public corporation and shall have all the properties of such person, bear the name "Municipality of.....", (stating the name of the municipal area) and shall have a special seal and the right to sue and be sued under such name.

Change of the name of a municipality.
2 of 14 of 1987.

- 7A. (1) The Council of Ministers may, by an order published in the official Gazette of the Republic, change the name of any municipality.
- (2) An order by virtue of subsection (1) is issued on a majority decision of at least three quarters of its members of the municipality concerned in a meeting convened especially for this

purpose and by notifying the Minister of such a decision.

- (3) A change of the name of any municipality effected under this section does not affect the rights or obligations of the municipality concerned or of any other person nor does it render defective any court proceedings, and any court proceedings may continue as if there was no change of the name.

Objects and
administration of the
Union of Cyprus
Municipalities and
terms of service of
employees.

3 of 97(I) of 2009.

- 7B. (1) Without prejudice as to the provisions of this Law and the provisions of the Societies and Institutions Law, all municipalities established pursuant to the provisions of this Law, all municipalities created under the provisions of this Law, may be registered as full members of the Union of Cyprus Municipalities and to participate through representatives in its operations together with the existing full members, with the purpose to-

- (a) to operate the said Union as a collective organ for the representation of the municipalities at national and international level, for the coordinated promotion and protection of the interests and pursuits thereof;
- (b) to assist the municipalities towards the advancement of local administration;
- (c) to research and study issues regarding municipal administration and to collect and provide data and information relevant to such matters;
- (d) to express its views on law drafts relating to the municipalities and other issues and activities regarding local administration;

Provided that the existing association under the name “Union of Cyprus Municipalities” shall be deemed as being established pursuant to this section.

- (2) (a) The Union of Cyprus Municipalities shall be administered by its own organs and shall employ its own employees, as provided by its Articles of Association and Regulations for the time being.
- (b) The terms of service of the employees of the Union of Cyprus Municipalities shall be governed by collective agreements contracted between the Union of Cyprus Municipalities and the unions.

- (3) The Schemes of Service for the positions of the employees shall be prepared in accordance to the provisions of the Articles of Association of the Union of Cyprus Municipalities and taking into account the duties and responsibilities and qualifications required in the schemes of service for similar positions in municipalities, having respective salary scales, this not necessarily meaning absolute identification thereto.
- (4) The procedure to be followed for filling vacant positions, the general terms of service for employees, including remuneration, allowances, readjustment of salaries and other benefits, the duties and obligations thereof, disciplinary action against them and anything else incidental and relevant to the above matters, are equivalent to those of the municipalities, this not necessarily meaning absolute identification thereto.

Municipal boundaries. 8.- The Council of Ministers may on the application of the local administrative authorities in question and after hearing their views, by an order published in the official Gazette of the Republic, redefine, alter, extend or diminish the municipal limits established pursuant to the provisions of this Law.

2 of 119 of 1990.

PART III TOWNSPERSONS

Capacity of a town 9.- (1) Every citizen of the Republic is a member of the municipality person. (hereinafter in this Law referred to as “townsperson”) within the municipal boundaries of which he has his usual place residence.

2 of 53(I) of 2005

- (2) During the abnormal situation, a citizen of the Republic who, during the year immediately preceding the Turkish invasion had his usual place of residence within the municipal boundaries of any municipality which is partly or wholly under Turkish occupation, remains a townsperson of the occupied municipality regardless of whether he has acquired the capacity of a townsperson in accordance with the provisions of subsection (1).
- (3) The legitimate child of a townsperson shall be a townsperson of the municipality of his/her father and the illegitimate child a townsperson of this mother.
- (4) The illegitimate child of parents of unknown nationality shall be a townsperson of the area in which he/she was born.

- (5) The illegitimate child born out of wedlock acquires the capacity of townsperson of this father as from the date of this legitimation and the adopted minor acquires the capacity of townsperson of this adoptive father as from the date of such adoption.
- (6) An alien who acquires the nationality of the Republic becomes townsperson of the municipality of his usual residence.
- 3 of 1 of 1986. (7) Subject to the provisions of subsection (2), the capacity of a townsperson of a certain municipality shall be lost upon acquiring the capacity of a townsperson of another municipality or the capacity of a member of a village or improvement area.
- Register of townspersons. 10. (1) A general register of townspersons shall be prepared and kept in every municipality.
- (2) Every matter relating to the preparation and keeping of the register of the townspersons, its form and any other necessary particulars are prescribed by the Council of Ministers through regulations made under section 133.

PART IV

MUNICIPAL AUTHORITIES AND THEIR ELECTIONS.

- Municipal authorities. 11. (1) Subject to the provisions of article 173 of the Constitution, every municipality shall be administrated by a council which shall exercise all the powers vested in each municipality under the provisions of this and any other Law.
- 2 of 8(I) of 1996. (2) (a) Every council shall consist of the mayor and councilors whose number shall be not less than eight and no more than twenty six, as provided herein below:
- In municipalities in respect of which the townspersons do not exceed 6,000: 8 councilors
- In municipalities in respect of which the townspersons exceed 6,000, but do not exceed 8.500: 10 councilors.
- In municipalities in respect of which the

townspersons exceed 8,500, but do not exceed 11.000:	12 councilors
In municipalities in respect of which the townspersons exceed 11,000 but do not exceed 13.500:	14 councilors
In municipalities in respect of which the townspersons exceed 13.500, but do not exceed 16.000:	16 councilors
In municipality in respect of which the townspersons exceed 16,000, but do not exceed 18.500:	18 councilors
In municipality in respect of which the townspersons exceed 18.500, but do not exceed 21.000	20 councilors
In municipality in respect of which the townspersons exceed 21.000, but do not exceed 23.500:	22 councilors
In municipality in respect of which the townspersons exceed 23.500, but do not exceed 26.000:	24 councilors
In municipality in respect of which the townspersons exceed 26.000:	26 councilors

3(a) of 40(I) of 1992.

- (b) In case of a proclamation of a complex of villages or Complex of improvement area and village as a municipality, if the number of the members of the council which is provided under paragraph (a) is not at least double the number of the villages and of the areas of improvement which compose the municipality, the Council of Ministers has the power to fix the number of members of the council so that it will be at least double the number of the villages and of the improvement areas referred to herein above.
- (3) (a) The mayor and the other members of the municipal council shall be elected by the members thereof who are qualified

electors.

3(b) of 40(I) of 1992.

(b) Notwithstanding the provisions of paragraph (a), the election of members of the municipal council which is established after the coming into force of the present law and which consists of a complex of villages or complex of an improvement area and a village is carried out as follows:

(i) Half of the number of the members of the council is elected by all the townspersons of the municipality – electors ;

(ii) If the remaining half number is greater than the number of the villages and the improvement areas which compose the complex, it is distributed to the units which compose the complex in proportion to their population, and every village or improvement area elects by a separate election its members of their council proportionality;

(iii) If the remaining half number is equal to the number of the village and of the improvement areas which were declared as a municipality then every village or improvement area elects by a separate election one member of the council.

(4) The mayor of every municipality shall be elected - either in the general or the by-election, as the case may be, the provisions of the present law for the election of members of the council being applicable mutatis mutandis - separately by all the qualified electors of the municipality on the same date on which the elections for the election of the other members of the councils are carried out and, after such election, the candidate who received most of the valid votes is declared as mayor in which case the provisions of section 35 become applicable mutatis mutandis.

(5) One of the members of the municipal council shall be the deputy mayor of the council

Term of office of councils.

12. The term of office of the council shall be five years commencing on the first day of the month of January follows its election:

Provided that –

72 of 1979
73 of 1980
16 of 1981
124 of 1985
164 of 1985
297 of 1987.

- (a) If any general election at the new council should be declared void under the provisions of this Law or the Election of the Members of the House of Representatives Law or for any reason any such election is not carried out in accordance with the provisions of this Law the term of office of the then existing council shall be extended up to one week after the carrying out of the local election which must be carried out within forty-five days at the latest from such annulment;
- (b) The term of office of any council which assumes duties after the first day of January of the year during which general election were carried out under section 17, commences the first day of the month immediately following the election, and it is equal to the remaining period of the term of office of the other councils;
- (c) Whenever any election is carried out under the provisions of section 18, the term of office of the so elected member of the council ends on the date on which the term of office of the previous member of the council would have expired.

Right to elect.

3 of 53(I) of 2005.

13. (1) Every citizen of the Republic or a national of another member-state of the European Union shall have the right to elect in a municipality if-
- (a) He has attained the age of eighteen years and he is registered in the electoral list kept in accordance and for the objects of this Law;
 - (b) He is a townsperson of such municipality.

3 of 8(I) of 1996
2 of 127(I) of 2001.

proviso ... (deleted)

5 of 25 of 1986.

- (2) A person is deprived of his right to elect if-
- (a) during the period of six months immediately preceding any election under this Law he was deprived of his liberty as a result of lawful imprisonment, or has been declared as person of unsound mind under the provisions of the relevant law for the time being;

5 of 25 of 1986.

- (b) was deprived of his right to elect under the provisions of any law or a judgment of a court.

(3) The exercise of the right to elect shall be compulsory.

Electoral lists.

40 of 1980
70 of 1980
17 of 1981
115 of 1985.

14. (1) The electoral list for the elections of municipal councils will be the electoral list made and revised from time to time in accordance with the provisions of the Law of Registration of Electors and electoral List, duly completed by the Central Election Service in accordance with the procedure provided by the aforesaid Law, aw to include all persons who have the right to elect under this Law.

(2) Every person who has the right to elect under the provisions of subsection (1) of section 13 and is not already registered in the list kept under the Registration of Electors and Electoral List Law must be registered in the electors, list made for the purposes of this Law in which case provisions of section 6 of the aforesaid Law apply mutatis mutandis.

3 of 8 of 1986.
2 of 190 of 1991.
2 of 128(I) of 2001.

Provided that the time limit for the submission of an application for registration of the persons mentioned in this subsection in the above mentioned electors list on the basis of which elections will be held in 2001, which elections are proclaimed under art 19 of the present law, does not expire before the end of the 31st October 2001.

Qualifications for election.

2 of 48(I) of 2010.
4 of 8(I) of 1996.

15. (1) A qualified elector who has attained the age of twenty-five years may be elected as a mayor or member of the council.

(2) Notwithstanding the provisions of subsection (1) no townsperson – elector who has the qualifications of eligibility can be a candidate for the office of a mayor or member of the municipal council in more than one municipality.

Non-eligibility and incompatibles.

16. (1) No person may be elected mayor or member of the council which:

(a) Is mentally unfit,

(b) A bankrupt who has not been reinstated,

(c) Has been convicted in the period of five years prior to the declaration of elected candidates in accordance with subsection (2) of section 24 for a criminal offence, disgracing or involving moral depravity.

(2) (a) Government Minister or Member of the House of

Representatives ,or

6(a) of 25 of 1986.

- (b) any person who is a judge of a court of the Republic, salaried public servant, educationist or municipal employee, employee of semi-state organization, in active police or of military service, a person occupying a religious post or having any contractual connection with the municipality for the execution of works or the rendering of services on payment,

6(b) of 25 of 1986
4 of 40(I) of 1992.

may stand for election to the post of mayor or member of the council but cannot take up this post unless, before doing so he resigns from his office or post or gives up his contractual obligations or responsibilities as the case may be.

- (3) If during the term of office of the mayor, deputy mayor or councilor any of the obstacles of eligibility or incompatibility mentioned in subsections (1) and (2) should arise, he should resign from the post of mayor, deputy mayor, or councilor, as the case may be, his post becomes vacant and is filled according to the provisions of sections 37 and 38 respectively.

ELECTIONS OF MUNICIPAL COUNCILS

General municipal elections.

17. General municipal elections of all mayors and members of municipal councils are carried out every five years, on a date fixed by the Minister in accordance with the provisions of this Law.

By-elections.

18. A by-election for the filling of a vacant post of a member of the council in the cases provided by section 28(3) and 38(3)(c) is carried out on a date fixed by the Minister in accordance with the provisions of subsection (2) of section 19.

PROCLAMATION OF ELECTIONS

Proclamation of elections.

19. (1) The carrying out of municipal elections shall be ordered by an order of the Minister published in the official Gazette of the Republic, in accordance with which any day during the month of December is fixed as an election day.
- (2) The carrying out of a by-election as provided in this Law, is ordered by an order of the Minister, published in the official Gazette of the Republic in accordance with which, a day is fixed

for such election, within forty-five days from the day the post of member of the council becomes vacant and for a period equal for the remaining term of office of the existing council.

Special provision.

3 of 143 of 1991.

- (3) The Minister of Interior takes all necessary measures so a by-election according to section 19(2) of the principal Law is not carried out.

This Law coming into effect.

4 of 143 of 1991.

This Law (143 of 1991) shall come into effect on the 20th June 1991.

First general municipal elections.

20. Notwithstanding the provisions of sections 12 and 19, the carrying out of the first general municipal elections shall be ordered by an order of the Minister published in the official gazette of the Republic, within six months from the coming into force of this Law on a date fixed in such order.

Provided that the term of office of the so-elected municipal council commences on the first day of the month immediately following such election, and ends on the 31st day of December of the fifth year after the year of such election.

Appointment of Election Officers.

21. Whenever an order is issued for the carrying out of municipal elections, the Minister shall appoint a General Election Officer for the whole territory of the Republic, one Election Officer for each district and Deputy Election Officers for every such district as the circumstances require, and in case of non-general municipal elections or by-election he shall appoint such number of Election Officers and Deputy Election Officers as the circumstances require:

Election warrants.

22. (1) The Minister shall, for the purposes of municipal elections or by-election, issue election warrants addressed through the General Election Officer, or directly, to the Election Officers, as the case may be.

First Schedule

- (2) An election warrant is issued in accordance with the form of the First Schedule or with a form having substantially the same effect and which shall fix-

- (a) The date and place for the nomination of candidates;
- (b) The election date, if more candidates than the vacancies to be filled nominated;
- (c) The date of the return of the warrant to the Minister.

- (3) The date for the nomination of candidates will be such as to allow a preceding period of at least seven days from the date of the voting as prescribed in the warrant of election.
- (4) Upon the publication of the notice of election for a certain municipality, a notification is published in the official Gazette of the Republic by the Election Officer, of the date and of the terra of submission of candidatures as well as the date of voting and the Election Officer causes the placarding of a copy of such notification in such conspicuous places, within the municipality where the election will take place as will find reasonable at least five days before the date fixed for the submission of candidatures.

NOMINATION OF CANDIDATES AND
DECLARATION OF ELECTIONS OF CANDIDATES

- Nomination of candidates. 23. (1) A person eligible for election in accordance with section 15 may be nominated as a candidate.
- (2) Each candidate shall be nominated by a separate nomination note, which shall state the name and surname of the candidate, his address, and his profession, and the number of his voter's card, by two townspersons – electors whose names are registered in the electors rolls of the municipality concerned and who shall sign the petition the one as the proposer and the other as the seconder. The candidate ought to accept his candidature in writing on the nomination paper.
 - (3) Each candidate upon the submission of this candidature shall deliver or cause to be delivered to the Returning nomination paper together with his written statement supported by a solemn declaration or oath which may be received by the Returning Officer (both of which shall form and be known as the 'documents for submission of candidature') in which his qualifications for election for the municipality concerned shall be declared. If the documents for the submission of candidature are not delivered by or on behalf of the candidate at the time and place appointed for this purpose, he may not be declared as a candidate.
 - (4) The Returning Officer shall provide the nomination papers to every applicant on any working hour so appointed between the issue of the notice of election and the noon of the date appointed for the submission of candidatures.

- (5) Upon the submission of each nomination paper by or on behalf of a coalition of candidates or an independent candidate, as the case may be, there shall be deposited, in the case of a coalition of candidates by or on behalf of the coalition a sum of eighty six (86) Euros for each candidate of the coalition, in the case of an independent candidate a sum of eighty six (86) Euros and in the case of a candidate for the post of mayor a sum of one hundred and seventy one (171) Euros or attached to the nomination paper there shall be a receipt issued by or on behalf of the coalition or by on behalf of the candidate as the case may be of the appropriate amount and the documents for the submission of candidatures shall not be accepted without such deposit or production of such receipt.

This amount shall be returned to the coalition of candidatures, the independent candidate, or the candidate for the post of mayor or in case of death of any candidate to his legal representatives, if they withdraw their candidature or if no poll takes place. In case of a poll the sum shall be returned if he obtains not less than one-third of the election measure in the case of members of the council or one fifth of the valid votes in the case of the mayor, as the case may be. In any other case the amount of deposit shall be forfeited and shall be paid into the Consolidated Fund of the Republic.

Provided that where an election by poll has taken place and a candidate is elected irrespective of whether or not he has obtained one third of the election measure or one fifth of the valid votes as the case may be, this sum shall be returned to him.

Procedure on the day for the submission of candidatures.

24. (1) The Returning Officer or the Deputy Returning Officer on the day of the submission of candidatures shall attend at the appointed time and place and shall receive the nomination paper of each candidate submitted to him by the candidate or the proposer or the seconder thereof.
- (2) The Returning Officer or this Deputy shall, upon the receipt of the nomination papers of all candidates, forthwith publish a notice by posting it at a conspicuous place to declare the place of the submission of candidatures, the names of all the candidates and the names of their seconders and proposers.

5 of 40(I) of 1992.

(3) Every candidate nominated by each nomination paper and his proposer and seconder together with the person appointed in writing by the candidate for this purpose shall be entitled to attend the proceedings for the submission of candidatures. No other person apart from the Returning Officer or his Deputy shall be entitled to attend the proceedings in question.

Objections to nomination papers.

25. (1) Any townsperson – elector whose name is registered in the electors list, shall be entitled to object to any nomination paper on the ground that-

- (a) The description of the candidate is not sufficient to identify such candidate;
- (b) The nomination papers do not comply or have not been delivered in accordance with the provisions of this Law;
- (c) It is apparent from the contents of the nomination papers that the nominated candidate has no right to be elected;
- (d) The deposit was not made as provided by subsection (5) of section 23.

(2) Every such objection shall be in writing and shall specify the reasons on which it is founded. The objection shall be delivered to the Returning Officer not later than twenty four hours after the expiration of the time appointed for the submission of candidatures.

(3) The Returning Officer shall forthwith proceed to the examination of each objection and shall inform the person objecting of his decision.

(4) The Returning Officer may declare void any nomination papers for the reasons set out in subsection (1) and shall inform the candidate accordingly.

(5) Any decision of the Returning Officer, under this law may be questioned by means of an Election Petition.

Coalitions.

26. (1) The candidates for the post of councilor present themselves for election either in coalition or individually.

(2) The coalitions may be coalitions of only one party or coalitions of alliance of more than one co-operating parties, or coalitions of independent candidates.

- (3) No person may participate in more than one coalition.
- (4) The coalition is constituted by a declaration submitted to the Returning Officer on the date of submission of candidatures, in the case of a coalition of only one party, by the leader of the party or its administration authority or by the delegate appointed by them, in the case of a combination of coalition of parties by their leader or their administration authorities or by the delegate appointed by them and in the case of a combination of independent candidates by the candidates who compose the combination. The declaration, in the case of a combination of only one party shall contain the name of the party and the names of the candidates which compose the combination in alphabetical order by surname, in the case of a combination of a coalition of parties it should contain the denomination of the coalition, the names of the parties which composed the coalition and the names of the co-operating candidates of the coalition of parties in alphabetical order according to the surname
- (5) Each party or coalition of parties in the declaration, referred to in subsection (4), may state also the emblem of the parties or coalition of parties.
- (6) A declaration of emblem may also be given by the coalitions of independent candidates signed by all the members of the coalition as well as individual candidates signed by each of them.
- (7) The emblem mentioned in subsections (5) and (6) must not be referred to or be the same or similar to any symbol of any religious group or the flag or other emblem of the Republic or any other country or the portrait of any deceased senior official of the Cyprus Republic or the 1955-59 liberation struggle of the Greek Cypriot people.
- (8) The Returning Officer shall refuse to accept any proposed emblem in contravention of subsection (7). The emblem thus accepted may exclusively be used by the coalition or individual candidate who handed in the declaration according to the provisions of subsections (5) and (6).
- (9) Each coalition may include as many candidates as the number of the vacancies on the council of a municipality.
- (10) The Returning Officer by a notice posted at a conspicuous point

of the place for the submission of candidatures shall declare the names of the coalition and individual candidates who may stand nominated on the day of the submission of candidatures.

Withdrawal of a candidate.

27. (1) Every candidate may withdraw his candidature by giving a notice in writing for this purpose to the Returning Officer at any time before the election or in case of the election not being held any time before being declared to be elected.
- (2) The Returning Officer shall on the receipt of the notice under subsection (1) cause the publishing of such a withdrawal by posting the same in a conspicuous position in the place of the locality of the submission of candidatures.
- (3) Noting in this section shall render void the ballot which will include the withdrawn candidate, the ballot remaining valid for the other candidates.

Death of a candidate.

28. (1) If before the closing of the poll a candidate who, has been duly elected dies, the Returning Officer upon the confirmation of this death shall submit a relevant report to the Minister.
- (2) In any case the election continues unless the number of the remaining candidates does not exceed the number of the vacancies to be filled; if so the Returning Officer shall declare the remaining candidates or candidate, as the case may be, to be elected and shall publish the names thereof in the official Gazette of the Republic.
- (3) The Minister may appoint another appropriate day for the filling up of the vacancy, not filled as a result of the candidates death, and all proceedings with reference to this election shall be commenced afresh.

Provided that if and after a poll is taken according to the provisions of this section a vacancy on the council has still to be filled the proceedings provided in subsection (3) of section 29 shall apply.

No candidate.

29. (1) The Returning Officer shall forthwith submit a report to the Minister if on the day appointed for the submission of candidatures during the nomination period so appointed or after the declaration of a candidate and before the day of the poll, no one stands or remains as a candidate in any municipality.
- (2) In such a case the Minister shall another election date to be held

at the earliest possible date and shall election shall be commenced afresh.

- (3) If and after an election is held under subsection (2) a vacancy on the council remains to be filled the Returning officer shall notify the Minister accordingly who may by an order published in the official Gazette of the Republic appoint a person possessing the eligibility qualifications required under section 15 for the filling up of the vacancy.

Election without a poll.

30. If -

- (a) on the day appointed for the submission of candidates after the time appointed for this purpose and after examining and deciding upon the submitted objection in accordance with section 25; or
- (b) as a result of the withdrawal of a candidate in accordance with section 27 at any time between the submission of candidatures and the day of the poll only such a number of candidates remains for the municipality which –
- (i) Is equal to the number of vacancies on the council to be filled, the Returning officer shall forthwith declare the candidates so standing nominated to be elected and cause the names of such candidates to be published in the official gazette of the republic: or
- (ii) Is lower than the elected candidates, the Returning officer shall forthwith declare the remaining candidates to be elected and cause the publication of their names in the official Gazette of the Republic and shall notify the Minister to this effect who shall appoint another appropriate day for the filling up of any vacancy or vacancies by a by-election and all proceedings with reference to the election shall be commenced afresh.

Provided that even after the election under subparagraph (ii) a vacancy on the council still remains to be filled, the proceedings provided in subsection (3) of section 29 shall apply.

Poll etc.

31. (1) The provisions of the Election of Members of the House of Representatives Law, with the exception of the provisions which concern the notifications provided by subsection (4) of section 18 and subsection (3) of section 27 of the Law in question, these

72 of 1979
73 of 1980
16 of 1981

124 of 1985
297 of 1987.

2 of 50 of 1986
3(a) of 39 of 1986
2 of 157(I) of 2006.

7 of 25 of 1986.

3(b) of 39 of 1986.

Collection and
classification of
election results.

4 of 39/86.
First allocation of
posts for councilors
and declaration of
winners.

notifications being published in the official Gazette of the Republic and posted in conspicuous places within the municipality limits of the municipality in question and with the exception of the provisions which concern the marks of preference and the provisions of the regulations issued by virtue of the said Law generally concerning the poll and the counting of votes as well as any other subjects for which no explicit provision is made in this law, shall apply mutatis mutandis to the elections for councilors.

(2) The elector may show his preference in favor of a candidate by marking a cross of preference at the side of the name of the preferred candidate but in such a way as the total number of the crosses of preference for each municipality should not exceed one cross for every four or fewer councilors. A ballot which includes more crosses of preference than specified above shall be deemed to be valid without any cross of preference being taken into account.

(3) **(Deleted)**

32. Upon the completion of the poll the Returning Officer of each municipality initiates the collection and classification of the results of the election of councilors in the prescribed way.

33. (1) Upon the collection and classification of the results of the election for councilors the Returning Officer shall forthwith proceed with the first allocation of the vacancies on the council and the declaration of the winners in accordance with the provisions of this section.

(2) For this purpose, the total number of the valid votes for the election of councilor shall be divided by the number of the vacancies on the council. The quotient of this division, not counting any fraction, constitutes the election measure with which the election power of every coalition shall be divided, namely the total number of valid votes in favor of the coalition in the municipality, and every coalition receives such numbers of vacancies on the council as the election measure goes into its election strength.

(3) An independent candidate who shall receive votes equal or higher than the election measure shall occupy one post for councilor.

(4) The posts of councilors allocated to each coalition in

accordance with the above provisions are occupied by the candidates having the most preference crosses, and if there are no such candidates than in the order in which the name of each of the candidates appears on the ballot paper of his coalition as stated by the separate party, coalition of parties or coalition of independents to the Returning Officer in accordance with section 26.

- (5) A coalition with a number of candidates smaller than the number of posts of councilors allocated to it in accordance with this section shall occupy only as many posts as are its candidates.
- (6) The Returning Officer prepares for each municipal election a table of results including –
 - (a) The number of townspersons-electors of the whole municipality;
 - (b) The total number of townspersons-electors who exercised their right to vote;
 - (c) The number of valid ballots;
 - (d) The number of invalid ballots;
 - (e) The electoral power of each coalition and each independent candidate, i.e. the total number of valid votes given to each in the election in the whole of the municipality;
 - (f) The number of councilor posts allocated to each coalition and independent candidate in the first allocation of posts, mentioning also the number of candidates included in each coalition;
 - (g) The number of councilor posts remaining unallocated after the first allocation;
 - (h) The number of votes remaining unused after the first allocation as regards each of parties or coalition of parties or coalition of independent candidates taking part in the election.

At the preparation of the above tables one representative of each coalition as well as the independent candidates may be

present.

- Second allocation of posts.
- 5(a) of 8(I) of 1996.
- 5(b) of 8(I) of 1996.
- 5(c) of 8(I) of 1996.
- 6 of 39 of 1986.
- 5(d) of 8(I) of 1996.
- Declaration of election of Councillors.
34. (1) If, after the allocation of posts in each municipality in accordance with the provisions of section 33, any vacancies on the council remain undisposed including vacancies which have not been allocated in accordance with subsection 5 of section 33, then the Returning Officer shall proceed with the allocation of these vacancies as provided hereinafter.
- (2) For the purposes of the second allocation one adds up all of the unused remainders, and this total sum is divided by the number of indisposed posts of councilors. The quotient of this division, not counting any fractions, constitutes the election measure of the second allocation.
- Furthermore, by this election measure one divides separately the total of unused from the first allocation ballot left overs of each party, coalition of parties and combination of independents taking part in the second allocation, and the quotient of this division, not counting any fraction, shows the number of vacant posts of councilors which each party, coalition of parties or combination of independents takes in the second allocation.
- (3) The vacant posts which, in accordance with the preceding subsection, are allotted to each separate party or coalition of parties or combination of independents are occupied by their candidates who have the biggest in order of precedence number of crosses of preference, and if there are no such candidates appearing on the voting ticket of the entitled party, coalition of parties or combination of independents.
- (4) Any vacant posts remaining unallotted after the second allocation are given one each, in order of precedence, to the party or coalition of parties or combination of independents which has the biggest number of unused votes left over after the second allocation.
- (5) The posts of councilors allotted to each party, coalition of parties or combination of independents under this section are occupied by their candidates in accordance with subsection (3) of this section.
35. (1) Upon the completion of the allocation of vacancies and the determination of the elected candidates as provided in sections 33 and 34, the Returning Officer shall declare the elected councillors and shall publish their names in the official gazette

of the Republic.

- (2) The Returning Officer shall further certify on each notice of election the result of each election and the names of the councillors so elected and shall send this to the Minister.

Election of deputy mayor.

36. (1) The mayor shall, as soon as possible after the election of the new council, summon a meeting of the councilors thereof over which meeting he shall preside.
- (2) The councilors shall at such meeting elect from among their number the deputy mayor. Such election shall be by secret ballot:

Provided that if any candidates shall receive an equal number of votes, the election of such candidates shall be decided by the drawing of lots at such meeting under the supervision of the mayor.

- (3) The mayor shall record the proceedings of such meeting in the minute book of the council and shall sign such record.
- (4) Subject to the provisions of subsection (1) of section 37 the deputy mayor shall hold office for the duration of the council by which they are elected.

Vacancy in the office of mayor and deputy mayor.

6 of 40(I)/92.

- 37.- (1) The post of mayor or deputy mayor shall become vacant in case of –
- (a) A cancellation of his election;
- (b) His death;
- (c) His resignation submitted in writing in the case of a mayor to the Minister and notice of this resignation to the members of the council and in the case of a deputy mayor to the mayor;
- (d) An unjustified absence from the municipal limits for a period exceeding three consecutive months;
- (e) Loss, after his election, of the capacity of a townsperson in question;
- (f) Where, after no election, there are any of the disqualifications referred to in section 16;

- (2) If the mayor shall cease to hold office the vacancy shall be filled in accordance with the provisions of subsection (4) of section 11 of this Law. If the deputy mayor shall cease to hold office the council shall elect another councillor as deputy mayor in accordance with the provisions of subsection (3), (4) and (5):

2 of 143 of 1991.

Provided that in case the mayor shall cease to hold office within the last year of the term of office of the mayor a by-election shall not be held and the deputy mayor shall resume all the duties of a mayor for the duration of the term of office of the council.

- (3) In case the deputy mayor shall cease to hold office the mayor shall summon a meeting of the councillors as soon as possible and in any case not later than thirty days from time the post becomes vacant.

8 of 25 of 1986.

- (4) The councillors shall at such meeting elect from among themselves the new deputy mayor who shall hold office for the duration of the council by which he was elected. Such election shall be held by secret ballot.

Provided that if any candidates shall receive an equal number of votes, the poll shall be repeated three days after the above meeting. If after such a poll there shall still be an equality of votes, the election between the candidates receiving an equal number of votes shall be decided by the drawing of lots at such meeting.

- (5) In the case of an election of deputy mayor, the mayor shall supervise the recording of the proceedings of such meeting in the minute book of the council which shall be signed by the mayor after being read and approved by the council.
- (6) In case of death of the mayor the deputy shall perform the duties of the mayor until the vacancy post is filled up.

Vacancy on council.

- 38. (1) The office of councillor shall become vacant in case of:

7(a) of 40(I) of 1992.

- (a) cancellation of his election;
- (b) his death;
- (c) his written resignation submitted to the mayor;

- (d) an unjustified absence from the municipal limits for a period exceeding three consecutive months;
- (e) loss, after this election, of the capacity of a towns person in question;
- (f) where after his election there is any of the disqualifications referred in section 16.

7(b) of 40(I) of 1992.

- (2) (a) A vacancy on the council due to any reason shall be filled by the next in line candidate who has not been elected who still belongs to the same party as long as he continues to belong to the same party.
- (b) In case where the next in line candidate is deceased or does not continue to belong to the same party at the time of the vacancy then such vacancy shall be filled by the next in line not elected candidate of the party, provided he still continues to belong to the party.
- (c) In case where the councilor whose post shall become vacant does not belong to the same party to which he belonged when he was elected or in any other case where the filling of the vacancy on the council cannot take place in accordance with the manner provide in this section the vacancy shall be filled by a supplementary election.

Municipal Committee.

- 39. If at any time and for any reason the total number of councilors is reduced, below the one-third of the total number of councilors as in accordance with the provisions of subsection (2) of section 11 and there shall be inability of their replacement the provisions and/or the mechanisms provided in this Law, being applicable, the term of office of the council shall be deemed to have expired and the Council of Ministers shall appoint a municipal commission, the provisions of subsection (2) of section 3 being applicable, mutatis mutandis.

Authority for closing down places of retail sale of alcoholic drinks by reason of the poll.

- 40. (1) The Minister shall have the authority to order the closing down, by an order published in the official Gazette of the Republic, for any period of time before, during or after the poll in accordance with the provisions of this Law, of any licensed shops selling alcoholic drinks, situated within the area of the poll, with the exception of clubs, hotels and restaurants on the condition that there shall be no consumption of alcohol therein.
- (2) Any person who –

- (a) opens such a shop in breach of the order mentioned above: or
- 4(a) of 14 of 1987. (b) is found inside such a shop opened in breach of the order mentioned above; or
- 4(b) of 14 of 1987. (c) in any club, hotel or restaurant.
- (t) sells or offers for consumption any alcoholic drink; or
- (u) consumes any alcoholic drink,
- 9 of 25 of 1986. shall be guilty of an offence and shall, on conviction thereof, be liable to a fine not exceeding two hundred and fifty six (256) Euros, or to imprisonment for a term not exceeding three months, or both such fine and imprisonment.
- 3(1) of 166 of 1987.
- Prohibition of election assemblies on the day of the poll or the day before. 41. (1) No person shall organize or take part in any public assembly to listen to any speech or conversation on any subject related or indirectly to an election on the day of the poll or on the eve of such a day.
- 3(1) of 166 of 1987. (2) Any person who acts contrary to subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding five hundred and seventeen (517) Euros or to imprisonment not exceeding six months or to both such fine and imprisonment.
- Cancellation of election, election offences, etc. 42. In addition to the provisions of section 31, the provisions of the Election of Members of the House of Representatives Law concerning petitions for the cancellation of an election and related proceedings and election offences shall apply mutatis mutandis, to any election of councilor under this Law.
- 72 of 1979
73 of 1980
16 of 1981.

PART V

ADMINISTRATION OF MUNICIPALITIES

- Meetings and proceedings of the council. 43. The convening of the meetings of the council and the proceedings during these meetings shall be regulated by regulations issued for this purpose, from time to time, by the council:

Second schedule.

Provided that until such regulations shall be issued by the council, the convening of these meetings shall be regulated by the regulation set out in the Second Schedule.

COMMITTEES

Management
Committee.

2 of 147(I) of 2007.

44. (1) The council shall appoint from among its members a management committee. The mayor and the deputy mayor shall necessarily be by reason of their posts members of this committee and further number of members of which shall not be less than the one-third and not more than the one half of the total number of the remaining councilors, for the performance of the duties set out in section 47 of this Law and such additional duties as may from time to time be entrusted to such committee by the council. In case the one third of the total number of the remaining councilors is not an even number, for the purposes of this Law the next following even number shall be calculated.

It is provided that in the case of a council where the total number of councilors does not exceed eleven members, including the Mayor, the management committee is made from all the members of the council.

It is further provided that in the calculation of the total number of councilors the Mayor and the Deputy Mayor are not included.

It is furthermore provided that for the posting of the members of the management committee, councilors from all parties, coalitions and independent will be chosen according to the numerical representation in the municipal council.

- (2) The council may from time to time, subject to the provisions of subsection (1), change the composition of this committee, dismiss members and appoint new members and fill any vacant post on this committee.
- (3) The convening of the meetings of such committee and the proceedings carried out during such meetings shall be regulated by rules issued for this purpose by the council:

Provided that until such rules are issued by the council, the meetings shall be regulated by the regulation set out in the Second Schedule of this Law, which shall apply, *mutatis mutandis*, for the meetings of the management committee.

- (4) At every meeting of the council the mayor, if present, shall be the chairman and the deputy mayor shall be chairman in the case of absence or other disability of the Mayor.
- (5) One half of the number of the members of the committee plus one, including the mayor, if present, shall constitute a quorum, and the decisions at the meetings of such committee shall be taken by a majority. In case of equality of votes, the chairman of the meeting shall have a second or casting vote.

147(I) of 2007.

It is provided that all decisions and actions of the management committee taken or conducted, according to article 44 of this Law, before the Municipalities (Amending) Law (No.2) of 2007 came into force, they are legal and valid as if the management committee was duly convened.

Other Committees.

45. (1) The council may, from time to time, appoint from among the members thereof other persons such other committees either special or general consisting of such number of persons as the council may consider appropriate for any purpose which in the opinion of the council would be better regulated or managed by one committee:

Provided that in the appointment of such committees there shall be chosen councilors belonging to all the parties, coalition of parties, combinations of independent candidates and independent candidates, proportionately as far as this is possible, to their numerical representation in the council.

- (2) The council may, subject to the provisions of subsection (1), from time to time, change the composition of any such committee, dismiss members and appoint new members and fill any vacant post therein.
- (3) The acts and proceedings of any such committee shall be submitted to the council for approval.
- (4) One half of the number of the members of a committee plus one shall constitute a quorum.
- (5) Each management committee should be presided over by one of its members appointed by the council.

Provided that the mayor may attend the meetings of any such committee and in such a case he shall preside over such meetings and be considered as a member of the committee.

- (6) The Council shall arrange the regulation of the meetings of such committees.
- (7) Any questions arising during any meeting of any committee provided. Under this section, shall be decided by a simple majority of its members and in case of equality of votes the Chairman shall have a second or casting vote.

4 of 97(I) of 2009

- (8) The council shall appoint the representative and/or representatives thereof to the Cyprus Union of Municipalities, under the provisions of the Articles of Association and the Regulations thereof;

Provided that one of the representatives of the council shall be the Mayor for the time being.

Competence of the mayor.

- 46. (1) The mayor shall be the executive authority of the municipality and shall represent the municipality in every official activity thereof, and
 - (a) represent the municipality before the courts and any authority of the Republic;
 - (b) prepare the agenda of the meetings of the council and convene such meetings;
 - (c) preside over the meetings of the council, the management committee or the committees thereof of which he is a member or which he attends at;
 - (d) execute the decisions of the council;
 - (e) be in charge of all the services of the municipality which he guides, directs and controls;
 - (f) order the collection of municipal revenue and issues financial warrants against the budget or the revenues or the credits which are voted by special decisions of the council in accordance with the proviso of subsection 1 of section 66;
 - (g) sign or authorize any officer of the municipality to sign any license granted under this Law or any municipal regulation issued under this Law;

4 of 1 of 1986.

- (h) act as a Marriage Officer as from the 1st of April 1986

Cap.279
4 of 1962
61 of 1966
2 of 1980
104(I) of 2003.

under the Marriage Law;

- (i) exercise any other competence or power entrusted to him by this Law or any municipal regulation issued under this Law or any other law.
- (2) The deputy mayor shall act in the place of the mayor in case of absence or other disability of the latter and in case of absence or other disability of both the councilor appointed by the council for this purpose acts in that place.

Powers of the management committee.

47. The management committee performs the following duties:
- (a) Prepares the estimates of the municipality and submits them, at the appropriate time, to the council for approval;
 - (b) Prepares the annual report and the annual accounts of the municipality and submits them to the council for approval;
 - (c) as soon as the annual accounts of the municipality are finally audited by the Accountant General of the Republic causes the notification of the annual report in such a manner as the council shall at any time decide;
 - (d) Assists and advises the mayor in the exercise of this powers and the performance of his duties;
 - (e) Co-ordinates the work of the various committees appointed by the council;
 - (f) Performs such other duties, as shall be entrusted to the committee by the council or the mayor.

Presumption of lawful constitution of council or committee.

48. Unless and until proved otherwise, each meeting of the council or a committee thereof, for the proceedings of which minutes have been kept, shall be deemed as duly convened and taken place and all the persons which have attended shall be deemed as having the lawful qualifications for councilor and in the case of proceedings of any committee such committees shall be deemed as duly constituted and having authority to deal with the subject recorded in the minutes.

Effect of vacancy in council or committee.

49. No act or proceedings of the council or a committee thereof shall be deemed void solely on the ground of a vacancy in the council or the

committee, depending on the case.

Minutes of the meetings of the council and committees.

50. The minutes of the meetings of the council and every committee thereof shall be signed by the chairman, vice chairman or the councilor presiding over these meetings and they shall be admitted as evidence without any further proof as soon as they and committees, are signed.

The municipal secretary keeps the archives.

51. In addition to any other duties entrusted to the town clerk under this Law the town clerk shall have under his care and custody and shall be responsible for the documents and archives of the municipality which he shall keep as directed by the council. He shall also keep the minutes of the meetings of the council and of the committees thereof;

Provided that the town clerk may, after the prior approval of the mayor, authorize any other municipal officer to act on this behalf for the keeping of the minutes of the meetings of any committee.

Stipend of mayor and compensation of councillors.

52. (1) The mayor shall receive such annual stipend, representation expenses and other allowances, and the deputy mayor and councilors shall receive such remuneration, representation expenses and other allowances, as it is provided in the budget of the municipality which it is approved annually by the Council of Ministers according to articles 65 and 66 of this law.

2 of 37(I) of 1995.
2 of 20(I) of 1997.

2 of 127(I) of 2005.

- (2) The mayor shall receive an annual pension, opting for either a normal pension, or a pension reduced by $\frac{1}{4}$ together with a lump sum equal to 14 times the sum by which the annual pension is reduced. Such pension, as well as any relevant or incidental matter including the transfer of the pension to widows and/or children, provided that contributions amounting to 1.75% of the stipend of the mayor is paid, is determined by Regulations issued by the municipal council, which may include provisions for retrospective application thereof.

MUNICIPAL OFFICERS

Power of the council for determination of the posts of the municipal service and for making regulations for the general terms of service of the officers, etc.

53. (1) The council shall have power, to prepare, apply and publish in the Official Gazette of the Republic schemes of service for posts of the municipal service the specific number of which shall appear in the annual budget of the municipality with the corresponding for each post salary scale.

2(a) of 236(I) of 2004.

2(b) of 236(I) of 2004.

Provided that the right of issuing schemes of service is applied with consideration to the responsibilities and the qualifications that are required for similar positions in the public sector and with corresponding salary structures without this meaning an absolute equivalence thereto.

10 of 25 of 1986.

2 of 118(I) of 2005.

(2) The council shall have further power to issue, with the approval of the Council of Ministers, municipal regulations published in the Official Gazette of the Republic, prescribing the procedure which shall be followed for the filling up of the vacant posts, the general terms of service of the municipal officers, their duties and obligations, the exercise of disciplinary power in respect to them as well as any other subject relevant or incidental to the above.

(3) For the purposes of this section the term “post in the municipal service” means any post provided by sections 54 and 55, but shall not include workmen appointed under section 56.

Post entailing direct or indirect participation in the exercising of public authority and safeguarding the general interests of the municipality.

53A. Notwithstanding the provisions of section 53 a position that carries indirect or direct authority on matters of Public authority or the protection of the general interests of the municipality must be formed only with the decision of the Council of Ministers and is publicized in the Gazette.

3 of 25(I) of 2007

Appointment of principal officers.

6 of 14 of 1987.

54. (1) (a) The regulations referred to in subsection (2) of section 53 may provide, among others, for the creation of all or any of the following principal posts:

- (i) Town clerk,
- (ii) Municipal engineer,
- (iii) Municipal treasurer,
- (iv) Municipal medical officer,
- (v) Municipal sanitary inspector,
- (vi) Head of any department declared by the council as independent.

(b) The council shall appoint persons, not being members thereof, to all or any of the above posts.

2(a) of 137(I) of 2006.

(2) No person who is over sixty years of age shall be appointed to any of the posts set out in subsection (1).

2(b) of 137(I) of 2006.

(3) Subject to the provisions of subsections (4) and (4A) of this

section every person who completes his sixtieth year of age while holding any of the offices set out in subsection (1) of this section shall cease to hold such office:

Provided that by a decision of the council passed by a majority of at least two-thirds of the total number of the councillors at a meeting of the council specially convened for this purpose after a notice of not less than seven and not more than fourteen days given before such meeting, and for the special reasons stated therein, such person may continue in office for a period not exceeding the remaining term of office of the council which has passed such a resolution or one year whichever period is the shorter.

2(a) of 23(I) of 2002.

- (4) Notwithstanding any of the provisions of subsection (3) above the age of retirement of municipal medical officers that have not completed 60 years of age as at date of the Municipalities (Amending) Law of 2002 coming into effect is at the age of sixty three:

23(I) of 2002.

Provided that municipal medical officers are still entitled to retire early at the age of forty five or fifty five accordingly as the case may be, but for medical officers that have been posted after the date of the Municipalities (Amending) Law of 2002 coming into effect, the age limits are stretched for three further years to the ages of forty eight and fifty eight respectively.

2(c) of 137(I) of 2006.

- (4A) Subject to subsection (4) the age of retirement of any municipal servant who is sixty years of age on or after the 1st of July 2008 it is the age of sixty three years.

137(I) of 2006.

It is provided that the age of retirement of any municipal servant who is sixty years of age between the date that the Municipalities (Amending) Law of 2006 is published (27.10.2006) and the 31st December 2006, both dates included, it is the age of sixty one years.

It is further provided that the age of retirement of any municipal servant who is sixty years old between 1st of January 2007 and 30th June 2008, the two dates included, it is the age of sixty two years.

2 (a) of 23(I) of 2002

- (5) A Vacancy in any of the posts provided by subsection (1) of this section shall be filled in accordance with the provisions of this Law, as soon as possible after the occurrence of such

vacancy.

- (6) If for any cause any person who holds any of the posts provided in subsection (1) of this section is temporarily unable to perform the duties of his office, the council may appoint a deputy to hold such office during such time as the council considers necessary and such deputy may do all things and perform all acts which by law the officer for whom he is deputizing is required to do or perform, and shall be liable to the same penalties for any omission on his part.

Appointment of subordinate officers.

55. (1) The council may appoint appropriate persons, not being members thereof, to such subordinate posts which may be created, in accordance with the provisions of section 53.
- (2) The provisions of subsection (2), (3), (4) and (5) of section 54 shall apply to every appointment made, and to every person appointed, under this section.

Employment of labourer (worker).

56. A committee consisting of three members of the council appointed for this purpose and presided over by the mayor may employ at the current rate of wages any labourer (worker) required for the Service of the municipality and for the performance of any work for which provision is made in any existing budget, as approved by the council.

Disciplinary power over municipal officers.

3(a) of 47(I) of 2003.

57. (1) Subject to the provisions of sub-sections (2) and (3) the council exercises disciplinary power over the municipal officers in respect of culpable breaches of their duties for which the officers may be considered responsible and may impose the following disciplinary sanctions:
- (i) Reprimand;
 - (ii) Severe reprimand
 - (iii) Disciplinary transfer
 - (iv) Stoppage of yearly increment
 - (v) Suspension of yearly increment
 - (vi) Pecuniary penalty not exceeding three months emoluments;
 - (vii) Degradation to a lower salary scale;
 - (viii) Degradation to a lower post;
 - (ix) Compulsory retirement;
 - (x) Dismissal.

3(b) of 47(I) of 2003.

- (2) The Mayor may apply disciplinary action to the municipal employees and execute penalties as provided by section 53 of the current law.

- (3) According to (2) above the council may decide to assign with restrictions or not the power to a disciplinary committee made up of councilors and the power to impose the sanctions as provided in the Regulations issued under this Law.
- 3(b) of 47(I) of 2003 (4) (a) For the imposition of the sanction of compulsory retirement and dismissal a resolution of the council passed by a majority of two-thirds of the total number of the members of the council at a specially convened meeting after a notice of not less than seven and not more than fourteen days before such meeting is given.
- (b) The right to be heard shall always be given to every person against whom disciplinary proceedings are taken.
- 3(c) of 47(I) of 2003. (5) In case when the compulsory retirement shall be from a pensionable post, then the issue is submitted by the Mayor to the municipal council which decides for the retirement benefits which shall be granted as well as the time for the beginning of payment thereof, taking into account the circumstances of the case and the Regulations in force for the time being regarding retiring benefits of municipal employees:
- Provided that the retirement benefits granted shall be no less than those granted to the employee if the disciplinary sanction of dismissal was imposed upon the employee.
- Security to be given by officers. 58. The council shall require every officer appointed by them to give such security as they think proper for the due execution of the duties of his office, and the mayor shall satisfy himself from time to time as to the existence and sufficiency of such security.
- Accountability of officers. 59. (1) Every officer appointed by the council in accordance with the provisions of this Law shall at such times during the term of his office or within one month after he ceases to hold his position and in such manner as the council may direct, deliver to the mayor a true account in writing of all matters committed to his charge, and of this receipts and payments together with vouchers, and a list of persons from whom money is due to the council in connection with his office, showing the amount due from each such person.
- (2) Every such officer shall pay all moneys due from him to the municipal treasurer or otherwise as the mayor may direct.
- (3) Nothing in this section shall affect any remedy by action against

any such officer or his surety.

Officers not to have interest in contracts. 60. No officer of any municipality may have any concern or interest directly or indirectly either himself or in the name of his wife or through his child or partner in any contract or work made with or executed for such municipality. If any such officer has such concern or interest he shall not hold any post under such municipality.

Rendering of services or part of services of officers to another municipality or municipalities. 61. Every municipality may enter into a contract with another municipality or municipalities for the rendering of services or part of services of its officers to any other municipality or municipalities, as the case may be, under such terms which may be provided in such a contract and on the condition that the officer affected by it shall consent to such supply of his services or part of his services:

Provided that the consent of the officer affected by such a contract, for the purpose of this section, shall not be required in the case of an officer appointed after the date of this Law coming into effect.

Securing of officers, etc. 61A. (1) Every officer or workman who, immediately before the date of declaration of any town or improvement area or village or collection of towns, improvement areas or villages as a municipality, is in the service of the local administration of such town or improvement area or village, or collection of towns, improvement areas or villages, shall be transferred, from the date of the publication of the order of the Council of Ministers provided in paragraph (b) of subsection (1) of section 4 of this Law, to the service of the municipality in question and shall be placed, if this is practically possible, by the Council of such municipality in a post the functions of which are analogous to the functions of the post he holds in the authority of local administration of the town or improvement area or village, or collection of towns or improvement areas or villages, declared as a municipality:

11 of 25 of 1986.

Provided that such officer or workman may, within one month from the date of such transfer or after such transfer, within one month from being notified of the terms of the service of the relevant post and of the original organization of the services of the municipality in question, declare by a written communication to such municipality that he does not wish such service in the municipality, whereupon he ceases to be in the service of the municipality after the lapse of six months from the date of the above written communication and in such, case, he shall be entitled to such retirement benefits as he would be entitled and he retired from the service of the local

administration authority under the provisions applicable to him.

- (2) The service of the officer or workman at the municipality shall be deemed as a continuation, without interruption of his service in the previous service and the stipend and other terms of services thereof in such municipality may not be altered to his prejudice during the continuation of his service, with such municipality.

For the purposes of this subsection “terms of service” include all matters concerning the leave, termination or retirement, pension, additional grants or other similar allowances:

Provided that if there are pension or other retirement benefits until the day of transfer of the officer or workman to the service of the municipality in question, such municipality shall be responsible for such benefits up to the day the officer or workman in question retires from the service of such municipality.

- (3) Every officer or workman transferred to the service of the municipality in question under this section shall, during his service in such municipality, subject to any internal regulations or directions of the municipality, enjoy all rights and benefits and shall be liable to all the obligations and duties of the officers in accordance with the provisions applicable to the municipality in question.

2 of 114 of 1986.
2 of 121 of 1986.

- (4) The provision of subsections (1) to (3) of this section shall also be applicable to officers in improvement areas who, on the date immediately preceding the declaration of any improvement area as a municipality, were in the service of the local offices of the District Officer as a common service of the newly declared municipalities as the Minister may prescribe, provided there are appropriate vacant posts and if not they shall remain in the common service of the remaining Improvement Boards.

MOVABLE AND IMMOVABLE PROPERTY

- Vesting of property. 62. Upon the proclamation as municipality of a town or improvement area or village or collection of towns, improvement areas or villages in accordance with the provisions of paragraph (b) of subsection (1) of section 4 of this Law, all the property assets and obligations of any local administration authority of such town, improvement area, village or collection of towns improvement areas or villages shall be
- 12 of 25 of 1986.

vested in such municipality.

Registration of
immovable property of
municipality.

63. (1) All immovable property vested in a municipality which is by any law or custom required be registered in the books of the District Lands Office shall be registered in the name of the municipality.
- (2) Upon the submission of an application for the registration of any immovable property in the name of a municipality or for the doing at the District Lands Office of any required act or action the mayor or any other person authorized for this purpose in writing by the mayor shall be the lawful attorney of the municipality.
- (3) Upon the submission of an application for the registration made under this Law, there shall be deposited with the District Lands Office a written notice signed by the mayor giving an address as the address of service of the municipality and service of any notice or documents at such address shall be deemed to be sufficient service thereof to the municipality.
- (4) Upon the submission of an application for the registration of any immovable property held on account of the municipality in the name of such municipality, the District lands Officer may proceed to make such registration upon the production to him of the certificate of the mayor that the property is the property of the municipality and is held by such person on its behalf.
- (5) (a) The council may decide for the sale or exchange of any movable property of the Municipality.
- (b) The council, with the approval of the Council of Ministers may decide for the sale or exchange of immovable property of the municipality.
- (c) The council, with the approval of the Minister, may decide for the creation of easements or other rights or privileges on an immovable property of the municipality or for the leasing or renting of immovable property for a period exceeding ten years.
- (6) For the purposes of this Law and subject to the provisions of this or any other law, the council shall have power to improve or develop in any way every movable property possessed by or belonging to the municipality and create public enterprises or

invest in government bonds all the assets of the Municipality immediate expenditure of which is not required for the discharge of the liabilities or the execution of the powers of the municipality.

Contracts.

64. (1) Contracts by or on behalf of the municipality shall be made in writing and shall bear the seal of the municipality and signatures of the mayor and any two councilors authorized by the council for this purpose:

Cap. 149.

Provided that contracts incidental to the ordinary conduct of the current business of the municipality may, subject to the provisions of the Contract Law, be made in writing or orally as the case may be, on behalf of the municipality by the mayor, and any such contract made in writing may be varied or discharged in writing and any contract made orally may be varied or discharged in writing or orally:

4 of 47(I) of 2003.

Provided further that contracts the duration of which exceeds the five years shall be subject to approval of the Minister.

- (2) All contracts made in accordance with this section shall be valid in law and shall bind the municipality and all the other parties thereto, their heirs, executors, administrators, as the case may be.
- (3) The council may decide for the leasing of any movable or immovable property of the municipality, the contracting of loans and the terms and conditions thereof and the acceptance of any inheritance, bequest or donation.
- (4) Nothing in this section shall be deemed to affect the validity of any contract made on behalf of the council or the municipality before the date of the coming into operation of this Law.

PART VI

ESTIMATES, FINANCES AND ACCOUNTS.

ESTIMATES.

Annual estimate and development estimate.

65. The annual budget of the revenue and expenditure and the development budget of a municipality shall be prepared in accordance with the provisions of this Law and should be submitted by the 31st of October of the year preceding the financial year to

which they relate for the approval of the council and the Council of Ministers. The financial year of all municipalities shall commence on the 1st day of January of each year.

Preparation and approval of estimates.

5(a) of 47(I) of 2003.

66. (1) The annual current budget and the development budget of a municipality shall be prepared by the administration committee and when they have been passed by the council of the municipality shall be submitted in duplicate to the Minister and carbon copied to the District Officer of the district where the municipality is situated. The Minister shall submit the estimates together with any suggestions and observations of his own to the Council of Ministers for approval before the commencement of the financial year to which the budgets relates:

5(b) of 47(I) of 2003.

Provided that the council of every municipality may, without any further approval, spend for each year an amount not exceeding twenty five per cent over the estimated and approved amount of any item of the estimated and approved expenditure of such municipality, on condition that such additional sum shall be saved by the council out of any other estimated and approved items of such budgets.

- (2) If the annual current budget or the development budget of any municipality have not been approved by the Council of Ministers by the commencement of the financial year to which they relate, the Council of Ministers may, by an order, authorize the carrying out of any necessary expenditure, out of the municipal fund, for a period not exceeding one month at any time and in any case a period of two months in total if it shall consider it necessary for the continuation of the services provided in the said estimates up to the expiration of such period:

Provided that the so authorised expenditure for any service shall not exceed the amount corresponding to that which has been approved for the said service in respect of the estimate of the preceding financial year.

5(c) of 47(I) of 2003.

- (3) The council may until the 31st of July during the year for which a budget has been approved, submit for approval by the Council of Ministers a revised budget if the circumstances so require.

7 of 14 of 1987.

- (4) The Council of Ministers may after the 31st of July of the year in respect of which the estimate was approved, approve any expenditure made by the council of a municipality in excess of

the approved item for an approved purpose provided in the estimate of the municipality in question, if that is necessary for the continuation of rendering of approved services by the municipality or for the regular and unobstructed functioning of the municipality in general, provided that expenditure made at any time shall not exceed 10 per cent of the approved item in each case.

- (5) Copies of the approved estimates should be forwarded by each council to the auditor general of the Republic and the House of Representatives.

Government grant to municipalities. 67. The budget of the revenue of each council is subsidized yearly by a grant of the Republic proposed by the Council of Ministers and approved by the House of Representatives.

MUNICIPAL FUND

Municipal fund. 68. For every municipality there shall be a fund, to be called “municipal fund”, which shall consist of:

- (a) The grant made by the Republic as provided in section 67;
- (b) All the fees, taxes, tolls, duties, charges, under the provisions of this or any other law or under any regulation made there under;
- (c) All rents and profits accruing in respect of municipal property;
- (d) All other fines, penalties and costs recovered under the provisions of this or any other Law or regulations made there under;
- (e) All other moneys received by the municipality or by an officer, workman or agent thereof for and on account of the municipality; and
- (f) All donations, bequests or grants.

Disposal of money out of the municipal fund. 69. The assets of the municipal fund shall be applied for and charged with the following payments;

- (a) The stipend of the mayor and the compensations or the allowances of the deputy mayor and the councilors, as provided in the current estimate of the municipality, the salaries, the costs of living allowances and other benefits payable to the officers

and workmen of the municipality;

- (b) All expenses necessarily and lawfully incurred by the council under the provisions of this Law;
- (c) All other moneys legally due by the municipality or the council;
- (d) Creation of deposits and surpluses; and
- (e) Financing of the development budget.

Provided that no payment shall be made out of a municipal fund unless it has been approved by the council in the current estimate or the development estimate of the municipality or has been specifically approved by the council, in accordance with the proviso of subsection (1) of section 66 or it concerns payments made by the mayor of a sum not exceeding eighty six Euros (fifty pounds) in each case.

Treasurer to receive and make payments.

70. (1) All payments to and out of the municipal fund shall be made to or by the municipal treasurer.
- (2) When any payment from a municipal fund, is made by a cheque such a cheque shall be-
- (a) signed by the mayor or by any person authorized by him in writing to act for this purpose for or on his behalf;
 - (b) Countersigned by the town clerk.

Deposit of money at a bank.

71. All moneys belonging to or received for or on account of a municipality shall forthwith be deposited into the account of the municipality at a bank or any co-operative credit institution or a co-operative savings bank prescribed by the council and under such conditions as the council will prescribe by Bye-Laws made for this purpose:

Provided that the council may, from time to time, authorise the municipal treasurer to retain a sum sufficient for the daily expenses of the council.

Bank withdrawals.

72. No money shall be withdrawn from the account of a municipality at any bank or co-operative credit institution or co-operative savings bank otherwise than by a cheque signed and countersigned in every case in accordance with the provisions of section 70.

MUNICIPAL RATES OF IMMOVABLE PROPERTY

- Interpretation. 73. For the purposes of sections 74 to 79 both inclusive, unless the context otherwise requires-
- Cap 224
3 of 1960
78 of 1965
10 of 1966
75 of 1968
51 of 1971
2 of 1978
16 of 1980
23 of 1982
68 of 1984
82 of 1984
86 of 1985
189 of 1986.
- “Immovable property” has the meaning attributed to it by section 2 of the immovable Property (Tenure, Registration and Valuation) Law.
- “owner” means the person registered as owner of the immovable property and includes every person entitled to be registered as owner of immovable property whether registered or not.
- Power of council to levy municipal rate of immovable property. 74. (1) The council of any municipality shall have power to levy through a document under the seal of the municipality in relation to every immovable property situated within the municipal limits of the area in which the council exercises its powers, on the owners of such immovable property, an annual tax equal to a percentage of one and a half per thousand (1.5‰) on the value of the immovable property arising from the general estimation carried on under section 69 of the Immovable Property (Tenure, Registration and Valuation) Law.
- (2) The tax provided by subsection (1) shall be termed “municipal rate”, the proceeds of which shall be deposited into the municipal fund.
- Exceptions. 75. No municipal rate of immovable property shall be fixed, levied or collected on the following immovable property:
- (a) Any public burial grounds (cemeteries);
 - (b) Any church, chapel, mosque, assembly houses or building or such part thereof which is exclusively dedicated for public religious worship;
 - (c) Any premises used as public hospitals;

90 of 1972.

Cap. 31.
48 of 1964
32 of 1973.

- (d) Any building under preservation order in accordance with the provisions of the Town Country Planning Law, or declared as an ancient monument under the Antiquities Law;
- (e) Any immovable property held and registered in the books of the competent District Lands Office in trust for any public school operating under any Law in force for the time being relating to elementary, secondary or higher education;
- (f) Any immovable property held or used exclusively for the purposes of any charitable institution of a public character supported mainly by donations or voluntary contributions in so far as such immovable property is held for such purposes;
- (g) Any immovable property belonging to the Republic or to any municipality;
- (h) Immovable property belonging to any athletic association consisting of football ground, athletic installations or buildings used by the association;
- (i) Registered or recorded in the books of the District Lands Office as a place of common disposition;
- (j) Registered or assigned since time immemorial for the common use of a certain community.

Municipal rate of
immovable property.

76. **This section has been deleted by s. 3 of 86(I) of 2005.**

3 of 119 of 1990
3 of 86(I) of 2005.

Collection of
municipal rate of
immovable property.

77. The municipal rate of immovable property shall be payable by the owners or the persons registered in the books of the district Lands Office as owners thereof and shall be collected by the council in question;

Provided that any council may, if it shall so decide, submit a request to the Minister of Finance may accept such request and give the appropriate directions; thereupon the town rate of immovable shall be collected in the same manner as are the taxes collected under the Tax Collection Law, and thereafter, this rate will be paid into the municipal fund after the deduction there from of the collection expenses.

31 of 1962.

- The municipal rate of immovable property shall be payable etc.
6(a) of 47(I) of 2003.
78. (1) The municipal rate on the immovable property situated within the municipal limits of any municipality shall be payable by the owner of such property in a date within that year that is set by the municipal council:
- Provided that if for any reason the municipal rate in respect of immovable property cannot be collected from the owner thereof, such rate may be paid in the same manner by any person who has lawful possession of such property, and upon such payment the person in possession shall be compensated by the owner in regard to the amount so paid by him and shall be entitled to deduct such amount from any installment of the rent of such property becoming payable immediately after the payment in question.
- 6(b) of 47(I) of 2003.
- (2) If the municipal rate of the immovable property shall not be paid by the date decided by the council, within the year in respect of which the rate was levied it shall be added to it a charge equal to the maximum interest for the time being allowed in the Republic.
- 6(c) of 47(I) of 2003.
- (3) If any person liable to pay any municipal rate shall refuse to pay the same together with the charge provided in subsection (2) within thirty days from the date set by the municipal council shall be guilty of an offence and shall on conviction be liable to a fine not exceeding 345 Euros.
- Non application of the law in certain cases.
79. (1) The Council of Ministers may by regulations published in the official Gazette of the Republic prescribe criteria on the basis of which the provisions of sections 73 to 78 both inclusive, shall not apply in relation to areas within the municipal limits of any municipality.
- (2) The area in question shall be specified by a notification of the Council of Ministers published in the official Gazette of the Republic.

ACCOUNTS AND AUDIT

- Keeping of accounts.
80. (1) Every council shall cause a true account to be kept by the municipal treasurer of all moneys received and paid by or on behalf of the municipality on the basis of the principles of accounting of the accrued income and expenses and of the historical value.

- (2) Every council shall cause the keeping of proper accounts, books and statements of accounts which shall be prepared in accordance with the appropriate accounting principles and models.
- Accounts to be audited.
81. (1) After the expiry of each financial year and in any event not later than the 30th of April of the following year there shall be prepared by each municipality final accounts which after they are certified by the mayor and the municipal treasurer they shall be submitted for audit by the Auditor General of the Republic.
- (2) The financial transactions of the councils, the accounts and the general financial administration of them shall be audited by the Auditor General of the Republic.
- (3) After the audit the Auditor General shall submit the audited accounts, together with his reports thereon to the council, to the House of Representatives and to the Minister who shall cause the publication in the official Gazette of the Republic.
- (4) When such accounts have been audited and a copy thereof has been published in the official Gazette of the Republic such accounts shall be deemed to be closed and after the expiration of one month from the date of such publication no person shall challenge such accounts for any reason save only on the grounds of dishonesty or fraud, or for the recovery of arrears revenue.
- (5) The costs for auditing the accounts shall be determined by the Auditor General of the Republic and shall be paid by the council of every municipality into the Consolidated Fund.
- Power of Auditor General to call for books, etc.
82. (1) For the purposes of any audit the Auditor General of the Republic may summon any member of the council or officer of the municipality to provide to him information or explanation or produce any record, book, contract, accounts, voucher or any other document necessary for such audit.
- (2) Any person who –
- (a) Neglects, omits or refuses to produce to the Auditor General of the Republic any of the documents referred to in subsection (1); or
- (b) Neglects, omits or refuses to provide to the Auditor General any information or explanations which he may

require from him; or

- (c) Provides to the Auditor General any information or explanations which are to his knowledge false or wrong with respect to any material particular,

shall be guilty of an offence and on conviction be liable to a fine not exceeding 862 Euros.

PART VII

DUTIES AND POWERS OF MUNICIPALITIES.

- | | |
|-----------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| General competence of municipalities. | 83. The municipalities shall have competence to administer all the local affairs thereof and all the powers lawfully vested in a municipality shall be exercised by the council and the mayor as provided in this Law. |
| Duties of council. | 84. Subject to the provisions of this Law and of any other Law in force for the time being, the council shall carry out, within the limits of its financial means, within the municipal limits every or any of the following duties, that is – |
| Town planning power.

90 of 1972
56 of 1982. | (a) Shall be responsible for the application of the provisions of the Town Planning and shall act as a Town Planning authority for the purpose of that Law in the exercise of any powers which may be transferred to it by the Minister; |
| Water supply systems. | (b) Shall provide for the construction, maintenance and operation of water supply systems of the municipality and for the provision of sufficient and adequate quantity of water for the water supply of the municipality whenever no system of water supply of the municipality is in operation under any other Law; |
| Sewer systems and drain systems.

1 of 1971
24 of 1972 | (c) Shall provide for the construction, maintenance and drain systems, operation of sewer system of the municipality through the application of the provisions of the Sewer System Law; |
| Rain water. | (d) Shall provide for the construction, maintenance and operation of systems for the drainage of rain water; |
| Use, etc. of streets and bridges. | (e) Shall provide for the construction, maintenance, cleanliness, lighting and unobstructed use of streets and bridges; shall control the construction, alteration, closing or change of direction of any streets and bridges and shall prevent the |

obstruction in any way of the use of any street and bridge;

- | | |
|--------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Naming of streets, etc. | (f) Shall provide for the naming of all streets, through the placing of appropriate plates in a conspicuous place therein and shall cause the buildings in such streets to be numbered; |
| Cleanliness, etc. of municipality. | (g) Shall provide for the cleanliness and the sanitary condition of the municipality, for the collection, removal, disposal and processing of refuse, shall control and prevent the accumulation of refuse in any public or private premise or place, shall provide and maintain in a sanitary condition public dust-bins and other receptacles or places for the temporary deposit and collection of rubbish and shall provide for the taking of any other necessary measure for the wiping out and the removal of any filth or refuse and for the abatement of any nuisance: |
| 2 of 65(I) of 1996.
Sixth Schedule. | Provided that the council shall fix the fees payable for the collection of refuse, such fees should not exceed the fees set out in the Sixth Schedule:

Provided further that the annual increase imposed on the fees for disposal of refuse it is up to 14% of the fees of the previous year starting on the basis of the fees payable immediately before the coming into force of the Municipalities (Amending) (No.2) Law of 1996. |
| Good appearance etc. of municipality. | (h) Shall cause for and shall control the maintenance and protection of the good appearance of the municipality and the protection of its natural environment and shall provide for the taking of any measure or the construction of every necessary or useful work for the carrying out of these objects; |
| Public health, hygienic condition of foods, etc. | (i) Shall provide control and be responsible for the public health, the hygienic condition of foodstuffs and liquids intended for human consumption, cleanliness and sanitary condition of the premises or places where such foodstuffs of liquids are prepared, sold, exposed for sale or consumed and of the apparatus, machinery, tools, or things, or objects used in such premises or places, and shall provide for the seizure and destruction or disposal of any of them if they are considered injurious to public health or capable to contribute to the spreading of any contagious disease and shall take all necessary for the time being measures for securing and protecting public health; |
| Establishment and | (j) Shall provide for the establishment of cemeteries, either within |

operation of cemeteries.	the municipal limits or outside, shall control the dimensions and shall fix the criteria on the basis of which the prices of the graves will be determined and in co-operation with the competent religious authorities shall cause the maintenance and operation of such cemeteries and shall control the funeral procession;
Control of professions etc. in streets.	(k) Shall control, restrict or prohibit the exercise of any profession, business or work on or near any street in a manner capable to affect the amenities of the place or to cause a nuisance or inconvenience to the neighbours or to the persons using such streets;
Public baths etc.	(l) Shall provide for the construction, maintenance and operation of public baths, lavatories and other sanitary installations and shall regulate for the hygienic condition use of such bathing places and washing house, the fees payable for the use thereof;
Bakeries.	(m) Shall supervise and control all bakeries;
Breeding etc. of animals or birds.	(n) Shall regulate and prohibit the keeping, breeding or custody of any animals and birds;
Charitable etc. institutions.	(o) Shall provide for the establishment, maintenance and operation of resting places, charitable or philanthropic stations, schemes and institutions, and any other stations, schemes or institutions for the provision of social, sanitary, paramedical, medical services and emergency services to needy or disabled persons, and shall erect, maintain and operate municipal residences under such conditions as the council may from time to time decide;
Slaughter-houses. 69 of 1981.	(p) Shall provide, in case the provisions of the Slaughter-houses Law shall not apply to the municipality, for the establishment, maintenance and operation and control of slaughter houses, by the municipality, either within or outside the municipal limits and shall regulate the slaughter of animals, and the fees payable for the use of slaughter-houses for the slaughtering of animals, the seizure and destruction of animals or meat which were not slaughtered in such slaughter houses, the transportation of the slaughtered animals in properly adapted vehicles from the slaughterhouse to a place of their disposal and the payment of fees for such transportation;
Injurious, etc. professions.	(q) Shall regulate, control, restrict or prohibit any business, profession or work which may be injurious to public health, or

source of public danger or nuisance or impediment to persons living in the place, or if it is considered necessary for the public interest.

- Passage etc. of animals. (r) Shall regulate, control, restrict or prohibit the passage of any animal through any street;
- Theatres, etc. (s) Shall regulate and control, restrict or prohibit the operation of any theatres or buildings or places where public entertainment is presented or performed and shall grant licenses for the use of such theatres or buildings or places;
- Licenses, etc. (t) Shall grant or issue the licenses provided by this Law, and subject to the provisions of this Law, shall attach to such licenses such terms and restrictions as the council may consider necessary or desirable and shall suspend or revoke such licenses whenever the council on good cause shown considers it advisable so to do.
- Powers of council. 85. (1) Subject to the provisions of this Law-
- 9(a) of 40(I) of 1992. (a) The council shall have power, with the approval of and on such terms as may be prescribed by the Council of Ministers, it to borrow money from time to time from any person or persons for carrying out work of public utility, and the purchase of mechanical equipments and vehicles for the purpose of public utility, such loans shall be used solely for the execution of such work;
- (b) The council shall have power, with the approval of the Minister, to mortgage any immovable property of the municipality for the purpose of securing the repayment of a loan or loans made by the municipality by virtue of the provision of subsection (1);
- (c) The council shall have power, with the approval of the Council of Ministers to issue bonds in relation to any loans by virtue of the provisions of subsection.
- (d) The sums required for the repayment of the capital and interest on any loan or loans made by the municipality and any other expenses or sums in relation to the service thereof by virtue of the provisions of subsection (1) shall be borne by the
- (2) Subject to the provisions of this Law, it shall be within the

power of council within the municipal limits-

Borrowing temporary power.

- (a) To borrow temporarily from the bank or the co-operative at which the account of the municipal corporation is kept any sum or sums not exceeding in total twenty per cent of the estimated revenue of the municipality for the period for which the current estimates are made:

Provided that the Council of Ministers may approve the borrowing of any amount not exceeding twenty per cent of the revenue of the municipality as mentioned aforesaid and such approval shall include a provision as to the time of repayment of such loan:

Acquiring immovable property.

- (b) To acquire by private contract, under the provisions of this Law or any law in force for the time being, any immovable property or any part thereof either within or outside the municipal limits, for any purpose of public utility;

Municipal markets, fees.

- (c) To provide for the establishment and regulation of municipal markets and to regulate the fees, rents and tolls payable for the use of such markets.

4(1) of 119 of 1990.

- (d) To provide for the establishment and operation of municipal radio station;

2 of 87(I) of 1992.

- (e) To create areas of light manufacture and regulate any matter in relation to the administration, control and operation of these areas;

Markets for animals and perishable goods.

- (f) Provide for the allotment of special places for the sale of animals and perishable goods shall be sold and the fees, rents and tolls for the use of such special places;

Places of entertainment, etc.

- (g) To provide, establish, lay out, plant, improve, maintain and regulate parks, gardens, football ground, swimming baths, swimming pools, recreation centres, youth centres, places of resort or recreation for the use of the public and other facilities and contribute to the cost of establishment or maintenance of any such private places of resort or recreation provided for the use of the public;

Trees.

- (h) To plant trees along any street and to erect tree guards;

- Bathing.
- (i) To regulate bathing in the sea and to construct and maintain such projects and facilities which the council considers desirable or advisable for the safety and comfort of persons who resort to the beach;
- Swimming-pools.
- (j) To regulate the use or operation of swimming-pools outdoors or indoors not under the administration of the municipalities, for the purpose of-
- (i) Securing the cleanliness of the water kept or used therein and its freeing from all sorts of foreign substances which could be harmful to the health of bathers;
- (ii) Securing the efficiency and cleanliness of installations on them and in them;
- (iii) Regulating the behavior of the persons frequenting therein; and
- (iv) The safety of the bathers;
- Provided that this paragraph does not apply to swimming baths or swimming pools which are not intended to be used by the public and for their use or in connection with their use free of charge.
- Entertainment duty.
- (k) (i) To impose a duty on all payments made by any person for admission to any public entertainment;
- (ii) To provide that no person shall be admitted for payment to any public entertainment except with a ticket stamped or marked in such a manner as to denote that the duty has been paid;
- (iii) To prescribe the manner in which the duty shall be collected and, paid;
- (iv) To exempt from the payment of the duty or remit the whole or any part of the duty in the case of any public entertainment the takings whereof either wholly or in part are devoted to philanthropic, educational or charitable purposes or for promoting of sports or of athletics.

9(b) of 40(I) of 1992.

For the purpose of this paragraph “public entertainment” means any performance of any stage play, cinematograph, exhibition, dance, artistic or other performance or entertainment or any kind of recreation offered in any place to which the public is admitted irrespective of whether a fee for admission is paid or not.

Hotels, etc.

4(2) of 119 of 1990.

- (I) (i) To provide for the payment to the council by every manager or person in charge of a hotel, tourist lodging or boarding-house of fees prescribed by the council for every night spent by every person of over ten years old in such hotel, tourist lodging or boarding house at a rate not exceeding the fees set out in the Fifth Schedule.

Fifth Schedule.

7(a) of 47(I) of 2003

- (ii) To prescribe the time and the manner with which such fees shall be paid to the council and when those payments are delayed to impose penalties of 10% on the amount owed.

- (iii) To require every manager or person in charge of a hotel, tourist lodging or hostel to produce registers and printed matter copies of such registers, related to the payment of fees as mentioned aforesaid, for inspection by such persons and of such reasonable time as may be prescribed by the council.

40 of 1969
 52 of 1970
 17 of 1973
 34 of 1974
 28 of 1985.

In this paragraph “hotel” means every hotel, hotel unit, tourist lodging and boarding house which fall under the provisions of sections 3 and 25A of the Hotel and Tourist Lodging Law and “tourist lodging” means any tourist lodging falling under the provisions of sections of 17 and 18 of the Hotel and Tourist Lodging Law.

Promotion etc, of intellectual, etc. activities.

- (m) To organize, take part in the organization or supervision, encourage or in any other way promote the intellectual artistic, cultural, educational, athletic or any other similar activity or manifestation including the establishment and operation of theatres, museums, libraries, orchestras, choruses, athletic installations, picture galleries and music halls, and awarding prizes to any persons, clubs or institutions distinguished in any of the above activities or manifestations and promotion in general of public relations;

- Pension fund etc.
2 of 23(I) of 1994.
- (n) To grant gratuities or pensions to employees and workers of the municipality as well as to their widows and children and establish a pension fund. Such pensions or gratuities granted and every related or incidental or consequential matter shall be determined in accordance with bye-laws to be made by the council under the provisions of section 87;
Provided that any bye-laws for the purposes of this paragraph can also include provisions for their retrospective application:
- Provident fund.
- (o) To contribute to provident funds or any similar or analogous or related funds or schemes established or constituted for the benefit of the employees or workers of the municipality and prescribe from time the contribution of the municipality to such funds or schemes;
- Arrears.
7(b) of 47(I) of 2003.
- (p) To cancel any irrecoverable arrears of revenue not exceeding in every case the sum of two hundred and fifty eight Euros, and, with the approval of the Minister, cancel any other irrecoverable arrears of revenue exceeding in every case the sum of eighty six Euros;
- Horse-racing bets duty, etc.
13(b) of 25 of 1986.
48 of 1973
23 of 1976.
- (q) To impose, on every horse-racing bet and on every horse-racing lottery, when these are carried out either within or out of the race-track, a duty of 1% or a sum of duty representing 1% on the sum of every horse-racing bet every horse-racing lottery, as the case may be, which shall be carried out in regard to a race-track lying within the municipal limits of any municipality;

Provided that the duty imposed shall be charged to the player and shall not be considered as part of the horse-racing bet or lottery, and the collection thereof shall be carried out by the horse-racing authority, as this term is construed in the Horse-racing Bet and Lottery Law of 1973 and 1976 which shall be responsible for the collection and payment of such duty to the Council of the municipality in question;

Insurance.

13(b) of 25 of 1986.

27 of 1967
85 of 1969
21 of 1976
32 of 1980
72 of 1984.

(r) To enter into, within the limits of the municipality's economic capabilities with any insurance company registered in Cyprus under the provisions of the Insurance Company Law of 1967, or any other law in force for the time being amending or replacing thereof, individual or collective insurance agreements for the officers or servants being in the actual service of the municipality against accidents or death, and to pay from the municipal fund all the insurance premium duly for such insurance agreements.

7(c) of 47(I) of 2003.

(3) It shall be within the power of council, with the approval of the Council of Ministers, to establish or participate in companies for the development of the municipal immovable property.

Contracts for the performance of works of common utility, etc.

86. (1) (a) When a municipal council intends to proceed with the performance of a work of public utility which in the opinion of the council shall also benefit the inhabitants of another local administrative authority or authorities; or
- (b) In relation to the provision of services which until now they were provided separately from every local administrative authority, such council may enter into a contract with such authority or authorities for the joint performance of such work or the supply of services.
- (2) Such contract should include among other things, a provision as to the following:
- (a) The rate of contribution by every local administrative authority to the total cost of the performed work of public utility;
- (b) The obligation of every local administrative authority as to the operation and maintenance of such work;
- (c) The rate of contribution of every administrative authority to any revenue or receipts from the operation of such work;
- (d) The disposal on behalf of every local administrative authority, of the personnel, equipment or other facilities necessary for the supply of services or the performance, operation and maintenance of a work of public utility;
- (3) For the purposes of this section-

“Work of public utility” shall include the construction of theatres, parks, swimming pools, places of resort and recreation, centres of cultural manifestation, creation of places for deposit and processing of refuse, which shall be in the service or for the benefit of the inhabitants of the local administrative authorities in question and any other work the Council of Ministers may from time to time prescribe to be a work of public utility.

8 of 47(I) of 2003.

“Services” include the services for the collection and removal of refuse, the construction and maintenance of streets, the issue of planning and building permits and any other service the Council of Ministers may, from time to time, prescribe.

MUNICIPAL BYE-LAWS

- Municipal Bye-Laws. 87. (1) A council may from time to time make, amend and revoke Bye-Laws for all or any of the following purposes:
- (a) To enable or assist a council to carry out any of the provisions of section 53;
 - (b) To enable or assist a council to carry out any of the provisions of section 71;
 - (c) To enable or assist a council to perform any of the duties assigned to it by section 84, and to provide for the payment of any fees, duties or charges in connection therewith;
 - (d) To enable or assist a council to carry out any of the provisions of section 85 and to provide for the payment of any fees, duties or charges in connection therewith;
 - (e) To regulate and control the grant or issue of any licenses which by this Law the council is empowered to issue or grant and to prescribe the fees to be paid for any such license;
 - (f) To regulate the weighing, measuring and testing of goods and the payment of fees therefore and to control the collection of fees payable under section 118 hereof.

3(a) of 65(I) of 1996.

Provided that the approval of the Council of Ministers is not required for Bye-Laws made by the municipality for the purpose of fixing rates and fees:

14(b) of 25 of 1986
3(b) of 65(I) of 1996.

- (2) Any person contravening any bye-law, for the breach whereof no penalty is provided by such Bye-law, shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding one hundred and seventy Euros and the trial court may order that any article or goods in respect of which an offence has been committed shall be forfeited to the municipality concerned.

TRAFFIC

Regulation of traffic.

88. (1) The Council shall, within the municipal limits and with the concurrence of the Chief of Police have power, by Bye-Laws, made with the approval of the Minister, to regulate and control traffic in any street, which shall include the power-
- (a) to specify places where vehicles can stand when not actually in motion and fix the numbers and types of vehicles which shall be permitted to stand at such places and regulate any matter in connection therewith, and provide for the payment of fees for such stand;
 - (b) to fix streets or places for the parking of vehicles and to provide for and regulate the installation of parking metres in such streets or places and to provide for the payment of fees in respect of such parking and to approve the fixing of fees for the parking of vehicles in private parking places and generally to regulate any matter in relation for such places;
 - (c) to prohibit absolutely or partly the circulation of any kind of traffic in any street other than the circulation of pedestrians;
 - (d) to fix and abolish one way traffic for vehicles and animals;
 - (e) to regulate and fix pedestrian crossing stree
 - (f) to regulate the movement of pedestrians and of persons riding or pushing a motorbike or a bicycle or a motor cycle or pushing perambulators or hand-driven vehicles and the movement of any animals whether ridden or not;
 - (g) to erect, exhibit, place or paint signs for the regulation of traffic and to prevent the erection exhibition, placing or

painting in the proximity of any such signs of any other sign or other thing;

86 of 1972
37 of 1974
58 of 1976
20 of 1978
64 of 1978.

Provided that such signs will be identical or similar to the signs which are and provided by the Motor Vehicles and Road Traffic Law and the regulations made under such law:

10(a) of 40(I) of 1992.

- (h) To make the necessary arrangements for patrols and regulation of the traffic during the crossings of the streets by pupils through the pedestrian crossings on the way to and from the school and to authorize appropriate persons wearing a uniform prescribed by the Minister so that by the demonstration of a signal prescribed by the council make any person who is driving or pushing forward a vehicle approaching the movement of pupils through the pedestrian crossing to stop such vehicle and in general to regulate any matter related to the crossing of streets by pupils.
- (i) To prohibit the obstruction or intervention by vehicles, of the use of any street;
- (j) To regulate the removal of any vehicle parked or abandoned on any street unlawfully or dangerously and in such a way as to obstruct the traffic.

(2) For the better application of the provisions of this section and the municipal Bye-Laws made thereunder-

- (a) The council may, after consulting in this respect the Chief of Police, appoint as traffic wardens such competent and appropriate persons and under such conditions as the council may prescribe, and the provisions of this Law in relation to the municipal officers including those concerning discipline and dismissal shall be applied to the traffic wardens as well;
- (b) The remuneration of the traffic wardens and any other expenditure which the municipality may incur for or in relation to their employment are paid out of the fund of the municipality;
- (c) (i) the duties of the traffic wardens shall be prescribed by the council with the concurring opinion of the Chief of Police;

- (u) The services of the traffic wardens may be used for the application of the legislation in relation to offences committed in breach of paragraph (b) of subsection (1) of section 124.
 - (d) Prior to the assumption of their duties the traffic wardens receive an appropriate training, the Chief of Police having the responsibility to cause the provision of such training;
 - (e) The Chief of Police shall have power to supervise on behalf of the council the traffic wardens in the exercise of their duties and should report to the council any infringement or breach of duty by any traffic wardens.
 - (f) The traffic wardens shall wear such uniform as the council may prescribe and the Minister may approve and shall not act as traffic wardens when they are not wearing such uniform;
 - (g) In the exercise of their duties and only to the extent of such duties the traffic wardens shall have power to take the name and address of any person breaking or failing to comply with the regulations or the traffic directions, to ask any such person to provide any relevant information and shall take the particulars of any vehicle in relation to which any such breach or failure has taken place;
 - (h) In relation to the offences which fall within the competence of the traffic wardens and in respect of which the Compounding of Road Traffic Offences Law applies, the traffic wardens may in accordance with an arrangement with the Chief of Police exercise the powers given to a member of the police force by virtue of section 3 or section 8 of the said law, but only to the extent applicable to the duties of traffic-policemen;
 - (i) Any person who when called upon by any traffic-policeman fails to give his name and address or any relevant information or gives a false name or false address or false information is guilty of an offence under section 125.
- (3) Any person who contravenes any municipal by-law made under the provisions of this section shall be guilty of an offence and shall on conviction be liable to imprisonment of for a term not

exceeding six months or to a fine not exceeding five hundred and seventeen Euros or to both such fines and imprisonment and the trial court may order that the licence of the person convicted in respect of any vehicle connected with the commission of the offence shall be cancelled or suspended for such part of the unexpired period as the court may thin fit.

86 of 1972
37 of 1974
58 of 1976
20 of 1978
64 of 1978
72 of 1981
83 of 1983
75 of 1984.

- (4) Where an act or omission constitutes an offence under any municipal Bye-Laws made under this section as well as under any regulations issued under the Motor Vehicle and Traffic Law, the offender is liable to be prosecuted and punished either under the municipal regulations or under such Motor Vehicle and Traffic Law or under the Bye-Laws mad there under but he shall not be liable to be punished twice for the same offence:

Provided that, whenever any person is adjudged by any Court to pay a fine in respect of such a fine, such fine shall, notwithstanding that such person has been prosecuted under the Motor Vehicle and Road Traffic Law or under such Regulations, be paid to the Town Fund of the municipality concerned.

- (5) In this section –

“motor vehicle” means a mechanically propelled vehicle or a tugged vehicle which is intended or adapted for use on the streets, and includes a vehicle propelled by electricity irrespective of its source, motor-propelled tractor and any other motor propelled vehicle moving on chains although this is not intended or adjusted for use on the street, but does not include vehicles manufactured exclusively for use on railway lines or other specially manufactured rails.

“Parking place” means any place where motor vehicles may remain parked under supervision or not.

“Traffic” means bicycles, tricycles, motor vehicles, trains, all sorts of vehicles, pedestrians as well as animals, led or driven by persons sitting on them.

86 of 1972
37 of 1974
58 of 1976
20 of 1978

In this section terms not otherwise defined shall, unless otherwise required by the context, bear the meaning given to them in the Motor Vehicle and Traffic Law.

4 of 65(I) of 1996.

- (6) Deleted

Power of the council to control the digging up of streets and other related matters.

9 of 47(I) of 2003.
2 of 19(I) of 2008.

15(a) of 25 of 1986.

15(b) of 25 of 1986.

- 89- (1) Notwithstanding any provisions included in any other law in force from time to time, no person shall dig up, break or in any other way interfere in any street within the municipal limits, or shall place or leave or preserve on or under such street, a water-pipe or any other pipe or duct or wires or other objects or things, or materials of any kind, or open up on the street a sewer, well or drainage hole without the prior written permit from the council of such municipality.
- (2) The expenses incurred in raising drainage, removal or moving networks underground, and in general the movement of any other equipment of a public utility authority or provider of electronic communications due to road improvement works of the municipalities, will burden the public utility authority or the provider of electronic communications to whom the affected networks, wells or other equipment belong to.
- (3) In issuing the permit under the provisions of subsection (1) the council has the authority to impose terms as follows, which are set out in the permit, i.e. –
- (a) The time of commencement of the project for which the permit is issued to the applicant and the period of time for its carrying out and completion;
- (b) The manner in which the said project will be carried out.
- (c) The measures which the applicant has to take before, during and after the carrying out of the project for which he was given the permit for the security of passers-by and the unhindered use of the street by neighbors and the public;
- (d) The materials which will be used by the applicant to carry out the project.
- (e) The payment to the council of such a sum, as would from time to time be reasonably estimated by it, to cover all the expenses to be incurred by the council for the purpose of repairing the street in question and restoring it to its previous condition.
- (f) The delivery by the applicant to the council, before the issuing of the aforesaid permit, of a bank or other satisfactory cover for the council for any damage, loss or injury the council should suffer, or for any compensation

which the council should have to pay for or in connection with any legal action against a third party or parties for any damage, loss or injury which such person or persons should suffer, either directly or indirectly by or as a consequence of or by reason of the carrying out by the applicant of the project for which the permit was issued to him under the provisions of this section, and no matter whether this damage, loss or injury was caused during the carrying out of the said project or at reasonable time after that:

- (g) The carrying out of each other actions or the avoidance of any other steps, as the council should from time to time prescribe, for the protection of the street in question or the safety and comfort of those using it or the neighbors.

Power of the council to deal with buildings in dangerous state.

90.- (1) If any building within any municipal limits, being occupied or not, is deemed by the council to be in a ruinous state and dangerous to persons living in it or to passers-by or to occupiers of the neighboring buildings and that measures for the removal of such danger ought to be taken, the council may issue its decision where the following provisions shall apply:

- (a) The council shall cause a notice in writing to be given to the owner informing him of the decision taken as well as the reasons supporting such decision and requesting him, within a time limit specified in the notice, which in no case should be less than three days from the date of the notice so given, to repair, remove, take down, secure or fence the building and in general take all the measures specified in the notice which in the council's opinion could be sufficient for the removal of every danger resulting from such building, such time-limit referred to in this section as "specified time-limit".
- (b) If after the service of the notice to such owner he/she does not comply to the request contained in the notice within the specified time-limit, the council may cause the carrying out of such works as shall be requisite for repairing, removing, taking down, securing or fencing the building and in general take all the measures specified in the notice which on the opinion of the council could be adequate for the danger resulting from such building and the costs for the carrying out of such works shall be paid by the owner and may be recovered

judicially by means of a civil action as a civil debt:

Provided that if the condition of the building is such that in the interests of the public safety it is necessary that it be taken down, secured or repaired immediately, the council shall forthwith proceed to cause the same, or so much thereof as is in a dangerous condition, to be taken down, secured or repaired without service of notice on the owner as herein provided for. In any of the foregoing circumstances all expenses incurred by the municipality in putting up every fence or hoarding and in taking down, repairing, rebuilding, or securing the building, shall be paid by the owner thereof, unless he is actually a pauper, and may be recovered as a civil debt;

Provided further that in respect of a building which is used as a residence the taking of any measure under this paragraph is not possible without an Order of the court authorizing admission to such premises and the taking of the proposed measures; subject to any Rule of Procedure such order is issued in accordance with the procedure commencing by an ex-parte application according to the relevant rules of procedure.

10 of 47 of 2003

(2) Any expenditure that relates to the work carried out as provided by this Law shall be notified by double registered letter to the owner of the plot on which the building is situated or the owner of the building or where they cannot be found by posting on the building a letter specifying the amount of the expense and notifying that this must be paid to the fund of the municipality within two months from the date of the letter. Upon the expiry of such time limit the municipality may register the amount of the expense as a charge on the plot. Such registration will prevent its sale or transfer or mortgage of the asset unless the charge is paid up. The interest charged is the maximum interest allowed by the Cyprus Government.

(3) For the purposes of this section:

“owner” means the person who is registered or is entitled to be registered as a proprietor of the building, and when the aforesaid person does not also have possession of the building, it includes also the person who has actual possession of such building, as well as the representative of the owner.

NUISANCES

Nuisances.

91. For the purposes of this Law, the following shall be deemed to be nuisances liable to be tried in manner provided by this Law.
- (a) Any premises in such a state as to be a nuisance or injurious to health;
 - (b) Any pool, ditch, gutter, water course, privy, urinal, cesspool, drain or ash pit, so foul or in such a state as to be a nuisance or injurious to health;
 - (c) Any animal or bird so kept as to be a nuisance or injurious to health or to be detrimental to the amenities of the place or is unsightly;
 - (d) Any plant, whether self-growing or not, any accumulation, deposit, placing, maintenance or storing of any object or thing in any public or private place which are a nuisance or are injurious to health or are unsightly or are detrimental to the amenities of the place or are likely to affect the safety of any person;
 - (e) Any house or part of a house so overcrowded as to be dangerous or injurious to the health of the inmates or of the inhabitants of the area or detrimental to the amenities of place;
 - (f) Any factory, workshop, place of work, work premises, thrashing floor or kiln or any place where animals are kept-
 - (i) of such a nature or so situated, constructed, worked or kept as to be detrimental to the amenities of the place; or
 - (ii) not kept in a cleanly state; or
 - (iii) not ventilated so as to render harmless as far as practicable, any gases, vapours, dust or other impurities generated in the course of the work carried on therein which are a nuisance or, injurious to health or to be detrimental to the amenities of the place;
 - (iv) so overcrowded as to be dangerous or injurious to the health of those employed therein or of the inhabitants of the area or to be detrimental to the amenities of the place.
 - (g) Any chimney (not being the chimney of a private dwelling

house) sending forth black smoke in such quantities as to be a nuisance or to be detrimental to the health or to the amenities of the place;

- (h) Any brothel or disorderly house which, either from its situation or from the manner in which it is conducted or for any other reason, it is desirable in the interests of the public to close or remove;
- (i) Any roofing, awning, gutter, pipe, channel, overflow or other outlet for water which discharges water in or upon any street or road within the municipal limits in such a manner as to be the cause of damage thereto, or to be a nuisance to passers-by
- (j) Any unpaved frontage, path or place attached to any premises and forming part of or adjacent to any street within the municipal limits;
- (k) Any pavement, awning or similar construction which does not comply with the provisions of any Bye-Laws made under this Law, respecting the construction or maintenance of pavements or awnings or similar constructions;
- (l) Any other thing, object premise, act or omission which, under this Law or any other bye-law made under this Law, constitutes a nuisance;

Provided that a penalty shall not be imposed on any person in respect of any accumulation or deposit necessary for the effectual carrying on of any business or manufacture, if it is proved to the satisfaction of the Court that the accumulation or deposit has not been kept longer more than is necessary for the purposes of the business or manufacture, and that the best available means have been taken for preventing injury to the public health or for the safety or the amenities of the inhabitants of the area, or for the prevention of any injury to public health or to the security or amenities of the inhabitants of the area or for the good appearance of the area.

Notice to abate
nuisance.

92. On the receipt of any information respecting the existence of a nuisance, the council shall, if satisfied of the existence of a nuisance, serve through the mayor or as he shall direct a notice on the person by whose act, default or sufferance the nuisance arises or continues, or if he cannot be found, on the owner or occupier of the premises on which the nuisance arises, requiring him to abate it within a time to be specified in the notice, and to execute such works and do such things

as may be necessary for the purpose:

Provided that if the nuisance for the existence of which the information was received is of such an urgent nature as the taking of immediate measures for its abatements is required for the public safety of health or the amenities of the area, the mayor may act instead of the council, but he shall forthwith inform the council of all his actions within a time specified in the notice:

Provided further that where the person causing the nuisance cannot be found, and the nuisance does not arise or continue by the act, default or sufferance of the owner or occupier of the premises, the mayor may himself give instructions for the immediate abatement of the nuisance without further order.

Removal and disposal
of abandoned
vehicles and objects.
2 of 153(I) of 2007.

92A. (1) The council shall, in case where a vehicle or any object remains abandoned in a public road or in an open public or private place for period of more than three weeks-

(a) Post a visible glued notice to the car that names it as a vehicle neglected and renders it immovable in such a manner that is noted that it now belongs to the municipal council.

(b) Serve a notice according to the provisions of section 137 to the owner of the vehicle or if the vehicle is found in private land then to the owner of the private land with which calls them to remove the vehicle within four weeks from the date of notice. If the owner or the owner of the land cannot be reached then it is published in two daily wide circulation newspapers.

Provided that if serving of the said notice is not possible in accordance to the provisions of section 137, to the owner of the vehicle or the registered owner of the private land or when he/she is of unknown residence, the publication of the notice in at least two widely circulated daily newspapers shall be deemed as lawful notice.

(2) If the person to whom such notice is given fails or neglects to remove the vehicle within the period of four weeks as stated in the paragraph (b) of subsection (1) of this section, then-

(a) if the vehicle has a valid registration licence, under the Motor Vehicle and Traffic Law, and if such vehicle requires a suitability certificate .within the context of the

86 of 1972
37 of 1974
58 of 1976

20 of 1978
64 of 1978
72 of 1981
83 of 1983
75 of 1984
72 of 1985
106(I) of 2007.

term under the Motor Vehicle (Technical Control and Technical Control Centres) Law, the council has the power to sell thereof at a public auction or by requesting public tenders and any revenue from the disposal of such vehicle, shall be applied towards the expenses of the municipality, and any remainder shall be deposited with the municipal fund, or

157(I) of 2003

(b) If the vehicle has no valid registration licence under the Motor Vehicles and Traffic Law or has such licence but the owner has not received the necessary suitability certificate by a licensed Centre for Technical Control of Motor Vehicles, under the Motor Vehicle (Technical Control and Technical Control Centres) Law, such vehicle, notwithstanding any of the provisions of the Motor Vehicles at the End of Life Law, shall be deemed as vehicle at the end of life, it comes into the possession of the council and is disposed of by the council in accordance to the said Law.

(3) In case any object remains abandoned in a public road or open public or private place for a period longer than three weeks, then the council, depending on the volume and value of the object –

(a) adheres on the vehicle a self-adhesive conspicuous notice, characterizing it as “abandoned; and

(b) when the object is in a private place, serves a notice, under the provisions of section 137, to the registered owner of the private land, whereby he is called to move the object within four weeks from the date of the notice:

Provided that, in case service of such notice is not possible under the provisions of section 137 to the registered owner of the private place or when he/she is of unknown residence, the publication of such notice in at least two widely circulated daily papers shall be deemed as lawful notice thereof.

(4) In case the person to whom the notice has been served, fails or omits to move the object within the period of four weeks specified in paragraph (b) of section (3) then-

(a) if the object is in a usable condition, the council has the power to sell it at a public auction or by public tenders, and any revenue from the disposal of such object, shall

be used for covering the expenses of the municipality, and any remainder shall be deposited with the municipal fund; or

(b) if the object is not in a usable condition such object, notwithstanding any provisions of the Solids and Harmful Waste Law, shall be deemed as waste, it shall come to possession of the council and shall be disposed of by the council in accordance to the provisions of such Law.

(5) The provisions of this section shall not affect the responsibility which any person has under any other provision of the Municipality Law or any other law.

(6) For the purposes of this section:

(a) "Object" means any movable thing being in a public road or open public or private place, unprotected from weather conditions and not securely connected to immovable property, within the context of the term property under the Immovable Property (ownership, Registration and Valuation) Law; and

(b) "private place" means any non fenced place, being a private property.

Cap. 224.
3 of 1960
78 of 1965
10 of 1966
75 of 1968
51 of 1971
2 of 1978
121(I) of 2007.

Procedure to be followed on non-compliance with notice to abate nuisance.

93. (1) If the person on whom a notice to abate a nuisance has been served under the provisions of section 92 makes default in complying with any of the requirements thereof within the time specified therein, or if the nuisance is in the opinion of the council or the mayor likely to recur on the same premises, the council-

(a) may abate the nuisance and any of the officers or workmen of the council may enter the premises upon which the nuisance exists and do whatever may be necessary for the abatement of the nuisance, and the council may recover by action the expenses incurred by them from the person in default;

12 of 47(I) of 2003.

Provided that the council may register the amount of the expenses carried out as charge on the plot on which the nuisance exists and to do any other act which may be deemed necessary to abate the nuisance, and the council

may recover by action the expenses incurred by them from the person in default;

(b) May commence proceedings in Court for obtaining an order compelling the person in default to abate the nuisance.

(2) The court before which a person charged with an offence under the provisions of paragraph (b) above is tried, may on an application without a notice to the other party (ex parte) order, which shall be deemed necessary for the abatement of or suspending the nuisance or for preventing its creation or recurrence until the final trial of the case in relation to the case in which such person was charged:

Provided that such an order shall be issued subject to the provisions of the Civil Procedure Law, the Courts of Justice Law and the Civil Procedure Rules.

Cap.6
11 of 1965
14 of 1960
60 of 1962
11 of 1963
8 of 1969
49 of 1970
58 of 1972
1 of 1980

(3) If any person on whom an order has been made under the provisions of subsection (2) makes default or neglects in complying with any of the requirements thereof within the time specified therein, it shall be lawful for the council to execute such an order and all the expenses incurred for its execution shall be paid out to the council by the person against whom the order has been made, and such expenses shall be deemed to be a penalty within the meaning of the criminal procedure law and the paying out of these shall be imposed.

Cap. 155.
92 of 1972
2 of 1975
12 of 1975
41 of 1978.

(4) Any person on whom an order has been made under subsection (2), disobeys or makes default in complying with such an order, irrespective of whether the council has taken any steps for its execution or has in fact executed such an order, shall be guilty of an offence and shall be liable to imprisonment for a term not exceeding six months or to a fine not exceeding five hundred and seventeen Euros or to both such penalties.

Power of Court to make order dealing with nuisance.

94. If the court is satisfied that the alleged nuisance exists, or that although abated it is likely to recur on the same premises, the court shall make an order on such person requiring him to comply with all or any of the requisitions of the notice, or otherwise to abate the nuisance within a time specified in the order, and to do any works

necessary for the purpose; or an order prohibiting the recurrence of the nuisance and directing the execution of any works necessary to prevent the recurrence; or an order both requiring abatement and prohibiting the recurrence of the nuisance.

The court may by its order impose any fine not exceeding three hundred and seventeen Euros or a term of imprisonment not exceeding six months or to both such penalties, on the person on whom the order is made, and shall issue such directions for the payment of all expenses created until the date of the hearing of the charges, or the issue of an order for the abatement or abstraction of the nuisance.

Order of prohibition in case of house unfit for human habitation.

95. Where the nuisance proved to exist is such as to render the house or building in the judgment of the court unfit for human habitation, the court may prohibit the using thereof for that purpose until the house or building is to the satisfaction of the court rendered fit for that purpose.

Penalty for contravention of order of Court.

96.- Any person who willfully or negligently fails to obey an order of court to comply with the requisitions of the council or otherwise to abate a nuisance, shall be liable to a fine not exceeding one hundred and seventy Euros per day during such default, and any person knowingly acting contrary to an order of prohibition shall be liable to a fine not exceeding one hundred and seventy Euros per day during such contrary action, and the council or any of its officers or workmen may enter the premises to which any order relates, and abate the nuisance and do whatever may be necessary for the execution of the order, and recover by action the expenses incurred by from the person on whom the order is made.

In certain cases order may be addressed to the council.

97. Whenever it appears to the satisfaction of the court that the person by whose act or default the nuisance arises, or the owner or occupier of the premises, is not known, or cannot be found, then the order of the court may be addressed to and executed by the council.

Power of council or any competent municipal officer etc., to enter premises.

98. (1) The council or any of its officers shall be admitted into any premises for the purpose of examining whether any nuisance exists thereon at any time between the hours of sunrise and sunset, or in the case of any business premises, at any hour when the business is usually carried on.

(2) Where under this Law an order for abatement or prohibition of nuisance has been made by any court, the council or any of its officers shall be admitted from time to time into the premises at such hours as aforesaid until the nuisance is abated or the works ordered to be done are completed.

- (3) Where any such order as aforesaid has not been complied with or has been disobeyed, the council or any of its officers shall be admitted at such hour as aforesaid into the premises where the nuisance exists in order to abate it.
- (4) If admission to premises for any of the purposes of this section is refused, any court may by order authorize the council or any of its officers to enter the premises during the hours aforesaid until the nuisance for the abatement of which, or the work for which the entry was necessary, has been abated or done. If no person having custody of the premises can be found, the court shall, on oath made before it of that fact, by order authorize the council or any of its officers to enter the premises during the hours aforesaid.

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| Penalty for disobedience of order. | 99. | Any person refusing to obey an order under section 98 for admission of the council or any of its officers to any premises shall be liable to a penalty not exceeding one hundred and seventy Euros. |
| Costs and expenses of execution the provisions relating to nuisances. | 100. | The Court may, in its discretion, on issuing an order to abate a nuisance direct the defendant to pay the costs of the proceedings, and such costs may be recovered in the same way as costs in criminal cases are; and in case the order to abate nuisance is addressed to the council, as provided by section 97, the costs of the proceedings and the expenses incurred for the execution of the order of such Court shall be deemed to be money paid for the use and at the request of the person by whose act or default the nuisance was caused, and such costs and expenses may be recovered from such person as a civil debt. |
| Power to make Procedural Rules. | 101. | The Supreme Court may, from time to time issue Rules of Court regulating the practice and procedure of the Courts when judicial proceedings are taken to abate nuisance or when an appeal is filed against a relevant order of the Court and prescribing the fees payable for any such judicial proceedings or appeal. |

OFFENSIVE TRADES

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| Restriction of establishment of offensive trades. | 102. | Any person who establishes within any municipal limits, without the previous consent in writing of the council, any noxious or offensive trade, business or manufacture shall be liable to a penalty not exceeding one hundred and seventy Euros in respect of the establishment thereof, and any person carrying on the business so established shall be liable to a penalty not exceeding forty three Euros for every day on which the offence is continued, whether there has or has not been any conviction in respect of the establishment of such |
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business.

TRADE OF PROFESSIONAL LICENCES

- Certain business premises not to be kept except on licence.
12 of 40(I) of 1992.
5 of 119 of 1990.
5 of 65(I) of 1996.
Seventh Schedule.
13(a) of 47(I) of 2003.
13(b) of 47(I) of 2003.
103. (1) It shall not be lawful for any person to keep within any municipal limits any building or place within which any business, manufacture, commerce, profession or trade, is established without a licence first obtained therefore from the council of such municipality:
- Provided that the council has the discretion not impose a fee for the carrying on of certain kinds of businesses, manufactures, professions, trades or commerce;
- Provided further that the council may impose fees for the licenses of operation of professional premises, which do not exceed the ones set out in Seventh Schedule.
- (2) Any license granted under subsection (1) may be subject to such terms and conditions as the council may in each case impose, and to the payment of such fee as the council may prescribe with its decision.
- (3) Any person who contravenes the provisions of this section shall be liable, on conviction, to a fine not exceeding one hundred and seventy Euros.
- (4) In a proceeding under this section, the court may, upon an application by the municipality concerned, to issue an interim order for the suspension of the operation which is carried on without a licence:
- Provided that the issue of such interim order, within any municipal limits, shall be issued subject to the provisions of the Civil Procedure Law, the Courts of Justice Law and the Civil Procedure Rules.
- No person to carry on trade, etc. without licence.
104. (1) Any person who exercises for profit, within any municipal limits, any business, trade, calling or profession must for this purpose obtain a license in accordance with the provisions of this Law:
- Provided that –
- (a) No person shall be required to obtain more than one

license in the same municipal limits during any period;

- 14 of 47(I) of 2003. (b) Any person who has taken out a licence in any municipal limits shall not be required to take out another licence in any other municipal limits unless he has a permanent place of business therein or remains therein for the purpose of carrying on his business, trade, calling or his profession at any time for a period exceeding fifteen days, these days not needed to be necessarily continuous.
- 2(a) of 227(I) of 2002. (c) Deleted.
- 2(b) of 227(I) of 2002. (2) This section does not apply to natural persons.
- Licensing of persons carrying on business, etc. 105. (1) Any person desiring to carry on for profit any business, trade, calling or profession within any municipal limits, shall apply to the council for the granting to him of the relevant licence, and the council shall determine the fees payable for the issuing of such license which are not exceeding the appropriate fees set out in the Third Schedule;
- 3(a) of 227(I) of 2002. (2) Upon payment of the fee prescribed by the council, the council shall cause the name of the applicant to be entered in a register kept for this purpose (hereinafter called the “register of trade licenses” and shall issue to the applicant a licence.
- Third Schedule. (3) This section does not apply to physical persons.
- 3(b) of 227(I) of 2002. 106. If any person fails to apply to the council for a license, as in section 105 is provided, within one month since he commenced or recommenced to carry on any business, trade, calling or profession, the council may determine the fees payable by such person and records his name in the register of trade licences.
- Default in applying to the council for a licence.
- Form of licence. 107. The form of licence shall be determined from time to time by the council.
- Term of licence. 108. A licence may be a yearly license which shall expire on the 31st day of December next following the issue thereof, or a half yearly licence which shall expire on the 30th of June or on the 31st of December next following the issue thereof.
- Carrying on trade etc., without licence, constitute an offence. 109. (1) Any person who, within any municipal limits, carries on any business, trade, calling or profession without-
- (a) having applied for a licence so to do within one month of his having commenced or recommenced so to do; or
- (b) applying for the renewal of any licence within one month

of 227 of 2002.

of the expiry of any license previously granted to him;
Shall be guilty of an offence and shall in case of conviction be liable to a fine not exceeding one hundred and seventy Euros.

(2) This section shall not apply to natural persons.

Offences in connection with licence.

110. Any person who is required by this Law to hold a licence in respect of his business, trade, calling or profession who,

(a) refuses or fails to produce the licence upon demand being made therefore to him by any police officer or by an officer of the council; or

(b) lets out, hires or lends his licence to any other person; or

(c) not having a licence shall produce, exhibit or use any document or thing with intent to cause it to be believed that he has such licence, shall be guilty of an offence and in case of conviction shall be liable to a fine not exceeding one hundred and seventy Euros.

4 of 166 of 1987

Hawking within the municipal limits.

111. (1) No person may, within any municipal limits, hawk any goods, articles or things of any kind without a licence in writing, in that behalf by the council.

(2) The council have a discretionary power for the granting or not of a licence under subsection (1) and may prohibit or restrict the hawking in certain areas or streets within the municipal limits and impose in such licence terms in relation with the hours and the goods of hawking, or such other relevant incidental or supplementary terms as it may think fit.

(3) (a) Every application for granting of a licence of hawking is made for a period of hawking of one month, three months, six months, nine months or one year, and in case of approval by the council, a licence is issued for the required period, upon the payment by the applicant of the fees prescribed by the council.

(b) No fee shall be returned in case the hawking by the licensee was not to be made for the whole period of time of the validity of the licence.

(4) Any person contravening or not complying with the provisions of subsection (1), or with any or the terms of the licence granted to him under this section shall be guilty of an offence and in case

of conviction shall be liable to a fine not exceeding one hundred and seventy Euros.

THEATRES E.T.C.

Theatres etc., not to be used without a licence.

112. (1) Within any municipal limits-

(a) No theatre shall be used for any purpose and no building, place or tent shall be used for any theatrical, dancing or cinematographic performance or for any entertainment to which the public is admitted or for any public meeting.

13 of 40(I) of 1992.

(b) No Luna park or other place of recreation with electrical toys for children may be used.

(2) The council may grant such license either for a single performance or for any period not exceeding one year.

Provided that no such license shall be granted unless and until the applicant therefore produces-

Cap. 96.
14 of 1959
67 of 1963
6 of 1964
65 of 1964
12 of 1969
38 of 1969

(a) the building licence and the certificate of approval of the premises issued by the competent authority, under the provisions of the Street and Buildings Regulation Law and;

(b) a certificate by the municipal engineer or, in the absence of a municipal engineer in any municipality, by the director of the Department of Public Works or of his representative that the premises or the tent and the fixtures, fittings and furniture therein and the lighting and ventilation thereof are respectively suitable and safe in all respects for the purpose for which they are intended to be used; and

Cap. 170
2 of 1976
26 of 1979.

(c) a certificate by the Director of the Department of Electrical and Mechanical Services or by his representative that the electrical installation and the electrical equipment of the premises or of the place or of the tent are in accordance with the provisions of the Electricity Law and of the Regulations made there under; and

17 of 25 of 1986.

(d) a certificate by the officer in charge of the fire service

within the municipal limits that adequate provision has been made in the premises or place or the tent for-

- (i) prevention of fire, and
- (ii) extinguishment of fire,
- (iii) the safe escape of all persons in case of fire.

Granting and form of licence.

113. (1) Any license granted under section 112 shall be granted to the owner, lessee or occupier of the premises or place and the form of such license shall be as the one set out in the Forth Schedule and in accordance with and subject to the conditions of such license and the council may, in addition thereto, impose any special or additional condition or conditions.

Fourth Schedule.

(2) The council may impose such fee for any such license which may be prescribed by Bye-laws made in that behalf.

Special provisions for superintendence by officer.

114. (1) Where a council grants a license as aforesaid, upon a special condition that the premises or the place shall only be used for the purpose for which the license is granted under the superintendence of some officer or person designated in the license, it shall be lawful for such officer or person, and such officer or person-

(a) if he considers it necessary for the safety of the premises or the place or the persons therein to order that the stage play or cinematographic performance, entertainment, public meeting or any other purpose for which the premises or the place is being used shall cease; or

(b) give such other directions which he shall consider necessary for safety purposes of the premises or the place or the persons therein, and in any such case the person in charge of the premises or the place and all the persons therein shall obey such order or comply with such directions.

(2) Any person contravening the provisions of subsection (1) shall be guilty of an offence and shall on conviction be liable to the penalties to the penalties provided in section 116.

Revocation of licence.

115 Notwithstanding the provisions of this Law the council shall revoke any license granted under the provisions of section 112 if-

(a) The municipal engineer or the Director of the Department of Public Works or his representative, certify that the premises or

the place or the tent or the fixtures, fittings or the furniture or the lighting or ventilation thereof respectively have become in any respect unsafe or unsuitable for the purpose for which the license was granted; or

Cap. 170
2 of 1976
26 of 1979

(b) the Director of the Department of Electrical and mechanical Services or this representative certify that the electrical installation or the electrical equipment of the premise or the place or the tent are not in accordance with the provisions of the Electricity Law and of the Regulations made there under; or

18 of 25 of 1986.

(c) the officer in charge of the fire service within the municipal limits shall certify that adequate provision is no longer taken to prevent fire or to extinguish fire or to allow all persons to escape from the premises or the place or the tent in safety in case of fire,

and the council may revoke any such license in case of failure by any person to comply with it, or with any of the terms thereof and in case of a breach thereof or any of the terms thereof.

Offences.

116. (1) Any person using or causing to be used or authorizing or enduring or allowing the use of any building, place or tent for any of the purposes mentioned in section 112 in respect of which no valid and subsisting license has been issued or in contravention of any term or condition of any license issued in respect thereof, shall be guilty of an offence, and in case of conviction shall be liable to a fine not exceeding five hundred and seventeen Euros or to imprisonment for a term not exceeding six months or to both such fine and imprisonment and upon any such conviction the court may, notwithstanding that the offence was committed by some person other than the licensee, revoke or suspend such license for any period and under such terms and conditions which he may thin appropriate.

3(1) of 166 of 1987.

(2) The court before which the charge preferred is tried against any person as provided in subsection (1), may after an application without notice to the other party (ex parte), order the suspension of the license and the prohibition of the use of any building, place or tent for any of the purposes mentioned in section 112 until the final determination of the case in respect of which a charge was preferred against such person;

Cap. 6.
11 of 1965
14 of 1960
60 of 1962
11 of 1963
8 of 1969

Provided that the issue of such order is subject to the provision of the Civil Procedure Law, of the Courts Law and of the Civil Procedure Rules.

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69 Annex II 1
72 Annex II 5
74 Annex II 1

3(1) of 166 of 1987.

- (3) Any person against whom an order was issued under subsection (2), which neglects, omits or refuses to comply with such order shall be guilty of an offence and shall be liable to imprisonment not exceeding six months or to a fine not exceeding five hundred and seventeen Euros or to both such imprisonment and fine.

Police, etc. to enter.

117. (1) A police officer of a rank not lower than that of a sergeant or any employee appointed for this purpose by a council may, at any reasonable time including the time in which any premises or place or tent are in use, enter-
- (a) any premises or place or tent in respect of which a licence has been granted under this Law in order to see that the terms and conditions of such licence and the provisions of this Law are being complied with; or
- (b) any premises or place or tent for which he has reasons to believe that is being used, or is to be used in contravention of the provisions of section 112.

3(1) of 166/8

- (2) Any person preventing or obstructing the entry of any employee acting under the provisions of subsection (1) shall be guilty of an offence and in case of conviction shall be liable to a fine not exceeding five hundred and seventeen Euros, or to imprisonment for a period not exceeding six months or to both such fine and imprisonment.

WEIGHING, E.T.C.

Weighing, etc.

118. The council shall afford facilities for the weighing, measuring or testing of any goods which are delivered within the municipal limits

and in respect of which the vendor or the purchaser of such goods requires the weighing, measuring or testing. Upon such weighing, measuring or testing the vendor or the purchaser for the account of the vendor shall pay such fees which shall be prescribed by municipal rules issued by the council under the provisions of this Law.

Weighing on the demand of customs officers.

119. Whenever an officer of customs for any lawful reason in the performance of the duties of his office shall require by a demand of council that any goods or other articles within the municipal customs limits shall be weighed, the municipal weigher shall effect such weighing and the fees payable in respect thereof shall be paid to the municipal weigher by the owner of such goods or articles.

Transactions to be entered in a book and certificate to be given.

120. Upon the completion of any weighing, measuring or testing under the provisions hereof, the municipal weigher shall enter, in a book to be kept for that purpose, full particulars and certificate of the transaction and the amount of fee payable in respect to be given, thereof, and upon receipt by him of the prescribed fees, shall give to the person who requires such weighing, measuring or testing, a certificate setting forth the required particulars and the amount of fees paid.

Default by a municipal weigher.

121. Any municipal weigher who -

- (a) improperly or inaccurately weighs, measures or tests any goods or articles which he is required to weigh, measure or test in accordance with the provisions of this Law; or
- (b) makes any false entry or issues a false certificate or record with regard to such weight, measure or test with intent to defraud,

shall be guilty of an offence and in case of conviction shall be liable to a fine not exceeding five hundred and seventeen Euros or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

Tolls.

122. (1) Any person bringing or importing within the municipal limits of any municipality for disposal, packing, manufacturing or processing within such municipality, or for export therefrom, any goods, whether such goods are imported or are derived from any place within the Republic, shall be liable to pay to the council as tolls the fees prescribed from time to time by the council under this Law and the competent officer gives to such person a receipt showing the particulars of the goods and of the amount paid.

(2) If such person -

- (a) carries such goods or any part thereof within the municipal limits of any other municipality or exports them or any part thereof out of the Republic; or
- (b) sells such goods or any part thereof within the municipal limits of the municipality in which such fees have been paid or within any other municipal limits and for such sale such goods or part thereof are weighed, measured or tested, such person, upon the production of such receipt and upon proving to the reasonable satisfaction of the municipal weigher that the goods so taken or sold are the goods or part thereof in respect of which the receipt was given, shall not be liable to pay any further fees in respect of such goods.

6 of 119 of 1990.

Cap. 243.
46 of 1961
38 of 1962
4 of 1966

- (3) No tolls shall be paid under the provisions of subsection (1) in cases in which weighing fees have already been paid in respect with goods brought into or imported under the Villages (Administration and Improvement) Law and the Public Health (Villages) Law, as long as the relevant receipt is produced and the municipal weigher is satisfied that the goods brought into or imported are the goods to which the receipt refers.

6 of 119 of 1990.
2 of 112(I) of 2001.

- (4) The provisions of this section shall not apply in respect with the following cases:
 - (a) with respect to any goods transported from one place of the Republic to another; and .
 - (b) with respect to all agricultural and livestock goods and their derivatives which are being sold in municipal or public markets:

Provided that the goods referred to in paragraph (b) are exempted from the payment of any other fees, charges or burdens specified from time to time by municipal by-laws issued by the council under the provisions of this Law.

- (5) For the purposes of this section the term “goods” contains every commodity, article, object or product prescribed by municipal regulations issued from time to time by the council under the provisions of this Law.

Failure to pay tolls.

123. Any person failing or neglecting or refusing to pay fees in accordance

with the provisions of section 122 shall be guilty of an offence and on conviction shall be liable to a fine not exceeding eighty six Euros.

PART VIII

OFFENCES AND LEGAL PROCEDURE

- | | | | |
|------------------------------------------|------|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Certain offences. | 124. | (1) | Any person who, in any street within any municipal limits- |
| Animals at large. | | (a) | As an owner or as a person having the custody of any animal, suffers that such animal be at large at any time without any person having the custody thereof; or |
| Dangerous loads. | | (b) | causes or allows that any tree, timber or iron beam or any other load to be drawn in or upon any carriage without having efficient means of safety driving it, or, |
| Dangerous openings. | | (c) | leaves open any vault or cellar or the entrance from any street to any cellars or rooms underground, without a sufficient fence or handrail, or leaves defective the door, the windows or other coverings of any vault or cellar, or does not sufficiently cover any area, pit or sewer left open, or leaves such open area, pit or sewer without a sufficient light after sunset to warn and prevent a person falling therein; or |
| Pouring water, etc.
into street, etc. | | (d) | pours or allows any amount of water or other liquid substance to pass into any street, or pours or allows any amount of water, to pass into any street channel or point within any municipal limits any kind of engine oils; or |
| 15 of 47(I) of 2003. | | | |
| Extinguishing lights. | | (e) | unlawfully and willfully extinguishes the light of any street lamp or breaks any such electric lamp; or |
| Obstruction. | | (f) | (i) willfully causes any obstruction upon any street by means of any motor vehicle, cart, carriage, truck or barrow, or any animal or any other means, or

(ii) without necessity places or leaves any furniture, goods, wares or merchandise, or any cask, tub, basket or bucket, or places or uses any standing place, stool, bench, stall, show board or other thing, or places any blind or shade covering or other projection over or along any such street, unless it is ten feet in height at least in every part |

thereof from the ground; or

- (uu) places, hangs up or otherwise exposes for sale any goods, wares, or any thing whatsoever so that they project into or over any road, or beyond the line of any house, shop or building at which they are so exposed, so as to obstruct or intercept the passage of any persons along the road; or
- (iv) rolls or carries any cask, tub, hoop or wheel or any ladder, plank, pole, timber or log of wood upon any pavement, except for the purposes of loading or unloading of any motor vehicle, cart or carriage or of crossing the pavement; or
- (v) places any line, cord or pole across or along any such street, or hangs up or places any clothes to dry therein, or any advertisements, slogans or other things; or

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|-----------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Prostitutes. | (g) being a common prostitute, loiters and importunes passengers for the purposes of prostitution; or |
| Riding and driving. | (h) rides or drives furiously or dangerously any animal or vehicle; or |
| Shaking carpets etc. | (i) shakes or dusts carpets or other similar articles into any such street from any part of a house or from other building; or |
| Damage to street. | (j) any willful damage or injury to any street; or |
| Throwing of missiles. | (k) throws from the roof or from any part of a house or other building any amount of earth, any tile, wood, rubbish, water or other thing; or |
| Throwing any thing in street.
6(a) of 65(I) of 1996. | (l) Throws, deposits or leaves any matter or thing in or upon any street or public place; or |
| Prohibition of throwing things into underground channels. | (m) Throws or drops, or permits or allows to be thrown or dropped any matter or thing into any underground channel belonging or controlled by the council of any other authority; or. |
| Street names. | (n) affixes or causes or suffers to be affixed any name of a |

street for which approval has not been obtained, as provided in paragraph (f) of subsection (1) of section 84; or

- (o) removes, destroys, defaces or obliterates or cause to be removed, destroyed, defaced or obliterated the name of any street, lawfully affixed thereon,

3(1) of 166 of 1987.

shall be guilty of an offence, and in case of conviction shall be liable to a fine not exceeding two hundred and fifty six Euros or to imprisonment for a term not exceeding three months, and in case of conviction for any offence under any of the above paragraphs, the court may order the payment of a further fine not exceeding eighty six Euros for every day during which the person convicted continues to commit such an offence.

4 of 166 of 1987.

6(b) of 65(I) of 1996.

In respect with offences in contravention of paragraph (t) the traffic officers may exercise, mutatis mutandis, the same powers for an out of court settlement of the relevant offences, which are granted to policemen by virtue of section 4 of the Avoidance of Pollution of Public Roads and Public Places of 1992, when the rest provisions of the said section shall apply.

19(I) of 1992.

2 of 73(I) of 2008.

- (1A) Any person who burns within any municipal limits, house, construction, agricultural or industrial waste, such as food left-overs, paper, grass, trimmings, any packaging of any materials, objects of things, plastic or solid objects or things or any other kind of materials, objects or things shall be guilty of an offence, and in case of conviction shall be liable to a fine not exceeding eight hundred and sixty Euros (€860) or to imprisonment for a term not exceeding three months or both such penalties. In case of conviction for this offence, the court may order the payment of a further fine not exceeding three hundred and fifty Euros (€350) for each day during which the person convicted continues to commit such an offence.
- (2) The court before which a charge is tried brought up against a person for an offence committed in contravention of this Law or of any municipal regulations issued by virtue thereof, may after an ex parte application, order such person to do or avoid the performance of any such act or action within such period of time, which the court may consider necessary under the circumstances, in order to secure the free and safe use of such street until the final trial of the case in respect of which the charge was brought up:

Provided that the issuing of such an order is subject to the provisions of the Civil Procedure Law, the Courts of Justice Law and the Civil Procedure Rules in force for the time being.

Cap. 155
93 of 1972
2 of 1975
12 of 1975
41 of 1978

(3) If any person against whom an order was issued under the provisions of subsection (2) fails or neglects to comply with such order within the period prescribed therein, it is lawful for the council to execute such order and the expenses incurred for the execution thereof are paid to the council by the person against whom the order was issued and such expenses are considered as a fine within the meaning of the Criminal Procedure Law, and their payment is consequently imposed.

(4) Any person against whom an order was issued under subsection (2) and who doesn't obey or fails to comply with such order, independently of whether the council proceeded with the execution or executed such order, shall be guilty of an offence and shall be liable to imprisonment for a term not exceeding six months, or to a fine not exceeding five hundred and seventeen Euros or to both such penalties.

3(1) of 166 of 1987.

(5) Notwithstanding the provisions contained in this or any other Law, any police officer may remove the name of a street affixed thereon, whether before or after the commencement of this Law, approval whereof has not been obtained as provided in paragraph (f) of subsection (1) of section 84.

Obstructing officers or servants of a municipality in execution of their duties.

125. Any person who obstructs any officer or servant of a municipality in the execution of any provision of this Law or municipal regulations issued under this Law shall be guilty of an offence and in case of conviction shall be liable to a fine not exceeding five hundred and seventeen Euros or to imprisonment for a term not exceeding six months, or to both such penalties, and the court before which the offence is tried may order such person to pay to the municipality such sum by way of damages occasioned by the obstruction as to the Court may seem just.

The Court may order the payment of fees or duties not paid.

126. (1) If the Court before which any person is brought for any contravention of this Law or for an offence against this Law or for the breach of any municipal bye-law made hereunder, finds such person guilty of such contravention or offence or breach of any municipal bye-law, such Court may in addition to the penalty it may consider fit to impose on such person and in addition to the costs of the proceedings order such person to pay any fees, tolls duties or taxes connected with the charge and which such person ought to have paid and which he failed or refused or neglected to

pay.

- (2) All such fees, tolls, duties and taxes ordered by the Court to be paid shall be recoverable in the same way as fines or other penalties are recovered under any Law in force for the time being for the recovery of fines and penalties.

Fines to be paid to the municipal fund.	127.	All fines, penalties, fees and costs recovered under this Law shall be paid to and shall form part of the town fund unless otherwise provided therein.
Power of municipality to recover charges, additional encumbrances, rents, fees, etc. 19 of 25 of 1986.	128.	Every municipality may sue and recover by civil proceedings from any person in default any charges, additional encumbrances, rents, fees, duties, taxes or tolls prescribed in this Law or in any municipal bye-law made hereunder, notwithstanding that the non-payment thereof is due to an act or omission of such person which is made an offence under this Law or any such municipal bye-law and notwithstanding that the person in default has not been prosecuted in respect of such offence.
Offences not otherwise provided for. 20 of 25 of 1986.	129.	Any person who contravenes any provision of this Law or of the Bye-Laws made under this Law, for the contravention whereof no penalty is provided by this Law or by such Bye-Laws shall be guilty of an offence and shall if convicted be liable to a penalty not exceeding two hundred pounds.
Councillor or officer accepting bribes, etc. Cap. 154. 13 of 1959 13 of 1959 3 of 1962 43 of 1963	130.	For the purposes of sections 100 to 105 (both inclusive) of the Criminal Code, any mayor, deputy mayor or councilor shall in respect of his duties as mayor, deputy mayor or councilor be deemed to be a person employed in the public service.

PART IX

MISCELLANEOUS PROVISIONS.

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| Procedural acts. | 131. | <ol style="list-style-type: none">(1) Without prejudice or influence to the provisions of paragraph (a) of subsection (1) of section 46, the municipality may be represented before the Courts by its town clerk or by any other person duly authorized in writing for this purpose by the mayor.(2) The town clerk or any other person authorized in writing for the purpose by the mayor, may start any criminal or civil proceedings in the name of the municipality. |
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- (3) Service of any Court document to the municipality may be duly effected by the service of such document on the mayor or to the town clerk.
- Court fees. 132. Notwithstanding the provisions of any other Law or Procedural Rule, the Court fees in respect of any proceedings under this Law, a sum may be paid yearly for one off payment be the municipality, assessed in each case by the Minister of Justice.
- Regulations. 133. (1) Subject to the provisions of section 87, the Council of Ministers shall issue regulations published in the official gazette of the Republic for the determination of any matter under this Law which needs to be determined, of every necessary particular for the execution of the provisions of this Law, and for the better application of the provisions thereof.
- (2) Regulations made under this Law are submitted to the House of Representatives. If within thirty days from their submission, the House of Representatives does not decide to amend or annul the regulations being so submitted, in whole or in part, then upon the expiration of the aforesaid time-limit they are published in the Official Gazette the Republic and they shall come into force as from such publication. Where the regulations are amended by the House of Representatives in whole or in part they are published in the Official Gazette of the Republic as amended as amended and shall come into force from such publication.
- General additional encumbrance. 134. If any duties, fees, taxes or charges payable under this Law or any municipal regulations made there under are not paid at the time on which they are duly due and payable under this Law and such regulations, the debtor thereof or anyone of them will pay further to the amount of such duties, fees or charges additional encumbrance equal to 10 % of the amount due.
- No person shall be discharged from the obligation of the payment taxes. 135. Subject to the provisions of this Law, no natural or public corporate bodies, the Government not excluded, shall be discharged from the obligation of the payment of any taxes, fees, duties, tolls or changes payable under this Law or any municipal regulations made thereunder.
- Discharge of municipalities from the taxation, the stamp duties, etc. 136. Every municipality shall be discharged-
- (a) from any stamp duties payable under the Stamps Law in force for the time being;

(b) from the payment of any tax or duty payable under the Motor Vehicles and Road Traffic Law in force for the time being, on the registration or grant of the circulation licence to any motor vehicle belonging to the municipality.

17 of 47(I) of 2003.
9 of 1965
181(I) of 2002.

(c) From the payment of any tax payable under the Transfer and Mortgage of Immovable Property Law.

Service of notices,
etc. how to be
effected.

137. Notices, orders or any other documents required or authorized to be served under this Law, may be served by delivering them to or at the residence of the persons to whom how to be they are respectively addressed or, where addressed to the owner effected or to the occupier of the premises, by delivering them or a true copy thereof to a person within the premises, or if there is no person within the premises who can be so served, by fixing them on some conspicuous part of the premises or by their dispatch through the post office by a registered letter addressed to such person to his last know postal address in Cyprus. Any notice required by this Law to be given to the owner or to the occupier of any premises, may be addressed by the description of him as “owner” or “occupier” of the premises (naming them) in respect of which the notice is given, without further name or description.

PART X

TEMPORARY PROVISIONS

Elections in
municipalities under
occupation.

72 of 1979.
73 of 1980
16 of 1981.

138. (1) During the emergency situation the election for the municipalities which are situated in the territory of the Republic which is under Turkish occupation shall be carried out in accordance with the provisions of the Election of the Members of the House of Representatives Law adjusted to the conditions of every case as the Minister may think proper.

(2) Without prejudice or influence to the generality of subsection (1) the Minister has power for this purpose to-

(a) appoint the places of election for these municipalities at any time he may think proper-

(b) prescribe the electors who will vote in every such place of election;

(c) make generally such arrangements in respect with the submission of candidatures, the electoral procedure and the declaration of the persons elected which, under the

conditions of each case he may think proper.

- 72 of 1979
73 of 1980
16 of 1981.
- (3) In the application of the Election of the Members of the House of Representatives Law under this section, the Minister has power to abridge or enlarge any time limit therein and to proceed to such rearrangements of the Forms provided therein as the conditions of each case would require.
- Power to the Council of Ministers in respect with the elections etc.
139. (1) The Council of Ministers has power to order, when in its opinion the existing conditions and generally the public interest require so, the non carrying out of elections in respect with a municipality which is situated in an area not under the control by the Republic:
- 3(a) of 50 of 1986.
- 21 of 25 of 1986.
- Provided that in any case in which the Council of Ministers might order the non carrying out of elections in respect of any such municipality, the Council of Ministers may order at any subsequent time the carrying out of elections for nomination of a council for such municipality, whereas it will appoint the place and the date during which these elections will be carried out, and such date will be considered as if it was the date appointed by the Minister under the provisions of section 19.
- 2 of 149 of 1986
2 of 63 of 1987
2(a) of 165 of 1987.
- (2) (a) Whenever an order might under subsection (1) in connection with the first general municipal elections and notwithstanding the provisions of the proviso of subsection (1), the municipal committee existing during the date of issuing of such order will continue to perform the duties and execute the powers of a council of the affected municipality for a period of fifteen months from the issuing of the order.
- 2(b) of 165 of 1987
2(1)(a) of 39 of 1988.
2(a) of 204 of 1988.
- (b) The Council of Ministers shall appoint a municipal committee which will execute the powers and perform the duties of a council of the affected municipality the term of which starts upon the expiration of the period of the fifteen months mentioned in paragraph (a), and expires seven days after the carrying out of the elections for the affected municipality;
- 2(1)(b) of 39 of 1988
2(b)&(c) of 204 of 1988.
- Provided that the term of the council so elected will expire at the same year as the term of the other elected municipal councils.
- (c) The provisions of subsection (3) in relation with the appointment and the constitution of municipal committee

shall apply for the appointment of a committee under paragraph (b).

3 of 50 of 1986
6 of 8(I) of 1986.

(3) (a) In any other case, the Council of Ministers shall appoint a Municipal Committee which consists of six members in municipalities the electors of which do not exceed 4.000, of eight members in municipalities the electors of which exceed 4.000 but do not exceed 6.000, of ten members in municipalities the electors of which exceed 6.000, but do not exceed 9.000, of twelve member in municipalities the electors of which exceed 9.000, but do not exceed 12.000, of fourteen members in municipalities the electors of which exceed 12.000 but do not exceed 15.000 and of sixteen members in municipalities the electors of which exceed 15.000.

(b) The members of the municipal committee shall be appointed from members of the municipality the names of which are included in a list submitted by the parties represented in the House of Representatives at the proportion they are for the time being represented therein.

2 of 320 of 1987

(c) The District Officer convenes as soon as possible, after the appointment of the members, a meeting of the Committee over which he presides without having the right to vote. At such meeting the members elect one of them as c Chairman and one of them as a Vice Chairman. This election is made by a secret ballot.

Chairman of the Committee is elected such candidate who receives the immediate next integral number of half of the members of the Committee. The Vice Chairman of the Committee is elected with the same majority.

The District Officer enters the minutes of such meeting in a register of minutes of the Committee and signs such entry.

2 (2) (a) and (b) of 39
of 1988

Provided that, notwithstanding the provisions (2) of this section, and until the first municipal elections are held for municipalities situated in an area not controlled by the Republic, the Chairman and the Vice Chairman of the relevant municipal committee will be pointed out by every party by their appointed members in the relevant municipal committee and will exercise the competencies of their position in rotation.

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| <p>Power of the Council of Ministers not to order the holding of a plebiscite, etc.</p> <p>22 of 25 of 1986.</p> | <p>139A. Notwithstanding the provisions of paragraph (a) of subsection (1) of section 4, the Council of Ministers has power not to order the holding of a plebiscite in relation with any town, improvement area or village, which have or acquire population exceeding 5,000 residents and which are situated in an area not controlled by the Republic.</p> |
| <p>Special provision for the suspension of payment of fees for overnight stays in hotels, etc.</p> <p>2 of 51(I) of 2009.
2 of 121(I) of 2010.</p> | <p>139B. (1) The provisions of paragraph (a) of sub-section (2) of section 85 of this Law shall not apply for the period from the 1st of May 2010 to the 31st of December 2010.</p> <p>(2) Notwithstanding the provisions of sub-section (1) of this section, the council has the power within the municipal limits to require every manager or person in charge of a hotel, tourist lodging or hostel to produce registers and printed matter, related to the payment for overnight stay of persons over the age of ten years in the abovementioned areas, for inspection by such persons and of such reasonable time as may be prescribed by the council.</p> |
| <p>3 of 51(I) of 2009.</p> | <p>3. The Municipalities (Amending) Law 51(I) of 2009 shall be deemed as having entered into force from the 1st of May 2009.</p> |
| <p>3 of 121(I) of 2010.</p> | <p>3. The Municipalities (Amending) Law 121(I) of 2010 shall be deemed as having entered into force from the 1st of May 2010.</p> |

PART XI

TRANSITIONAL PROVISIONS.

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|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|
| <p>Repeal and saving.</p> | <p>140. (1) The Municipality Laws of 1964 are hereby repealed.</p> |
| <p>64 of 1964
15 of 1966
9 of 1970
47 of 1970
89 of 1970
87 of 1972
73 of 1979
89 of 1979
26 of 1981
42 of 1982
22 of 1983
62 of 1984.</p> | |

(2) The municipal committees existing at the date of the beginning of the force of this Law will continue to exist until the date of appointment of a municipal committee under the provisions of subsection (2) of section 3 or of the beginning of the term of the councils which will be elected under the provisions of this Law as provided in section 20 or until the appointment of a municipal committee under the provisions of section 139, as the case may be.

23 of 25 of 1986.

(3) The Municipal Regulations which were issued by the Council of Ministers and the municipal regulations which were issued by council, under the provisions of the repealed Law, until they are amended or revoked by Regulations or by municipal regulations which will be issued under the provisions of this Law, as far as they are not contrary to the provisions of this Law they are considered as issued under the provisions of this Law.

(4) Every order issued under the provisions of the repealed Law, until it is amended or revoked by order which will be issued under the provisions of this Law is considered as issued under the provisions of this Law and shall be used as if it had been issued under the provisions of this Law.

(5) Every appointment, authorization, approval or other act of every nature made by a council under the repealed Law or the regulations made thereunder or under municipal regulations, shall be considered as made under the provisions of this Law.

(6) Every permission granted or issued under the provisions of the repealed Law shall be considered as granted or issued under the provisions of this Law.

Special provision for the right to elect and be elected during the municipal elections by citizens of other member-states residing in the Republic.

141. The provisions of this Law shall apply to the degree and the extent that they are not in contravention to the Municipal Elections (Nationals of Other Member-States) Law.

4 of 53(I) of 2005.

98(I) of 2004.

FIRST SCHEDULE
Form
(Section 22)

WARRANT OF ELECTION

To the Returning Officer of members of the council of the municipality
Whereas under subsection (1) of section 22 of the Municipalities Law of 1985 it is provided that for the purpose of election of the members of the councils of the municipalities the Minister of interior issues warrants of election bearing the lawful seal and addressed to the Returning Officers,

And whereas after the Declaration published under notification number in the Third Schedule of the official gazette of the Republic of 20 it has become necessary that warrants of election of members of the councils of the municipalities be issued,

Now therefore the undersigned Minister of Interior does order that the lawful notice having been given about the determination of the time and place for the nomination of the candidates to proceed on the day of 20.....and at the hour of 12.30 p.m. in your office in the District Officer's Office to the election of the Members of the council for the said municipality in accordance with the law, and if the necessity arises proceed to the carrying out of a poll on the day20..... and notify me of the results of the election by endorsement of this warrant not later than the.....Day20.....

Issued on the day of2.....
The Minister of Interior.

SECOND SCHEDULE
(Section 43)

REGULATION OF MEETINGS AND PROCEEDINGS OF THE COUNCIL.

1. The meeting of the council takes place at any day during the second week of every month for carrying out of general business.
2. (a) The meetings of the council are public;
(b) The council may, if it considers it necessary, meet in a closed

2 of 54(I) of
1992.

meeting after a relevant decision thereof which is taken by a simple majority of the present and voting councilors.

3. The mayor may at any time convene a meeting of the council.
4. Twenty four hours at least before any meeting of the council it shall be left to the usual place of residence of every member of the council an invitation to appear in a meeting in which there shall be determined the business which will be carried out during such meeting.
5. If the mayor refuses to convene a meeting after an application submitted to him for this purpose and signed by one half of the total number of the persons who hold the position of councilors for the time being, such councilors may immediately on such refusal convene a meeting. If the mayor, although he does not refuse, he doesn't convene a meeting within seven days from the submission of such application, such councilors may after the expiration of these seven days convene a meeting.
6. Fourty eight hours at least before any meeting of the council, a notice giving the time and place of the intended meeting and signed by the mayor or by the members of the council, when the meeting is convened by the members of the council, is posted on or near the outside door of the office of the major during the working hours. When the meeting is convened by members of the council, the notice determines the business which is intended to be carried out during such meeting.
7. No other business except the one determined in the relevant notice is carried out during a meeting, unless there are present and consent two thirds at least of the total number of the persons who hold for the time being the position of councilors.
8. During every meeting of the council the mayor presides over it if he is present, and if he is absent the vice mayor presides. When both are absent, then the councilor who was elected by the present members of the council for this purpose presides.
9. All the actions of the council and all the matters presented or raised before may be decided by majority of such members of the council who are present and vote during a meeting convened in accordance with the provisions of the Municipalities Law, provided that the total number of the councilors who are present and either vote or not is not less than the number which is required for quorum purposes, that is to say one half plus one of the total number of the persons who for the time being hold the position of councilors, except when such Law provides for certain cases special quorum.

10. In case of equality of votes, the president of any meeting has in addition to his own vote a second or casting vote.
11. The minutes of every meeting are recorded exactly by the municipal secretary, are entered in a book kept for this purpose, are approved by the council during the next meeting thereof and are signed in the way the Municipalities Law provides.
12. During the meeting of the council its members are obliged.
 - (a) To avoid actions annoying the normal carrying out of the business of the council; and
 - (b) To avoid the using of an insulting language against the person of any member of the council.

3 of 54(I) of
1992.

This Law 54 (I) of 1992 shall enter into force on the 1st January 1993.

THIRD SCHEDULE

PROFESSIONAL LICENSES (Sections 104 and 105).

5(a) of 227(I) of 2002.	1. Annual licence	Fee not exceeding. Euros
	(a) Companies of limited liability carrying on insurance, shipping, air or banking business and also financing organizations	5.125
	(b) Companies of limited liability not failing into the paragraph (d) above:	
	(i) Private companies: either local or foreign, either controlled by aliens or not-	

(aa)	Having an issued share capital not exceeding Euros 8,540 or a number of employees not exceeding 5	769
(bb)	Having an issued share capital exceeding Euros 8.620 but not exceeding Euros 17.240 or a number of employees exceeding 5 but not exceeding 10	1.025
(cc)	Having an issued share capital exceeding Euros 17.240 or number of employees not exceeding 10	1.452

Provided that if any private company falls into more than one categories, such company will be classified in the category in accordance with which the highest fee is paid.

(u)	Public Companies: either local or foreign, either controlled by aliens or not	5.125
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For the purposes of this Schedule the Electricity Authority of Cyprus, the Telecommunications Authority of Cyprus, the Cereals Committee, the Ports Authority of Cyprus and the Water Boards at their seat and each of their offices, will be considered and classified as public companies of limited liability.

(c)	General and limited companies-	
(aa)	Having number of employees not exceeding 5	769
(bb)	Having number of employees exceeding 5 but not exceeding 10	1.025
(cc)	Having number of employees exceeding 10 ..	1.452
(d)	Offshore companies	3.075
(e)	Cooperative institutions	854
(f)	Other corporations not included into any of the above categories	854

2. Six month Licences –

One half of the fees set above.

Provided that the annual increase imposed on the fees set out in the above Schedule is up to the percentage 14% of the fees of the previous year, beginning on the basis of the fees which are payable immediately before the commencement the Municipalities (Amendment) (No. 2) Law of 1996 coming into force.

FOURTH SCHEDULE
(Section 113)

FORM OF LICENCE FOR USE OF A BUILDING E.T.C. FOR
CERTAIN PURPOSES.

Being the owner, (lessee or occupier) of the premises (or of the place or tent) which are known as..... and which are situated at is hereby authorized to use the said premises or take care or allow the said premises to be used for purposes for a period of from the day of(or the day of) under the terms mentioned below and subject to the provisions of the Municipalities Law and any law amending or substituting the same and the provisions of any municipal regulations made thereunder.

TERMS

1. The said premises (or place or tent) and the fixtures, fittings, furniture and the installations of lighting and ventilation thereof respectively, shall not be changed without the prior consent of the council to this effect.
2. It is not allowed to more than persons, including children, to be within the premises (or the place or the tent) at any time, from which not more thanis allowed to be within the..... (give details of the number of persons to whom it is allowed to be in the various places of the premises).

3. All the fire extinguishing equipments shall be kept in good working condition and ready for use.
4. When the entrance of the public within the premises (or the place or tent) is allowed at leastpersons shall be responsible for the fire extinguishers.
5. No cinematographic picture shall be presented publicly within the premises (or the tent) which had not been censored under any law in force, regarding the censorship of such pictures.
6. The present license cannot be transferred without the consent of the council previously obtained. Any such consent must be in writing and signed by the major and the municipal secretary.
7. This license shall be posted up in a conspicuous place near the main entrance of the premises (or the place or the tent).
8. Fee paid for the present licence €..... no part of which shall be refundable if for any reason the present licence be ratified or revoked.

Special terms (if any).

Date

(Signature).....
The Mayor

(Signature)
Municipal Secretary

NOTE: The present licence expires on the
day of 20

FIFTH SCHEDULE
(Section 85(2)(k)(i))

Fees for overnight stay in hotels, etc.

	Class of hotel enterprise	Fee not exceeding
		Euros
(i)	Five star hotels	1,03
(ii)	Four star hotels	0,93
(iii)	Three star hotels	0,82
(iv)	Two star hotels	0,61
(v)	One star hotels	0,51
(vi)	Hotels without a star and hostels	0,31
(vii)	Luxury Organized Apartments	0,82
(viii)	A' Class Organized Apartments	0,61
(ix)	B' Class Organized Apartments	0,51
(x)	C' Class Organized Apartments	0,41
(xi)	Tourist Apartments	0,41
(xii)	Luxury Tourist Villas	1,23
(xiii)	A' Class Tourist Villas	0,82
(xiv)	B' Class Tourist Villas	0,61
(xv)	C' Class Tourist Villas	0,51
(xvi)	A ¹ Class Tourist Villages	0,61
(xvii)	B ¹ Class Tourist Villages	0,41
(xviii)	A' Class Boarding Houses	0,82
(xix)	B' Class boarding Houses.....	0,61
(xx)	C' Class Boarding Houses	0,41
(xxi)	A' Class Tourist Campings	0,41
(xxii)	B' Class Tourist Campings.....	0,31

Provided that the annual increase imposed on the fees set out in the above Schedule is up to the percentage 14% of the fees of the previous year beginning on the basis of the fees which are payable immediately before the coming into force of the Municipalities (Amendment) (No.2) Law of 1996.

9 of 65(I) of 1996

SIXTH SCHEDULE
(Section 84 (g))

Refuse Fees

	Fee not exceeding Euros
(a) Houses	171
(b) Shops, warehouses, cafes	854
(c) Boarding Houses, hostels for sleeping or inns, organized apartments, tourist	6.834
(d) Hotels	17.086
(e) Printing offices, lithographic offices, clinics, factories, industrial enterprisers or other premises except those mentioned in paragraphs (a), (b), (c) and (d) above.	13.669

10 of 65(I) of 1996

SEVENTH SCHEDULE
(Section 103)

Licenses of professional premises

	Annual fee not exceeding Euros.
1. Annual Licenses –	
(a) Craftsmen working on their own account	34
(b) Professionals exercising free profession, that is to say doctors,	

advocates, architects, mechanics, merchants, manufacturers and enterprises, working as individuals	51
(c) Companies of limited liability carrying on insurance, shipping, air or banking business and also financing organizations	769
(d) Companies of limited liability not falling into the paragraph (c) above -	
(i) Private companies: either local of foreign, either controlled by aliens or not-	
(aa) having an issued share capital not exceeding Euros 8.543 or a number of employees not exceeding 5	120
(bb) having an issued share capital exceeding Euros 8.543 but not exceeding Euros 17.086 or a number of employees exceeding 5 but not exceeding 10	154
(cc) having an issued share capital exceeding Euros 17.086 or a number of employees exceeding 10	222
Provided that if any private company falls into more than one category, such company will be classified in the category in accordance with which the highest fee is paid.	
(ii) Public Companies: either local or foreign, either controlled by aliens or not	769
For the purposes of this Schedule the Electricity Authority of Cyprus, the Telecommunications Authority of Cyprus, the Cereals Committee, the Ports Authority of Cyprus and the Water Boards at their seat, and each of their offices in the other towns, will be considered and classified as public companies of limited liability.	
(e) General and limited partnerships –	
(aa) Having a number of employees not exceeding 5	120
(bb) Having a number of employees exceeding 5 but not exceeding 10	154
(cc) Having a number of employees exceeding 10	222
(f) Offshore companies	461
(g) Cooperative institutions	137
(h) Other natural or legal persons not falling into any of the above categories	137

2. Six month Licences –

One half of the fees set out above.

Provided that the annual increase imposed on the fees set out in the above Schedule is up to the percentage 14% of the fees of the previous year beginning on the basis of the fees which are payable immediately before the Municipalities (Amendment) (No 2) Law of 1996 coming into force.

Transitional
provision.
8 of 119 of 1990.

Section 7 of this Law shall enter into force on 1st March 1991

Notwithstanding any provision of the principal law with respect to specifying the date of receipt of the municipal fee on immovable property for the year 1991 the following provisions shall apply:

Special
Provisions
regarding the
municipal rate
on immovable
property for the
year 1991.

- (a) The municipal fee of immovable property shall amount to a percentage of 12.5 percent on the estimated value of the immovable property as this is recorded or entered in the books of the District Lands Office concerned on the 31st of December 1983.
- (b) The municipal fee is payable by the 31st of December 1991.
- (c) If the municipal fee on immovable property is not paid by the 30th of June 1992, a further charge shall be added thereto equal to the highest interest rate permissible in the Republic.

2 of 223 of 1991.

6 of 227 (I) of
2002.

This Law 227(I) of 2002 shall enter into force on the 1st of January 2003.