

INTERPRETATION.

10 OF 1901.

TO AMEND THE LAW WITH REGARD TO THE CONSTRUCTION OF LAWS.

W. F. HAYNES-SMITH.]

[July 27, 1901.

Short title.

1. This Law may be cited as the Interpretation Law, 1901.

Meaning of
certain words
in enact-
ments since
1879.

2. In this Law, and in every Law passed after the 17th of January, 1879, whether before or after the commencement of this Law, unless the contrary intention appears:—

- (a.) Words importing the masculine gender include females;
- (b.) Words in the singular include the plural, and words in the plural include the singular;
- (c.) The expression “ Her Majesty ” or “ The Queen ” includes the heirs and successors of her late Majesty Queen Victoria;
- (d.) The expression “ His Majesty ” or “ The King ” includes the heirs and successors of His Majesty King Edward VII.;
- (e.) The expression “ High Commissioner in Council ” means the Officer Administering the Government of Cyprus, with the advice of the Executive Council of the Island;
- (f.) The word “ Commissioner ” includes any Commissioner or Assistant Commissioner of a District, or any person duly appointed by the High Commissioner to act as such;
- (g.) The word “ Court ” means any Tribunal empowered by Law to act judicially in the Island;
- (h.) The expression “ Court of Competent Jurisdiction ” means any Court having by law jurisdiction in the matter for adjudication;
- (i.) The word “ District ” means any division or subdivision of the Island so defined in any Law or Proclamation;
- (j.) The word “ Island ” means the Island of Cyprus with its dependencies;
- (k.) The word “ master ” means any person having charge of a ship or vessel;
- (l.) The word “ month ” means a calendar month;
- (m.) The words “ oath,” “ swear,” “ affidavit ” include the affirmation or declaration of any person allowed to make an affirmation or declaration in place of an oath;
- (n.) The word “ person ” includes any body of persons corporate or unincorporate;

- (o.) The word "pound" means pound sterling;
 (p.) The expressions "Public Office" or "Department" include any office or department performing public duty by authority and on behalf of His Majesty;
 (q.) The word "year" means twelve calendar months.

3. Where in this Law, or in any Law or Rule of Court passed or made after the date named in the last preceding section, whether before or after the commencement of this Law, reference is made to any public officer by the term designating his office, the term shall include the officer for the time being executing the duties of the office, and such other officer as may from time to time be appointed to undertake any portion of those duties.

Reference to public officers in enactments since 1879.

4. In all cases where any particular number of days is prescribed or mentioned in any such Law or Rule of Court passed or made after the dates aforesaid for the doing of any act or for any other purpose, they shall be reckoned exclusive of the first and inclusive of the last day.

Computation of time in enactments since 1879.

Provided that:—

- (a.) Where the number of days is less than six, Sunday and any day notified in the *Cyprus Gazette* as a public holiday shall not be counted, and
 (b.) When the number of days (whether less than six or not) expires on a Sunday or any day notified in the *Cyprus Gazette* to be a public holiday, the act or purpose shall be considered as done or effected on the day next afterwards, not being one of these days.

5. In this Law and every other Law, whether passed before or after the commencement of this Law, expressions referring to writing shall, unless the contrary intention appears, be construed as including references to printing, lithography, photography, and other modes of representing or reproducing words in a visible form.

Meaning of "writing" in past and future Laws.

6. In this Law and in every Law passed after the commencement of this Law the following expressions shall, unless the contrary intention appears, have the meanings hereby assigned to them, namely:—

Meaning of certain words in future Laws.

- (1.) The expression "Secretary of State" means one of His Majesty's Principal Secretaries of State;
 (2.) The expression "The United Kingdom" means the United Kingdom of Great Britain and Ireland;
 (3.) The expression "Imperial Parliament" or "Parliament" means the Parliament of the United Kingdom;

- (4.) The expression "*travaux forcés*" or "imprisonment with *travaux forcés*," or "imprisonment with hard labour" means the punishment defined by Article 19 of the Ottoman Penal Code, as modified by the Criminal Law and Procedure Amendment Law, 1886;
- (5.) The expression "imprisonment" or "simple imprisonment" means the punishment defined by Article 34 of the said code;
- (6.) The expression "Loan Commissioners" means the Board of Commissioners constituted under the authority of the Public Loans Law, 1897;
- (7.) The expression "Municipal Authority" means the Municipal Council, Municipal Commission, or other body duly authorized by Law to exercise municipal authority and government;
- (8.) The expression "Village Authority" means the persons who are recorded in the office of the Commissioner of the District as being the *Mukhtar* and *Azas* for the time being of any village;

(9.) The expression "Village Commission" means the persons who are recorded in the office of the Commissioner of the District

Sec. 6 of Law 10 of 1901 (at p. 474) has been amended by the addition thereto of the following sub-sections:-

(18) The expression "Comptroller of Customs and Excise" means the Comptroller of Customs and Excise to the Government of Cyprus for the time being.

(19) The expression "Director of Land Registration and Surveys" means the Director of Land Registration and Surveys to the Government of Cyprus for the time being.

(20) The expression "Director of Education" means the Director of Education to the Government of Cyprus for the time being.

(21) The expression "Postmaster-General" means the Postmaster-General to the Government of Cyprus for the time being.

(22) The expression "Assistant District Judge" means an Assistant District Judge appointed under the provisions of the Cyprus Courts of Justice Order, 1927.

Wherever in any Laws, Proclamations, Regulations, or other enactments in force in Cyprus the words "Chief Collector of Customs and Excise" "Registrar General" "Chief Inspector of Schools" "Island Postmaster" or "Village Judge" occur, the words "Comptroller of Customs and Excise" "Director of Land Registration and Surveys", "Director of Education", "postmaster General" or "Assistant District Judge" respectively shall be read in place thereof.

Vide Law 21 of 1927

- (4.) The expression "*travaux forcés*" or "imprisonment with *travaux forcés*," or "imprisonment with hard labour" means the punishment defined by Article 19 of the Ottoman Penal Code, as modified by the Criminal Law and Procedure Amendment Law, 1886;
- (5.) The expression "imprisonment" or "simple imprisonment" means the punishment defined by Article 34 of the said code;
- (6.) The expression "Loan Commissioners" means the Board of Commissioners constituted under the authority of the Public Loans Law, 1897;
- (7.) The expression "Municipal Authority" means the Municipal Council, Municipal Commission, or other body duly authorized by Law to exercise municipal authority and government;
- (8.) The expression "Village Authority" means the persons who are recorded in the office of the Commissioner of the District as being the Mukhtar and Azas for the time being of any village;
- (9.) The expression "Village Commission" means the persons who are recorded in the office of the Commissioner of the District as being the Azas for the time being of any village;
- (10.) The expression "~~Chief~~ Secretary" means the Chief Secretary to the Government of Cyprus for the time being;
- (11.) The expression "financial year" means the twelve months ending the 31st of December;
- (12.) The word "days" means clear days;
- (13.) The word "Law" includes "Ordinance."
- (14.) The word "donum" or "scala" means an area of one thousand six hundred square yards according to the British Imperial Standard;
- (15.) The expression "Peace Officer" means any member of the Cyprus Military Police.

41. 1922, 2.

Law 14 of 1925

Amendment or repeal of Laws in same session.

Construction of statutory rules, etc.

7. Any Law may be altered, amended, or repealed in the same session of the Legislative Council.

8. Where any Law whether passed before or after the commencement of this Law confers power to make, grant, or issue any instrument, that is to say, any Order in Council, Order, Warrant, Scheme, Rules, Regulations, or Bye-Laws, expressions used in the instrument, if it is made after the commencement of this Law, shall, unless the contrary intention appears, have the same meanings as in the Law conferring the power.

9.—(1.) Where a Law passed after the commencement of this Law confers a power or imposes a duty, then, unless the contrary intention appears, the power may be exercised and the duty performed from time to time as occasion requires.

Construction of provisions as to exercise of powers and duties.

(2.) Where a Law passed after the commencement of this Law confers a power or imposes a duty on the holder of an office, as such, then, unless the contrary intention appears, the power may be exercised and the duty shall be performed by the holder for the time being of the office.

(3.) Where a Law passed after the commencement of this Law confers a power to make any Rules, Regulations, or Bye-Laws, the power shall, unless the contrary intention appears, be construed as

Sec. 6 of Law 10 of 1901 (at p.474) is hereby amended by the addition thereto of the following sub-sections:-
 (16) The expression "Attorney-General" means the Attorney-General to the Government of Cyprus for the time being.

(17) The expression "Treasurer" means the Treasurer to the Government of Cyprus for the time being.

3. Wherever in any Laws, Proclamations, Regulations or other enactments in force in Cyprus the words "Chief Secretary", "King's Advocate" or "Receiver-General" occur the words "Colonial Secretary", "Attorney-General" or "Treasurer" respectively shall be read in place thereof.

Vide Law 14 of 1925.

instrument, that is to say, any Order in Council, Order, Warrant, Scheme, Rules, Regulations, or Bye-Laws, to give notices, to prescribe forms, or to do any other thing for the purposes of the Law, that power may, unless the contrary intention appears, be exercised

preceding the commencement of Law.

Sec. 6 of Law 10 of 1901 (at p. 474) has been amended by the addition thereto of the following sub-section:-

23. The expression "Director of Health" means the Director of Health to the Government of Cyprus for the time being.

Vide Law 22 of 1928

9.—(1.) Where a Law passed after the commencement of this Law confers a power or imposes a duty, then, unless the contrary intention appears, the power may be exercised and the duty performed from time to time as occasion requires.

Construction of provisions as to exercise of powers and duties.

(2.) Where a Law passed after the commencement of this Law confers a power or imposes a duty on the holder of an office, as such, then, unless the contrary intention appears, the power may be exercised and the duty shall be performed by the holder for the time being of the office.

(3.) Where a Law passed after the commencement of this Law confers a power to make any Rules, Regulations, or Bye-Laws, the power shall, unless the contrary intention appears, be construed as including a power, exercisable in the like manner and subject to the like consent and conditions, if any, to rescind, revoke, amend, or vary the Rules, Regulations, or Bye-Laws.

10. In the measurement of any distance for the purposes of any Law passed after the commencement of this Law that distance shall, unless the contrary intention appears, be measured in a straight line in a horizontal plane.

Measurement of distances.

11.—(1.) In this Law, and in every Law passed either before or after the commencement of this Law, the expression “ commencement ” when used with reference to a Law means the time at which the Law comes into operation.

Commencement.

(2.) Where a Law passed after the commencement of this Law, or any Order in Council, Order, Warrant, Scheme, Letters Patent, Rules, Regulations, or Bye-Laws made, granted, or issued under a power conferred by any such Law, is expressed to come into operation on a particular day, the same shall be construed as coming into operation immediately on the expiration of the preceding day.

12. Where a Law passed after the commencement of this Law is not to come into operation immediately on the passing thereof, and confers power to make any appointment, to make, grant, or issue any instrument, that is to say, any Order in Council, Order, Warrant, Scheme, Rules, Regulations, or Bye-Laws, to give notices, to prescribe forms, or to do any other thing for the purposes of the Law, that power may, unless the contrary intention appears, be exercised at any time after the passing of the Law, so far as may be necessary or expedient for the purpose of bringing the Law into operation at the date of the commencement thereof; subject to this restriction, that any instrument made under the power shall not, unless the contrary intention appears in the Law, or the contrary is necessary for bringing the Law into operation, come into operation until the Law comes into operation.

Exercise of statutory powers between passing and commencement of Law.

Effect of
repeal.

13.—(1.) Where a Law, whether passed before or after the commencement of this Law, repeals a repealing enactment it shall not be construed as reviving any enactment previously repealed unless words are added reviving that enactment.

(2.) Where a Law passed after the commencement of this Law repeals wholly or partially any former enactment and substitutes provisions for the enactment repealed, the repealed enactment shall remain in force until the substituted provisions come into operation.

Effect of
repeal in
future Laws.

14.—(1.) Where this Law or any Law passed after the commencement of this Law repeals and re-enacts, with or without modification, any provisions of a former Law, reference in any other Law to the provisions so repealed shall unless the contrary intention appears, be construed as references to the provisions so re-enacted.

(2.) Where this Law or any Law passed after the commencement of this Law repeals any other enactment, then, unless the contrary intention appears, the repeal shall not:—

(a.) Revive anything not in force or existing at the time at which the repeal takes effect, or

(b.) Affect the previous operation of any enactment so repealed or anything duly done or suffered under any enactment so repealed, or

(c.) Affect any right, privilege, obligation, or liability acquired, accrued, or incurred under any enactment so repealed, or

(d.) Affect any penalty, forfeiture, or punishment incurred in respect of any offence committed against any enactment so repealed, or

(e.) Affect any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation; liability, penalty, forfeiture, or punishment as aforesaid;

And any such investigation, legal proceeding, or remedy may be instituted, continued, or enforced and any such penalty, forfeiture, or punishment may be imposed as if the repealing Law had not been passed.

Saving for
past Laws.

15. The provisions of this Law respecting the construction of Laws passed after the commencement of this Law shall not affect the construction of any Law passed before the commencement of this Law, although it is continued or amended by a Law passed after such commencement.

Publication
and coming
into
operation
of Laws.
4. 1913, 2.

16.—(1.) Every Law enacted by His Excellency the High Commissioner and Commander-in-Chief of the Island of Cyprus with the advice and consent of the Legislative Council thereof shall be

published in the *Cyprus Gazette* as soon as possible after it has received the assent of His Majesty or of the High Commissioner, and shall, unless some other time is therein specified for bringing it into operation, come into operation on such publication in the *Cyprus Gazette*.

(2.) The date of such publication in the *Cyprus Gazette* shall be printed in some convenient place on each copy of the Law, and shall, unless some other time is specified in the Law for bringing it into operation, be taken notice of, in all Courts and for other purposes, as the date of such Law coming into operation.

17. Every Law shall be numbered, dated and cited as of the year in which it is passed :

Assent not given in same year as Law is passed. 4. 1913, 3

Provided that, where the assent to a Law is not or cannot be obtained in the year in which the same is passed, and such Law contains in its title or short title, if any, the date of such year, such Law shall be numbered, dated and cited as of the year in which the assent shall be given, and shall be so read and construed, and in every copy or edition of the said Law the said title and short title shall be printed accordingly.

INVOLUNTARY SERVITUDE.

29 OF 1879.

TO REMOVE DOUBTS AS TO THE LEGAL ABOLITION OF INVOLUNTARY SERVITUDE IN CYPRUS, AND TO DECLARE THE LAW IN RESPECT THERETO.

ROBERT BIDDULPH.]

[December 27, 1879.

WHEREAS doubts have been expressed whether involuntary servitude in this island has been abolished in due form of Law, and it is expedient that these doubts should be removed :

Be it therefore enacted :—

1. Involuntary servitude, except for any crime or offence whereof a person shall have been duly convicted, is hereby declared to be unlawful.

Involuntary servitude unlawful.

2. No rights arising out of an alleged property in the person and services of another as a slave shall be enforced by any Civil or Criminal Court, or other authority whatsoever within this Island.

No rights arising out of involuntary servitude to be enforced.