

CAP. 66.

CYPRUS

GOATS

CHAPTER 66 OF THE LAWS

1959 EDITION

PRINTED BY

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

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1959

CHAPTER 66.

GOATS.

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TO PROVIDE FOR THE REDUCTION OF THE NUMBER OF
GOATS IN CYPRUS.

1949 Cap. 99.
20 of 57

[7th July, 1913.]

Short title.

1. This Law may be cited as the Goats Law.

Interpreta-
tion.

2. In this Law—

“ Officer-in-charge ” means any person appointed in writing by the Governor for carrying out of any of the provisions of this Law ;

“ prescribed port ” means a prescribed village declared a prescribed port under the provisions of section 5 ;

“ prescribed village ” means a town or village declared a prescribed village under the provisions of section 4 ;

“ property owner ” means any person who is eighteen years of age and who—

(a) owns not less than ten donums of land within the limits of the village whether such land is or is

- not registered in the name of such person in the books of the District Lands Office ; or
- (b) being an inhabitant of the village, owns a flock of not less than twenty-five goats or twenty-five sheep or a mixed flock of twenty-five goats and sheep.

3. (1) Whenever the boundaries of a prescribed village are altered—

Alteration of boundaries of prescribed villages.

2 of 32/48.

- (a) any new area or lands added to the area or lands of such village shall be deemed to be included in, and form part of, such prescribed village without any further order ;
- (b) any area or lands taken out of the area or lands of such village shall cease to form part of such prescribed village without any further order.

(2) This section shall be deemed to have come into operation on the 1st June, 1948.

4. (1) If a petition is made to the Commissioner by not less than ten property owners of any village or the Commissioner considers that it is desirable to exclude goats from any village, the Commissioner may order a ballot to be taken of all property owners.

Power to Commissioner to order ballot.

3 of 31/35.

(2) For the purpose of ascertaining the property owners of the village in respect of which an order is made under subsection (1) of this section, a District Inspector shall prepare a list of the property owners and shall post up such list in a conspicuous place within the village and such list shall be subject to the provisions of subsection (3) hereof be final and conclusive.

(3) Any property owner whose name does not appear in such list may, within one month from the posting of the list, apply to the Commissioner that his name should be included in such list and the Commissioner may revise the list accordingly and the revised list shall be final and conclusive.

(4) The Commissioner shall appoint the hour and the day for the ballot and shall give due notice of the same by posting or causing to be posted in a conspicuous place within the village a notice, not less than fifteen days before the day appointed for such ballot.

(5) The Commissioner or the District Inspector shall preside at the ballot and in case of any dispute as to whether

a person is entitled to vote the decision of the presiding officer shall be final.

(6) If the ballot shows that the majority of the voters on the list as provided by subsections (2) and (3) of this section are in favour of the exclusion of goats the Commissioner may by Order under his hand declare such village to be a prescribed village :

Provided that any property owner who is not present at the taking of the ballot or who fails to record his vote thereat, shall be deemed to have voted in favour of the exclusion of goats.

Prescribed port.

5. The Governor in Council may declare any prescribed village to be a prescribed port.

Orders to be published in Gazette and posted up.
4 of 31/35.

6. Every Order of the Commissioner under section 4 of this Law and every Order in Council under section 5 of this Law shall be published in the Gazette, and a copy thereof shall, as soon as possible, be posted in the languages spoken in the village in question on the door of the church and of the mosque, if any, and in a conspicuous place in the said village, and a certificate under the hand of the Commissioner certifying the posting, shall be deemed to be conclusive evidence of such posting.

3 of 32/48.

After twelve months from publication goats to be excluded.
2 of 18/30.

7. After the expiration of twelve months from the publication in the Gazette of an Order declaring a village to be a prescribed village, it shall be unlawful for any person to acquire, keep or suffer any goat to graze within the boundaries of such village :

Provided that:—

5 of 31/35.

(a) every family living in one house and forming one common household may within the boundaries of a prescribed village acquire, keep and graze goats, not exceeding three in number (exclusive of any kids thereof of an age not exceeding fifteen months) within the boundaries of such village :

Provided always that such goats and kids, if any, shall be always kept tethered and under proper and adequate supervision ;

(b) any monastery, teké or other owner of land of not less than five hundred donums in one plot, although within the boundaries of a prescribed

village, may graze goats therein to the number of not more than one goat for every ten donums :

Provided always that such goats shall not be allowed to graze in the said village elsewhere than on the said land ;

- (c) the Commissioner may, by writing under his hand, authorize any person to keep within an enclosure approved by the Commissioner such number of goats as may be specified in the written authorization and subject to such terms and conditions as may be specified therein. The Commissioner may, in his discretion, revoke any written authorization upon the breach of any of its terms or conditions or for any other reasonable cause. 3 of 20/57.

8. (1) Notwithstanding anything in this Law contained, the maximum number of goats allowed to be acquired, kept and grazed by a family in a prescribed village under the provisions of paragraph (a) of the proviso to section 7 of this Law shall be increased from three to five if a ballot of all property owners of the village, taken in the manner hereinafter provided, shows that the majority of such property owners are in favour of such an increase. Increase in number of tethered goats.
3 of 20/57.

(2) The Commissioner shall order a ballot as aforesaid to be taken if a petition is made to him by not less than ten property owners of a prescribed village for such a ballot to be taken or if the Commissioner considers that it is desirable for such a ballot to be taken.

(3) The provisions of subsections (2), (3), (4), (5) and (6) of section 4 of this Law shall apply, *mutatis mutandis*, to a ballot taken under this section as they apply to a ballot taken under the said section 4.

(4) Upon a ballot being taken in a prescribed village and the majority of the property owners being in favour of the increase aforesaid paragraph (a) of the proviso to section 7 in its application to such village shall be construed as if for the word "three" occurring in the fourth line thereof there had been substituted the word "five".

9. Any declaration that a village shall be a prescribed village shall not in any way affect the grazing rights, if any, in any forest, of any monastery, teké or person being or living in such village. Grazing rights in forest.

Goats not to be introduced into prescribed villages ; except for slaughter. 6 of 31/35.

10. (1) After the expiration of fifteen days from the date of the posting in the village in manner described in section 6, of an Order declaring a village to be a prescribed village, any person resident in such village who shall acquire or purchase a goat or any person who shall bring into such village a goat which was not at the expiration of the said fifteen days in the village shall be guilty of an offence against this Law, and shall on conviction be adjudged to pay one shilling for every goat in respect of which the offence has been committed and every such goat shall be forfeited.

(2) This section shall not apply to goats acquired by inheritance or bequest.

(3) This section shall not apply to goats brought into such village for the purpose of slaughter within ten days of being so brought in ; provided that any such goat shall be kept confined or tethered during the period not exceeding the said period of ten days which may elapse before its slaughter.

(4) Offences against this section shall be tried by any District Court having jurisdiction over the place in which the offence is alleged to have been committed. Provided that in addition to all other rights of appeal and subject to compliance with all terms, conditions and provisions regulating appeals from District Courts any person against whom an order for confiscation has been made under this section in respect of goats to the value of five pounds or upwards may appeal to the Supreme Court against the conviction and order.

3 of 18/30.

(5) This section shall not apply to goats and any kids thereof acquired or kept under the provisions of section 7 of this Law.

Goats born in a prescribed village.

11. The provisions of section 10 shall not apply to any goat born after the date on which the village was prescribed of any goat lawfully in such village.

Purchase of goats in prescribed village.

12. (1) During the last two days prior to the expiration of the period of twelve months referred to in section 7 (1) in respect of any prescribed village, the Officer-in-Charge shall attend at such village at reasonable times on each of the said two days and shall purchase all goats which are lawfully kept in such village and which belong to any person resident in such village or possessed of immovable property therein as shall be brought to him by such person or his agent.

(2) For the purpose of valuing a goat for purchase in manner provided above the Officer-in-Charge shall if possible agree with the owner as to the purchase price, but in the event of no such agreement being arrived at the purchase price shall be referred for decision to an arbitrator to be appointed by the District Council (Mejlis Idaré) and the decision of such arbitrator so appointed shall be final and conclusive.

(3) Any goat found during the said two days in such village and not belonging to a person resident in such village or possessed of immovable property therein shall be forthwith confiscated without compensation by the Officer-in-Charge, unless the owner of such goat shall prove to the Officer-in-Charge that such goat was in the village without his knowledge or consent.

(4) The provisions of this section shall not apply to goats and kids thereof acquired or kept under the provisions of section 7 of this Law. ^{4 of 18/30.}

13. (1) If any goat or kid is found in any prescribed village contrary to the provisions of section 7 of this Law, both the owner of such goat or kid and the person, if any, in whose charge it was at the time shall be guilty of an offence against this Law and shall, on conviction, be adjudged to pay fifty mils for every goat or kid in respect of which the offence has been committed and every such goat or kid shall be forfeited : <sup>Offences and penalties.
4 of 32/48.</sup>

Provided that nothing in this section shall apply—

- (a) to any goat or kid in the possession of the Officer-in-Charge for the purposes of section 12 ;
- (b) to any goat or kid brought into any such village for the purpose of slaughter :

Provided, however, that such goat or kid shall be slaughtered within eight days from the day on which the same was brought into the village and that such goat or kid is in the meantime kept confined or tethered.

(2) Offences against this section shall be tried by any District Court having jurisdiction over the place in which the offence is alleged to have been committed :

Provided that in addition to all other rights of appeal and subject to compliance with all terms, conditions and provisions regulating appeals from District Courts any person against whom an order for confiscation has been

made under this section in respect of goats to the value of five pounds or upwards may appeal to the Supreme Court against the conviction and order.

Revocation of exclusion order.
8 of 31/35.

14. (1) The Commissioner, at any time after the expiration of seven years from the date of the making of an order for the exclusion of goats, may, upon the application of the Village Commission, revoke such order if, having regard to all the circumstances, he considers that it would be in the best interests of the village so to do.

(2) Any order or revocation under subsection (1) may be made subject to such terms and conditions as the Commissioner may, with the concurrence of the Village Commission, think fit to impose.

Forfeiture of equivalent number of goats or kids in certain cases.
5 of 32/48.

15. Notwithstanding anything in this Law contained, whenever any goats or kids are forfeited under the provisions of this Law and for any reason the identification of the goats or kids in respect of which the offence has been committed is not possible or practicable, there shall be forfeited instead thereof an equivalent number of goats or kids being the property of the person convicted.

Passage of goats through prescribed village.

16. Notwithstanding anything in this Law contained it shall be lawful—

(a) to take goats along a road passing through a prescribed village, provided that such goats are being taken from and to places outside the prescribed village and that such journey is prosecuted with all reasonable speed ;

(b) to bring into and keep goats within a prescribed port for shipment on export from the Colony, provided that such goats are shipped within a period of one month or other such time as the Governor in Council may by order direct from the date of being brought into such prescribed port and that while waiting shipment such goats are kept confined or tethered.

Goats in prescribed port for export.

Disposal of confiscated goats.

17. The Governor in Council may make such Order for the disposal of any goats confiscated under the provisions of this Law as may from time to time be deemed necessary.

Sale or disposal of goats or kids prohibited in certain cases.
2 of 7/37.

18. (1) Where any police officer, District Inspector or rural constable has reasonable grounds to believe that an

offence has been committed against the provisions of section 10 (1) or 13 (1), such police officer, District Inspector or rural constable shall forthwith serve or cause to be served upon the person alleged to have committed the offence, or upon the owner of the goat or kid in respect of which the offence is alleged to have been committed if such owner is not the person who is alleged to have committed the offence, a notice in writing containing the particulars in subsection (2) prescribed :

Provided that a rural constable shall not serve or cause to be served any notice under this subsection save where such rural constable has previously obtained, either generally or in respect of a particular notice, the written authority of the Village Commission.

(2) Every notice under subsection (1) shall contain the following particulars, that is to say—

- (a) the date upon which and the place at which the offence is alleged to have been committed ;
- (b) the nature of the alleged offence ;
- (c) the number and description of the goats or kids in respect of which the offence is alleged to have been committed ;
- (d) that the alleged offence is under investigation.

(3) Subject to the provisions of subsection (4), a person upon whom a notice has been served under subsection (1) shall not, as from the date of the service of such notice, sell, slaughter, part with or otherwise dispose of, any goat or kid, to which the notice relates, until after the expiration of ten days from the date on which he is convicted in any criminal proceedings which may be instituted against him in connection with the offence alleged in the notice. 6 of 32/48.

(4) If within a period of thirty days from the date of the service of a notice under subsection (1) no summons has been served in respect of the alleged offence on the person concerned, the provisions of subsection (3) shall no longer apply.

(5) Subject to the provisions of subsection (4), any person who acts in contravention of subsection (3) shall be guilty of an offence against this Law, and shall on conviction be liable to imprisonment for three months or to a fine of ten pounds or to both.

Prohibition
of importa-
tion of
goats.
Exceptions.
1 of 10/88.
7 of 38/48.

19. The importation into Cyprus of goats is prohibited :
Provided that the Governor in Council may from time to time permit the importation of goats into Cyprus to a limited extent for the Courban Bairam or for any other special object, subject to such regulations and restrictions as shall be imposed by the Order permitting the importation, for a period to be named in the Order, and may from time to time revoke the permission or vary the regulations and restrictions.