



SUPPLEMENT No. 3

TO

THE CYPRUS GAZETTE No. 2749 OF 30TH AUGUST, 1939.
SUBSIDIARY LEGISLATION.

No. 184. THE EMERGENCY POWERS (DEFENCE) ACT, 1939.

REGULATIONS MADE BY THE GOVERNOR UNDER SECTION 1.

W. D. BATTERSHILL,
Governor.

Repealed 3/6/40.

Whereas the Emergency Powers (Defence) Act, 1939, has by clause 3 of the Emergency Powers (Colonial Defence) Order in Council, 1939, been extended to the Colony of Cyprus subject to the exceptions, adaptations and modifications in the said Order specified;

And whereas by section 1 of the Emergency Powers (Defence) Act, 1939, the Governor is empowered to make such regulations as appear to him to be necessary or expedient for securing the public safety, the defence of the territory, the maintenance of public order and the efficient prosecution of any war in which His Majesty may be engaged, and for maintaining supplies and services essential to the life of the community;

Now, therefore, in exercise of the powers vested in him by section 1 of the Emergency Powers (Defence) Act, 1939, His Excellency the Governor has been pleased to make and hereby makes the following regulations:—

PART I.—PRELIMINARY.

1. These Regulations may be cited as the Emergency Powers (Cyprus Defence) Regulations, 1939, and shall come into operation on and from the date of their publication in the *Gazette*.

Citation and date of coming into operation.

2. The ordinary avocations of life and the enjoyment of property will be interfered with as little as may be permitted by the exigencies of the measures required to be taken for securing the public safety, the defence of the Colony, the maintenance of public order and the efficient prosecution of any war in which His Majesty may be engaged, and for maintaining supplies and services essential to the life of the community, and ordinary civil offences will be dealt with by the Civil Courts in the ordinary course of law.

General principles.

The Competent Authority executing these regulations shall, in carrying them into effect, observe these general principles.

PART II.—GENERAL REGULATIONS.

3. The Competent Authority may by order prohibit the manufacture, sale, purchase, transfer or disposal of and may order the surrender of firearms, parts of firearms, military arms, parts thereof, air guns, and air rifles, ammunition, or explosive substances or any class thereof within an area specified in such order either absolutely or subject to such conditions as may be specified therein.

Power to control dealing in firearms, etc.

- Power to prohibit carrying of firearms, etc.
4. The Competent Authority may by order prohibit all or any persons or any class or description of persons within any town, village or area specified in the order from—
- (i) carrying outside their house or premises any firearm, whether licensed to do so by any law in force in the Colony or otherwise, or
 - (ii) wearing or carrying outside their house or premises any offensive or dangerous weapon or instrument.
- Power to clear areas.
5. The Competent Authority may by order require the whole or any part of the inhabitants of any town, village or area specified in the order to leave that town, village or area either for an indefinite period or for such period as may be specified in the order.
- Control of meetings or assemblies.
6. No meeting or assembly of more than five persons shall be held in any place or building without the previous permission in writing issued by the Commissioner of the District with the approval of the Senior Naval or Military Officer within the District :
- Provided that nothing in this regulation contained shall be deemed to apply to any persons who—
- (a) peacefully meet or assemble together for the purpose of carrying on their lawful calling, occupation, profession, business or trade, or of performing their ordinary religious duties ; or
 - (b) are members of the same household or meet or assemble together in private houses for ordinary social intercourse.
- Power to order persons to remain indoors.
7. The Competent Authority may by order require every person within any town, village or area specified in the order to remain within doors between such hours as may be specified in the order :
- Provided that an order made under this regulation shall not apply to any person who is in possession of a permit in writing issued by the local Superintendent of Police with the approval of the Senior Naval or Military Officer within the District.
- Any such order may provide—
- (i) for the closing of doors, windows and shutters,
 - (ii) for the obscuring of lights in order that lights may not penetrate into streets or other public places,
 - (iii) for the prohibition of dancing, music or undue noise, other than that created by trades which are usually carried on by night,
 - (iv) that all persons shall be upon the premises in which they usually reside, during such hours as may be specified in such order.
- Power to order persons not to reside in specified places.
8. The Competent Authority may by order prohibit any person who is suspected of acting or of having acted or of being about to act in a manner prejudicial to the public safety from residing in or entering any town, village or area specified in the order, and upon the making of such an order the person to whom the order relates shall, if he resides in any specified town, village or area, leave that town, village or area within such time as may be specified by the order and shall not subsequently reside in or enter any town, village or area specified in the order. Any such order may further require the person to whom the order relates to report for approval his proposed place of residence to any person named in such order and to proceed thereto and report his arrival to the nearest police station within such time as may be specified in the order, and not subsequently to change his place of residence without leave of such person named in the order.
- Control of places of public resort and entertainments.
9. The Competent Authority may by order require all or any coffee shops, clubs, theatres, cinematograph theatres, premises licensed for the sale of intoxicating liquors or any other premises wherein any entertainment of any description is held, within any town, village or area specified in the order to be closed and remain closed except during such hours and for such purposes as may be specified in the order.
- Possession of signalling apparatus.
10. The Competent Authority may by order forbid the possession of any searchlight, semaphore, or other apparatus intended for or capable of being used for signalling, whether visual or otherwise, or the display,

erection or use of any signal, or the sending up of any balloon or the flying of any kite which is of such a nature as to be capable of being used as a means of signalling, and may by such order direct that all or any such apparatus as aforesaid be surrendered on demand.

11.—(1) The Competent Authority may by order prohibit the making, buying, selling or possession of all or any apparatus or all or any component parts thereof for the sending or receiving of messages by wireless telegraphy, and may by such order require the surrender on demand of all or any such apparatus or all or any such component parts. Control of wireless apparatus.

(2) The Competent Authority may by order provide for prohibiting in certain circumstances, and otherwise for regulating, the use of wireless transmitting apparatus; and if any apparatus is used in contravention of an order under this paragraph, then (without prejudice to any proceedings which may be taken against any other person) the occupier of the premises on which the apparatus is situated, or, where the apparatus is on board any vessel or aircraft, the master of the vessel or the pilot of the aircraft, as the case may be, shall each be guilty of an offence against this regulation:

Provided that, in any proceedings which, by virtue of this paragraph, are taken against any person in respect of the use of any apparatus by some other person in contravention of such an order, it shall be a defence for the defendant to prove that the apparatus was so used without his permission and that he exercised all due diligence to prevent any contravention of the order.

(3) An officer authorized in that behalf by the Competent Authority may, in relation to any ship or aircraft, take such steps, and use such force, as may appear to such officer to be reasonably necessary for securing compliance with any order under paragraph (2) of this regulation relating to the ship or aircraft, or, where a contravention of such an order has occurred in the case of the vessel or aircraft, for enabling proceedings in respect of the contravention to be effectually taken.

(4) Notwithstanding anything in the Wireless Telegraphy Laws, 1913 to 1934, the Governor or the Governor in Council in his discretion may refuse to grant a licence under the said Laws, and may revoke at any time a licence granted under such Laws.

12. No person shall without the written permission of the Governor make any photograph, sketch, plan, model or other representation of— Control of photography.

- (a) any place or thing within any area for the time being specified in an order made by the Governor as being an area in which the makings of such representations are prohibited;
- (b) any naval or military work, or any dock or harbour work, wherever situate;
- (c) any other place or thing of such nature that such representations thereof are calculated to be or might be directly or indirectly useful to an enemy in time of war;

and no person in any such area or in the vicinity of any such work shall without lawful authority or excuse have in his possession any photographic or other apparatus or material or thing suitable for use in making any such representations.

13.—(1) From and after the publication in the *Gazette* of an Order by the Governor in that behalf, no person shall without the written permission of the Governor use or have in his possession or under his control any cypher, code or other means adapted for secret communications, Control of cyphers, codes, etc.

(2) Any person who has in his possession or under his control any cypher, code or other means of secret communication shall, if so required by the Governor, supply the key or other means of decyphering.

Prohibition
on use of
secret means
of com-
munication.

14. No person shall send from the Colony, whether by post or otherwise, any letter, document, or substance containing any written matter which is not visible or legible unless the medium in which it is written is subjected to heat or some other treatment, or any letter, document, or substance in which any other means for secretly communicating information is used.

Pigeons.

15.—(1) Subject as hereinafter provided, no live pigeon shall be imported into the Colony except under the authority of a licence granted by the Competent Authority; and pigeons shall, if imported into the Colony otherwise than under the authority of such a licence, be deemed to be goods the importation of which is prohibited by the Customs Laws, 1936 to (No. 2) 1938, which Laws shall apply accordingly:

Provided that this paragraph shall not apply to anything done by any servant of His Majesty acting in the course of his duty as such.

(2) Subject as hereinafter provided, no person shall—

(a) have in his possession or under his control, or liberate, any racing pigeon or homing pigeon except under the authority of a written permit granted by the Competent Authority,

(b) knowingly kill, wound or take any such pigeon, or

(c) remove or tamper with any article attached to such a pigeon, being an article which he has reasonable cause to believe to be a means of identifying the pigeon or of communicating information:

Provided that—

(i) this paragraph shall not apply to anything done by, or with the permission or under the direction of, any servant of His Majesty or police officer acting in the course of his duty as such; and

(ii) nothing in sub-paragraphs (b) and (c) of this paragraph shall apply to anything done in relation to a pigeon by the person entitled to possession thereof or by any person acting on his behalf.

(3) With a view to enforcement of this regulation, any police officer may liberate any pigeons found by him at any place, and may enter any premises for the purpose of exercising his powers under this paragraph.

(4) Whenever any person finds dead or unable to fly a racing pigeon or homing pigeon to which there is attached any article which he has reasonable cause to believe to be a means of identifying the pigeon or of communicating information, he shall forthwith cause the pigeon to be delivered to some member of His Majesty's forces or any police officer:

Provided that nothing in this paragraph shall impose any obligation in respect of a pigeon upon any person, or the servant or agent of any person, who is entitled to have that pigeon in his possession or under his control by virtue of a permit granted under paragraph (2) of this regulation.

Spreading
reports or
making
statements
likely to
cause dis-
affection.

16. No person shall by word of mouth or in writing or in any newspaper, periodical, book, pamphlet, notice, circular or other printed publication spread any report or make any statement which is likely—

(a) to cause disaffection to His Majesty or to the Government, or

(b) to raise discontent or disaffection amongst His Majesty's subjects or inhabitants of the Colony, or

- (c) to cause fear or alarm to the public, or
- (d) to disturb the public peace, or
- (e) to hinder or disturb the lawful administration of the Colony, or
- (f) to cause any difficulty or hindrance to any officer in the service of the Government in the lawful performance of his duties.

17. The Governor may by order restrict the use of any telephone service to such persons as he may think fit.

Power to restrict use of telephones.

18. No person without lawful authority shall tear down, deface, damage or destroy any proclamation, notice, intimation or document affixed to any place or building by or on behalf of the Government or of His Majesty's Naval, Military or Air Forces.

Destruction of notices prohibited.

19.—(1) No person shall injure or do any act calculated to injure, or to prevent the proper use or working of any public building, dock, harbour work, aerodrome, landing ground, railway, tunnel, bridge, viaduct, culvert, road, tramway, vehicle, telegraph or telephone line, wireless apparatus, cable or plant, mine, shop, factory, waterworks, electric generating station, or any works or plant used or adapted for use for the production, supply, storage or transport of food, fuel, munitions, water, light, heat or power.

Injury to property.

(2) If any person approaches or is in the neighbourhood of or enters any such place as aforesaid with intent to do injury thereto, he shall be guilty of an offence against these regulations; and notwithstanding that no such act or injury is committed by him, he shall be deemed to be guilty of such an offence if by reason of his being in possession of any explosive or incendiary substance or lethal weapon or dangerous missile, or otherwise from the circumstances of the case, or his conduct or his known character as proved, it appears that his purpose was to do such injury.

20. No person shall, without lawful excuse, loiter in any public place, and every person shall, when so ordered by a police officer in uniform, move on.

Loitering in a public place.

21.—(1) Any officer or member of His Majesty's Naval, Military or Air Forces or of the Cyprus Police Force while on duty may enter if need be by force any premises or place suspected of being used for purposes of endangering the public safety, and may search any part of such place or premises and may seize and detain anything found therein which is suspected of being used for such purposes as aforesaid, or the keeping of which in such place or premises involves the commission of an offence against these regulations, and may deal with the thing so seized in such manner as the Governor may direct.

Power of entry and of search.

(2) Any officer or member of His Majesty's Naval, Military or Air Forces or of the Cyprus Police Force while on duty may stop and search any vehicle which he has reason to suspect to be used for any purpose prejudicial to the public safety, or contrary to these regulations or to be carrying any article, the possession, use or carrying of which is an offence against these regulations and may seize and detain any such vehicle or any such article found therein, and may deal with the vehicle or article so seized in such manner as the Governor may direct.

PART III.—CENSORSHIP, CONTROL OF PUBLICATIONS, ETC.

Inter-
pretation.

22. For the purpose of this Part of these regulations—

“Telegram” means any message or other communication transmitted or intended for transmission by any apparatus for transmitting messages or other communications by means of electric signals;

“Postal packet” means a letter, post-card, newspaper, book-packet, pattern or sample packet, circular, legal and commercial document, packet of photographs or parcel transmitted or intended for transmission by post;

“Newspaper” means any paper containing public news, intelligence, or occurrences, or any remarks, observations or comments in relation to such news, intelligence or occurrences, printed for sale or free distribution and published in the Colony.

Power to
appoint
censors.

23. The Governor may by warrant under his hand appoint censors for the purpose of controlling and dealing with telegrams, postal packets, and newspapers.

Powers of
censor of
telegrams.

24.—(1) Any censor of telegrams shall have the powers following:—

(a) Control of the transmission of all telegrams by any telegraph company.

(b) Power to examine every telegram sent or received to or from any place within or without the Colony and all other papers relating to any telegram.

(c) Power to stop, eliminate any portion of, delay or alter any telegram.

(d) Power to destroy any telegram.

(2) This regulation shall not apply to any telegram sent or received by or on behalf of the Government, or of His Majesty's Naval, Military or Air Forces.

Powers of
censor of
postal
packets.

25.—(1) Any censor of postal packets shall have power to detain, open, examine and if he thinks it expedient to destroy all or any postal packets addressed, or intended to be delivered through the Post Office, to any person either within or without the Colony.

(2) This regulation shall not apply to any postal packet sent or received by or on behalf of the Government or of His Majesty's Naval, Military or Air Forces.

Powers of
censor of
newspapers.

26.—(1) Any censor of newspapers shall have the powers following:—

(a) Power to require the proprietor of any newspaper to produce to him for censorship any issue of such newspaper before publication thereof.

(b) Power to eliminate any portion of or alter any of the contents of any issue.

(c) Power to suppress the publication of any newspaper or the publication of any issue of any newspaper.

(2) Any person who refuses or neglects to carry out or disobeys any requirement, direction or order of a censor of newspapers shall be deemed to have acted in contravention of these regulations.

(3) This regulation shall not apply to the *Gazette*.

Control of
publications.27.—(1) From and after the publication in the *Gazette* of an Order by the Governor in that behalf, no person shall print, publish, circulate or distribute any book, pamphlet, notice or circular of any kind without the permission in writing of the Commissioner of the District first obtained.

(2) This regulation shall not apply to any publication by or on behalf of the Government of the Colony or of His Majesty's Naval, Military or Air Forces.

28. If any person, having in his possession or under his control any document, note, photograph, sketch, plan, design, model, pattern, specimen or article (including any key or other instrument affording means of access to information) of such a nature as is calculated to be, or might be, directly or indirectly useful to an enemy in time of war—

Possession or control of documents, notes, pamphlets, etc., calculated to be useful to an enemy in time of war.

- (a) without lawful authority destroys, makes away with, or allows any person to inspect or to be in possession of such document, note, photograph, sketch, plan, design, model, pattern, specimen or article as aforesaid; or
- (b) loses, fails to take reasonable care of, or so conducts himself as to endanger the safe custody of such document, note, photograph, sketch, plan, design, model, pattern, specimen or article as aforesaid; or
- (c) retains such document, note, photograph, sketch, plan, design, model, pattern, specimen or article as aforesaid in his possession or control when he has no right to retain it, or when it is contrary to his duty to retain it; or
- (d) fails to comply with any directions issued by lawful authority with regard to the custody, production or the return of such document, note, photograph, sketch, plan, design, model, pattern, specimen or article as aforesaid;

he shall be guilty of an offence against these regulations, and if any person without lawful authority or excuse has in his possession or under his control any document, note, photograph, sketch, plan, design, model, pattern, specimen or article as aforesaid he shall be guilty of an offence against these regulations.

29.—(1) The Governor may by order, either generally or in the case of any particular persons, prohibit the despatch by post from the Colony of postal packets of any class or description specified in the order except with such permission or on such conditions as may be specified in the order. The foregoing provision shall not apply to letters and other postal correspondence, trade circulars and catalogues, bills of lading, invoices and similar trade documents, cheques, bills of exchange and other negotiable or valuable securities despatched in accordance with any Post Office Regulations for the time being in force.

Power to prohibit despatch by post from the Colony of postal packets.

(2) If any person affected by any such order fails to comply therewith or with any condition contained therein or with any conditions subject to which permission thereunder has been granted, he shall be guilty of an offence against these regulations.

(3) Any person who transmits any postal packet by any indirect route or otherwise in such manner as to evade examination by a censor of postal packets shall be guilty of an offence against these regulations unless he proves that he did not intend that the examination should be evaded and that the matter contained in the postal packet does not contravene the provisions of any other of these regulations and is otherwise lawful.

(4) This regulation shall be in addition to and not in derogation of the provisions of any enactment, order, proclamation or regulation respecting the export of merchandise or trading with an enemy in time of war.

Power to require certain persons to make declarations as to whether they are carrying or conveying letters, written messages, etc., and power to search.

30.—(1) Any person landing or embarking at any place in the Colony, and any person who by reason of his occupation or habits has special opportunities of communicating with the crews and passengers of vessels and aircraft, shall, on being required to do so by the Competent Authority, make a declaration as to whether or not he is carrying or conveying any letters, written messages or memoranda or any written or printed matter (including plans, photographs and other pictorial representations), and, if so required, shall produce to the person making the requisition any such letters, messages, memoranda or written or printed matter; and the Competent Authority may search any such person and any baggage with a view to ascertaining whether such person or the person to whom the baggage belongs is carrying or conveying any such letters, messages, memoranda, or written or printed matter. The Competent Authority may examine any letters, messages, memoranda or written or printed matter so produced to him or found on such search, and may transmit them to a censor of postal packets who shall have power to deal with them as though they had been postal packets.

(2) The Competent Authority may detain and search any package received in, or intended for despatch from the Colony, and if such package contains anything which had it been a postal packet, would have been liable to censorship under these regulations, shall transmit such thing to a censor of postal packets, who shall have power to deal with such thing as though it had been a postal packet.

(3) Any person who knowingly makes any false declaration under this regulation, or on being required to produce any such letters, messages, memoranda or written or printed matter as aforesaid refuses or neglects to do so, or otherwise acts in contravention of this regulation, shall be guilty of an offence against these regulations.

Postal packets conveyed otherwise than by post to be submitted to censor of postal packets. Saving.

31. No person shall convey otherwise than by post any postal packet save and until such postal packet has been submitted to a censor of postal packets and passed for transmission by him.

32. Regulation 31 shall not be construed as allowing or permitting any breach of the provisions of the Post Office Laws, 1881 to 1933.

PART IV.—CONTROL OF PORTS, AERODROMES, ETC., AND MOVEMENTS OF VESSELS AND AIRCRAFT.

General control of navigation.

33.—(1) The Governor may by order make provision as to the places in or to which vessels may be or go, and generally for regulating the movements, navigation, pilotage, anchorage, mooring, berthing and lighting of vessels within the harbours and territorial waters of the Colony and any order made under this regulation is hereinafter in these regulations referred to as "a navigation order".

(2) If, in the case of any vessel, a navigation order is contravened or not complied with, the master of the vessel shall be guilty of an offence against this regulation.

(3) The Competent Authority may, in relation to any vessel, take such steps, and use such force, as may appear to that person to be reasonably necessary for securing compliance with any order under this

regulation relating to the vessel, or, where an offence against this regulation has occurred in the case of the vessel, for enabling proceedings in respect of the offence to be effectually taken.

(4) The provisions of this regulation shall apply in relation to seaplanes on the surface of the water as those provisions apply in relation to vessels, and seaplanes taking off from, or alighting on, the water shall be deemed, for the purpose of this regulation, to be on the surface of the water while in contact therewith.

34.—(1) The Governor may, if it appears to him to be necessary or expedient for the safety of ships registered in the Colony and of persons on board such ships so to do, make provision by order for securing that any ship registered in the Colony to which the order applies shall not, except under permission granted by the Competent Authority, proceed to sea from any port in the Colony unless such requirements in respect of the alteration of the structure or external appearance of the ship, and in respect of the equipping of the ship with any particular apparatus, contrivance or appliance, as may be contained in the order have been complied with, and an order under this regulation may be made so as to apply either to a particular ship or to ships of a particular class.

Measures
for safety
of ships.

(2) If any ship proceeds or attempts to proceed to sea in contravention of an order made under this regulation, the master of the ship and the person having the management thereof shall each be guilty of an offence against this regulation.

(3) The Competent Authority may, in relation to any ship, take such steps, and use such force, as may appear to such authority to be reasonably necessary for securing compliance with any order under this regulation relating to the ship, or, where an offence against this regulation has occurred in the case of the ship, for enabling proceedings in respect of the offence to be effectually taken.

35.—(1) (a) Without prejudice to any navigation order, the Governor, with a view to securing that ships registered in the Colony are used in such a manner only as may be considered expedient in the interests of the defence of the Colony or the efficient prosecution of any war in which His Majesty may be engaged, or for the maintenance of supplies and services essential to the life of the community, may by order provide that a ship registered in the Colony shall not proceed to sea from any port (whether within or outside the Colony) except under the authority of a licence granted by such authority or person as may be specified in the order; and any such order may contain provisions whereby a licence under the order may be granted subject to such limitations and conditions as the authority or person granting the licence thinks fit to impose with respect to—

Control of
trade by sea.

(i) the trades in which the ship may be engaged, and the voyages which may be undertaken by the ship,

(ii) the class of cargoes or passengers which may be carried in the ship, and

(iii) the hiring of the ship, and the terms upon which cargoes or passengers may be carried in the ship,

and may also contain provisions for requiring any ship in respect to which such a licence is in force to comply with any directions given by such authority or person as may be specified in the order as to the ports to which the ship is to proceed for any particular purposes.

(b) Any provision of an order under this paragraph may be framed so as to apply to any specified class of ship registered in the Colony,

and so as to apply to any such ships either wherever they may be or while in such waters, or engaged in such trades or on such voyages, as may be specified in the order.

(2) If any ship proceeds or attempts to proceed to sea in contravention of an order made under this regulation, or if otherwise there is any contravention of such an order in the case of a ship, the master of the ship and the person having the management thereof shall each be guilty of an offence against this regulation.

(3) The Competent Authority may, in relation to any ship, take such steps, and use such force, as may appear to such authority to be reasonably necessary for securing compliance with any order under this regulation relating to the ship, or, where an offence against this regulation has occurred in the case of the ship for enabling proceedings in respect of the offence to be effectually taken.

Control of
boats in
harbours or
ports.

36. The harbour or port authorities may by order or by the giving of directions regulate, restrict, control, or prohibit the use of boats in any harbour or port or the approaches thereto, and any person who disobeys or fails to observe any such order or direction shall be guilty of an offence against this regulation.

Control of
lighthouses,
etc.

37.—(1) Except under permission granted by the Governor,—

(a) no light, buoy, beacon or other apparatus used in the Colony for the purpose of aiding navigation in or on the water, shall be discontinued, altered or removed; and

(b) no variation shall be made in the mode of exhibiting or operating any such light, buoy, beacon or other apparatus.

(2) The Governor may, if it appears to him to be necessary in the interests of public safety or defence so to do, give directions for prohibiting or restricting the exhibition or operation of, or requiring the removal, alteration or concealment of, or the making of any variation in the mode of exhibiting or operating, any such light, buoy, beacon or other apparatus as aforesaid.

(3) If this regulation, or any direction given under this regulation, is contravened or not complied with in the case of any light, buoy, beacon or other apparatus, the person responsible for the maintenance of the light, buoy, beacon or other apparatus, as the case may be, shall be guilty of an offence against this regulation; and, in the case of a failure to comply with any such direction as aforesaid requiring the removal, alteration or concealment of any light, buoy, beacon or other apparatus, the Governor may (without prejudice to any proceedings which may be taken in respect of the offence) cause to be done all such work as may be necessary for securing compliance with the direction at the cost and expense of the person in default.

Deserters
from ships.

38. Any person lawfully engaged to serve on board any ship belonging to, or chartered or requisitioned by, or on behalf of, His Majesty, who in the Colony is, (by virtue of section two hundred and twenty-one of the Merchant Shipping Act, 1894), guilty of the offence of desertion or of absence without leave, may, notwithstanding anything contained in that Act, be conveyed on board his ship by, or under the direction of, any one or more of the following persons, that is to say, the master of the ship, the mate of the ship, the person having the management of the ship, any police officer, any commissioned officer in His Majesty's Forces and any Chief Officer of Customs (within the meaning of the said Act).

39.—(1) The power of the Governor under paragraph 4 of the First Schedule to the Colonial Air Navigation (Application of Acts) Order, 1937, to regulate or prohibit by order the navigation of aircraft shall be exercisable in relation to the navigation of aircraft registered in the Colony over any area outside the Colony, as it is exercisable in relation to the navigation of any aircraft over the Colony and the said paragraph shall have effect as if it enabled the Governor to make, in an order under that paragraph, such provision with respect to incidental and supplementary matters as appears to him to be necessary or expedient for the purpose of the order.

Amendment
of the
Colonial Air
Navigation
(Application
of Acts)
Order, 1937.
Gazette :
8.10.1937.

(2) In addition to the provisions authorized by the said paragraph 4, an order under that paragraph may, for the purpose of securing compliance with the order, contain provisions authorizing any commissioned officer in His Majesty's Forces or any person acting under the orders of any such officer to fire at any aircraft that flies or attempts to fly in contravention of the order.

(3) Paragraph 11 of the First Schedule to the Colonial Air Navigation (Application of Acts) Order, 1937, (which enables a person alleged to be guilty of an offence under the Acts or under any Order in Council or regulations made thereunder to be tried in any place where he is for the time being), shall extend to offences under any order made under paragraph 4 of the said Schedule, and accordingly the said paragraph 11 shall have effect as if there were therein inserted after the words " Order in Council " the word " order ".

Gazette :
8.10.1937.

40.—(1) No person shall enter any aerodrome, landing ground for aircraft, seaplane station or seaplane anchorage in the Colony without the permission in writing of the Competent Authority first obtained.

Entry into
aerodromes
landing
grounds, etc.,
prohibited.

(2) This regulation shall not apply to any person in the service of His Majesty's Naval, Military or Air Forces.

PART V.—TRANSPORTATION BY LAND, CONTROL OF TRANSPORT, AND MAINTENANCE OF STREETS, ETC.

41.—(1) The Competent Authority—

(a) may by order, or by the giving of directions, or by the issue of permits to which conditions may be attached, or in any other manner, regulate, restrict, control or prohibit the use upon any road of any vehicle of any description whatever (including the fares to be charged), whether such vehicle is propelled by mechanical power or otherwise, and whether used for drawing other vehicles or otherwise, and may at any time cancel any such permit and impound or take possession of any such vehicle which is being or has been used without such permit or in contravention of any such order or direction or of any condition attached to such permit ;

Road
transport.

(b) may take possession of any such vehicles as aforesaid, or require them to be placed at the disposal of any person specified by the Competent Authority by order either absolutely or by way of hire, and either for immediate or future use, and may provide for giving directions to the directors, officers or other persons concerned in the management of any undertaking of which such vehicles form a part as to the management and user thereof ;

(c) may require persons owning or having in their possession or under their control any such vehicle as aforesaid to comply with

any directions given by any person specified by order as aforesaid requiring them to use the vehicle for the conveyance of such goods at such time and by such route as may be specified in the directions ;

- (d) with a view to preventing congestion of traffic on or excessive damage to roads may by order prohibit, regulate, or provide for the regulation of transport thereon, and may by such order provide for directions being given for prescribing the routes to be followed and restricting the types of vehicles to be used thereon ;
- (e) may by order prescribe the route to be followed by persons on foot or on animals travelling from one place to another or in entering or leaving any town, village, area or district ;
- (f) may, where any local authority or person is under a duty to improve or maintain a street or public thoroughfare, give such directions with respect to the manner in which such duty is to be performed as to the Competent Authority may seem fit in the interests of defence, public safety, or the efficient prosecution of any war in which His Majesty may be engaged.

The provisions of this paragraph shall apply in relation to any bridge, drain or culvert as they apply in relation to a street or public thoroughfare.

(2) If any directions given under paragraph (1) (f) of this regulation are not complied with by the local authority or person to whom they are given, then (without prejudice to any proceedings which may be taken in respect of the offence) the Competent Authority may cause to be done all such work as may be necessary for securing compliance with the directions, at the expense of the local authority or person in default.

Control of
sale, supply,
etc., of
motor spirit.

42.—(1) The Competent Authority may by order prohibit or regulate the sale, supply, delivery or use of motor spirit or motor oil, and may by such order require any persons owning or having the power to sell or dispose of motor spirit or motor oil to place the same at the disposal of any person specified in the order.

(2) In this regulation—

“ Motor spirit ” includes any inflammable liquid substance capable of being used for driving motor vehicles.

“ Motor oil ” includes any oil ordinarily used for the lubrication of motor vehicles.

PART VI.—GENERAL CONTROL OF TRADES AND INDUSTRIES.

General
control of
industry.

43.—(1) A Competent Authority, so far as appears to that authority to be necessary in the interests of defence or the efficient prosecution of any war in which His Majesty may be engaged, or for maintaining supplies and services essential to the life of the community, may by order provide—

- (a) for regulating or prohibiting the production, treatment, keeping, storage, movement, transport, distribution, sale, purchase, use or consumption of articles of any description, and, in particular, for controlling the prices at which such articles may be sold ;
- (b) for regulating the carrying on of any undertaking engaged in essential work, and, in particular, for controlling the charges which may be made by the undertakers in respect of the doing of any work by them ;
- (c) for requiring persons carrying on, or employed in connection with, any trade or business specified in the order to produce to such authority or person as may be so specified any books, accounts

or other documents relating to that trade or business, and for requiring any persons to furnish to such authority or person as may be specified in the order such estimates or returns as the Competent Authority may require ;

- (d) for any incidental and supplementary matters for which the Competent Authority thinks it expedient for the purposes of the order to provide, including, in particular, the entering and inspection of premises to which the order relates by persons authorized in that behalf by the Competent Authority, with a view to securing compliance with the order ;

and an order under this regulation may prohibit the doing of anything regulated by the order except under the authority of a licence granted by such authority or person as may be specified in the order, and may be made so as to apply either to undertakings generally or to any particular person or undertaking or class of persons or undertakings, and either to the whole or to any part of any undertaking, and so as to have effect either throughout the Colony or in any particular area therein.

(2) Where the right to make charges in connection with the carrying on of any undertaking with respect to which an order may be made under this regulation is limited by law, any order so made in relation to that undertaking may authorize the undertakers to make in that connection charges in excess of, or in addition to, those which they would otherwise be authorized to make.

(3) A Competent Authority, if it appears to that authority to be necessary so to do in the interests of public safety, defence or the efficient prosecution of any war in which His Majesty may be engaged, or for maintaining supplies and services essential to the life of the community, may carry on the whole or any part of any existing undertaking, or authorize a person to carry on the whole or any part of the undertaking, in accordance with any instructions of the Competent Authority ; and while by virtue of this paragraph a Competent Authority or a person so authorized is carrying on the whole or any part of an undertaking,—

(a) the said authority or person shall be deemed to be acting as the agent of the undertakers, except that the undertakers shall not have any right to control the carrying on of the undertaking or part of the undertaking ; and

(b) the undertakers shall not be bound, or, as the case may be, shall not in respect of such matters as may be specified by order of the Competent Authority, be bound, by any obligation or limitation imposed on them by or by virtue of any law or other instrument determining their functions.

(4) If any person refuses to sell any article the sale whereof is regulated by any order issued by the Competent Authority under sub-paragraph (1) (a) hereof such person may (without prejudice to any proceedings which may be taken in respect of the offence) be required by the Competent Authority to sell such article on the terms and subject to the conditions upon which the sale thereof is authorized or regulated by such order, and to deliver such article to the Competent Authority or any person named by the Competent Authority in that behalf.

(5) In this regulation—

(a) the expression “ essential work ” means work appearing to the Competent Authority to be essential for defence or the efficient prosecution of any war in which His Majesty may be engaged or to be essential to the life of the community ; and

(b) the expression "undertaking" means any public utility undertaking or any industrial or commercial enterprise, and the expression "undertakers," in relation to any such enterprise, means the person by whom it is carried on ;

and any reference in this regulation to articles shall be construed as including a reference to substances, vehicles, vessels or animals.

PART VII.—APPROPRIATION, CONTROL, REQUISITION AND DISPOSITION OF PROPERTY AND OF THE USE THEREOF.

Requisition-
ing of
property
other than
land.

44.—(1) Subject as hereinafter provided, the Governor, if it appears to him to be necessary or expedient so to do in the interests of public safety, defence or the efficient prosecution of any war in which His Majesty may be engaged, or for maintaining supplies and services essential to the life of the community, may by order provide for the requisitioning of—

- (a) any property other than land situated in the Colony ;
- (b) any article on board any vessel or aircraft for the time being within the Colony or the territorial waters thereof ; and
- (c) any ship or aircraft registered in the Colony, wherever it may be ;

and may give such directions as appear to him to be necessary or expedient in connection with the requisition :

Provided that this regulation shall not authorize the requisitioning of anything on board a United Kingdom or Dominion ship or aircraft.

(2) Where the Governor requisitions any property (including a ship or aircraft) under this regulation, he may use or deal with, or authorize the use of or dealing with, the property for such purpose and in such manner as he thinks expedient in the interests of public safety, defence or the efficient prosecution of any war in which His Majesty may be engaged, or for maintaining supplies and services essential to the life of the community, and may hold, or sell or otherwise dispose of, the property as if he were the owner thereof.

(3) The Governor, if it appears to him to be necessary for the effectual exercise of his powers under paragraph (1) of this regulation so to do, may, by order made as respects the whole of the Colony or any part thereof—

- (a) direct that no person who, at the time when the order takes effect, has in his possession or under his control, at any premises in the area to which the order relates, any such articles as may be described in the order, shall secrete or remove the articles, or cause or permit them to be secreted or removed, from the premises until the removal of the articles therefrom is permitted by such authority or person as may be specified in the order ;
- (b) require the owner or occupier of any premises in the said area to send to such authority or person as may be specified in the order a written declaration stating or estimating whether or not, on such date as may be specified in the order, any such articles as aforesaid were or will be on the premises, and, if so, the number or quantity of those articles which was or will be on the premises on that date, according as the order may direct.

(4) An order under this regulation may authorize any person, or any class of persons, to perform such functions in connection with the requisitioning, and may contain such directions, as appear to the Governor to be necessary or expedient.

45. The occupier of every agricultural holding shall, if so required by an order of the Governor, supply such information relating to the holding as may be required by the order, giving such particulars in such form and at such time and to such authority as may be specified in the order, including particulars as to the cultivation of the holding, the number of livestock thereon, and the persons employed or living thereon.

Power to call for information regarding agricultural holdings.

46.—(1) When the Governor is of opinion that, with a view to safeguarding or maintaining the food supply of the Colony, it is expedient or necessary that the powers hereby given by this regulation should be exercised, he may—

Power to take possession and control agricultural holdings.

(a) enter on and take possession of any land which is, in his opinion, not so cultivated or whereon the livestock are not so managed as to increase as far as is practicable the food supply of the Colony, and after such entry to do all things necessary or desirable for the cultivation of the land or for adapting it therefor or for particular management; and may for such purposes enter on and take possession of any buildings on the land;

(b) take possession of any machinery, implements of husbandry or plant, or any farm produce or animals which, in his opinion, are required for the cultivation of the land or the increase of the food supply of the Colony;

(c) after entry on any such land, arrange for its cultivation or pastoral management by any other person by contract of tenancy or otherwise;

(d) by notice served on the occupier of any land, require such occupier to cultivate the land or manage the livestock in accordance with such requirements as the Governor may consider necessary or desirable for maintaining the food supply of the Colony;

(e) by order, applicable generally or to a particular area, prohibit or regulate the use of land for the cultivation of any crop or the maintenance of any livestock specified in the order.

(2) Any person authorized by the Governor in that behalf may for the purposes of this regulation, and on production, if so required, of his authority, enter on and inspect any land, buildings, machinery, implements of husbandry, livestock or farm produce.

47. It shall be lawful for the Governor to require any person who carries on the business of storing, cooling, transporting or distributing goods of any description to afford similar services in relation to the storage, cooling, transport or distribution of goods for the purposes of His Majesty's forces.

Power to require storing, etc., services.

48. Any company, authority or person supplying or authorized to supply water, light, heat or power shall, if so required by the Governor, supply water, light, heat or power to any building, premises or camp belonging to, or used for the purposes of, His Majesty's forces, and shall carry out such work and render such services as may be directed by the Governor.

Power to require water and power services.

49. Without prejudice to any other of these regulations, the Governor may by order authorize, subject to any restrictions and conditions imposed by the order, the use of any land specified therein for military purposes, for air force purposes or for any of the purposes of His Majesty's navy, as the case may be, during such period as may be specified in the order; and any such order may, so far as appears to the Governor to be necessary or expedient for the purposes thereof, provide—

Use of land for purposes of His Majesty's forces.

- (a) for entitling persons using any land in pursuance of the order to do such acts in relation to that land as may be specified in the order, and
- (b) for prohibiting or restricting the exercise of rights of way over that land, and of other rights relating thereto which are enjoyed by any person, whether by virtue of an interest in land or otherwise.

Billeting.

50.—(1) A Competent Authority may cause to be served upon the occupier of any premises a written notice (hereinafter referred to as "a billeting notice"), requiring the occupier of those premises to furnish therein, until further notice or during such period as may be specified in the billeting notice, according as that notice may direct, accommodation (by way of lodging or food or both, and either with or without attendance, according as the notice may direct) for such number of persons as may be so specified, being either persons in the service of His Majesty or persons who are in the service of a local authority and are engaged in the performance of essential services.

Every billeting notice must, in order to be of any effect for the purposes of this regulation, define by reference to the particular service or services in which they are engaged the persons for whom accommodation is required by the notice.

(2) The lodging of food to be furnished in accordance with a billeting notice, and the price to be paid in respect of any accommodation so furnished in any premises shall be such, and shall be paid to the occupier of the premises by such authority, as may be determined by order of the Governor.

(3) If the occupier of any premises feels aggrieved by the requirements of any billeting notice, he may within fourteen days from the beginning of the day on which the notice is served on him apply to the District Court of the District within which such occupier resides, and thereupon the Court, if satisfied that the furnishing of accommodation in accordance with the notice would otherwise impose an undue burden upon the occupier, may by order annul the notice or direct that it shall have effect subject to such modifications as may be specified in the order.

PART VIII.—AERIAL DEFENCE MEASURES AND LIGHTING RESTRICTIONS.

Power to use premises as public shelter, to inspect premises, and to erect hoardings.

51.—(1) It shall be the duty of the occupier of any premises, on being required so to do by the Competent Authority, to allow the said premises or any part thereof to be used by the public as a shelter against hostile attack by air, and to take all such steps as may be so required for the purpose of making the said premises available as such shelter at such times as they may be required for the purpose.

(2) The Competent Authority may enter and inspect any premises, with a view to ascertaining whether they are suitable for use for such purpose as aforesaid, or whether any requirement made under this regulation with respect to the said premises has been complied with.

(3) Where any public building abutting on or near any street or other public place has suffered structural damage in consequence of any hostile action, the proper officer of a local authority, on receiving notice from the Competent Authority that a proper hoarding ought to be erected in front of the building and that no such hoarding has been erected by the occupier of the building, may forthwith erect in front of the building a hoarding not less than twelve feet in height.

52.—(1) The Competent Authority may by order direct that all lights, or lights of any specified class or description, shall be extinguished or obscured in such manner between such hours within any area as may be specified in the order.

Power to extinguish or obscure lights, and to require vehicles to carry lamps.

(2) The Competent Authority or any person authorized by him or any member of His Majesty's forces on sentry patrol or similar duty may extinguish or obscure any light which is not extinguished or obscured in accordance with the order, and, for that purpose, may enter any premises or stop any vehicle or do any other act that may be necessary.

(3) The Competent Authority may also by order require that, between such hours, within such area, and during such period as may be specified in such order, such lamps as may be specified shall be carried by all vehicles or vehicles of any specified class or description, and the Competent Authority may stop and seize any vehicle found without lamps required by the order.

53. No lamp shall without lawful authority be carried on any vehicle unless such lamp is so constructed, fitted and attached as to prevent the use, as a searchlight, of the light exhibited by any such lamp.

No lamp usable as a searchlight to be carried without authority.

54. In any area in which an order made under regulation 52 (1) requiring lights to be extinguished or obscured is in force, the ringing or chiming of bells and the striking of clocks audible at such distance as to be capable of serving as a guide to hostile aircraft shall be prohibited during the hours between which lights are required to be extinguished or obscured, except in cases where permission has been received from the Competent Authority.

Power to prohibit ringing of bells, etc.

55.—(1) The Competent Authority may by order prohibit the use of sound signals of such class and description between such hours, within such area, and during such period as may be specified in the order.

Power to prohibit sound signals.

(2) The Competent Authority may by order prohibit or restrict within any specified area, to such extent and between such hours as may be specified in such order, whistling and the making of any other noises which appear to him to be prejudicial to the interest of public safety.

56. No person shall without lawful authority display or make any signal, visual or otherwise, of any nature liable to be mistaken for any signal authorized to be used in case of an attack by an enemy in time of war, or communicate any false information likely to cause any such authorized signal to be displayed or made.

Prohibition of signalling, etc.

57. The Competent Authority may issue orders specifying the action to be taken in accordance with any preconcerted form or manner in connection with any anticipated form of attack by hostile aircraft.

Action to be taken in case of hostile attack by air.

58. No person shall without the permission of the Competent Authority display any light or keep burning any fire in such manner as to serve as a signal, guide, or landmark, or ignite or otherwise make use of fireworks or other similar device.

Prohibition of fireworks and similar devices.

59.—(1) Any person finding any bomb or projectile, or any fragment thereof, or any document, map or other article whatsoever, which he has reasonable grounds for believing or suspecting to have been discharged or dropped or lost from or to have been carried in or to have formed part

Finding of article belonging to hostile aircraft.

of any hostile aircraft, or to have formed part of the equipment or personal effects of any member of the crew of such aircraft, shall immediately after finding the same communicate the fact to a military post or to a police constable in the neighbourhood.

(2) Where any such article is found at the place where the aircraft in question or the wreck thereof descended, no person shall without authority displace, remove or otherwise interfere with the article.

PART IX.—ARREST AND DETENTION.

Power to
arrest.

60. Any Officer or member of His Majesty's Naval, Military or Air Forces or of the Cyprus Police Force, while on duty, may arrest without warrant any person whom he has reasonable grounds for suspecting to have committed or of being about to commit an offence against these regulations and shall forthwith cause such person to be brought before a competent Court to be dealt with according to law.

Power to
stop and
search
persons.

61. Any officer of His Majesty's Naval, Military or Air Forces or of the Cyprus Police Force, while on duty may,—

- (a) stop and search any person and may seize anything found on such person which he has reason to suspect is used or is intended to be used for any purpose or in any way prejudicial to the public safety ;
- (b) require any person to stop and answer any question which may reasonably be addressed to him ;
- (c) require any person to furnish him either verbally or in writing, with any information he may require and to attend at such time and at such place as he may direct for the purpose of furnishing such information.

Power to
arrest
and order
detention
of persons.

62.—(1) Any officer or member of His Majesty's Naval, Military or Air Forces or of the Cyprus Police Force while on duty may arrest without warrant any person whose behaviour is of such a nature as to give reasonable grounds for suspecting that he has acted or is acting or is about to act in a manner prejudicial to the public safety or the defence of the Colony.

(2) Any person so arrested shall be brought or taken as soon as reasonably may be before—

- (a) the senior Naval, Military or Air Officer within the District, if the arrest was effected or made by a member of His Majesty's Naval, Military or Air Forces, or
- (b) the Superintendent of Police or Assistant Superintendent of Police within the District if the arrest was effected or made by an officer or member of the Cyprus Police Force.

(3) Where any person is brought before the senior Naval, Military or Air Officer within the District or the Superintendent of Police or Assistant Superintendent of Police, as the case may be, under paragraph (2) of this regulation and such senior Naval, Military or Air Officer or Superintendent of Police or Assistant Superintendent of Police is satisfied that it is expedient in the interests of the public safety or the defence of the Colony that such person should be placed in detention he may order that such person shall be detained in such place or building (being a place or building approved by the Governor for the purpose) and for such period, as may be specified in the order.

(4) Where any order made under paragraph (3) of this regulation prescribes that any person shall be placed in detention for any period

exceeding ten days such order shall be subject to confirmation by the Governor and the officer making such order shall forthwith forward to the Governor a copy of such order together with a summary of the grounds on which the same was made.

(5) Upon receiving any order and summary under paragraph (4) of this regulation the Governor may at his discretion confirm, vary, or revoke such order and the Governor's decision thereon shall be final and conclusive.

(6) Any person detained as in this regulation provided shall be deemed to be in legal custody during the period of such detention.

PART X.—OFFENCES, TRIALS AND PENALTIES.

63.—(1) Any person who—

- (a) contravenes or fails to comply with any of these regulations or any order or rule made under any of these regulations or any direction given or requirement imposed under any of these regulations or who does any act which is declared to be an offence under any of these regulations ; or
- (b) obstructs, knowingly misleads, or otherwise interferes with or impedes any officer or other person exercising any powers or performing any duties conferred or imposed on him by or under any of these regulations ; or
- (c) withholds any information from an officer or other person exercising any powers or performing any duties conferred or imposed on him by or under any of these regulations,

Offences and penalties.

shall be guilty of an offence against these regulations and shall be tried by the President of a District Court or a District Judge and on conviction shall be liable to imprisonment for a term not exceeding three years or to a fine not exceeding one hundred pounds or to both such imprisonment and fine.

(2) Proceedings in respect of an offence alleged to have been committed by a person against any of these regulations may be taken before the District Court of the place where the offence has been committed or where that person is for the time being.

64. For the purposes of any offence against these regulations each of the following persons is deemed to have taken part in committing the offence and to be guilty of the offence, and may be charged and tried with actually committing the offence and may be punished accordingly, that is to say :—

Parties to offences.

- (a) every person who actually does the act or makes the omission which constitutes the offence ;
- (b) every person who does or omits to do any act for the purpose of enabling or aiding another person to commit the offence ;
- (c) every person who procures, aids or abets another person in committing the offence ;
- (d) every person who solicits or incites or endeavours to persuade another person to commit the offence ;
- (e) every person who does any act preparatory to the commission of the offence ;
- (f) every person who attempts to commit the offence.

PART XI.—SUPPLEMENTAL PROVISIONS.

- Restrictions on disclosing information. 65. No person who obtains any information by virtue of these regulations shall, otherwise than in connection with the execution of these regulations or of an order or rule made under these regulations, disclose that information except with permission granted by the Governor.
- Licences, permits, etc. 66.—(1) Any person claiming to be the holder of any permit, licence or written permission granted or issued for the purposes of any of these regulations shall, on demand made in that behalf by any police officer or by any authorized officer, produce the permit, licence or permission, as the case may be, to the person making the demand.
- (2) If, with intent to deceive, any person alters or uses, or lends to, or allows to be used by any other person, a permit, licence or written permission granted or issued for the purposes of any of these regulations, or makes or has in his possession any document so closely resembling such a permit, licence or permission as to be calculated to deceive, he shall be guilty of an offence against this regulation.
- (3) Any licence, permit or permission granted for the purposes of any of these regulations may be revoked at any time by the authority or person empowered to grant it.
- Fees for licences, etc. 67. There may be charged in respect of the grant, renewal or issue of any licence, permit or other document for the purposes of any of these regulations, or any order made under any of these regulations, such fee, not exceeding five pounds, as the Governor may by order determine.
- Service of notices. 68. Without prejudice to any special provisions contained in these regulations, a notice to be served on any person for the purposes of any of these regulations may be served by sending it by post in a letter addressed to that person at his last or usual place of abode or place of business.
- Effect of orders, etc., on contracts. 69. If any person shall, by obeying any order or requisition made under these regulations, be prevented from fulfilling any contract, such person shall not be deemed to have thereby committed a breach of contract, but such contract shall be deemed to be suspended by such order or requisition so far as its fulfilment is thereby rendered impossible.
- Prerogative right of the Crown. 70. The powers conferred by these regulations shall be in addition to and not in derogation of any prerogative right or other power vested in His Majesty.
- Powers conferred to be additional powers. 71. Any power conferred upon any person under or by virtue of these regulations shall be in addition to and not in derogation of any other power of that person, whether conferred by Law, public instrument or otherwise.
- Power to add to, revoke or vary any order, direction or instrument. 72. Any order, direction or instrument which may be made or given by any person duly authorized thereto under these regulations may be added to, revoked or varied from time to time by such person while these regulations continue in force.
- Powers of Naval, Military and Air officers saved. 73. Nothing in these regulations shall have the effect of diminishing any power exercisable by officers of His Majesty's Naval, Military or Air Forces or other persons acting on their behalf, and nothing shall be done under these regulations which shall be prejudicial to the action of His Majesty's Naval, Military or Air Forces.

74. Nothing in these regulations shall affect the liability of any person to trial and punishment for any offence otherwise than in accordance with these regulations : Saving of other liability.

Provided that if a person does an act which is punishable under these regulations and also punishable under any other Law in force in the Colony, he shall not be punished for that act both under such Law and also under these regulations.

PART XII.—COMPENSATION.

75.—(1) The Governor shall, out of the public funds of the Colony, pay to every person whose property shall be requisitioned or removed or whose property shall be temporarily taken possession of under and by virtue of any of these regulations, such compensation as shall be agreed on between the Governor and such person, and, in default of agreement, such compensation as shall be awarded by the Board as in paragraph (2) hereof provided. Compensation and appointment of Board.

(2) (a) For the purpose of determining the amount of any compensation payable under these regulations, the Governor shall appoint a Board consisting of five persons, of whom one shall be a Judge or Magistrate, two shall be officers either in the service of the Government of the Colony or in His Majesty's Naval, Military or Air Service, and the other two shall be inhabitants of the Colony.

(b) All questions referred to the Board shall, in case of a difference of opinion, be decided by the votes of the majority of the members, and the decision of award of the Board shall in all cases be final.

(c) The Judge or Magistrate shall be the Chairman of the Board.

PART XIII.—INTERPRETATION.

76.—(1) (a) The Governor may, by an instrument in writing under his hand, appoint any person who is— Meaning of certain expressions.

(i) an officer or member of His Majesty's Naval, Military or Air Forces ; or

(ii) an officer or member of the Cyprus Police Force ; or

(iii) a public officer,

to be the Competent Authority for the purposes of all or any of the regulations in which such expression occurs, and may, by the same instrument, authorize any person so appointed to delegate either unconditionally or subject to such conditions as he may think fit, all or any of his powers thereunder to any other person qualified to be appointed the Competent Authority, and any person so appointed or to whom the powers have been delegated as aforesaid is in these regulations referred to as the Competent Authority.

(b) Where the holder of a designated office has been appointed to be the Competent Authority or where any powers of the Competent Authority have been delegated to the holder of a designated office, then, unless express provision is made to the contrary, the appointment or delegation shall be deemed to extend to the person for the time being performing the duties of the office designated.

(c) The appointment of a Competent Authority shall be in the form set out in Schedule I or Schedule II, as the case may be.

(2) In these regulations, unless the context otherwise requires :—

“ Dominion ship or aircraft ” means a British ship or aircraft registered in any Dominion other than Newfoundland, or in India, Burma or Southern Rhodesia, not being a ship or aircraft which is for the time being placed at the disposal of, or chartered by or on behalf of, His Majesty’s Government in the United Kingdom ;

“ land ” includes land covered with water and parts of houses or buildings ;

“ requisition ” means, in relation to any property, take possession of the property or require the property to be placed at the disposal of the requisitioning authority ;

“ United Kingdom ship or aircraft ” means a ship or aircraft registered in the United Kingdom and includes any ship or aircraft which is for the time being placed at the disposal of, or chartered by or on behalf of, His Majesty’s Government in the United Kingdom.

SCHEDULE I.

The Emergency Powers (Cyprus Defence) Regulations, 1939.

APPOINTMENT OF COMPETENT AUTHORITY.

(Regulation 76.)

.....
Governor.

In virtue of the powers vested in me by regulation 76 of the Emergency Powers (Cyprus Defence) Regulations, 1939, I hereby appoint..... to be the Competent Authority for the purposes of regulation(s)..... thereof.

Given under my hand at....., this....day of.....19...

SCHEDULE II.

The Emergency Powers (Cyprus Defence) Regulations, 1939.

APPOINTMENT OF COMPETENT AUTHORITY WITH
POWER TO DELEGATE.

(Regulation 76.)

.....
Governor.

In virtue of the powers vested in me by regulation 76 of the Emergency Powers (Cyprus Defence) Regulations, 1939, I hereby appoint..... to be the Competent Authority for the purposes of regulation(s)..... and I hereby authorize the said..... to delegate all or any of his powers thereunder (or to delegate his powers under regulation(s).....) subject to the following conditions, that is to say,..... to any other person qualified to be appointed the Competent Authority under the aforesaid regulation 76.

Given under my hand at....., this....day of.....19...

(M.P. 74/39.)