

Revised P. 463

No. 185.

THE EMERGENCY POWERS (DEFENCE) ACT, 1939.

REGULATIONS MADE BY THE GOVERNOR UNDER SECTION 1.

W. D. BATTERSHILL,
Governor.

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 :—

1. These Regulations may be cited as the Emergency Powers (Cyprus Defence) (Ships Transfer Restriction) 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. In these Regulations—

“ British ship ” means any ship registered with the Registrar of British Ships at Famagusta under and by virtue of the provisions of the Merchant Shipping Act, 1894 ;

Interpre-
tation.

“ Cyprus ship ” means any ship which is registered with the Registrar of Cyprus Ships at Famagusta under and by virtue of the provisions of the Cyprus Registration of Ships Laws, 1922 and 1933 ;

“ Dominion ” means any Dominion within the meaning of the Statute of Westminster, 1931, except Newfoundland.

3.—(1) It shall be unlawful, except under the authority of His Majesty's Board of Trade, to transfer or mortgage, or to transfer any mortgage of, any British ship other than a Dominion ship or any shares of such British ship ; and if any person purports to effect any transfer or mortgage which is unlawful by virtue of this paragraph, then, in addition to the transfer or mortgage becoming void, he shall be guilty of an offence against these regulations.

Restriction
upon
transfers
or mortgages
of British
ships.

(2) Notwithstanding anything in section 53 of the Merchant Shipping Act, 1894, applications made (whether before or after the coming into operation of these regulations) for transfer of registration of a British ship from a port in the Colony, shall not be granted, except with the approval of His Majesty's Board of Trade.

(3) Nothing in section 48 of the Merchant Shipping Act, 1894, as amended by section 53 of the Merchant Shipping Act, 1906, shall apply in relation to any alterations of a British ship registered under the first mentioned Act, which in pursuance of directions given by or on behalf of His Majesty's Board of Trade are made on any occasion for the purpose only of providing in ships additional space or accommodation for cargo,

stores, passengers or crews, provided that such particulars of alterations as may be prescribed by the Board of Trade are, within such time after the completion of the alterations as may be so prescribed, endorsed on the ship's certificate of registry by the Registrar of British Ships.

Restrictions
upon
transfers
or mortgages
of Cyprus
ships.

4.—(1) Notwithstanding anything in the Cyprus Registration of Ships Laws, 1922 and 1933, or in any rules made thereunder, it shall be unlawful, except under the authority of the Governor, to transfer or mortgage or to transfer any mortgage of, any Cyprus ship or any shares of such Cyprus ship; and if any person purports to effect any transfer or mortgage which is unlawful by virtue of this regulation, then, in addition to the transfer or mortgage becoming void, he shall be guilty of an offence against these regulations.

(2) Nothing in any rules made under the Cyprus Registration of Ships Laws, 1922 and 1933, shall apply in relation to any alterations of a Cyprus ship registered under the said Laws, which in pursuance of any Order made by the Governor under any Law or regulation for the time being in force are made on any occasion for the purpose only of providing in ships additional space or accommodation for cargo, stores, passengers or crews, provided that such particulars of alterations as may be ordered by the Governor are, within such time after the completion of the alterations as may be so prescribed, endorsed on the ship's certificate of registry by the Registrar of Cyprus Ships.

Penalties.

5. Any person who does any act which is declared to be an offence by regulation 3 (1) or 4 (1) 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.