

No. 244.

**THE EMERGENCY POWERS (CYPRUS DEFENCE)
REGULATIONS, 1939.**

ORDER MADE BY THE COMPETENT AUTHORITY UNDER REGULATION 43.

In exercise of the powers vested in me by virtue of my appointment by the Governor as Competent Authority for the purposes of Regulation 43 of the Emergency Powers (Cyprus Defence) Regulations, 1939, I hereby order as follows :—

1. This Order may be cited as the Defence (Regulation of Sale Prices) (Imported Articles) Order, 1939.

2.—(1) No person shall—

- (a) sell or purchase, or
- (b) offer for sale or attempt to sell or purchase, or
- (c) either directly or indirectly make any arrangement for the sale or purchase of,

any of the articles (being articles imported into the Colony) described in the first column of the Schedule hereto in any town or village in the Colony at a price which would give the vendor—

- (i) where such vendor is a person who has imported such article into the Colony, a profit in excess of the percentage of profit shown against the description of each such article in the second column of the said Schedule, and
- (ii) where such vendor has purchased such article locally from an importer thereof for the purpose of resale, a profit in excess of the percentage of profit shown against the description of each such article in the third column of the said Schedule,

such percentage of profit to be calculated on the total value of such article :

Provided that a sale of any such article may, at the option of the vendor, be made at the sale price prevailing for such article in the market on or prior to the 20th day of August, 1939, notwithstanding that such sale price would give the vendor a profit in excess of the percentage of profit shown against the description of such article in column (2) or (3) of the said Schedule.

(2) For the purposes of this clause, the term "total value" means—

- (a) in the case of a person who has imported such article into the Colony, the price of the article shown in the invoice relating to the article when imported into the Colony and the amount of the import duties, wharfage dues and any other due or charge (if any) paid by such person in relation to any such article at the time of taking delivery of the article for home consumption ; and
- (b) in the case of a person who has purchased such article locally from an importer thereof for the purpose of resale, the price at which he purchased the article from the importer thereof :
Provided that such price shall not be higher than the purchase price prevailing for such article in the market on or prior to the 20th day of August, 1939.

3. Every person selling any of the articles described in column (1) of the Schedule hereto shall, if so requested by the purchaser, supply such purchaser with a receipt showing the article sold, the price paid for such article and the date of sale, and bearing the signature of the seller.

4. Within ten days of the date of the publication of this Order in the *Gazette*, every person who exposes for sale, or has a stock of, any of the articles described in column (1) of the Schedule hereto shall exhibit and keep exhibited at a conspicuous place on his premises a list showing the maximum price at which each such article is offered for sale.

5. The Commissioner of each District shall, if so required by me, appoint Inspectors to enquire—

(a) into the stocks of any of the articles described in the first column of the Schedule hereto which are in the possession or under the control of any person or generally of all persons residing in any town or village within his District; and

(b) into the total value of any of the said articles as defined in clause 2 (2) of this Order or the sale price thereof.

6. Any person when so required to do by an Inspector appointed under clause 3 of this Order shall make a declaration—

(a) of the stock of any of the articles described in the first column of the Schedule hereto in his possession or under his control, and

(b) of the total value of such article as defined in regulation 2 (2) of this Order or the sale price thereof,

and any such Inspector may enter upon any premises for the purpose of carrying out any inspection or search reasonably required in order to obtain the necessary information concerning the amount or condition of the stock of any such article and of the total value thereof or the sale price thereof.

7. Where any person who sells or exposes for sale or holds stocks of any of the articles described in the first column of the Schedule hereto refuses, on demand being made to him by a prospective purchaser, to sell to him any such article, and such refusal is in my opinion, or in the opinion of the Commissioner of the District, unreasonable, such person shall at my request, or at the request of such Commissioner, deliver such article to me or to him to be sold at a price in accordance with the provisions of clause 2 of this Order, or to be disposed of in such manner as I, or the said Commissioner, may in that behalf direct.

8. Nothing in this Order shall be deemed to apply to or affect any article (being an article imported into the Colony) in respect of which a specific order has been made by me under Regulation 43 of the Emergency Powers (Cyprus Defence) Regulations, 1939, and is subsisting for the time being.

9. Any person who—

(a) acts in contravention of the provisions of clause 2 or 3 or 4 or 6 or 7 of this Order, or

(b) makes a false declaration under clause 6 of this Order,

shall be liable to the penalties prescribed in Regulation 63 (1) of the Emergency Powers (Cyprus Defence) Regulations, 1939, and proceedings may be taken against such person under the provisions of Regulation 63 of the said Regulations. If in any such proceedings any question arises as to the total value of any article, the subject matter of the charge, as defined in clause 2 (2) of this Order, or as to the sale price of such article, the onus of proving such total value or sale price shall lie upon the person charged.

10. The Defence (Regulation of Sale Prices) (Certain Imported Articles) Order, 1939, is hereby repealed, without prejudice to anything done or left undone thereunder.

SCHEDULE.
IMPORTED ARTICLES.

(1)	(2)	(3)
Description of article.	Percentage of profit, where vendor is an importer of the article into the Colony, to be calculated on the total value of such article under clause 2 of this Order.	Percentage of profit, where vendor has purchased the article locally from an importer thereof for the purpose of resale, to be calculated on the total value of such article under clause 2 of this Order.
1. Glass ware.. .. .	15%	15%
2. Iron	10%	15%
3. Timber	10%	15%
4. Building Materials, other than iron or timber ..	10%	15%
5. Leather and Skins ..	10%	15%
6. Ironware and Aluminium Ware	10%	15%
7. Drapery and Cloth ..	15%	15%
8. Drugs, including proprietary medicines, chemical and pharmaceutical preparations and surgical supplies and sera and vaccines ..	15%	20%
9. Copper and Copper Ware..	10%	15%
10. Printing Paper, white or coloured, for use for printing newspapers, books, leaflets, pamphlets and posters	10%	5%
11. Any other imported article not specifically mentioned above	10%	15%

B. J. SURRIDGE,
Registrar of Co-operative Societies,
Competent Authority.