



SUPPLEMENT No. 3

TO

THE CYPRUS GAZETTE No. 2857 OF 3RD JULY, 1940.

SUBSIDIARY LEGISLATION.

No. 261. THE DEFENCE REGULATIONS, 1940.

ORDER MADE UNDER REGULATION 75 (1).

W. D. BATTERSHILL,
Governor.

I, the Governor, in exercise of the powers conferred by Regulation 75 (1) of the Defence Regulations, 1940, do hereby order as follows:—

1. This Order may be cited as the Larnaca Town Defence (Control of Lights) Order, 1940, and shall come into operation on and from the date of its publication in the *Gazette*.

2. In this Order—

“the hours of darkness” means the interval between half an hour after sunset and half an hour before sunrise.

3. Notwithstanding anything contained in the Defence (Control of Lights) Order, 1940, during the hours of darkness, no mechanically propelled vehicle, horse-drawn vehicle, bicycle or any other vehicle whatsoever shall display any light in Marine Street Larnaca at any point between the Police Station and the Public Works Yard or in any of the streets leading to or from Marine Street between such mentioned points unless authorized in writing by the Commissioner of the District so to do.

4. Any person who acts in contravention of this Order shall be liable to the penalties prescribed in Regulation 94 of the Defence Regulations, 1940.

Made at Nicosia, this 3rd day of July, 1940.

(M.P. 139/40.)

No. 262.

THE ADVOCATES' CLERKS RULES OF COURT, 1940.

W. D. BATTERSHILL,
Governor.

His Excellency the Governor, with the advice and assistance of the Chief Justice, in exercise of the powers vested in him by the Advocates' Clerks Law, 1940, and of every other power enabling him in this behalf, hereby makes the following rules:—

1. These Rules may be cited as the Advocates' Clerks Rules of Court, 1940.

2. In these Rules, unless the context otherwise requires :—

“The Law” means the Advocates’ Clerks Law, 1940 ;

“Court” means a District Court ;

“Complainant” means a person making a complaint against a clerk ;

“Respondent” means a clerk against whom a complaint is made.

3. Every complaint of misconduct on the part of a clerk shall be made to the District Court in which the clerk is registered.

4.—(1) If upon complaint made to a Court of misconduct on the part of a clerk, it shall appear to the Court that the complainant has a genuine and *bona fide* cause of complaint, the Court may direct the clerk to be brought before the Court forthwith, or as soon as is reasonably possible, and may then hear and determine the matter of the complaint forthwith, or adjourn it for further hearing, and may otherwise regulate the enquiry as to the Court may seem just : Provided that, if in the opinion of the Court, the circumstances so require, it may direct a summons to be served upon the clerk setting out the matter or matters complained of.

(2) Service shall be effected by such person in such a manner and within such time as the Court shall direct.

(3) The summons shall be in the form in the First Schedule with such variations as the circumstances may require.

5. The Court may require a complainant to state upon oath the matter or matters complained of and any particulars thereof.

6. Subject to the provisions of the Law and of these Rules every proceeding in a Court under the Law shall, so far as the circumstances admit, be subject to the same rules of procedure as in the case of civil causes.

7. If a Court is of opinion that a complaint is frivolous or vexatious it may order the person making the complaint to pay such sum to the respondent in respect of any costs or charges or expenses he may have paid or incurred as to the Court shall seem just.

8. No complaint shall be withdrawn or discontinued without leave of the Court, and if any complainant fails duly to prosecute the proceedings the Court may of its own motion cause the proceedings to be continued and make such order upon the complainant as to the payment of costs as to the Court shall seem just.

9. A Court in addition to or instead of ordering the name of a clerk to be removed from the Register, either permanently or for a period, may order him to pay to the complainant such sum as in the opinion of the Court will indemnify the complainant for any costs, charges and expenses paid or incurred by him in respect of making the complaint and the proceedings thereon.

10. The fees specified in column 2 of the Second Schedule shall be chargeable in respect of the proceedings specified in column 1 of the said Schedule, and shall be taken by means of stamps which shall be applied and disposed of in the manner stated in column 3 of the said Schedule :

Provided that no fees shall be payable by the Attorney-General or by any Head of Department in respect of any proceedings on a complaint made by any of them in their official capacity :

Provided also that if a Court be satisfied that a complaint is made in good faith and on good grounds and that the complainant has not sufficient means to pay the prescribed fees, it may direct the remission of all or such fees in respect of the proceedings as it shall deem fit.

