



SUPPLEMENT No. 3

TO

THE CYPRUS GAZETTE No. 2996 OF 4TH JUNE, 1942.

SUBSIDIARY LEGISLATION.

No. 193.

THE EMERGENCY POWERS (DEFENCE) ACTS, 1939 AND 1940.

REGULATIONS MADE BY THE GOVERNOR.

C. C. WOOLLEY,
Governor.

I, the Governor, in exercise of the powers conferred by the Emergency Powers (Defence) Acts, 1939 and 1940, as extended to the Colony by the Emergency Powers (Colonial Defence) Order in Council, 1939, and the Emergency Powers (Colonial Defence) (Amendment) Order in Council, 1940, do hereby make the following regulations:—

1. These regulations may be cited as the Defence (Amendment No. 5) Regulations, 1942, and shall be read as one with the Defence Regulations, 1940 to (No. 4) 1942, (hereinafter referred to as "the principal Regulations"), and the principal Regulations and these regulations may together be cited as the Defence Regulations, 1940 to (No. 5) 1942.

Gazettes:
Supplement
No. 3:
3. 6.1940
7. 8.1940
23. 8.1940
9.10.1940
11.12.1940
29. 1.1941
30. 5.1941
18. 6.1941
23.10.1941
6.11.1941
15.12.1941
5. 2.1942
26. 2.1942
2. 4.1942
16. 4.1942

2. The following regulation shall be inserted in the principal Regulations immediately after regulation 23 thereof:—

23A.—(1) The Governor may, if he thinks fit, in any of the cases mentioned in paragraph (7) of this regulation make an order, (in this regulation referred to as "a deportation order"), requiring an alien to leave and to remain thereafter out of the Colony.

(2) An order made under paragraph (1) of this regulation may be subject to any condition which may be specified by the Governor in such order.

(3) An alien in respect of whom a deportation order is made shall leave the Colony in accordance with the order, and shall thereafter so long as the order is in force remain out of the Colony.

(4) An alien in respect of whom a deportation order is made, or a certificate is given by a Court with a view to the making of a deportation order, may be detained in such manner as may be directed by the Governor, and may be placed on a ship about to leave the Colony, and shall be deemed to be in legal custody whilst so detained, and until the ship finally leaves the Colony.

(5) The master of a ship about to call at any port outside the Colony shall, if so required by the Governor or by a person authorized by him in that behalf, receive an alien against whom a deportation order has

Insertion of
new regula-
tion 23A.

been made and his dependents, if any, on board the ship, and afford him and them a passage to that port and proper accommodation and maintenance during the passage.

(6) Where a deportation order has been made in respect of any alien, and, in the opinion of the Governor—

- (a) the deportation of the alien would be impracticable or prejudicial to the efficient prosecution of any war in which His Majesty may be engaged; and
- (b) the detention of the alien is necessary or expedient for securing the public safety, the defence of the Colony or the maintenance of public order;

the Governor may direct that the alien be detained; and an alien detained in pursuance of any such direction shall be deemed to be in legal custody and shall be detained in such manner as the Governor may direct.

(7) A deportation order may be made in any of the following cases:—

- (a) if any Court certifies to the Governor that the alien has been convicted of an offence, and that the Court recommends that a deportation order should be made in his case either in addition to, or in lieu of, sentence; or
- (b) if the Governor deems it to be conducive to the public good to make a deportation order against the alien.

(8) Where any case in which a Court has made a recommendation for deportation is brought by way of appeal against conviction or sentence before the Supreme Court, and the Supreme Court certifies to the Governor that it does not concur in the recommendation, such recommendation shall be of no effect but without prejudice to the power of the Governor to make a deportation order under sub-paragraph (b) of paragraph (7) of this regulation."

Substitution
of new regu-
lation 33.

3. Regulation 33 of the principal Regulations is hereby revoked and the following regulation substituted therefor:—

"Control of places of public resort and entertain-
ment. 33.—(1) The Competent Authority may by order require any establishment situated 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.

(2) If the provisions of any order made under paragraph (1) of this regulation are contravened by any person in any establishment the manager or the person in charge thereof shall be deemed to have also contravened the provisions of such order unless he proves to the satisfaction of the Court that he took all reasonable means and precautions to prevent such contravention.

(3) Any order made under paragraph (1) of this regulation may, in addition to any other penalty provided by these regulations, make provision for the cancellation of any licence issued under any Law relating to the sale of intoxicating liquor by retail to any person for any establishment upon the conviction by any Court of the manager or the person in charge of the establishment for a contravention of such order.

(4) In this regulation—

"establishment" means any bar in any hotel, any cabaret, cinematograph theatre, club, coffee-shop, confectioner's shop, restaurant, theatre and any other place or premises of public resort or entertainment whatsoever."

Amendment
of regulation
61 (3).

4. Paragraph (3) of regulation 61 of the principal Regulations is hereby revoked and the following paragraph substituted therefor:—

(3) If it appears to the Competent Authority that in the interests of the public safety, defence or the efficient prosecution of the war, or for maintaining supplies and services essential to the life of the community, it is necessary to take control of the whole or any part of an existing undertaking, and that, for the purpose of exercising such control, it is expedient that the undertaking or part should be carried on in pursuance of an order made under this paragraph, the Competent Authority may by order authorize any person, (hereinafter referred to as "an authorized controller"), to exercise with respect to the undertaking or any part thereof specified in the order, such functions of control as may be provided by the order; and so long as an order made under this paragraph is in force with respect to any undertaking or part of an undertaking—

- (a) the authorized controller shall exercise his functions in accordance with any instructions given to him by the Competent Authority, so, however, that he shall not have power to give any directions inconsistent with the provisions of any Law or other instrument

- determining the functions of the undertakers except in so far as may be specifically provided by the order ; and
- (b) the undertaking or part shall be carried on in accordance with any directions given by the authorized controller in accordance with the provisions of the order, and any person having any functions of management in relation to the undertaking or part shall comply with any such directions."

Made at Nicosia, this 3rd day of June, 1942.

(M.P 69/40/2.)

No. 194.

THE EMERGENCY POWERS (CYPRUS DEFENCE) (FINANCE)
REGULATIONS, 1940 TO (No. 2) 1941.

ORDER MADE UNDER REGULATION 9.

C. C. WOOLLEY,
Governor.

I, the Governor, in exercise of the powers conferred by regulation 9 of the Emergency Powers (Cyprus Defence) (Finance) Regulations, 1940 to (No. 2) 1941, do hereby order as follows :—

1. This Order may be cited as the Finance Regulations (Capital Issues Exemptions) Order, 1942.

2.—(1) Subject to the provisions of paragraph 4 of this Order, there shall be exempted from the provisions of paragraphs (1) and (2) of regulation 9 of the Emergency Powers (Cyprus Defence) (Finance) Regulations, 1940 to (No. 2) 1941, any transaction of the kinds mentioned in the said paragraph (1) so long as the value of the consideration involved, together with the value of the consideration involved in any previous transaction of those kinds by the same person in the previous twelve months (excluding transactions exempted from the provisions of the said paragraphs by paragraph 3 of this Order or any corresponding provision of a previous Order) does not exceed £2,500.

(2) In this paragraph the expression " the consideration involved " means—

- (a) if the transaction in question is an issue of securities, the amount to be raised by the issue of the securities, or, in the case of securities with a nominal value, the amount to be raised or the total nominal value, whichever is the greater ;
- (b) if the transaction in question is the receipt of money on loan, the total amount of money lent or agreed to be lent ;
- (c) if the transaction in question is a public offer of securities for sale, the total price at which the securities are offered ;
- (d) if the transaction in question is the renewal of any security, the amount the date for payment of which is altered by the renewal ;
- (e) if the transaction in question is the postponement of the date of maturity of any security, the amount secured at the date of the postponement.

The references in paragraph (a) of this sub-paragraph to the amount to be raised by the issue of securities include references to the value of any assets to be acquired in return for the securities issued.

3. Subject to the provisions of paragraph 4 of this Order, there shall also be exempted from the provisions of paragraphs (1) and (2) of regulation 9 of the Emergency Powers (Cyprus Defence) (Finance) Regulations, 1940 to (No. 2) 1941—

- (a) transactions by local authorities in the Colony for the sole purpose of borrowing money to defray expenditure (including the payment of sums due by them to meet the expenses of other authorities) pending the receipt of revenues receivable by them in respect of the period of account in which that expenditure is chargeable so long as the expenditure is not capital expenditure and the money is repayable not later than one month after the termination of that period of account and the amount outstanding at any one time does not exceed one-half of the total revenues received or receivable in respect of that period of account ;
- (b) issues for the purpose of—
 - (i) subdividing any securities into securities of a smaller denomination, or
 - (ii) consolidating any securities into securities of a larger denomination, or
 - (iii) converting shares into stock of equal nominal value or converting stock into shares of equal nominal value, or
 - (iv) converting debentures into debenture stock of equal nominal value or converting debenture stock into debentures of equal nominal value,

so long as, in any of the four cases, the operation does not involve the subscription of any new money ;