



**SUPPLEMENT No. 3**

TO

**THE CYPRUS GAZETTE No. 3027 OF 3RD DECEMBER, 1942.  
SUBSIDIARY LEGISLATION.**

No. 489.

**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, the Emergency Powers (Colonial Defence) (Amendment) Order in Council, 1940, and the Emergency Powers (Colonial Defence) (Amendment) Order in Council, 1942, do hereby make the following regulations:—

1. These regulations may be cited as the Defence (Amendment No. 9) Regulations, 1942, and shall be read as one with the Defence Regulations, 1940 to (No. 8) 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. 9) 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  
 4. 6.1942  
 18. 6.1942  
 16. 7.1942  
 24. 9.1942

2. The following regulation shall be inserted in the principal Regulations immediately after regulation 22 thereof:—

“Control and winding up of certain organizations. 22A.—(1) If the Governor is satisfied with respect to any organization either—

- (a) that it is subject to foreign influence or control, or
- (b) that the persons in control thereof have, or have had, associations with persons concerned in the government of, or sympathies with the system of government of, any Power with which His Majesty is at war,

and in either case that there is danger of the utilization of the organization for purposes prejudicial to the public safety, the defence of the Colony, the maintenance of public order, the efficient prosecution of the war, or the maintenance of supplies or services essential to the life of the community,

*Insertion*  
*of new*  
*regulation*  
 22A.

he may by order direct that this regulation shall apply to that organization.

(2) If the Governor is satisfied that any organization is engaged in succession to any organization to which this regulation applies in activities substantially similar to those formerly carried on thereby, he may by order direct that this regulation shall apply to that organization.

(3) No person shall—

- (a) summon a meeting of members or managers of an organization to which this regulation applies;
- (b) attend any such meeting in the capacity of a member or manager of such an organization;
- (c) publish any notice or advertisement relating to any such meeting;
- (d) invite persons to support such an organization;
- (e) make any contribution or loan to funds held or to be held by or for the benefit of such an organization or accept any such contribution or loan; or
- (f) give any guarantee in respect of such funds as aforesaid.

(4) If, upon application being made by the Attorney-General, or by any member or creditor of the organization, it appears to a Judge of the Supreme Court that any organization is an organization to which this regulation applies, the Judge may make such order as appears necessary to prevent any disposition without the leave of the Judge of property held by or for the organization, and may direct an inquiry and report to be made as to any such property as aforesaid, and as to the affairs of the organization, and make such further orders as appear to the Judge to be just and equitable for the winding up and dissolving of the organization and for the application of any such property as aforesaid in or towards any costs incurred in connection with any such inquiry and report and the winding up and dissolving of the organization, in or towards the discharge of the liabilities of the organization lawfully incurred before the date of the application or since that date with the approval of the Judge, and in or towards the repayment of moneys to persons who contributed to funds held by or for the organization before this regulation applied thereto, and may order that any such property which is not directed by the Judge to be so applied as aforesaid shall be forfeited to the Crown.

(5) In this regulation the expression "manager" means, in relation to any organization, any officer of the organization, and any person taking part in the management or control of the organization or holding or purporting to hold a position of management or control therein."

Revocation  
of regulation  
23 of the  
principal  
Regulations  
and  
substitution  
of new  
regulation.

3. Regulation 23 of the principal Regulations is hereby revoked and the following regulation substituted therefor:—

"Detention  
orders.

23.—(1) If the Governor has reasonable cause to believe any person to be of hostile origin or associations, or to have been recently concerned in acts prejudicial to the public safety or the defence of the Colony, or in the preparation or instigation of such acts, and that by reason thereof it is necessary to exercise control over him, he may make an order against that person directing that he be detained.

(2) If the Governor has reasonable cause to believe any person to have been or to be a member of, or to have been or to be active in the furtherance of the objects of, any such

organization as is hereinafter mentioned, and that it is necessary to exercise control over him, he may make an order against that person directing that he be detained.

The organizations hereinbefore referred to are any organization as respects which the Governor is satisfied that either—

- (a) the organization is subject to foreign influence or control ; or
- (b) that persons in control of the organization have or have had associations with persons concerned in the government of, or sympathies with the system of government of any Power with which His Majesty is at war ;

and in either case that there is danger of the utilization of the organization for purposes prejudicial to the public safety, the defence of the Colony, the maintenance of public order, the efficient prosecution of any war in which His Majesty may be engaged, or the maintenance of supplies or services essential to the life of the community.

(3) If the Governor has reasonable cause to believe—

- (a) that the recent conduct of any person or any words recently written or spoken by such a person expressing sympathy with the enemy, indicates or indicate that that person is likely to assist the enemy ; and
- (b) that by reason thereof it is necessary to exercise control over that person ;

he may make an order against that person directing that he be detained.

(4) At any time after an order has been made against any person under this regulation, the Governor may direct that the operation of the order be suspended subject to such conditions—

- (a) prohibiting or restricting the possession or use by that person of any specified articles ;
- (b) imposing upon him such restrictions as may be specified in the direction in respect of his employment or business, in respect of the place of his residence, and in respect of his association or communication with other persons ;
- (c) prohibiting him from being out of doors between such hours as may be so specified, except under the authority of a written permit granted by such authority or person as may be so specified ;
- (d) requiring him to notify his movements in such manner, at such times, and to such authority or person as may be so specified ;
- (e) prohibiting him from travelling except in accordance with permission given to him by such authority or person as may be so specified ;

as the Governor thinks fit, and the Governor may revoke any such direction if he is satisfied that the person against whom the order was made has failed to observe any condition so imposed, or that the operation of the order can no longer remain suspended without detriment to the public safety or the defence of the Colony.

(5) For the purposes of this regulation, there shall be one or more advisory committees consisting of persons appointed by the Governor ; and any person aggrieved by the making of an order against him, by a refusal of the Governor to suspend the operation of such an order, by any condition

attached to a direction given by the Governor or by the revocation of any such direction under the powers conferred by this regulation may make his objection to such a committee.

(6) It shall be the duty of the Governor to secure that any person against whom an order is made under this regulation shall be afforded the earliest practicable opportunity of making to the Governor representations in writing with respect thereto and that he shall be informed of his right, whether or not such representations are made, to make his objections to such an advisory committee as aforesaid.

(7) Any meeting of an advisory committee held to consider such objections as aforesaid shall be presided over by a chairman nominated by the Governor, and it shall be the duty of the chairman to inform the objector of the grounds on which the order had been made against him and to furnish him with such particulars as are, in the opinion of the chairman, sufficient to enable him to present his case.

(8) If any person fails to comply with a condition attached to a direction given by the Governor under paragraph (4) of this regulation, that person shall, whether or not the direction is revoked in consequence of the failure, be guilty of an offence against this regulation.

(9) Any person detained in pursuance of this regulation shall be deemed to be in lawful custody and shall be detained in such place as may be authorized by the Governor and in accordance with instructions issued by him."

Amendment of regulation 23A. 4. Regulation 23A of the principal Regulations is hereby amended by the addition thereto of the following paragraph:—

"(9) Where a deportation order is made in the case of any alien, the Governor may, if he thinks fit, apply any money or property of the alien in payment of the whole or any part of the expense of or incidental to the voyage from the Colony and the maintenance until departure of the alien and his dependants, if any."

Insertion of new regulation 23B.

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

"Detention of aliens on board any vessel or aircraft arriving in the Colony. 23B.—(1) Where the Governor has reasonable cause to believe that any alien on board any vessel or aircraft arriving in the Colony has recently been concerned in acts prejudicial to the public safety, the defence of the Colony, the efficiency of the prosecution of the war or in the preparation or instigation of such acts, he may order such alien to be removed from such vessel or aircraft and to be detained.

(2) Any alien detained in pursuance of the provisions of paragraph (1) of this regulation shall be deemed to be in lawful detention.

(3) The Governor, if he is satisfied that it is necessary or expedient in the interests of the public safety or the defence of the Colony so to do, may direct that any alien detained under the provisions of this regulation be removed to any country willing to receive such alien."

Revocation of proviso to paragraph (5) of regulation 95A and substitution of new proviso.

6. The proviso to paragraph (5) of regulation 95A of the principal Regulations is hereby revoked and the following proviso substituted therefor:—

"Provided that where any person has been sentenced to suffer death the proceedings shall be subject to review by a Court of Review consisting of one or more Judges of the Supreme Court as the Chief Justice may direct."

Made at Nicosia, this 28th day of November, 1942.

(M.P. 170/38/3.)