

No. 521.

THE DEFENCE REGULATIONS, 1940 TO (No. 9) 1942.

ORDER MADE BY THE COMPETENT AUTHORITY UNDER REGULATION 61.

In exercise of the powers vested in me by virtue of my appointment by the Governor as the Competent Authority for the purposes of regulation 61 of the Defence Regulations, 1940 to (No. 9) 1942, I hereby order as follows :—

1. This Order may be cited as the Defence (Prices in Establishments) Control Order, 1942.

2. In this Order—

“Board” means the several boards, appointed as Competent Authorities under regulation 3 of the Defence Regulations, 1940 to (No. 9) 1942, as constituted from time to time, exercising power and authority within the several districts for which they are respectively appointed ;

“Establishment” means any hotel, boarding house, restaurant, café, bar or any other place or premises of similar kind where any cooked food is sold or is prepared for sale for human consumption (not including bread, biscuits, cakes and small pieces of food usually served with drinks and not separately paid for) ;

“approved price list” means a price list signed or stamped under the provisions of clause 6 (2).

3. This Order shall apply and be in operation only in such towns or villages in the Colony as the Commissioner of the District in which the town or village is situated may direct by notification in the *Gazette* :

Provided that the Commissioner may by the same or a subsequent notification in the *Gazette* exempt from the operation of this Order any particular class or classes of establishments or any establishments situated in any particular area, in any town or village, to which this Order has been made applicable.

4. From and after the expiration of fifteen days from the publication in the *Gazette* of any notification by the Commissioner under clause 3 of this Order, no person being the proprietor of an establishment shall operate such establishment or shall allow or suffer such establishment to be entered or used by any member of the public unless he shall first have obtained from the Board of the District in which such establishment is situated a licence therefor under the provisions of this Order.

5. Any person who desires to obtain a licence under the provisions of this Order shall apply to the Board giving his full name and address and the address in respect of which the application is made. He shall also submit for the approval of the Board a price list of all food and drinks which such person proposes to supply in such establishment.

6.—(1) The Board may approve the price list as submitted or may revise such list and fix such other prices as the Board may seem fit, regard being had to the amenities of the establishment, and no licence shall be issued by the Board for any establishment until the price list relating to such establishment shall have first been approved.

(2) The price list when finally approved by the Board shall be signed or stamped in duplicate by the Chairman of the Board or by any person authorized by him in that behalf and shall be handed to the applicant together with the licence.

(3) Any approved price list may be revised at any time by the Board acting either on its own motion or upon application made in that behalf by the proprietor of the establishment. Every alteration of the approved price list shall be signed or stamped by the Chairman of the Board or by any person authorized by him in that behalf and shall bear the date upon which the alteration was made.

7. Any licence issued under the provisions of this Order—

- (a) shall be in the form set out in the Schedule hereto and shall be signed by the Chairman of the Board or by any person authorized by him in that behalf ;
- (b) shall be personal to the holder and shall not be transferable ;
- (c) shall be valid only in respect of the establishment mentioned therein and for a period of six months from the date of issue, unless forfeited upon the conviction of the licensee, before the expiration of that period ;
- (d) shall be displayed at a conspicuous place in the establishment to which it relates ;
- (e) may contain such terms and conditions as the Board may think fit to impose (including the quantities of all or any particular kind of food or drink which should be supplied for the price specified in the approved price list) ;
- (f) may be renewed by the Board by endorsement, subject to such terms and conditions as the Board may think fit to impose upon such renewal.

8.—(1) The duplicate approved price lists shall be exhibited in two separate conspicuous parts of the establishment to which they relate.

(2) The proprietor of any establishment licensed under the provisions of this Order shall not serve or allow or suffer to be served any person visiting or using such establishment with any food or drink without first inviting the attention of such person to the approved price list.

(3) Provided always that the requirements of sub-clauses (1) and (2) hereof are complied with, nothing in this clause contained shall prevent the licensee from placing on the tables or in other parts of his establishment copies of the approved price list for the convenience of his customers: Provided that such copies are exact copies of the approved price list and that such copies bear the signature of the licensee.

9. No food or drink shall be served in any establishment unless such food or drink appears in the approved price list exhibited in such establishment.

10. The charge which may be made by any establishment licensed under this Order for any food or drink (together with the concomitants thereof) sold, furnished or supplied to any person visiting or using such establishment shall not exceed the amount specified on the approved price list exhibited in such establishment :

Provided that in addition to any amount so specified there may be made—

- (a) a charge for service not exceeding 10% of the amount so specified ;
- (b) such other charge as the Board may permit to be made, and to be specified in the approved price list, regard being had to any entertainment or other amenities provided or offered at the establishment.

11. —(1) Notwithstanding anything in this Order contained, the total charge which may be made in any establishment licensed under this Order for any food or the concomitants thereof (but not including drinks) sold or served in such establishment to any one person at any one time shall not exceed an amount to be specified on the licence.

(2) Any amount so specified shall also be shown on the approved price list and on every copy of such list used at such establishment under the provisions of clause 8.

12. Any person that I or the Commissioner of the District may authorize in writing in that behalf may enter upon any premises and make such enquiries or inspection therein as may be necessary for the purpose of ascertaining whether the provisions of this Order have been or are being complied with.

13.—(1) Any person who—

- (a) contravenes or fails to comply with any provisions of this Order ;
- (b) fails to comply with any term or condition contained in any licence issued under this Order ;
- (c) in any establishment, uses or allows or suffers the use of any price list which is not an exact copy of the approved price list relating to such establishment ;
- (d) knowingly misleads or otherwise interferes with or impedes any person exercising any powers or performing any duties under the provisions of this Order,

is liable to the penalties prescribed in regulation 94 of the Defence Regulations, 1940 to (No. 9) 1942.

(2) If any of the provisions of this Order are contravened by any person in any establishment the licensee thereof shall be deemed to have also contravened such provisions unless he proves to the satisfaction of the Court that he took all reasonable means and precaution to prevent such contravention.

(3) Upon conviction of the licensee for any offence under the provisions of this Order his licence may be forfeited at the discretion of the Board : Provided that if such licensee appeals against such conviction and the appeal is allowed, his licence shall be reinstated.

14. Nothing in this Order contained shall exempt any person from complying with the provisions of any Law or public instrument, relating to the licensing of, or in connection with, any establishment.

15. Nothing in this Order contained shall apply to any canteen, mess or institution operating, maintained or carried on—

- (a) with the consent or approval of the General Officer Commanding Cyprus, for the exclusive use of members of His Majesty's or Allied Forces in the Colony ;
- (b) for the exclusive use of members of the Cyprus Police Force.

SCHEDULE.

The Defence (Prices in Establishments) Control Order, 1942—(Clause 7 (a)).

LICENCE.

Licence is hereby granted to.....of..... under and subject to the provisions of the Defence (Prices in Establishments) Order, 1942, in respect of the following establishment, that is to say :

2. This licence is granted subject to the following terms and conditions :—

3. The total charge which may be made in the above mentioned establishment for any food or the concomitants thereof (but not including drinks) sold in such establishment to any one person at any one time shall not exceed.....

Dated the.....1942.

(Signed).....
Chairman of Board.

B. J. SURRIDGE,
Controller of Supplies,
Competent Authority.