

2. Regulation 61 of the principal Regulations is hereby amended as follows:— **Amendment of regulation 61.**

(a) by the insertion immediately after paragraph 1 (aa) of the following paragraph:—

✓ “(ab) for licensing any person to deal, sell, have in his possession or under his control any articles of any description;”

(b) by the insertion immediately after paragraph (8) of the following paragraph:—

✓ “(9) Any order made under paragraph 1 (ab) of this regulation may, in addition to any other penalty provided by these regulations, make provision, in the case of a contravention of the provisions of such order or the terms of a licence issued thereunder, for the vesting in such person as the order may direct of any articles covered by the licence and for the payment to the licensee of such sum in respect of such articles as he would be entitled to receive on a sale thereof under any order in force for the time being relating to the maximum price at which such articles may be sold, less a percentage not exceeding twenty per centum, or, if no such order has been made, for the payment to the licensee of an amount which the Commissioner of the District is satisfied represents the cost price of such articles.”

Made at Nicosia, this 25th day of February, 1942.

(M.P. 231/41.)

No. 56. THE DEFENCE REGULATIONS, 1940 TO (No. 2) 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. 2) 1942, I hereby order as follows:—

1. This Order may be cited as the Defence (Licensing of Dealers of Certain Goods) Order, 1942.

2. From and after the 23rd March, 1942, no person shall deal, sell or have in his possession or control any of the goods described in the First Schedule hereto without a licence from the Commissioner of the District:

Provided that nothing in this clause shall apply to any goods in the possession or under the control of any person if such goods—

- (a) are the produce of Cyprus and have been grown ~~or produced~~ by such person;
- (b) are held by such person for his reasonable domestic requirements for one month;
- (c) are held in premises occupied by keepers of restaurants or coffee-shops for consumption on such premises by the public.

3. Any person desiring to obtain a licence under this Order shall apply to the Commissioner of the District in the form set out in the Second Schedule hereto giving the particulars therein set out.

4. A licence issued under this Order may contain such terms, limitations and conditions as the Commissioner of the District may think fit to impose.

5.—(1) Every licence issued under this Order shall expire on the 31st day of December next following the date of issue but may be cancelled before that date by the Commissioner of the District if the holder thereof is convicted by a Court for any contravention of this Order or of any term, limitation or condition contained in any licence issued to the holder under this Order, or of any other order made by a Competent Authority—

- (a) for controlling the prices at which any articles may be sold; or
- (b) for regulating or prohibiting the treatment, keeping, storage, movement, transport, sale, purchase, distribution or use of any articles; or
- (c) for regulating or prohibiting the slaughter of animals.

(2) The Commissioner of the District may in his discretion refuse to issue a licence to any person whose licence has been cancelled under the provisions of this Order.

6. Any person aggrieved by any decision of the Commissioner of the District taken under clause 4 or 5 of this Order may, within ten days from the date thereof, appeal to the Governor in Council whose decision thereon shall be final and conclusive:

Provided that if the holder of the licence appeals to the Supreme Court against the conviction in respect of which the licence is cancelled as well as to the Governor in Council against a decision taken under clause 5 (1) of this Order, the Governor in Council shall not consider the appeal to him unless the appeal to the Supreme Court has been dismissed by that Court.

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7. Upon the cancellation of a licence the following provisions shall have effect, that is to say:—

- (a) all goods in respect of which the licence was issued shall vest in the Commissioner of the District;
- (b) if the goods are of a perishable nature the Commissioner of the District shall forthwith sell such goods and shall pay to the person who was the holder of such licence, (hereinafter referred to as "the licensee"), the value of such goods assessed at the maximum price at which such goods could be sold under any order in force for the time being, less twenty per centum or, if no such order has been made respecting such goods, an amount which the Commissioner is satisfied represents the cost price of such goods to the licensee:

Provided that if the licensee appeals—

- (i) to the Governor in Council under the provisions of clause 6 hereof against the decision of the Commissioner cancelling the licence, and the appeal is successful; or
 - (ii) to the Supreme Court against his conviction, and the conviction is quashed,
- then and in every such case, the Commissioner shall pay to him the full value of such goods assessed at the maximum price at which such goods could be sold under any order in force for the time being, without any deduction or, if no such order has been made respecting such goods, an amount which the Commissioner is satisfied represents the full market value of such goods on the day of the sale;
- (c) if the goods are not of a perishable nature the Commissioner of the District shall not dispose of the goods until the lapse of ten days from the date upon which he gave his decision for the cancellation of the licence or from the date upon which sentence was pronounced by the Court which convicted the licensee or if the licensee has appealed to the Governor in Council or to the Supreme Court, until the determination of such appeal by the Governor in Council or the Supreme Court, as the case may be, and
 - (i) if the appeal is dismissed, the Commissioner of the District shall sell the goods and shall pay to the licensee the value of such goods assessed at the maximum price at which such goods could be sold under any order in force for the time being, less twenty per centum or, if no such order has been made respecting such goods, an amount which the Commissioner is satisfied represents the cost price of such goods to the licensee, or
 - (ii) if the appeal is successful, such of the goods as have not been sold under paragraph (b) hereof shall revert in the licensee and the licensee shall be reinstated and the Commissioner shall, in respect of any goods sold under paragraph (b) hereof, pay to the licensee an amount which the Commissioner is satisfied represents the full market value of such goods on the day of the sale;
 - (d) pending the sale of any goods following the cancellation of a licence the licensee shall permit the goods to remain on the premises set out in his licence, without the payment of any rent or other compensation whatsoever.

8. A licence issued under this Order shall be exhibited by the holder in a conspicuous place in such premises as may be specified in the licence.

9. The Commissioner of the District may appoint inspectors for the purposes of this Order and every inspector so appointed shall have power to enter at all times, at all reasonable hours, upon any premises for the purpose of carrying out any inspection or search which may be reasonably required in order to ascertain whether the provisions of this Order have been, or are being complied with.

10.—(1) The First Schedule to this Order may be amended by me by notice published in the *Gazette* and upon such publication such amendment shall form part of this Order for all purposes.

(2) If in consequence of any amendment made under this clause it is necessary to amend any licence issued under the provisions of this Order such licence shall be amended by an endorsement on such licence.

11. The provisions of this Order as to licensing shall be in addition to and not in derogation of any other provision requiring any person to obtain a licence in respect of any trade, business or goods under any Law or public instrument.

12. Any person who acts in contravention of any of the provisions of this Order or of any term, limitation or condition contained in any licence issued to such person under this Order is, in addition to any vesting of goods as provided for by this Order, liable to the penalties prescribed in regulation 94 of the Defence Regulations, 1940 to (No. 2) 1942.

FIRST SCHEDULE.

(Clause 2.)

- 1. Beans and peas, dried, of all varieties.
- 2. Barley.
- 3. Boots, shoes and sandals.
- 4. Building materials.
- 5. Cheese, local.
- 6. Cloth and textiles.
- 7. Coffee.
- 8. Cutlery.
- 9. Drugs and pharmaceutical preparations.
- 10. Flour : (a) Imported,
(b) Locally milled barley,
(c) Whole wheat.
- 11. Glass and crockery.
- 12. Iron and all engineering or building materials.
- 13. Leather.
- 14. Lentils.
- 15. Macaroni, locally made.
- 16. Meat, fresh, (within the limits of any Municipal Corporation).
- 17. Margarine.
- 18. Matches.
- 19. Oils, edible, of all varieties.
- 20. Onions.
- 21. Potatoes.
- 22. Rice.
- 23. Sesame.
- 24. Soda crystals.
- 25. Sugar.
- 26. Timber.
- 27. Tinned, bottled, dried or preserved commodities of any description used for human consumption and flavouring matters or other condiments used in the preparation of human food.
- 28. Wheat.

1. *Handwritten:* 4/1/1901. Cr. & C. G. S.
 2. *Handwritten:* 40/725, 41/11220, 42/107

Handwritten: Callon 42/79, Cr.

Handwritten: 40/767. Cr. & C. G. S.

Handwritten: 40/725, 41/214 & 42/127

SECOND SCHEDULE.

The Defence (Licensing of Dealers of Certain Goods) Order, 1942—(Clause 3).

APPLICATION UNDER CLAUSE 3.

To the Commissioner of.....
 I,..... of.....
 hereby apply, under clause 3 of the Defence (Licensing of Dealers of Certain Goods) Order, 1942, for a licence to deal, sell or have in my possession or control the following goods, that is to say :—
 (give description of goods)
 at..... (give full address of the premises at which goods are found).
 Date..... (Signature of Applicant).....

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

(M.P. 231/41.)

No. 57 THE DEFENCE REGULATIONS, 1940 TO (No. 2) 1942.

APPOINTMENT OF COMPETENT AUTHORITY UNDER REGULATION 3.

C. C. WOOLLEY,
 Governor.

Handwritten: A. 42/139

I, the Governor, in exercise of the powers conferred by regulation 3 of the Defence Regulations, 1940 to (No. 2) 1942, do hereby appoint as Competent Authorities the several Boards set out in the First Schedule hereto with power and authority to fix, subject to the approval of the Central Board set out in the Second Schedule hereto, under regulation 61 of the Defence Regulations, 1940 to (No. 2) 1942, within the several Districts for which they are respectively appointed, the maximum prices at which any goods or articles whatsoever produced or grown in Cyprus or made or consisting of materials mainly produced or grown in Cyprus, may be sold.