

No. 315.

THE DEFENCE (CONTROL OF SALE PRICES OF SCHEDULED ARTICLES)
CONSOLIDATION ORDERS, 1940 TO 1942.

NOTICE NO. 116 UNDER CLAUSE 13.

The Schedule is hereby amended by the deletion therefrom of part 77 and the substitution thereof of the following part:—

"PART 77.—ONIONS.

(1)	(2)	(3)	(4)
	Price to producers	Wholesale price ex Government Distribution Centres	Retail price
Onions bought and sold by Government	4p. per oke.	4 $\frac{3}{4}$ p. per oke.	5 $\frac{1}{2}$ p. per oke."

J. A. C. CRUIKSHANK,
Controller of Supplies,
Competent Authority.

No. 316. THE DEFENCE REGULATIONS, 1940 TO (No. 1) 1943.

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. 1) 1943, I hereby order as follows:—

1. This Order may be cited as the Defence (Restriction of Sales of Imported Articles) Order, 1943.

2. In this Order—

"Imported Article" means any article imported into the Colony from any place outside the Colony.

3.—(1) Between the 2nd September, 1943, and the 30th September, 1943, both dates inclusive no person shall:—

(a) sell or otherwise dispose of any imported article to any other person for the purpose of resale:

(b) buy or otherwise acquire any imported article from any other person for the purpose of resale, save under the authority of a special permit issued under my hand.

(2) Every special permit issued under the provisions of paragraph (1) hereof may contain such terms and conditions (including the price at which such articles are to be sold or purchased by wholesale or by retail) as may be specified therein.

4. Any person who acts in contravention of any of the provisions of this Order or of any of the terms or conditions specified in any special permit issued under this Order is liable to the penalties prescribed in the Defence Regulations, 1940 to (No. 1) 1943.

J. A. C. CRUIKSHANK,
Controller of Supplies,
Competent Authority.

No. 317.

THE INCREASE OF RENT (RESTRICTION) LAWS, 1942 AND 1943.

RULES MADE UNDER SECTION 10 (10).

In exercise of the powers vested in each one of the Rent Assessment Boards established under the provisions of the Increase of Rent (Restriction) Laws, 1942 and 1943, in each one of the rent restriction areas of Akanthou, Famagusta, Karavas, Kyrenia, Kythrea, Lapithos, Larnaca, Lefka, Lefkara, Lefkoniko, Limassol, Morphou, Nicosia, Paphos and Polis, the Rent Assessment Board of each one of the said areas hereby, with the approval of the Governor in Council, make the following rules:—

1. These rules may be cited as the Rent Assessment Rules, 1943.

2. In these rules, unless the context otherwise requires—

“the applicant” includes—

(a) his duly authorized representative or agent, and

(b) his guardian, where the applicant has not completed the age of eighteen years or is a lunatic, idiot, imbecile, or otherwise mentally incapacitated from the management of his affairs;

“the Board” means the Rent Assessment Board in each rent restriction area operating within the area for which it has been respectively established;

“President” and “Chairman” means respectively the President and Chairman of the Board, as the case may be;

“the Law” means the Increase of Rent (Restriction) Laws, 1942 and 1943;

“the Registrar” means the officer appointed by the Board to carry out the duties of Registrar of the Board under these rules;

“rent restriction area” means each one of the rent restriction areas of Akanthou, Famagusta, Karavas, Kyrenia, Kythrea, Lapithos, Larnaca, Lefka, Lefkara, Lefkoniko, Limassol, Morphou, Nicosia, Paphos and Polis.

3. The Forms in these rules referred to are the Forms contained in the Schedule to these rules.

4. The Board shall sit at such times and places as it may fix, and may adjourn the proceedings relating to any application for such period as the Board may consider advisable for the better conduct of such proceedings.

5.—(1) The President shall preside at every sitting of the Board at which he is present.

(2) If the President is not present at any sitting of the Board, the Chairman, elected by the members of the Board present, shall preside.

6. The language to be used at sittings of the Board may be English, Greek or Turkish as the President or Chairman may direct having regard to the circumstances of each particular case.

7. An application by a landlord or tenant or other person interested under section 6 (1) of the Law, shall be in the Form No. 1 and shall be accompanied by a statement (hereinafter referred to as “the Statement of Claim”) setting out clearly all reasonable particulars of the claim and of the facts relied upon by the applicant in support thereof.

8. Every application in the Form No. 1—

(a) shall be signed by the applicant; and

(b) shall, together with six copies thereof and of the Statement of Claim, be filed with the Registrar.

9. When an application and Statement of Claim have been filed pursuant to rule 8 the Registrar shall send a notice thereof by post or otherwise to the other parties named in the application and to all other persons who, in the opinion of the Board, may be affected thereby together with a copy of the application and Statement of Claim.

10. Every person to whom a notice has been sent in pursuance to rule 9 (hereinafter referred to as “the Respondent”) shall, within fourteen days of the receipt of the notice, file with the Registrar a statement signed by the Respondent (hereinafter referred to as “the Defence”), together with six copies thereof, containing his answer to the claim and setting out clearly which particulars contained in the Statement of Claim are admitted and which are disputed and any further matters or grounds affecting the claim on which he proposes to rely.

11. When a Defence has been filed pursuant to rule 10 the Registrar shall send by post or otherwise notice thereof to the applicant, together with a copy of the Defence.

12. The Board may at any stage of the proceedings allow any party to amend his application, Statement of Claim or Defence filed under these rules, in such manner and on such terms as may be just.

13. There shall be paid by the applicant a fee at the rate of 4½ p. for every pound or part thereof of the amount which the applicant claims as annual rent for the premises in respect of which the application is made. Such fee shall be paid in stamps and shall be affixed on the application.

14.—(a) As soon as may be after the filing of the Defence under rule 10 the Board shall fix the date and place for hearing and the Registrar shall communicate the same to the parties.

(b) When any application filed under rule 8 is settled by agreement between the parties the applicant shall give immediate notice thereof to the Registrar.

15. The procedure to be followed on the hearing of any application under the Law shall as nearly as possible be the same as the procedure followed on the hearing of a civil action before a Court of Law; and the rules relating to civil proceedings shall, as far as practicable, apply to any matter arising out of a proceeding under the Law or these rules for which provision is not made therein.

16. The Board may, if in any particular case it thinks it right so to do, take into consideration any matter which it considers relevant to the subject matter of the inquiry before it, notwithstanding that the matter is not admissible in evidence under the law relating to evidence.

17. Every decision of the Board (hereinafter referred to as "the Order") shall be in writing and signed by the President or Chairman, as the case may be, and the members of the Board before whom the hearing took place. A copy of the Order certified by the Registrar shall be sent by him to all the parties.

18. The Board may, if it thinks fit, upon application by any party affected by an Order made under rule 17, rehear, reconsider or revise such Order and may make such further Order in reference thereto as it may consider just.

19. No application for rehearing, reconsideration or revision of any Order shall be made after the expiration of fourteen days from the date of such Order.

20. Every application for rehearing, reconsideration or revision shall be in the Form No. 2 and shall state in full the grounds on which the application is based and the reasons relied upon for the grounds stated.

21. The provisions of rules 4, 5, 6, 8, 9, 12, 13, 14, 15 and 16, shall have effect and apply *mutatis mutandis* in the case of an application for rehearing, reconsideration or revision as they have effect and apply to an application under section 6 (1) of the Law :

Provided that if the Board does not think fit to exercise the power of rehearing, reconsideration or revision, the Registrar shall inform the applicant accordingly and thereupon no further proceedings shall be taken upon such application.

22. The time appointed by these rules for doing any act or taking any step may be enlarged by consent of the parties or may be enlarged or abridged by the Board upon such terms (if any) as the justice of the case may require, and such enlargement may be ordered although the application for the same is not made until after the expiration of the time appointed or allowed.

23. Where by these rules any document is required to be filed or any communication is required to be made or any document transmitted by the Registrar the same may be done by sending the document or communication by double registered post.

24. Non-compliance with any of these rules shall not render any proceeding void unless the Board shall so direct, but such proceeding may be set aside either wholly or in part as irregular, or amended, or otherwise dealt with in such manner and upon such terms as the Board shall think fit.

SCHEDULE.

FORM No. 1.

The Rent Assessment Rules, 1943—(Rule 7).

APPLICATION BY A LANDLORD, TENANT OR OTHER PERSON INTERESTED.

(SECTION 6 (1) OF THE LAW.)

Before the Rent Assessment Board of _____ No.
 Between A.B., _____ of _____
 and _____ of _____
 C.D. _____ of _____
 _____ Respondent,

To the Rent Assessment Board of _____
 I, the undersigned, _____ of _____
 being the (landlord, tenant or other person interested*), of the premises situated
 at _____ hereby apply under section 6 (1) of the
 Increase of Rent (Restriction) Law, 1942, for an Order of the Board fixing the rent
 of the premises aforesaid.

It is claimed that the rent should be fixed at the rate of.....
 per annum.

The facts relied upon are set out in the accompanying Statement of Claim.

Applicant's address for service :

(Signed)

Filed on the _____ day of _____ 194

The Registrar.

* Delete words not required.

FORM No. 2.

The Rent Assessment Rules, 1943—(Rule 20).

APPLICATION FOR REHEARING, RECONSIDERATION OR REVISION.

(SECTION 6 (4) OF THE LAW.)

Before the Rent Assessment Board of _____ No.
 Between _____ A.B. _____ of _____
 _____ and _____ *Applicant,*
 _____ C.D. _____ of _____
 _____ *Respondent,*

To the Rent Assessment Board of _____

I, the undersigned,
 of _____ the above-named Applicant/Respondent
 hereby apply under section 6 (4) of the Increase of Rent (Restriction) Law,
 1942, for } rehearing of the above application,
 } reconsideration } of the Order of the Board made in the above
 } review }
 application on the _____ day of _____ 194 .

The grounds of my application and the reasons therefor are as follows:—

Dated the _____ day of _____, 194

(Signed)

Filed the _____ day of _____ 194

The Registrar.

(M.P. 1212/39.)