

No. 391. THE DEFENCE REGULATIONS, 1940 TO (No. 1) 1943.

APPOINTMENT OF COMPETENT AUTHORITIES UNDER REGULATION 3.

C. C. WOOLLEY,
Governor.

I, the Governor, in exercise of the powers conferred by regulation 3 of the Defence Regulations, 1940 to (No. 1) 1943, do hereby appoint as Competent Authorities the several Councils of the Municipal Corporations of the towns of Nicosia, Larnaca, Paphos and Kyrenia with power and authority to fix, under regulation 61 of the Defence Regulations, 1940 to (No. 1) 1943 within the limits of a radius of five miles from the Municipal Offices of each one of the towns above mentioned in which each Council operates respectively under the Municipal Corporations Laws, 1930 to 1943, the maximum prices at which any perishable goods may be sold therein :

Provided that any Council of the Municipal Corporations aforementioned may appoint from among the members thereof a Committee consisting of such number of persons as the Council thinks fit for the purpose of exercising on behalf of such Council the powers and authority hereinbefore mentioned ; and in every such case the Committee so appointed shall be deemed to be a Competent Authority for that purpose with full power and authority to act within the respective limits hereinbefore mentioned.

2. For the purposes of this instrument " perishable goods " means game, fresh fruit, kolokassi, potatoes, onions, cucumber, fresh beans of all kinds, fresh peas, fresh bulbs, and any other green or fresh vegetables or plants of any kind, or any part thereof, whether cultivated or growing wild.

3. These appointments are in addition to and not in derogation of any other appointment made for the purposes of regulation 61 of the Defence Regulations, 1940 to (No. 1) 1943.

4. This instrument shall take effect as from the 15th November, 1943 and thereupon the instrument published in Supplement No. 3 to the *Gazette* of the 26th February, 1942, under Notification No. 57, relating to the appointment of several price fixing Boards, together with any amendment thereof and with any order made by any such Board shall be revoked without prejudice to anything done or left undone thereunder.

Given at Nicosia, this 4th day of November, 1943.

(M.P. 492/42.)

No. 392. 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.—(1) These Regulations may be cited as the Defence (Perishable Goods) Regulations, 1943, and shall be read in conjunction with the instrument published under Notification No. 391 in Supplement No. 3 to the *Gazette* of the 4th November, 1943, (relating to the appointment of the Councils of certain Municipal Corporations as Competent Authorities hereinafter called " the instrument "):

(2) The Interpretation Law, 1935, shall apply to the interpretation of these regulations as it applies to the interpretation of a Law and for the purposes of the said Law, these regulations shall be deemed to be Laws.

2. In these regulations—

" Municipal Council " means the council of each one of the Municipal Corporations of the towns of Nicosia, Larnaca, Paphos and Kyrenia operating within the limits of the area and includes any Committee appointed under the proviso to paragraph 1 of the instrument ;

" the area " means the area within the limits of a radius of five miles from the Municipal Offices of each one of the towns of Nicosia, Larnaca, Paphos and Kyrenia in which the Municipal Council operates respectively under the Municipal Corporation Laws, 1930 to 1943 ;

" perishable goods " means game, fresh fruit, kolokassi, potatoes, onions, cucumber, fresh beans of all kinds, fresh peas, fresh bulbs, and any other green or fresh vegetables or plants of any kind, or any part thereof, whether cultivated or growing wild.

3. When a Municipal Council as Competent Authority under regulation 61 of the Defence Regulations makes an order fixing the maximum prices at which any perishable goods may be sold under such order within the area in which such Council is operating, a copy of such order and of every amendment thereof in Greek and Turkish shall be posted up in a conspicuous place in the Municipal Market of the town in which such Municipal Council operates and in a conspicuous place in every village situated outside the Municipal limits but within the area and thereupon the order or the order as amended shall be of full force and effect and shall be in operation within the area without further publication.

4. A certificate under the hand of the mayor or the deputy mayor of the Municipal Corporation concerned regarding—

(a) the maximum prices at which any perishable goods can be sold under any order made by the Municipal Council; and

(b) the posting of such order,

shall be admitted in evidence as conclusive proof of the facts set out therein.

5.—(1) When in connection with the sale of any perishable goods any Municipal Council is empowered to issue licences to persons who propose to sell any such goods within the area, such Council may charge in respect of every such licence a fee not exceeding five shillings in respect of every period of three months during which such licence is valid and in force.

(2) All fees chargeable under the provisions of paragraph (1) of this regulation shall be paid to the town clerk of the Municipal Corporation concerned and shall form part of the town fund of such Corporation.

Made at Nicosia, this 4th day of November, 1943.

(M.P. 492/42.)

No. 393. 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 (Perishable Goods) Licensing Order, 1943.

2. In this Order the expressions "Municipal Council", "perishable goods" and "the area" shall have respectively the same meaning as in clause 2 of the Defence (Perishable Goods) Regulations, 1943.

3.—(1) From and after the 15th November, 1943, no person shall sell within the area any perishable goods without a permit from the Municipal Council.

(2) Any person desiring to obtain a licence under this Order shall apply in writing to the Municipal Council of the area within which the applicant proposes to sell perishable goods setting forth his full name and address and the premises or place at which he proposes to sell such goods.

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

4. A licence may be issued or refused at the discretion of the Municipal Council and may contain such terms, limitations and conditions as the Municipal Council issuing the same may think fit to impose.

5.—(1) Unless cancelled as in clause 9 (2) hereof provided, every licence issued under this Order, shall be valid for three months from the date of issue but may be renewed at the discretion of the Municipal Council which had granted it.

(2) The renewal of any such licence may be effected by a note to that effect made thereon subject to such terms, limitations and conditions as the Municipal Council issuing the same may think fit to impose.

(3) When a Municipal Council refuses to renew any licence upon its expiration the Municipal Council concerned shall allow the holder of the expired licence a period not exceeding three days for enabling such holder to dispose of any perishable goods as may be in his possession on the day of the expiration of his licence.

6. Any person aggrieved by any decision of a Municipal Council under clause 4, 5 or 9 (2) of this Order may within three days from the date of the notification of such decision appeal to the Governor in Council, whose decision thereon shall be final and conclusive.

7. Every Municipal Council 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 or place for the purpose of carrying out any inspection which may be reasonably required in order to ascertain whether the provisions of this Order have been or are being complied with.

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

9.—(1) Any person who—

(a) acts in contravention of, or fails to comply with, any of the provisions of this Order or of any term, limitation or condition imposed by any licence issued under this Order;