

No. 480. 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 (Importation of Goods) Regulations, 1943.

(2) The Interpretation Law, 1935, shall apply to the interpretation of these regulations as it applies to the interpretation of a Law.

2.—(1) Notwithstanding anything in any Law or other public instrument contained, but subject to regulation 3 hereof, the importation into the Colony of any goods whatsoever is prohibited save under the authority of a licence granted by the Controller of Supplies and subject to such terms and conditions (including the price at which such goods shall be purchased from abroad or sold in the Colony and the manner in which such goods may be sold or disposed of in the Colony) as may be specified in such licence:

Provided that the Controller of Supplies may, by notice addressed to the holder of the licence, before any such goods are withdrawn from the Customs, amend any term or condition relating to the price at which such goods may be sold in the Colony and the manner in which such goods may be sold or disposed of in the Colony or may insert any other term or condition therein relating to the matters hereinbefore mentioned as to him may seem fit and thereupon the terms and conditions in the licence shall be read with the terms and conditions contained in the notice addressed to the holder of the licence and shall be binding on the holder:

Provided also that any licence granted under the provisions of the Importation of Goods (Restriction) Orders, 1940 and 1943, shall be deemed to have been issued under these regulations and the provisions of these regulations shall apply to any such licence as they apply to a licence issued under these regulations.

(2) Any person aggrieved by the refusal of the Controller of Supplies to grant a licence or by any term or condition specified in any licence or in any notice addressed to the holder of such licence under the provisions of the first proviso to paragraph (1) hereof, may within seven days from the notification of the decision of the Controller of Supplies appeal to the Governor in Council, whose decision thereon shall be final and conclusive.

3. Nothing in these regulations contained shall apply—

- (a) to any goods consigned through the Postal Service where the value of such goods does not exceed one pound and such goods are consigned to a private individual for his private use;
- (b) to any *bona fide* baggage (as defined in item 9 of the Second Schedule to the Customs Laws, 1936 to (No. 2) 1942) being the property of and accompanied by a passenger and proved to the satisfaction of the Comptroller of Customs and Inland Revenue to be for the personal use of such passenger.

4. Any person who—

- (a) imports or attempts to import into the Colony any goods in contravention of the provisions of these regulations;
- (b) acts in contravention of any of the terms or conditions specified in any licence granted under these regulations, or in any such licence read together with any notice addressed to the holder of such licence under the first proviso to paragraph (1) of regulation 2 hereof,

shall be guilty of an offence and shall be tried by the President of a District Court or a District Judge and on conviction shall be liable to imprisonment for a term not exceeding three years or to a fine not exceeding one hundred pounds or to both such imprisonment and fine.

5. The Controller of Supplies may order that any goods imported into the Colony in contravention of the provisions of these regulations (and whether any person has been prosecuted therefor or not) shall be forfeited and thereupon such goods shall be forfeited to the Crown.

6. The provisions of these regulations shall be in addition to and not in derogation of the provisions of any Law or other public instrument.

Made at Nicosia, this 28th day of December, 1943.

(M.P. 1435/39/3.)

Amd. 599/53.