



**SUPPLEMENT No. 3**  
TO  
**THE CYPRUS GAZETTE No. 3133 OF 17TH AUGUST, 1944.**  
**SUBSIDIARY LEGISLATION.**

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**No. 272. 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. These regulations may be cited as the Defence (Amendment No. 2) Regulations, 1944, and shall be read as one with the Defence Regulations, 1940 to 1944, (hereinafter referred to as "the principal Regulations"), and the principal Regulations and these regulations may together be cited as the Defence Regulations, 1940 to (No. 2) 1944.

*Gazettes :*  
Supplement  
No. 3 :

3. 6.1940  
7. 8.1940  
23. 8.1940  
9.10.1940  
11.12.1940  
29. 1.1941  
30. 5.1941  
18. 6.1941  
23.10.1941  
6.11.1941  
15.12.1941  
5. 2.1942  
26. 2.1942  
2. 4.1942  
4. 6.1942  
18. 6.1942  
16. 7.1942  
24. 9.1942  
3.12.1942  
18. 3.1943  
17. 2.1944

2. Paragraph (b) of regulation 4 of the principal Regulations is hereby revoked and the following paragraph substituted therefor:—

"(b) For the purposes of regulations 10, 49A and 5S, a customs officer."

Revocation  
of regulation  
4 (b) and  
substitution  
of new  
regulation.

3. The following regulation shall be inserted in the principal Regulations immediately after regulation 13:—

"Control of telephone communications. 13A.—(1) The Governor may by order, either generally or in the case of any particular persons, prohibit any telephonic communication by trunk call except with such permission or on such conditions as may be specified in the order.

(2) Any permission given under paragraph (1) of this regulation may contain such terms and conditions as the authority giving the same may think fit to impose.

Insertion  
of new  
regulation  
13A.

(3) If any person affected by any such order fails to comply therewith or with any condition specified therein or with any conditions subject to which permission thereunder has been granted, or does anything whereby a trunk call is effected or may be effected contrary to any such order or to any condition specified therein or to any conditions subject to which permission thereunder has been granted, he shall be guilty of an offence.

(4) Nothing in this regulation contained shall apply to any trunk call proposed to be made through any Government telephone apparatus."

Insertion  
of new  
regulation  
23c.

4. The following regulation shall be inserted in the principal Regulations immediately after regulation 23b thereof:—

"Power to <sup>1/18/54</sup> 23c.—(1) Where any person has been lawfully ordered to be detained in the United Kingdom or in any country or territory to which the Emergency Powers (Defence) Acts, 1939 and 1940, have been extended by any Order in Council made under section 4 of those Acts, the Governor may if it appears to him that it is expedient in the interests of public safety or defence that that person should be detained but that his detention in the United Kingdom or that country or territory, as the case may be, is impracticable or inexpedient, make arrangements with the authority in the United Kingdom or the said country or territory by which that person has been ordered to be detained (in this regulation called 'the detaining authority') for the removal of that person to Cyprus, and may make an order against that person directing that while on board any United Kingdom ship and after his arrival in Cyprus he shall be detained.

(2) Any person detained in pursuance of this regulation:—

(a) shall be deemed to be in lawful custody;

(b) shall be under the joint control of the Governor and the detaining authority;

(c) shall be detained in accordance with instructions issued by the Governor with the concurrence of the detaining authority;

(d) after arrival in Cyprus shall be detained in such place as may be authorized by the Governor with the concurrence of the detaining authority;

(e) shall be returned to the United Kingdom or the country or territory, as the case may be, where he was originally detained, if the detaining authority so requests; and

(f) shall be released if his release is ordered by the Governor:

Provided that, if the Governor is satisfied that there is urgent necessity for issuing instructions regarding the control or detention of any such person without consulting the detaining authority, he may issue such instructions accordingly, and any instructions so issued shall have effect pending agreement after such consultation as aforesaid and, if concurred in by the detaining authority, thereafter."

Amendment  
of regulation  
52.

5. Regulation 52 of the principal Regulations is hereby amended as follows:—

(a) by the deletion therefrom of paragraph (6) and the substitution thereof of the following paragraph:—

"(6) No person lawfully engaged to serve on board any ship to which this regulation applies shall—

(a) join his ship, or be whilst on board his ship, in a state of drunkenness so that the performance of his duties or the navigation of the ship is thereby impeded;

(b) continuedly and wilfully disobey lawful commands or continuedly and wilfully neglect his duty;

(c) assault the master or any mate or certificated engineer of his ship; or

(d) wilfully damage his ship or embezzle or wilfully damage any of her stores or cargo.

Nothing in this paragraph shall be taken to prejudice the provisions of section 225 of the Merchant Shipping Act, 1894, relating to forfeiture of wages for wilful damage to a ship or embezzlement of, or wilful damage to, any of her stores or cargo."

(b) by the insertion therein immediately after paragraph (7) of the following paragraph:—

"(8) In any proceedings for an offence against this regulation, a certificate of the competent authority that at a particular time a ship was one to which this regulation applies shall be evidence of that fact."

6. The following regulations shall be inserted in the principal Regulations immediately after regulation 52 thereof :—

Enforce-<sup>47A</sup> 52A.—(1) Where a person (hereinafter in this regulation referred to as 'a mariner') has, by an agreement entered into outside the Colony and made in accordance with the next following paragraph, undertaken to join such ship as may be specified in, or in pursuance of, the agreement, being a ship to which this regulation applies, and to serve on board that ship in a capacity specified in the agreement, he shall be guilty of an offence against this regulation if, whilst in the Colony, without reasonable cause, he refuses or fails—

- (a) to present himself at any place at the time at which, or to the person to whom, he is required by or in pursuance of the agreement to present himself; or
- (b) to travel by any ship or other conveyance by which he is so required to travel; or
- (c) to join and serve on board a ship as so required.

(2) Every such agreement—

- (a) shall be in a form approved by the competent authority at the place at which the agreement is made,
- (b) shall be signed by the mariner in the presence of a superintendent within the meaning of the Merchant Shipping Act, 1894;

and the signature of the mariner shall be attested by the superintendent.

(3) The ships to which this regulation applies are ships belonging to His Majesty and ships, whether British or foreign, chartered or requisitioned by or on behalf of His Majesty.

(4) In any proceedings for an offence against this regulation a certificate of the Competent Authority that—

- (a) the agreement complies with the requirements of paragraph (2) of this regulation;
- (b) at a particular time a ship was one to which this regulation applies,

shall be evidence of the facts so certified.

Power to require performance of services in ships. <sup>47A</sup> 52B.—(1) The Competent Authority or a person authorized by the authority to act under this regulation may direct any British subject, being a person who is serving or has served in any capacity on board any ship since the 28th April, 1941, to perform such services in any United Kingdom ship, as may be specified by or described in the direction, being services which that person is, in the opinion of the Competent Authority or person authorized as aforesaid, capable of performing.

(2) Any such direction shall, except so far as the contrary intention appears therefrom, continue in force until the direction is varied by a subsequent direction or withdrawn by the Competent Authority or a person authorized as aforesaid.

(3) Any services required by a direction given under this regulation to be performed shall be performed on such terms as to remuneration and conditions of service as the Competent Authority or a person authorized as aforesaid may, in accordance with the provisions of this regulation, direct:

Provided that in determining the terms upon which any such services are to be performed regard shall be had to any rates of salary, fees or wages for the performance of those services which appear to be usual, with regard to persons employed in the capacity in which the person to whom the direction relates is to serve.

(4) Section 240 of the Merchant Shipping Act, 1894, shall have effect as if there were included among the matters to be entered in the official log-book the following matters, so far as they are known to the master of the ship :—

- (a) the name of every person to whom a direction has been given under this regulation to perform services as a member of the crew of that ship;
- (b) the date on which and the place at which he joined the ship, or, if he failed to join the ship, the circumstances of his failure;
- (c) if he fails in any other respect to comply with the direction, particulars of his failure.

(5) No British subject who has been the master or a member of the crew of any ship at any time since the 28th April, 1941, shall except with the consent of the Competent Authority or a person authorized by the authority to act under this regulation, accept

Insertion of new regulations 52A and 52B.

any employment (other than an employment under a contract in operation at the date of this regulation) except as the master or a member of the crew of a United Kingdom ship."

Revocation of paragraph 1 (a) of regulation 61 and substitution of new paragraph.

7. Sub-paragraph (a) of paragraph (1) of regulation 61 of the principal Regulations is hereby revoked and the following sub-paragraph substituted therefor:—

"(a) for regulating or prohibiting the production, treatment, keeping, storage, movement, transport, distribution, disposal, acquisition, use or consumption of articles of any description, and, in particular, for controlling the prices at which such articles may be sold and the charges which may be made for the hire of such articles and for labour, services or goods provided in connection with the hire thereof and for regulating or prohibiting the slaughter of animals."

Insertion of new regulation 61A.

8. The following regulation shall be inserted in the principal Regulations immediately after regulation 61 thereof:—

"Powers of ~~SSA~~ 61A.—(1) A Competent Authority, so far as appears to that competent authority to be necessary so to do in the interests of the defence of the realm or the efficient prosecution of the war or of maintaining supplies and services essential to the life of the community, may, by direction given with respect to any undertaking or by order made with respect to any class or description of undertakings, require persons carrying on the undertaking or undertakings of that class or description—

- (a) to keep such books, accounts and records relating to the undertaking as may be prescribed by the direction or, as the case may be, by the order or a notice served thereunder;
- (b) to furnish, at such times, in such manner and in such form as may be so prescribed, such estimates, returns or information relating to the undertaking as may be so prescribed.

A Competent Authority may, to such extent and subject to such restrictions as it thinks proper, delegate all or any of its functions under this paragraph to any specified persons or class of persons.

(2) Where it appears to a designated officer that, in the interests of the defence of the realm or the efficient prosecution of the war or of maintaining supplies and services essential to the life of the community, it is necessary to authorize the inspection of any undertaking or class or description of undertakings—

- (a) for the purpose of enabling a Competent Authority to exercise any of the powers conferred on the authority by or under any of these regulations, or to determine whether, and if so in what manner, any of those powers ought to be exercised; or
- (b) for the purpose of securing compliance with any order made or direction given under these regulations by or on behalf of a Competent Authority; or
- (c) for the purpose of verifying any information furnished to a Competent Authority; or
- (d) for the purpose of securing that the work carried on by the undertaking or undertakings is performed in such manner as a Competent Authority considers best calculated to promote the interests aforesaid;

he may issue a warrant in writing to any person named in the warrant (hereinafter referred to as an 'inspector') authorizing him to enter and carry out an inspection of the undertaking, or any undertaking of the class or description, specified therein.

(3) An inspector may, on production of the warrant issued to him, enter any premises used or appropriated for the purposes of any undertaking to which the warrant relates, and may inspect such premises and any articles found therein, and may require any person carrying on the undertaking or employed in connection therewith to produce such books, accounts or records, and to furnish such information, relating to the undertaking, as may be authorized by the warrant, and may take such samples and carry out such tests as may be so authorized.

(4) An inspector may make such copies of, or extracts from, any document produced to him as he considers necessary for the information of the Competent Authority.

(5) In this regulation the following expressions have the meanings hereby respectively assigned to them:—

'Competent Authority' means a Competent Authority for the purposes of regulation 61 of these regulations (and, in para-

graphs (2) and (4) of this regulation, references to a Competent Authority include also any authority or person on whom by virtue of these regulations powers have been conferred by delegation from or order of any such Competent Authority as aforesaid);

'designated officer' means a person empowered under the hand of the Governor to act under paragraph (2) of this regulation on behalf of a Competent Authority;

'undertaking' has the same meaning as in regulation 61 (8) of these regulations;

and any reference in this regulation to articles shall be construed as including a reference to substances, vehicles, vessels and animals."

9. Sub-paragraph (a) of paragraph (1) of regulation 66 of the principal Regulations is hereby revoked and the following sub-paragraph substituted therefor:—

"(a) any chattel in the Colony (including any vessel or aircraft and anything on board a vessel or aircraft and, in the case of any mechanically propelled vehicle, including any outer cover or inner tube of any such vehicle whether such cover or tube is used or unused and whether it is fitted on, or forms a component part of, any such vehicle or not); and"

Revocation of paragraph 1 (a) of regulation 66 and substitution of new paragraph.

10. The following regulation shall be inserted in the principal Regulations immediately after regulation 74 thereof:—

"Interference ~~29~~74A. Except for the purpose of preserving life or property no unauthorized person shall—

(a) throw, put or pour anything into any water stored on behalf of His Majesty or the Government for the purpose of fighting fires;

(b) climb into, on or over any tank used for storing water as aforesaid;

(c) interfere with any tank, pipes, valves or other apparatus used or intended for use on behalf of His Majesty or the Government for the purpose of fighting fires."

Insertion of new regulation 74A.

11. Sub-paragraph (a) of paragraph (1) of regulation 94 of the principal Regulations is hereby amended by the insertion therein after the words "imposed under any of these regulations" (line 4) of the words "or under any order or rule made under any of these regulations".

Amendment of regulation 94.

Made at Nicosia, this 12th day of August, 1944.

No. 273.

THE DEFENCE (CONTROL OF FUEL AND CHARCOAL) ORDER, 1944.

NOTICE NO. 1 UNDER CLAUSE 10.

The Second Schedule to the above Order is hereby amended by the deletion from part 1 thereof of the entries relating to prices of fuelwood at Famagusta and Kyrenia and the substitution thereof of the following entries:—

Town.	(1)		(2)	
	Description :		Description :	
	Fuelwood of pine, acacia, cypress or juniper.		Fuelwood of any species other than those specified in column (1)	
	Paras per oke.	Shillings per cord.	Paras per oke.	Shillings per cord.
Famagusta .. .. .	30	66	40	111
Kyrenia .. .. .	21	45	35	77."

R. N. HENRY,  
Controller of Supplies,  
Competent Authority.