



SUPPLEMENT No. 3

TO

THE CYPRUS GAZETTE No. 3203 OF 5TH OCTOBER, 1945.

SUBSIDIARY LEGISLATION.

No. 284.

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, 1945, and shall be read as one with the Defence Regulations, 1940 to 1945, (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) 1945.

Gazettes :
Supplement
No. 3 :
3.6.1940
Last amend-
ment :
14.4.1945

2. The principal Regulations are hereby amended by the deletion therefrom of regulations 34A and 34B and the substitution therefor of the following regulations :—

"Theft,
etc., of
firearms,
etc.,
belonging
to His
Majesty.

34A.—(1) Any person who—

- (a) steals any firearm, ammunition or explosive belonging to His Majesty ;
- (b) unlawfully receives or takes upon himself the control or disposition of any firearm, ammunition or explosive belonging to His Majesty ;
- (c) without lawful authority or lawful occasion, the burden of proof of which shall lie on him, carries or has in his possession any firearm, ammunition or explosive belonging to His Majesty,

shall be guilty of an offence against this regulation and shall, on conviction, be liable to imprisonment for life.

(2) For the purposes of this regulation the expression—
'firearm, ammunition or explosive belonging to His Majesty' shall include a firearm, ammunition or explosive furnished or issued for the use of an officer, non-commissioned officer or private of His Majesty's Forces or of any Allied or Dominion or Colonial Forces or any member of the Cyprus Police Force ;

'has in his possession' shall include not only having in one's own personal possession, but also knowingly having in the actual possession or custody of any other person, or having anything in any place (whether belonging to, or occupied by oneself or not) for the use or benefit of oneself or of any other person; and if there are two or more persons and any one or more of them with the knowledge and consent of the rest has or have anything in his or their custody or possession, it shall be deemed and taken to be in the custody and possession of each and all of them.

Theft,
etc., of
property
belonging
to His
Majesty.

34B.—(1) Any person who—

- (a) steals any article or goods belonging to His Majesty;
- (b) unlawfully receives or takes upon himself the control or disposition of any article or goods belonging to His Majesty;
- (c) without lawful authority or lawful occasion, the burden of proof of which shall lie on him, detains, sells, exchanges, hands over or has in his possession any article or goods belonging to His Majesty,

shall be guilty of an offence against this regulation and may be tried by the President of a District Court or a District Judge and on conviction shall be liable to imprisonment for any term not exceeding seven years or to a fine not exceeding five hundred pounds or to both such imprisonment and fine.

(2) For the purposes of this regulation the expression—
'any article or goods belonging to His Majesty' shall include any article or goods belonging to His Majesty's Government or any department thereof or belonging to any Allied, Dominion or Colonial Force or any article or goods which has or have been in the supply of, or imported into the Colony for the use of, the Navy, Army and Air Force Institutes or the Expeditionary Forces Institutes, but shall not include any firearm, ammunition or explosive belonging to His Majesty as defined in paragraph (2) of regulation 34A.

'has in his possession' shall have the same meaning as in paragraph (2) of regulation 34A.

(3) A prosecution for an offence against this regulation shall not be instituted except with the consent of the Attorney-General."

3. Regulation 95 of the principal Regulations is hereby amended by the deletion therefrom of the figure " , 34B," and the substitution therefor of the figure " , 34A ".

4. These regulations shall come into force on the 1st November, 1945.

Made at Nicosia, this 2nd day of October, 1945.

(M.P. 497/45.)