

No. 345. THE RENT (CONTROL) LAW, 1954.

REGULATIONS MADE UNDER SECTION 25.

In exercise of the powers vested in him by section 25 of the Rent (Control) Law, 1954, His Excellency the Governor, with the advice of the Executive Council, has been pleased to make the following regulations :—

1. These Regulations may be cited as the Rent (Control) Regulations, 1955.
2. In these Regulations, 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 established under the Law for the rent restriction area in which any premises in question are situate ;
 - “the Law” means the Rent (Control) Law, 1954, and includes any Law amending or substituted for the same ;
 - “the President” means the President of any Board ;
 - “the Registrar” means the officer appointed by the Board to carry out the duties of Registrar of the Board under these regulations.
3. 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.
4. The President shall preside at every sitting of the Board.
5. The language to be used at sittings of the Board may be English, Greek or Turkish as the President may direct having regard to the circumstances of each particular case.
6. An application by a landlord or tenant, or other person interested under the Law, shall be in the Form No. 1 in the Schedule hereto 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. Schedule.
7. 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.
8. When an application and Statement of Claim have been filed pursuant to Regulation 7 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.
9. Every person to whom a notice has been sent in pursuance to Regulation 8 (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.
10. When a Defence has been filed pursuant to Regulation 9 the Registrar shall send by post or otherwise notice thereof to the applicant, together with a copy of the Defence.

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

12.—(1) There shall be paid by the applicant in any case in which applications may be made to the Board under the Law, a fee at the rate of four and a half piastres for every pound or part thereof of the amount which the applicant claims to be the annual rent for the premises in respect of which the application is made :

Provided that in any application made under the proviso to sub-section (2) of section 20 of the Law, or in any other case in which the rate specified in this regulation cannot apply, the fee to be paid by the applicant shall be of such amount as the President may in writing direct.

(2) The fees payable under this regulation shall be paid in stamps and shall be affixed to the application.

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

(b) When any application filed under Regulation 7 is settled by agreement between the parties the applicant shall give immediate notice thereof to the Registrar.

14. 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 regulations for which provision is not made therein.

15. 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.

16. Every decision of the Board (hereinafter referred to as " the Order ") shall be in writing and signed by the President and the members of the Board before whom the hearing took place. A copy of the Order certified by the Registrar may on application be obtained by the parties free of charge.

Schedule. 17. Every application under section 14 of the Law shall be in the form No. 2 in the Schedule hereto and shall state in full the grounds on which the application is based and the reasons relied upon for the grounds stated.

18. The provisions of Regulations 3, 4, 5, 7, 8, 11, 12, 13, 14 and 15, shall have effect and apply *mutatis mutandis* in the case of an application for reviewing, varying or setting aside an Order as they have effect and apply to any other application under the Law :

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

19. The time appointed by these regulations 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.

20. Where by these Regulations 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.

21. Non-compliance with any of these Regulations 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 (Control) Regulations, 1955.—(Regulation 6).

APPLICATION BY A LANDLORD, TENANT OR OTHER PERSON INTERESTED.

Before the Rent Assessment Board of No.
Between A.B., of Applicant,
and
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 the Rent (Control) Law, 1954, for an Order of the Board fixing the rent of the premises aforesaid.

* Delete words not required.

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 195 .

The Registrar.

FORM No. 2.

The Rent (Control) Regulations, 1955.—(Regulation 17).

APPLICATION FOR REVIEWING, VARYING OR SETTING ASIDE.

(Section 14 of the Law).

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

To the Rent Assessment Board of

I, the undersigned,
of the above-named Applicant/Respondent hereby apply under section 14 of the Rent (Control) Law, 1954, for reviewing/varying/setting aside of the order of the Board made in the above application on the day of 195 .

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

Dated the day of , 195 .

(Signed)

Filed the day of , 195 .

The Registrar.

Made this 7th day of June, 1955.

By Command of His Excellency the Governor,

G. P. CASSELS,
Clerk of the Executive Council.

Note.—By virtue of section 11 of the Interpretation Law (Cap. 1) the Rent Assessment Rules, 1943, published under Notification No. 317 in Supplement No. 3 to the *Gazette* of the 2nd September, 1943, are superseded by, and cease to be of any effect as from the date of the coming into operation of, the above regulations.

(M.P. 1466/52/3.)

No. 346. THE BOATS REGULATION LAW.

CAP. 268.

REGULATIONS MADE UNDER SECTION 8.

Cap. 268.

In exercise of the powers vested in him by section 8 of the Boats Regulation Law, His Excellency the Governor has been pleased to make the following regulations :—

S.L.I., 600.
Gazette :
Supplement
No. 3 :
12.5.1955.

1. These regulations may be cited as the Boats (Amendment No. 2) Regulations, 1955, and shall be read as one with the Boats Regulations (hereinafter referred to as "the principal Regulations").

2. The Second Appendix (relating to Lighterage Charges) to the principal Regulations is hereby amended by the insertion therein in its proper alphabetical place of the following Item :—

| <i>"Description of Goods.</i> | <i>Unit.</i> | <i>Rate.</i> |
|--|--------------|--------------|
| Metal containers, empty, for use in canning products of the Colony | Per ton. | 70s." |

Made this 6th day of June, 1955.

By Command of His Excellency the Governor,

(M.P. 10702/54.)

J. W. SYKES,
Acting Colonial Secretary.