

No. 780. THE EMERGENCY POWERS ORDERS IN COUNCIL,
1939 AND 1956.

REGULATIONS MADE BY THE GOVERNOR UNDER SECTION 6.

HUGH FOOT,
Governor.

In exercise of the powers conferred on me by section 6 of the Emergency Powers Orders in Council, 1939 and 1956, I, the Governor, do hereby make the following Regulations :—

Short title.
Gazettes :
Supplement
No. 3.
26.11.1955
to
22.7.1958.

1. These Regulations may be cited as the Emergency Powers (Public Safety and Order) (Amendment No. 4) Regulations, 1958, and shall be read as one with the Emergency Powers (Public Safety and Order) Regulations, 1955 to (No. 3) 1958 (hereinafter referred to as "the principal Regulations"), and the principal Regulations and these Regulations may together be cited as the Emergency Powers (Public Safety and Order) Regulations, 1955 to (No. 4) 1958.

Insertion
of new
Regulation
21 in the
principal
Regulations.

2. The principal Regulations are hereby amended by inserting therein, immediately before Regulation 22, the following new regulation, to be numbered "21" :—

"Appoint-
ment and
powers of
Postal
Censors.

21.—(1) The Governor may, by warrant under his hand, appoint one or more Postal Censors and subject to any special directions by the Governor, a Postal Censor shall have power to detain, open, examine, and, if he thinks it expedient, to destroy any postal packet addressed or intended to be delivered through the Post Office to any person, either within or without the Colony.

(2) This Regulation shall not apply to any postal packet sent or received by or on behalf of the Governor or of Her Majesty's Naval, Military or Air Forces".

Regulations
44 and 45
of the
principal
Regulations
revoked and
replaced.

3. Regulations 44 and 45 of the principal Regulations are hereby revoked and the following Regulations to be numbered "44" and "45" substituted therefor :—

"Taking
possession
of land.

44.—(1) The Commissioner of the District, if it appears to him necessary or expedient so to do in the interests of public order and safety or for maintaining supplies and services essential to the life of the community, may take possession of any land within his District, and may give such directions as may appear to him to be necessary or expedient in connection with taking possession of any such land.

(2) Any police officer or any member of Her Majesty's Naval, Military or Air Forces acting in the course of his duties as such may take such steps and use such force as appears to him to be reasonably necessary for securing compliance with directions given to any person under this Regulation requiring him to give up possession of the land.

(3) When possession of any land is taken by virtue of this Regulation, the land may, notwithstanding any restriction imposed on the use thereof (whether by any Law or any public instrument or otherwise) be used by or under the authority of the Commissioner of the District for such purpose and in such manner as the Commissioner thinks expedient in the interest of public order and safety or for maintaining supplies and services essential to the life of the community, and the Commissioner, so far as it appears to him necessary or expe-

dient in connection with taking possession or making use of the land in pursuance of this paragraph—

- (a) may do, or authorise persons using the land as aforesaid so to do in relation to the land, anything which any person having an interest in the land would be entitled to do by virtue of that interest ; and
 - (b) may, by Order, provide for prohibiting or restricting the exercise of rights of way over the land, and of other rights relating thereto which are enjoyed by any person, whether by virtue of an interest in the land or otherwise.
- (4) The owner or occupier of any land shall, if requested by or on behalf of the Commissioner, furnish to the Commissioner such information in his possession relating to the land, (being information which may reasonably be demanded of him in connection with the execution of this Regulation) as may be so specified.
- (5) The Commissioner, any police officer or any member of Her Majesty's Forces acting in the course of his duties as such—
- (a) may enter on any land for the purpose of exercising any of the powers conferred in relation to that land by these Regulations ;
 - (b) may enter and inspect any land for the purpose of determining whether, and, if so, in what manner, any of these powers are to be exercised in relation to the land ; and
 - (c) may, for any of the purposes of these Regulations, pass (with or without animals or vehicles) over any land.

45.—(1) Subject as hereinafter provided, the Commissioner of the District, if it appears to him to be necessary or expedient so to do in the interests of public order and safety, or for maintaining supplies and services essential to the life of the community, may, by Order, provide for the requisitioning of—

Requisitioning of property other than land.

- (a) any chattel in the District (including any vessel or aircraft and anything on board a vessel or aircraft and, in the case of any mechanical propelled vehicle, including any outer cover or inner tube of any such vehicle whether it is fitted on, or forms a component part of, any such vehicle or not) ; and
- (b) any ship or aircraft registered in the Colony or anything on board such ship or aircraft wherever the ship or aircraft may be,

and may give such directions as appear to him to be necessary or expedient in connection with the requisition :

Provided that the preceding provisions of this Regulation shall not authorise the requisitioning of any United Kingdom or Commonwealth ship or aircraft or of anything on board a United Kingdom or Commonwealth ship or aircraft.

(2) Where the Commissioner requisitions any property (including a ship or aircraft) under this Regulation, he may use or deal with, or authorise the use or dealing with, the property for such purpose and in such manner as he thinks expedient in the interests of public order and safety or for maintaining supplies and services essential to the life of the community, and may hold, or sell, or otherwise dispose of the property as if he were the owner thereof.

(3) An Order under this Regulation may authorise any person or class of persons to perform such functions in connection with the requisitioning and may contain such directions as appear to the Commissioner to be necessary or expedient."

Amendment
of
Regulation
65 of the
principal
Regulations.
Interpreta-
tion.

4. Paragraph (7) of Regulation 65 of the principal Regulations is hereby amended by inserting immediately after the words "provisions of" which occur in the first line of sub-paragraph (a) thereof the words "an Order made under".

5. Any public instrument, direction or authorisation made under any Regulation amended, substituted or revoked by these Regulations in force immediately before the date of the coming into operation of these Regulations shall, notwithstanding any change in the authority by which such public instrument, direction or authorisation may be made, be deemed to have been made under the corresponding provisions of the principal Regulations as amended by these Regulations by each such authority so as to have the same effect throughout the Colony as if these Regulations had not been made and shall remain in force until the same shall be varied or revoked in accordance with the provisions of the principal Regulations as amended by these Regulations.

Made at Nicosia, this 15th day of October, 1958.

**No. 781. THE EMERGENCY POWERS ORDERS IN COUNCIL,
1939 AND 1956.**

REGULATIONS MADE BY THE GOVERNOR UNDER SECTION 6.

HUGH FOOT,

Governor.

In exercise of the powers conferred on me by section 6 of the Emergency Powers Orders in Council, 1939 and 1956, I, the Governor, do hereby make the following Regulations:—

Short title.
Gazettes :
Supplement
No. 3:
26.11.1955
to
16.10.1958.

1. These Regulations may be cited as the Emergency Powers (Public Safety and Order) (Amendment No. 5) Regulations, 1958, and shall be read as one with the Emergency Powers (Public Safety and Order) Regulations, 1955 to (No. 4) 1958, (hereinafter referred to as "the principal Regulations"), and the principal Regulations and these Regulations may together be cited as the Emergency Powers (Public Safety and Order) Regulations, 1955 to (No. 5) 1958.

Insertion
of new
Regulation
38A in the
principal
Regulations.

2. The principal Regulations are hereby amended by the insertion therein, immediately after Regulation 38, of the following new Regulation:—

"Danger areas. 38A.—(1) The Governor, if he considers it necessary or expedient in the public interest so to do, may, by Order to be published in the *Gazette*, declare any area within the Colony to be a danger area.

(2) The limits and extent of every danger area shall be demarcated at the site by such means as will, in the opinion of the Governor, make apparent to persons in or about the area concerned that such area has been declared a danger area.

(3) No person shall enter or remain in a danger area, and any person who fails to comply with the provisions of this paragraph shall be guilty of an offence against these Regulations:

Provided that the provisions of this paragraph shall not apply to members of Her Majesty's Forces and of the Cyprus Police Force in the performance of their duty or to any person accompanied by such member: