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A.D. 1932.  
40 of 1932.

A LAW TO AMEND AND CONSOLIDATE THE LAW WITH REGARD TO THE CULTIVATION, MANUFACTURE AND SALE OF TOBACCO.

H. HENNIKER-HEATON,]

[28th June, 1932.

*Officer Administering the Government.*

BE it enacted:—

1. This Law may be cited as the Tobacco Law, 1932.

2. In this Law unless the context otherwise requires the following words have the meaning respectively assigned to them (that is to say):—

“Cigarettes” include all articles made of cut, pressed, crushed or rubbed tobacco rolled or enveloped in paper, leaf or other covering intended to be smoked in such covering.

“Collector of Customs” means the Principal Customs and Excise Officer in a district.

“Comptroller” means the Comptroller of Customs and Excise.

“Dealer” means any person not being a manufacturer who purchases tobacco grown in Cyprus for the purpose of trade.

“Grower” means any person who plants or causes land to be planted with tobacco.

“Manufacture” means the conversion of tobacco into manufactured tobacco.

“Manufacturer” means any person who owns or controls any factory wherein tobacco is manufactured.

“Manufactured tobacco” means cut tobacco, cut tumbeki, cigarettes, cigars, snuff and chewing tobacco and includes any tobacco which has been subjected to any process which renders it fit for human consumption.

“Ship” means any steamer, vessel, lighter or boat and any other description of craft used in navigation.

“Tobacco” means tobacco seedlings, plants, leaves and their stems and fibres and includes any form of tobacco other than manufactured tobacco.

“Tobacco warehouse” means a warehouse appointed by the Governor under section 64.

“Tumbeki” means the Persian Tobacco commonly known by that name.

Short title.  
Interpre-  
tation.

*Amended by*  
39/33  
9/34  
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22/40  
31/40  
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18/42  
32/42

## CULTIVATION OF TOBACCO.

3.—(1) No person shall plant or cultivate tobacco on any land of any category without a licence previously obtained from the Director of Agriculture issued under the provisions of this Law. No cultivation without licence.

(2) No person shall plant or cultivate tobacco except on a plot of land of not less than two donums in area the whole of which is planted with tobacco.

(3) Any person acting in contravention of sub-section (1) or (2) of this section shall be guilty of an offence and shall on summary conviction be liable to a fine not exceeding twenty pounds and any tobacco planted or cultivated in contravention of this section shall be uprooted and destroyed:

Provided that the provisions of this sub-section shall not apply to tobacco which although planted or cultivated in accordance with the provisions of this Law is subsequently partially lost, damaged, destroyed or abandoned and the grower has notified the Collector of Customs as in section 11.

4.—(1) Every person desiring to plant or cultivate tobacco shall apply on or before the first day of September in any year to the Director of Agriculture for a licence to cultivate. Licence to cultivate.

(2) Such application shall contain the name, occupation and place of residence of the applicant and also full particulars of the locality, boundaries and extent of each plot in which the applicant desires to plant or cultivate tobacco.

(3) On receipt of such application the Director of Agriculture, if satisfied that the land on which it is proposed to plant or cultivate tobacco is suitable, shall issue a licence to cultivate in such form as he may think fit.

(4) No fee or charge shall be taken or made for the issue of a licence to cultivate.

5.—(1) No grower shall begin to gather any leaves of any tobacco crop unless he shall have given at least three days' notice in writing to an Excise Officer of his intention so to do. Gathering of tobacco.

(2) Any person acting in contravention of this section shall be guilty of an offence and shall on summary conviction be liable to a fine not exceeding fifty pounds and any tobacco gathered in contravention of this section shall be destroyed.

Removal of tobacco from the place of cultivation.

6.—(1) No tobacco shall be removed from the place of cultivation to any other place except between the hours of sunrise and sunset :

Provided that the Collector of Customs may by permit under his hand allow the removal of tobacco at any other time.

(2) Upon the removal of tobacco from the place of cultivation the grower shall notify such removal to an Excise Officer and shall give to such officer full particulars as to the place to which such tobacco has been removed.

Tobacco to be weighed and registered.

7.—(1) All tobacco removed from the place of cultivation shall be weighed and registered as in sub-sections (2) and (3) hereof provided.

(2) The grower of any tobacco removed from the place of cultivation shall, at any time, not being less than twenty days after the day of the removal of such tobacco, produce at the place to which such tobacco has been removed, to an Excise Officer when so requested by such officer, the whole quantity of tobacco removed and such officer shall proceed to weigh such tobacco.

(3) Upon weighing the tobacco the Excise Officer shall register the same in a register to be kept by him for this purpose and shall issue to the grower a certificate of registration (hereinafter referred to as the certificate of registration) in such form as the Comptroller may from time to time prescribe :

Provided that when the total quantity of such tobacco is less than five okes it shall not be registered but shall be destroyed in the presence of an Excise Officer.

(4) Any person who fails to produce the whole of the tobacco removed as provided in sub-section (2) hereof, shall be guilty of an offence and shall on summary conviction be liable to a fine not exceeding fifty pounds and in addition thereto he shall, for any quantity of tobacco which he has failed to produce for weighing and registration, forfeit as a penalty a sum equal to double the amount of the consumption duty which would be chargeable in due course on such quantity of tobacco had it been manufactured.

Grading and baling of tobacco.

8. At any time before the thirty-first day of March next following the year in which any tobacco has been cultivated such tobacco shall, when dry, be graded and baled by the grower in such manner as the Director of Agriculture may from time to time prescribe by regulations to be published in the *Cyprus Gazette* :

Provided that in the case of fumigated tobacco the time may be extended to the thirtieth day of June next following the year in which it has been cultivated.

9. A grower may, after he has received the certificate of registration, sell or export any tobacco in respect of which such certificate has been issued :

Sale or export of tobacco by grower.

Provided that in the event of such tobacco being sold before it has been removed to a Custom House or tobacco warehouse as in section 10 provided such tobacco shall, before sale, be weighed in the presence of an Excise Officer who thereupon shall :—

(a) cancel or amend the certificate of registration so as to show the exact quantity of tobacco remaining in the possession of the grower ; and

(b) register in the name of the purchaser the tobacco purchased by him.

10.—(1) Any tobacco in the possession of any grower :—

(a) at the date of the commencement of this Law ;

(b) on the thirty-first day of March next following the year in which it has been cultivated,

Bonding of tobacco by grower.

shall, within twenty-one days from such dates respectively, be transported at the expense of the grower to any of the Custom Houses at Famagusta, Larnaca, Limassol, Paphos or Kyrenia at the option of the grower :

Provided that the grower may with the permission of the Comptroller transport his tobacco for storing in any tobacco warehouse.

(2) All bales of tobacco transported to any of the Custom Houses as in sub-section (1) hereof provided shall bear the mark of the grower and shall be stored therein in bond free of any charge.

(3) Any tobacco the property of a grower remaining in a Custom House or any tobacco warehouse for a period of more than five years shall be destroyed by the Collector of Customs at the expense of the grower :

Provided that the Collector of Customs shall give to the grower three months' previous notice in writing of his intention to destroy such tobacco.

11. If any tobacco planted or cultivated by a grower is wholly or partially lost, damaged or destroyed from any cause before the same has been weighed and registered under the provisions of section 7 or if the grower for any reason wishes to abandon the cultivation thereof, he shall in every such case forthwith notify the Collector of Customs in writing of such loss, damage, destruction or abandonment

Tobacco destroyed, etc., before registration.

and the Collector of Customs shall thereupon, if satisfied as to the genuineness of such loss, damage, destruction or abandonment, cancel the licence to cultivate or endorse thereon the particulars of such loss, damage, destruction or abandonment.

Tobacco  
destroyed,  
etc., after  
registration.

12. If any tobacco after it has been registered under the provisions of section 7 is, whilst in the possession of the grower, wholly or partially lost, damaged or destroyed, the grower shall forthwith notify the Collector of Customs in writing of such loss, damage or destruction and the Collector of Customs shall thereupon, if satisfied as to the genuineness of such loss, damage or destruction cancel the certificate of registration or endorse thereon the particulars of such loss, damage or destruction.

Offences  
under  
section 11  
or 12.

13.—(1) Any grower who fails to notify the Collector of Customs as in section 11 or 12 provided shall be guilty of an offence and shall on summary conviction be liable to a fine not exceeding ten pounds.

(2) Any grower who gives any false information in any notification which he is required to send to the Collector of Customs as in section 11 or 12 provided shall be guilty of an offence and shall on summary conviction be liable to imprisonment not exceeding six months or to a fine not exceeding fifty pounds or to both such imprisonment and fine and in addition thereto he shall for any quantity of tobacco in respect of which he has given false information, forfeit as a penalty a sum equal to the amount of the consumption duty which would be chargeable in due course on such quantity of tobacco had it been manufactured.

All tobacco  
plants to be  
destroyed.

14. Any person to whom a licence to cultivate has been issued shall cause all tobacco plants planted or cultivated in any land in respect of which such licence has been issued, to be uprooted and destroyed before the first day of November in each year.

## DEALERS AND MANUFACTURERS.

### DEALERS.

Dealers.

15.—(1) No person shall purchase tobacco grown in Cyprus for the purposes of trade unless he has first obtained a dealer's licence from the Collector of Customs.

(2) A dealer's licence shall expire on the first day of June next following the date of the issue thereof.

(3) No fee or charge shall be taken or made for the issue of a dealer's licence.