



SUPPLEMENT No. 2

TO

THE CYPRUS GAZETTE No. 2893 OF 11TH DECEMBER, 1940.

LEGISLATION.

THE STATUTE LAWS OF CYPRUS

No. 28 of 1940.

A. by

15/1941

A LAW TO AMEND THE TRADING WITH THE ENEMY LAWS,
1939 AND 1940.

W. D. BATTERSHILL,
Governor.

[*4th December, 1940.*]

BE it enacted by His Excellency the Governor and
Commander-in-Chief of the Colony of Cyprus as
follows :—

1. This Law may be cited as the Trading with the Enemy Short title.
(Amendment No. 2) Law, 1940, and shall be read as one
with the Trading with the Enemy Laws, 1939 and 1940, 16 of 1939
(hereinafter referred to as "the principal Law"), and the 21 of 1940
principal Law and this Law may together be cited as the
Trading with the Enemy Laws, 1939 to (No. 2) 1940.

Amendment
of section 3
of the
principal
Law.

2. Section 3 of the principal Law is hereby amended as follows:—

- (a) by the insertion in sub-section (1) after the words “Any person who trades with” (in line 1) of the words “or attempts to trade with”;
- (b) by the insertion in paragraph (b) of sub-section (2) after the words “trading with the enemy” (in lines 2 and 3) of the words “and any reference in this Law to an attempt to trade with the enemy shall be construed accordingly”;
- (c) by the insertion after sub-section (3) of the following sub-section:—

“(3A) In any proceedings for an offence of trading with the enemy, the fact that any document has been despatched addressed to a person in enemy territory shall, unless the contrary is proved, be evidence, as against any person who was a party to the despatch of the document, that the person to whom the document was despatched was an enemy.”

Amendment
of section 4
of the
principal
Law.

3. Sub-section (1) of section 4 of the principal Law is hereby amended as follows:—

- (a) by the deletion from paragraph (c) of the word “or” (in line 4);
- (b) by the insertion in paragraph (d) after the words “His Majesty;” (in lines 2 and 3) of the word “and”;
- (c) by the insertion after paragraph (d) of the following paragraph:—

“(e) as respects any business carried on in enemy territory, any individual or body of persons (whether corporate or unincorporate) carrying on that business;”;

- (d) by the deletion of the words “does not include any person by reason only that he is an enemy subject” and the substitution therefor of the words “does not include any individual by reason only that he is an enemy subject”.

Insertion of
new sub-
section (5) in
section 5 of
the principal
Law.

4.—(1) Section 5 of the principal Law is hereby amended by the insertion after sub-section (4) thereof of the following sub-section:—

“(5) Where the Governor appoints an inspector or supervisor under this section, any remuneration of, and any costs, charges and expenses incurred by, the inspector or supervisor, as the case may be, and any other costs, charges and expenses incurred in connection with the control and supervision of the work of such

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inspector or supervisor shall, to such amount as may be certified by the Governor, be defrayed out of the assets of the person or business in respect of whom or of which the inspector or supervisor has been appointed, and, as from the date of the certificate, be charged on those assets in priority to any other charges thereon."

(2) This section shall be deemed to have had effect as from the 31st day of July, 1940.

5. The principal Law is hereby amended by the insertion after section 5 of the following section:—

"Power to control and wind up certain businesses.

5A.—(1) Where any business is being carried on in the Colony by, or on behalf of, or under the direction of, persons all or any of whom are enemies or enemy subjects or appear to the Governor to be associated with enemies, the Governor may, if he thinks it expedient so to do, make—

Insertion of new section 5A in the principal Law.

(a) an order (hereafter in this section referred to as a 'restriction order') prohibiting the carrying on the business either absolutely or except for such purposes and subject to such conditions as may be specified in the order; or

(b) an order (hereafter in this section referred to as a 'winding up order') requiring the business to be wound up,

and the making of a restriction order as respects any business shall not prejudice the power of the Governor, if he thinks it expedient so to do, at any subsequent date to make a winding up order as respects that business.

(2) Where an order under sub-section (1) of this section is made as respects any business, the Governor may, by that or a subsequent order, appoint a controller to control and supervise the carrying out of the order, and, in the case of a winding up order, to conduct the winding up of the business, and may confer on the controller any such powers in relation to the business as are exercisable, under any law relating to companies for the time being in force in England, by a liquidator in the voluntary winding up of a company in relation to the company (including power in the name of the person carrying on the business or in his own name, and by deed or otherwise, to convey or transfer any property, and power