

## No. 20 OF 1943.

A LAW TO CONSOLIDATE AND AMEND THE LAWS WITH  
REGARD TO THE SALE OF INTOXICATING LIQUORS.

C. C. WOOLLEY,  
*Governor.*

[9th November, 1943.]

**B**E 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 Sale of Intoxicating Short title.  
Liquors Law, 1943.

*Preliminary.*

Interpreta-  
tion.

10 of 1930  
10 of 1933

43 of 1936  
26 of 1937

12 of 1935  
28 of 1938  
17 of 1943

2. In this Law, unless the context otherwise requires—

“ club ” means a club registered under the provisions of the Registration of Clubs Laws, 1930 and 1933 ;

“ District Council ” means the District Council constituted under the provisions of the District Councils (Mejlisses Idaré) Laws, 1936 and 1937, operating in the District in which the premises or place licensed or to be licensed for the sale of intoxicating liquors are situate ;

“ hotel ” means a hotel licensed under the provisions of the Hotels Laws, 1935 to 1943 ;

“ intoxicating liquors ” means spirits and spirituous liquors of any description which are fit or intended or which can by any means be converted for use as a beverage and includes spirits, liquors, wines, ale, beer, stout, porter and cider but does not include methylated spirits ;

“ Licensing Authority ” means the Principal Officer of Customs and Excise of the District in which the premises or place licensed or to be licensed for the sale of intoxicating liquors are situate ;

“ sale by retail ” with its grammatical variations and cognate expressions means the sale of intoxicating liquors in quantities less than three okes.

Sale of intoxicating liquors without a retailer's licence or a dealer's licence prohibited.

3.—(1) Subject to the provisions of sub-section (2) of this section no person shall sell or offer for sale or permit to be sold or offered for sale or have in his possession for sale any intoxicating liquors except under and in accordance with—

(a) a licence for the sale of intoxicating liquors by retail in such premises or place as may be specified therein for consumption on or off such premises or place (in this Law referred to as “ retailer's licence ”) ; or

(b) a licence for the sale of intoxicating liquors otherwise than by retail in such premises or place as may be specified therein for consumption off such premises or place (in this Law referred to as “ dealer's licence ”),

issued by the Licensing Authority under the provisions of this Law upon application made to such authority in writing.

(2) Nothing in this section contained shall apply:—

(a) to the sale of intoxicating liquors—

- (i) by any person who is in possession of any licence granted under the provisions of the Intoxicating Liquor (Manufacture) Licensing Laws, 1941: 2 of 1941  
23 of 1941  
Provided that such person shall not sell intoxicating liquors by retail,
- (ii) in any canteen, mess or institution operating, maintained or carried on with the consent or approval of the Officer Commanding His Majesty's Forces in the Colony for the exclusive use of members of such Forces,
- (iii) under the special authority of a Collector of Customs, in any premises occupied by any pavilion established for the sale of Cyprus products to tourists: Provided that such liquors are sold in quantities of not less than one bottle at a time for consumption off the premises,
- (iv) by any chemist and druggist registered under the provisions of the Pharmacy Laws, 1900 and 1926: 13 of 1900  
21 of 1926  
Provided that such liquors are sold for medicinal purposes;
- (b) to the free distribution of any intoxicating liquors by any commission agent in small quantities as trade samples for the purposes of his business.

*Sale by Retail.*

4. Subject to the provisions of section 7 (1) (b) of this Law no retailer's licence shall be issued by the Licensing Authority unless the applicant furnishes such authority with a certificate granted by the District Council under the provisions of section 5 of this Law. Retailer's licence not to be issued except on certificate of District Council.

5.—(1) The District Council shall hold sittings in every year on such date or dates as the Commissioner may appoint for the purpose of granting certificates to persons desirous of obtaining a licence for the sale of intoxicating liquors by retail under the provisions of this Law: Provided always that one such meeting shall be held in February in every year. Sittings and functions of District Councils.

(2) Before granting a certificate the District Council must be satisfied that—

- (a) the person applying for such certificate is of good character and a fit person to hold a licence for the sale of intoxicating liquors by retail; and

- (b) the premises or place where such person proposes to sell intoxicating liquors by retail are suitable and fit in all respects for the sale therein of such liquors : Provided that no such certificate shall be granted—
- (i) when, in the opinion of the District Council, there exist already in the village or quarter of a town or village in which the person applying therefor proposes to sell intoxicating liquors by retail premises or places licensed for the sale of such liquors sufficient for the needs and convenience of the public,
  - (ii) in respect of any premises or place situated within one hundred yards of any place of worship, tekya, medresseh or turbeh enclosed in a shrine, guard house, police station or military barracks or in any village or quarter of a town or village which is inhabited exclusively by Mohammedans, unless the District Council is satisfied that there are special reasons justifying the grant of a certificate in respect of such premises or place,
  - (iii) in respect of any premises or place having any internal communication with any premises or place not licensed for the sale of intoxicating liquors by retail.

(3) A certificate granted by the District Council shall be in such form as may be prescribed and shall be valid up to the end of the year in which it is granted.

Classes of  
Licences.

6. Subject to the provisions of section 7 of this Law, a retailer's licence shall be of one of the following classes, that is to say:—

- (a) Hotel Retail Licence, for the sale of intoxicating liquors by retail at any hotel to persons staying at the hotel and to their *bona fide* guests for consumption at such hotel ;
- (b) Club Retail Licence, for the sale of intoxicating liquors by retail at any club to members of the club and to their *bona fide* guests for consumption at such club ;
- (c) General Retail Licence, for the sale to any person of intoxicating liquors by retail on the premises or place specified therein, whether such liquors are consumed on or off such premises or place.

7.—(1) Notwithstanding anything in this Law contained but subject to the provisions of this section, the Licensing Authority may with the consent of the Commissioner of the District grant all or any of the following special licences to sell intoxicating liquors by retail, that is to say,—

(a) to any person who is in possession of a General Retail Licence valid for the time being—

(i) a special retailer's licence to sell intoxicating liquors by retail at any fair, public feast or gathering in any tent or booth or in the open air (in this Law referred to as "Fair Licence"),

(ii) a special retailer's licence to sell intoxicating liquors by retail at any public function or entertainment (in this Law referred to as "Entertainment Licence");

(b) to any person, a special licence to sell by retail only wines produced or manufactured in the Colony (in this Law referred to as "Local Wine Licence").

(2) Every Fair Licence shall specify the day or days not exceeding four for which it is granted, the hours of closing and the place at which intoxicating liquors may be sold by retail in pursuance of such licence.

(3) Every Entertainment Licence shall specify the day for which it is granted and the premises or place in which intoxicating liquors may be sold by retail in pursuance of such licence.

(4) Every Local Wine Licence shall specify the hours of closing and the premises or place in which wines produced or manufactured in the Colony may be sold by retail in pursuance of such licence.

8.—(1) All premises or places in respect of which a retailer's licence is issued under the provisions of this Law shall be opened and closed as the Governor may, either generally or with regard to any particular area, direct by an order published in the *Gazette*.

Hours of closing for the sale of intoxicating liquors by retail.

(2) In any Order made under sub-section (1), the Governor may authorize the Commissioner to extend, by special permit under his hand, the time during which any premises or place on which intoxicating liquors are sold by retail may remain open on any night specified in such special permit upon payment of such fee, not exceeding two shillings for every hour, as may be prescribed by the Order.