

31. All penalties recovered under this Law and the bye-laws made thereunder shall be paid to the Water Commission.

Penalties payable to Water Commission.

32. The Water Commission may sue and be sued by and in the name of the Water Commission of Nicosia.

Water Commission to sue and be sued in that name.

33. In this Law:—

“ Land ” includes buildings and trees.

Definition.

## NON-FERROUS METAL INDUSTRY.

14 OF 1919.

TO RESTRICT TEMPORARILY THE PERSONS WHO MAY ENGAGE IN BUSINESS CONNECTED WITH CERTAIN NON-FERROUS METALS AND METALLIC ORES.

MALCOLM STEVENSON.]

[April 26, 1919.]

1.—(1.) It shall not be lawful for any company, firm, or individual after the expiration of six months from the passing of this Law, or such longer period as the High Commissioner in Council may generally or in any particular case allow, to carry on the business of winning, extracting, smelting, dressing, refining, or dealing by way of wholesale trade, in metal or metallic ore to which this Law applies, unless licensed to do so by the High Commissioner in Council, such licence to be in the form set out in the Second Schedule to this Law.

Prohibition against dealing in certain metals and ores without a licence.

Provided that the purchase or sale of metal shall not be deemed to be dealing in such metal where such purchase or sale is incidental only to the trade carried on by the purchaser or seller.

Provided also that no licence shall be required when the winning, extracting, smelting, dressing, refining, or dealing is carried on wholly outside Cyprus.

(2.) In the case of a company, firm, or individual with respect to which any of the conditions set forth in the First Schedule to this Law apply, or which is controlled by a company, firm, or individual in respect of which any such conditions apply, no licence shall be granted unless the High Commissioner in Council is of

*repealed  
Law 11  
21/9/26*

opinion that the grant of a licence is expedient, but save as aforesaid any company, firm, or individual carrying on or proposing to carry on such business as aforesaid shall on making application in the prescribed manner, and on furnishing such information and allowing inspection of such books and documents as may be reasonably required, and on payment of the prescribed fee, which shall not exceed one pound, be entitled to a licence under this Law.

(3.) A licence under this Law shall remain in force unless and until it is suspended or revoked.

(4.) The High Commissioner in Council, if satisfied by evidence not before them at the time when the licence was granted that such company, firm, or individual is, or has become, subject to any of the conditions set forth in the First Schedule to this Law, or, in the case of a company, firm, or individual to which a licence has been granted notwithstanding that it is subject to any such conditions as aforesaid, that it is expedient that the licence should be revoked or suspended, may revoke or suspend the licence. \*

(5.) If any question arises between the High Commissioner in Council and any company, firm, or individual—

(a.) As to whether or not the business carried on by the company, firm, or individual is such as to require a licence under this Law; or

(b.) As to whether or not any of the conditions set forth in the First Schedule of this Law apply in respect of the company, firm, or individual; or

(c.) As to whether or not the Company, firm, or individual is controlled by a company, firm, or individual in respect of which any such conditions apply; or

(d.) As to the requirements of the High Commissioner in Council for the production of books or documents for inspection,

the question shall, subject to rules of Court, be referred by the High Commissioner in Council to the Supreme Court for determination, and the decision of the Supreme Court on any such reference shall be final, and no appeal therefrom shall lie to any other Court.

(6.) Where at the expiration of the said six months or longer period allowed by the High Commissioner in Council proceedings on any such application are pending in the Supreme Court, the Court shall, on application being made for the purpose, extend the said period of six months or longer period as respects that company,

firm, or individual for such period as may be necessary to allow the question to be determined by the Court, and where the application is made with reference to the suspension or revocation of a licence the licence shall not be suspended or revoked until the question has been determined by the Court.

(7.) The High Commissioner in Council shall publish in the prescribed manner the name of any company, firm, or individual to whom a licence has been granted under this Law or whose licence has been suspended or revoked.

2. The High Commissioner in Council shall have power at any time to require the applicant for a licence or a licensee, or any person who, being a director, partner, manager, or officer of, or the holder of, or a person interested in, shares or securities of, any company, or firm, which has applied for the grant of a licence, or to which a licence has been granted under this Law, or by which the applicant or licensee is controlled, or being the manager of the business carried on by an individual applicant or licensee, is able to give any information as to the constitution, control or management of the company, or firm, or the business carried on by the Company, firm, or individual, or the beneficial interest of any person in such business, or in any shares or securities of the company or firm, to furnish such information within such time as the High Commissioner in Council may direct, and for the purpose of obtaining or verifying such information any person appointed by the High Commissioner in Council in that behalf shall be entitled to inspect any books and documents belonging to or under the control of such company, firm, or individual, the inspection of which may reasonably be required for the purpose aforesaid.

Power to require information and inspection of documents.

3.—(1.) If any person carries on the business of winning, extracting, smelting, dressing, refining, or dealing in any metal or metallic ore in contravention of this Law without a licence, he shall be liable on conviction before a District Court to imprisonment with or without hard labour for a term not exceeding three months, or to a fine not exceeding one hundred pounds for each day during which the offence continues, or to both such imprisonment and fine.

Offences.

(2.) If any person refuses or neglects to furnish any information which under this Law is required to be furnished within the time within which it is to be furnished, or knowingly furnishes any information required to be furnished under this Law which is false in any material particular, or having custody of any book or document which a person is authorized to inspect under this Law,

refuses or wilfully neglects to produce the book or document for inspection, or forges or fraudulently alters or uses or permits to be fraudulently used any licence issued under this Law, he shall be liable on conviction before a District Court to imprisonment with or without hard labour for a term not exceeding three months, or to a fine not exceeding twenty pounds, or to both such imprisonment and fine.

(3.) Where the person guilty of an offence under this Law is a company, every director, manager, secretary, and other officer of the company who is knowingly a party to the default, shall also be guilty of the like offence, and liable to the like punishment.

Provision as  
to warrants  
to bearer.

4.—(1.) A company carrying on any business to which section 1 of this Law applies, which has issued share warrants to bearer, may give notice requiring the holders of the share warrants to surrender their warrants for cancellation and to have their names entered in the register.

(2.) The notice shall be given by advertisement in the *Cyprus Gazette*, as the case may be, and by any other method by which notices to, or for the information of, holders of share warrants to bearer are required to be given by the regulations of the company or the conditions of issue of the warrants.

(3.) Where such a notice has been given no person shall, as holder of a share warrant, be entitled to attend or vote at any meeting of the company, and any dividends or interest which may become payable in respect of any shares represented by share warrants shall be retained by the company until the share warrants have been surrendered for cancellation.

(4.) For the purposes of this Law the expression “ share warrants to bearer ” includes any bearer securities which confer on the holder thereof any voting power with respect to the management of the company.

Provisions  
as to secrecy.

5. No information as to any person or any business obtained under this Law shall be published except for the purposes of legal proceedings under this Law, and if any person knowingly publishes any information in contravention of this provision he shall be liable on conviction before a District Court to imprisonment with or without hard labour for a term not exceeding three months, or to a fine not exceeding twenty pounds, or to both such imprisonment and fine.

6. The High Commissioner in Council may make rules for prescribing anything which, under this Law, is to be prescribed, and generally for carrying this Law into effect, and such rules shall provide for excluding from dealings by way of wholesale trade within the meaning of this Law dealings in quantities below such limits as may be prescribed generally or as respects any particular metal or metallic ore.

Rules.

7. All documents purporting to be documents made by the High Commissioner in Council under this Law, and to be sealed with the seal of the High Commissioner, or to be signed by the Chief Secretary, or by any person authorized in that behalf by the High Commissioner, shall be received in evidence, and shall be deemed to be such documents without further proof unless the contrary is shown.

Evidence of documents.

8.—(1) A company carrying on any business to which Section 1 of this Law applies may give notice requiring a shareholder or debenture holder to make a declaration under oath or affirmation, as to the beneficial ownership of the shares or debentures standing in his name, and as to the nationality of such beneficial owner.

Declarations.

(2) The notice shall be given by any method by which notices to, or for the information of, holders of shares or debentures are required to be given by the regulations of the company or the conditions of issue of the debentures.

(3) Where such a notice has been given no person shall as holder of a share be entitled to attend or vote at any meeting of the company, and any dividends or interest which may become payable in respect of any shares or debentures shall be retained by the company until the share holder or debenture holder shall have made such declaration as aforesaid.

(4) For the purposes of this section the expressions "shares" and "debentures" include stock and debenture stock and "shareholder" and "debenture holder" have corresponding meanings.

9. The metals and ores to which this Law applies are zinc, copper, tin, lead, nickel, aluminium, and any other non-ferrous metals and ores to which this Law may be applied by order of the High Commissioner in Council; the expression "metal" shall not include metal which has been subjected to any manufacturing process except such as may be prescribed; and the expression "ore" shall include concentrates, mattes, precipitates and other intermediate products.

Metals or ores to which Law applies.

Short  
title and  
duration.

10.—(1) This Law may be cited as the Non-Ferrous Metal Industry Law, 1919.

(2) This Law shall continue in force only during the continuance of the present war and for a period of five years after the termination thereof.<sup>(1)</sup>

## SCHEDULES.

### FIRST SCHEDULE.

#### CONDITIONS.

1. That any director of the company or any partner of the firm, or the individual, or any manager or other principal officer employed by the company, firm, or individual, is a person who is or has been a subject of a State which on the 6th February, 1918, was at war with His Majesty or an enemy controlled corporation.

2. That in the case of a company, any capital of the company is or was at any time after the 12th November, 1917, held by or on behalf of an enemy, including any stock or shares of the company vested in the Public Custodian under the Public Custodian of Enemy Property Proclamation, No. 2, 1916.

3. That the company, firm, or individual is or was at any time after the 12th November, 1917, party to any agreement, arrangement or understanding, which enables or enabled an enemy to influence the policy or conduct of the business.

4. That the company, firm, or individual is or was at any time after the 12th November, 1917, interested, directly or indirectly, to the extent of one-fifth or more of the capital, profits or voting power in any undertaking whether or not in Cyprus, engaged in business of a kind to which this Law applies, in which enemies are also interested, directly or indirectly, to the extent of one-fifth or more of the capital, profits or voting power.

5. That the company, firm, or individual is by any means whatever subject, directly or indirectly, in the conduct of their or his business to enemy influence or association.

6. That, in the case of a company, the company has issued share warrants to bearer and has not given notice under this Law requiring the holders of the share warrants to surrender their warrants for cancellation.

For the purpose of this Schedule:—

The expression "enemy" means a subject of a State which on the 6th February, 1918, was at war with His Majesty and an enemy controlled corporation.

<sup>(1)</sup> See p. 759.

The expression "enemy controlled corporation" means any corporation;—

- (a.) Where the majority of the directors or the persons occupying the position of directors by whatever name called, are subjects of such a State as aforesaid; or
- (b.) Where the majority of the voting power is in the hands of persons who are subjects of such a State as aforesaid, or who exercise their voting powers directly or indirectly on behalf of persons who are subjects of such a State as aforesaid; or
- (c.) Where the control is by any means whatever in the hands of persons who are subjects of such a State as aforesaid; or
- (d.) Where the executive is an enemy controlled corporation or where the majority of the executive are appointed by an enemy controlled corporation.

The expression "capital" in relation to a company means any shares or securities issued by the company which carry, or would, if the necessary formalities were complied with, carry any voting power with respect to the management of the company, and shall also include debentures and debenture stock and money lent to the company.

## SECOND SCHEDULE.

Section 1 (1).

### FORM OF LICENCE.

*(Name of company, firm, or individual.)*

of  
is hereby licensed under the Non-Ferrous Metal Industry Law, 1919, to carry on the business of winning, extracting, smelting, dressing, refining, and dealing by way of wholesale trade in the metals or metallic ores to which the said Law applies.

*By Order of His Excellency  
the High Commissioner in Council,*

*Chief Secretary.*

## NUISANCES (BROTHELS).

12 OF 1899.

TO AMEND THE LAW RELATING TO NUISANCES CAUSED BY BROTHELS.

W. F. HAYNES SMITH.]

[June 2, 1899.

1. This Law may be cited as the Nuisances Law, 1899. Short title.
2. In this Law the word "brothel" means any premises which Definition.  
are used for the purposes of habitual prostitution.