



SUPPLEMENT No. 2

TO

THE CYPRUS GAZETTE No. 2795 OF 22ND NOVEMBER, 1939.

LEGISLATION.

THE STATUTE LAWS OF CYPRUS

No. 19 OF 1939.

A LAW TO CONSOLIDATE AND AMEND THE LAW
RELATING TO THE STORAGE, TRANSPORT AND
SALE OF PETROLEUM.

W. D. BATTERSHILL,
Governor.

[17th November, 1939.]

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 Petroleum Law, 1939. Short title.

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

“ Director of Public Works ” includes any person
authorized by the Director of Public Works to perform
the duties or exercise the rights of the Director of Public
Works under this Law ;

“ Municipal Corporations Laws ” means the Municipal
Corporations Laws, 1930 to 1938, or any amendment
thereof ;

“ person ” includes a Municipal Corporation established
under the Municipal Corporations Laws ;

“ petroleum ” includes any inflammable substance
which is derived from petroleum, coal or any other
bituminous substance or from any of their products
comprised in the following three classes, that is to say :—

26 of 1930
44 of 1934
31 of 1937
1 of 1938

(1) "Petroleum Class A" which includes the products usually known as aviation spirit, benzine, gasolene, petrol, motor spirit, petroleme, mineral naphtha, artificial turpentine, turpene, drialene, crude petroleum, low flash distillates, and other petroleum having a flashpoint below 73° Fahrenheit ;

(2) "Petroleum Class B" which includes the products usually known as kerosene, illuminating oil, paraffin oil, lamp oil, and other petroleum having a flashpoint not below 73° but below 150° Fahrenheit ;

(3) "Petroleum Class C" which includes the products usually known as fuel oil, "Mazut" diesel oil, solar or gas oil, and other petroleum having a flashpoint not below 150° but below 300° Fahrenheit.

Licensing
Authority.

3. The Commissioner in each District shall be the Licensing Authority for the purposes of this Law.

Licences.

4.—(1) The Licensing Authority may, subject to regulations made under this Law, in his discretion grant to any person a licence in the prescribed form to store and keep petroleum of a class specified in such licence:

Provided that no such licence shall be granted unless and until the applicant produces to the Licensing Authority a certificate from the Director of Public Works that the place or premises whereon or wherein any petroleum will be stored or kept are suitable and safe for the purpose.

(2) Every such licence shall be issued on or after the first day of January in every year and shall expire on the thirty-first day of December next following the date of issue.

(3) The Licensing Authority, upon the report of the Director of Public Works that any place or premises in respect of which a licence has been granted has for any reason become unfit for the storage of petroleum, shall cancel such licence.

(4) Any person who shall store or keep any petroleum save under a licence as in this section provided shall be guilty of an offence and shall be liable to imprisonment for a term not exceeding six months or to a fine not exceeding twenty-five pounds or to both such imprisonment and fine, and any petroleum in respect of which an offence under this section has been committed shall be forfeited.

(5) The provisions of this section shall not apply to any petroleum—

(a) stored or kept in any premises in separate glass, earthenware or metal vessels provided that the aggregate amount of petroleum contained therein does not exceed—

- (i) 12 gallons of Petroleum Class A ;
- (ii) 100 gallons of Petroleum Class B ;
- (iii) 250 gallons of Petroleum Class C ;

(b) contained in the tank of any motor car or any other vehicle the propelling power of which is obtained from petroleum, or which is carried on such motor car or other vehicle as a reserve supply provided that such reserve supply does not exceed 8 gallons.

5. If at any time it shall appear to the Governor that there are bye-laws for the time being in force made by a Council under the Municipal Corporations Laws, for the storage or sale of petroleum which are considered by the Governor to be suitable and adequate for the purpose, the Governor may by notification in the *Gazette* direct that such bye-laws shall be in force within the town or village comprised within the municipal limits of the Municipal Corporation by which such bye-laws were made, and that any regulations made under this Law and specified in such notification shall not apply to such town or village.

Bye-laws by
Municipal
Corporations.

6. Where it is made to appear to the Governor in Council that it is desirable that this Law should apply to any inflammable substance other than petroleum he may by Order declare that the provisions of this Law and any regulations made thereunder, subject to such exceptions or limitations as may be specified in the Order, shall apply to such substance as if such substance were petroleum within the meaning of this Law.

Power of
Governor
in Council
to apply
this Law to
inflammable
substances.

7. Any person aggrieved by the refusal to grant a licence or the cancellation of a licence by the Licensing Authority or the terms or conditions imposed by the Licensing Authority in any such licence may, within ten days from such refusal or cancellation or from the date of the grant of the licence against which the appeal is made, appeal to the Governor in Council whose decision thereon shall be final and conclusive.

Appeal to
the Governor
in Council.

Search and
seizure.

8.—(1) The Director of Public Works or any Police officer of any rank not lower than that of sergeant may at any time without warrant enter any premises or place wherein or whereon he has reasonable ground to suspect that petroleum is being stored, kept, sold or exposed for sale in contravention of this Law or any regulations made thereunder and may seize and remove any such petroleum together with the vessel containing the same.

(2) Any person who resists search or obstructs the Director of Public Works or any Police officer acting under the provisions of sub-section (1) shall be guilty of an offence and shall be liable to imprisonment for a term not exceeding three months or to a fine not exceeding ten pounds or to both.

Power to
make
Regulations.

9.—(1) The Governor in Council may make Regulations for all or any of the following purposes—

- (a) prescribing the tests to be applied to petroleum to ascertain its flashpoint and the methods of applying the same;
- (b) determining the standard of petroleum;
- (c) prescribing the powers and duties of the Director of Public Works;
- (d) regulating the licensing and management of places for storing or keeping petroleum and determining the construction and materials of any place in which any petroleum may be stored or kept;
- (e) determining the materials and appliances to be used for preventing or extinguishing fire in any place licensed for the storing or keeping of petroleum;
- (f) providing for the inspection of any place licensed for the storing or keeping of petroleum;
- (g) empowering the Director of Public Works to order such works or repairs to be executed to any store as in his opinion may be necessary to ensure the safe storage therein of petroleum;
- (h) regulating the importation, transport and storage of petroleum;
- (i) regulating the sale of and dealings in petroleum;
- (j) prescribing the fees to be paid for any licence or examination or inspection made under this Law or any regulation made thereunder;

- (k) prescribing the forms of applications and licences to be made or granted under this Law or any regulation made under this Law;
- (l) generally, for the better carrying out of the purposes of this Law.

(2) Such regulations may impose penalties for the breach thereof not exceeding six months' imprisonment or a fine not exceeding twenty-five pounds or both and in case of a continuing offence a further penalty not exceeding a fine of one pound for every day during which the offence continues after conviction therefor.

10.—(1) All Orders in Council, Orders and bye-laws made by the Governor in Council or the Governor under the Explosives and Petroleum Laws, 1882 and 1924, in respect of petroleum or other inflammable substance and subsisting at the date of the commencement of this Law, shall be deemed to have been made under this Law and shall remain in force until replaced, amended or revoked, by regulations made under this Law.

Saving

4 of 1882
14 of 1924

(2) All buildings kept at the date of the commencement of this Law by a municipal authority for the storage of petroleum or other inflammable substance by virtue of any power vested in such authority under the Explosives and Petroleum Laws, 1882 and 1924, or the Municipal Corporations Laws, shall be deemed to be places for which a licence has been granted under this Law for a period of twelve months from the date of the commencement of this Law, and no longer:

4 of 1882
14 of 1924

Provided that the Governor in Council may, by order published in the *Gazette*, extend such period in respect of any building kept by a municipal authority as aforesaid for such period and subject to such conditions as may be specified in the order.

(3) All bye-laws made by a municipal authority in respect of the storage of petroleum or other inflammable substance in municipal stores by virtue of the Explosives and Petroleum Laws, 1882 and 1924, or the Municipal Corporations Laws, and subsisting at the date of the commencement of this Law, shall, in so far as they are not inconsistent with the provisions of this Law or any regulations made thereunder, remain in force until replaced, amended or revoked.

4 of 1882
14 of 1924

(4) All licences granted by a Commissioner or a municipal authority for the storage of petroleum or other inflammable substance by virtue of the Explosives and Petroleum Laws, 1882 and 1924, and subsisting at the date of the commencement of this Law shall be deemed to be licences granted under this Law and shall remain in force for a period of twelve months from the date of the commencement of this Law, and no longer.

4 of 1882
14 of 1924

Date of
coming into
operation
and repeal.

4 of 1882
14 of 1924
25 of 1930

11. This Law shall come into operation on a date to be fixed by notice by the Governor in the *Gazette* and thereupon the provisions of the Explosives and Petroleum Laws, 1882 and 1924, in so far as they relate to petroleum or other inflammable substance, and the Explosives and Petroleum Law, 1930, shall be repealed.

A. B. WRIGHT,

17th November, 1939.

Colonial Secretary.

(M.P. 618/26/5.)

NO. 20 OF 1939.

A LAW TO CONSOLIDATE AND AMEND THE LAW RELATING TO THE IMPORTATION AND USE OF EXPLOSIVE SUBSTANCES AND OTHER MATTERS CONNECTED THEREWITH.

W. D. BATTERSHILL,
Governor.

[21st November, 1939.]

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

Short title.

1. This Law may be cited as the Explosive Substances Law, 1939.

PART I.

PRELIMINARY.

Interpreta-
tion.

2. In this Law, unless the context otherwise requires—
“Certificate of Registration” means a certificate of registration issued under the provisions of the Firearms Laws;

“Firearms Laws” means the Firearms Laws, 1933 to 1937, or any amendment thereof;

“Firearms Licence” means a firearms licence issued under the provisions of the Firearms Laws;

“explosive substance” means gunpowder, nitro-glycerine, dynamite, gun-cotton, blasting powder, fulminate of mercury or of other metals, coloured fires and every other substance, whether similar to those above mentioned or not, used or manufactured with a

31 of 1933
5 of 1934
11 of 1934
17 of 1937