

CAP. 68.

CYPRUS

GRAIN CONTROL

CHAPTER 68 OF THE LAWS

1959 EDITION

PRINTED BY

C. F. ROWORTH LIMITED, 54, GRAFTON WAY, LONDON, W.1.

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1959

CHAPTER 68.

GRAIN CONTROL.

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**A LAW TO MAKE PROVISION FOR THE CONTROL OF GRAIN,
THE REGULATION OF ITS PRICE, IMPORTATION AND
LOCAL CONSUMPTION AND OF MATTERS CONNECTED
THEREWITH.**

[25th February, 1953.]

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Short title.

1. This Law may be cited as the Grain Control Law.

Interpreta-
tion.

2. In this Law unless the context otherwise requires—

“ Commission ” means the Grain Commission established under section 4 ;

“ controlled article ” means any kind of grain declared under section 3 to be controlled ;

“ grain ” includes barley and all kinds of grain used for human consumption or consumption by animal, and further includes flour (as defined in subsection (2) of section 19 of this Law) ;

“ miller ” means a person who by process of milling converts a controlled article into any form of flour ;

“ producer ” means any person who, since the date of the declaration of a controlled article, has cultivated

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and produced any such article himself or through his agents or servants or on the crop sharing system ;

“ purchase ” includes an agreement to purchase ;

“ sell ” and “ sale ” include an agreement to sell.

3. (1) If at any time it appears to the Governor in Council to be necessary or expedient for the purpose of securing a sufficiency of any kind of grain essential to the wellbeing of the community or its equitable distribution or availability at fair prices or that public interest so requires, the Governor in Council may, by Order (hereinafter referred to as “ the Control Order ”) declare that kind of grain to be a controlled article and thereupon the provisions of this Law shall have effect in respect of such article.

Power to the Governor in Council to place grain under control.

(2) The Governor in Council may, if satisfied that the circumstances which led to the making of a Control Order have ceased to exist or that public interest so requires, cancel such Order and upon such cancellation the provisions of this Law shall, subject to section 18, cease to apply to such article.

4. (1) On the making of any Control Order the Governor shall establish a Grain Commission to perform the functions provided in section 5.

Grain Commission.

(2) The Commission shall consist of a Chairman and four other members, to be appointed by the Governor to hold office in accordance with the terms of the appointment :

Provided that the Governor may, at any time, revoke any appointment made under this subsection.

(3) The Commission may make rules governing its own proceedings, the convening of its meetings, the quorum thereof and providing, subject to the approval of the Governor, for the payment of any allowances to any of its members.

(4) The Commission may act notwithstanding a vacancy among the members thereof.

5. (1) Subject to the provisions of this Law the Commission shall have power to perform the following functions:—

Functions of the Commission.

(a) to provide or secure or promote the provision, within the Colony, of the required supply of the controlled article, and for this purpose to import

or control the importation and to purchase or sell or control the purchase or sale of the controlled article ;

- (b) to export or regulate and control the exportation of any controlled article ;
- (c) to establish stores and agencies for the storage, purchase, sale, distribution and delivery of the controlled article ;
- (d) when public interest so requires and with the approval of the Governor in Council to establish and operate mills and similar plant for preparing and for processing the controlled article ;
- (e) to enter into and carry out any agreement for the importation, exportation, purchase, sale, distribution, milling, treating, processing, storage or grinding of the controlled article ;
- (f) to regulate, license and control the production, importation, exportation, purchase, sale, distribution, milling, treating, processing, storage or grinding of the controlled article ;
- (g) with the approval of the Governor to fix the maximum price at which such article shall be purchased or sold ;
- (h) to require any person to furnish the Commission, within such period as the Commission may require, with a full and accurate return in the prescribed form of any controlled article in his possession or under his control or of any particulars in connection therewith ;
- (i) with the approval of the Governor to appoint such officers, servants or agents, at such remuneration, and on such terms and conditions as may be necessary for the proper and efficient execution of the functions of the Commission and to require any officer, servant or agent so appointed to give such security as may be deemed proper for the due execution of their functions ;
- (j) with the consent of the Governor to borrow money from any person in such manner and subject to such conditions as the Governor may deem fit to impose for the purpose of carrying out its functions ;
- (k) with the approval of the Governor to make loans or advances in the performance of its functions ;

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(l) to establish a fund known as the stabilisation account to which such portion of the profits as the Commission may decide might be carried and from which losses might be met for the purpose of maintaining a uniform price for the controlled article.

(2) The Commission shall comply with such directions as may be given from time to time by the Governor.

6. The funds of the Commission shall consist of such money as may accrue from the operation of the Commission and such other money as may from time to time, with the approval of the Governor, be apportioned from public funds.

Funds
of the
Commission.

7. (1) The Commission shall keep true accounts of—

Accounts
and audit.

(a) all sums received or expended by the Commission and the matters in respect of which such receipts and expenditure take place ;

(b) the stock in trade of the Commission ; and

(c) the assets and liabilities of the Commission which shall be prepared to show separately the fixed or capital assets of the Commission and the sums borrowed or owing on account of loans or advances.

(2) The Commission shall furnish the Governor as soon as possible after the completion of every year during the time it functions a report upon the administration of the affairs of the Commission for the previous year, together with a balance sheet and a statement of the revenue and expenditure of the Commission duly audited by the Principal Auditor.

8. (1) The Commission may purchase or otherwise acquire, hire and hold any movable property for the purposes of this Law and may dispose any such property.

Power to the
Commission
to hold
property.

(2) The Commission may, with the consent of the Governor—

(a) purchase or otherwise acquire and hold any immovable property for the purposes of this Law ;

(b) sell or otherwise alienate any such immovable property or any interest therein ;

(c) take on lease any immovable property for the

purposes of this Law or demise any immovable property vested in the Commission :

Provided that the consent of the Governor shall not be required for any lease or demise of any such property for any term not exceeding one year.

Exemption
from taxa-
tion and
stamp
duties.
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9. The Commission shall be exempt from—

- (a) payment of any dues or duties under any Customs Law for the time being in force on machinery, including parts and accessories, apparatus, appliances, vehicles, instruments, tools, stores and materials of whatsoever kind imported for the use of the Commission and not intended for sale to the general public ;
- (b) payment of any dues or duties under any Customs Law for the time being in force on any grain declared to be a controlled article under subsection (1) of section 3 ;
- (c) payment of stamp duty under any Law for the time being in force relating to stamp duties.

Restriction
on the
disposal of a
controlled
article.

10. From and after the declaration of a controlled article—

- (a) save under a written permit issued by the Commission no person, other than the Commission or its authorised agents, shall purchase such article :

Provided that any person may purchase by retail from the Commission or its authorized agents a quantity of the controlled article reasonably required for use by, or consumption in, the purchaser's household for a reasonable time ;

- (b) save under a written permit issued by the Commission no producer or other person shall sell such article to any person other than the Commission or its duly authorised agents ;
- (c) the Commission shall purchase all the quantity of the controlled article offered to it which is suitable for human consumption or consumption by animals ;
- (d) no person except the Commission or its authorised agents or the holder of a permit under para-

graph (a) or paragraph (b) of this section shall have in his possession or under his control any quantity of the controlled article in excess of that required for use by, or consumption in, his household for a reasonable time :

Provided that any producer may in addition have in his possession such quantity of the controlled article as may be reasonably required by him as seed for the next crop.

11. Save under a written permit issued by the Commission, from and after the declaration of a controlled article no person shall import into or export from the Colony such article.

Restriction on the importation or exportation of a controlled article.

12. (1) Every person carrying on the business of a miller shall, within one month from the date of declaration of a controlled article or within one month from his beginning to carry on the said business and thereafter annually during the continuance into operation of this Law, on the 1st day of January in each year, register himself as a miller at the office of the Commission.

Registration of millers.

(2) A fee of one pound shall be payable for such registration.

13. (1) The Commission shall not sell or supply any controlled article to any miller other than a registered miller.

Restrictions on millers.

(2) No miller shall purchase any controlled article or receive in his mill any controlled article for milling except from the Commission or its duly authorised agents or such person who is the holder of a written permit issued by the Commission, and every miller shall, if required by the Commission, be responsible for the proper grading of the controlled article at his mill in accordance with the classification of grades of such article laid down by the Commission :

Provided that a producer may bring for milling without a permit such quantity of the controlled article produced by him as is reasonably required for use by, or consumption in, his household for a reasonable time.

14. (1) The Commission shall have power to require any miller to produce such books, returns, accounts and documents and to give such information as the Commission may think necessary in order to satisfy himself as to the

Power to the Commission to call for books, returns, etc., from millers.

quantity of the controlled article delivered to or received by the miller and the quantity of the controlled article milled by the miller.

(2) Any miller who fails to comply with any requirement of the Commission under subsection (1) or who gives any false information in connection therewith shall be liable to imprisonment not exceeding one year or to a fine not exceeding one hundred pounds or to both such imprisonment and fine.

Power of inspection.

15. (1) Every person authorised in writing by the Commission in that behalf shall have power to enter upon and inspect any premises where he has reasonable grounds to believe that any controlled article is stored or kept for the purpose of ascertaining whether the provisions of this Law have been or are being complied with.

(2) Any person who obstructs, hinders or impedes any person in the exercise of his powers under subsection (1) shall be guilty of an offence and shall be liable to imprisonment for one year or to a fine of one hundred pounds or to both such imprisonment and fine.

Saving of existing contracts.

16. On declaration of any controlled article all contracts for the disposal, whether by way of sale or otherwise, or importation of any controlled article shall, on or before a date to be fixed by the Governor by notice in the Gazette, be registered with the Commission and notwithstanding any provision of this Law shall thereupon be of full force and effect :

Provided that no contract which shall not be registered on or before the date so fixed by the Governor shall be valid :

Provided further that no contract entered into on or after the 19th day of November, 1952, shall be valid unless entered into or incurred with the prior approval of the Commissioner of the district where the seller or importer resides.

Offences.

17. Any person who acts in contravention of or fails to comply with any of the provisions of sections 10, 11, 12 or 13 shall be guilty of an offence and shall be liable to imprisonment of one year or to a fine of one hundred pounds or to both such imprisonment and fine.

18. On the cancellation of a Control Order under subsection (2) of section 3 the Governor in Council may give directions as to the transfer, acquisition or vesting of any movable and immovable property acquired by, vested in or held by the Commission and of all rights and liabilities thereof and thereupon any such property, rights and liabilities shall, without prejudice to the rights of any person, be transferred, acquired and vest accordingly.

Provisions
in case of
cancellation
of a Control
Order.

19. (1) If it appears to the Governor in Council that public interest so requires, the Governor in Council may, in making a Control Order under subsection (1) of section 3, include bread therein as a controlled article and thereupon the provisions of this Law shall apply *mutatis mutandis* to bread as if it were a controlled article for the purposes of this Law.

Control of
bread.

(2) For the purposes of this section—

“bread” means the product produced by baking flour unmixed with any substance other than water, salt and yeast or other leaven;

“flour” means the products produced by the milling of wheat, and includes all such products except substances separated in the milling as wheat offals, and where such products as aforesaid are mixed with other substances, whether or not produced by the milling of wheat and whether milled with the wheat or subsequently added, the mixture shall be deemed to be flour.

20. Notwithstanding anything in this Law contained the existing control of wheat and barley under the Supplies and Services (Wheat and Barley Control) Order, 1952, shall continue as if wheat and barley were controlled articles declared under section 3 of this Law and the Commission to be established under this Law shall take over the assets and liabilities of the Supplies Office subsisting on the date of the coming into operation of this Law* in connection with the wheat and barley control under the aforesaid emergency order.

Transitional
provisions.

Gazette:
Suppl. No. 3:
7.5.1952.

21. The Commission may, with the approval of the Governor, make Regulations—

Regulations.

(a) for the keeping of the books and other records of the Commission ;

* This Law came into operation on the 25th February, 1953.

- (b) prescribing the form and manner of issue of any permit under this Law;
- (c) prescribing the form of any returns required to be submitted under this Law ;
- (d) prescribing the manner of the registration of any miller under this Law ;
- (e) requiring millers to keep such books and accounts and render such returns as may be prescribed ;
- (f) providing for the imposition of a maximum penalty of twenty-five pounds for any contravention thereof ;
- (g) generally for the better carrying out of the purposes of this Law.