

The Governor may authorize payment of the same.

3. It shall be lawful for the Governor to cause to be issued and paid for the purposes aforesaid any sum not exceeding in the whole the sums in that behalf hereinbefore specified.

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No. 9 OF 1931.

A.D. 1931.

A LAW TO AMEND THE CRIMINAL LAW.

9 of 1931.

RONALD STORRS.]

[May 11, 1931.

Short title.

1. This Law may be cited as the Cyprus Criminal Code Order in Council, 1928, Amendment Law, 1931, and that Order in Council and this Law may together be cited as the Cyprus Criminal Code, 1928 and 1931.

Amendment  
of the  
Criminal  
Code.

2. The Cyprus Criminal Code Order in Council, 1928, is hereby amended as follows :—

(a) The following sub-section shall be substituted for sub-section 29 (2) ;

“ (2) A person liable to imprisonment for life or any other period may be sentenced for any shorter term, or the Court before which such person is tried may, instead thereof, impose a fine of an amount not exceeding the amount which such Court is empowered to impose.”

(b) The following section shall be substituted for section 32 ;

“ 32. Any person who is convicted of an offence may be adjudged to make compensation to any person injured by his offence. Any such compensation may be either in addition to or in substitution for any other punishment :

Provided that, notwithstanding anything contained in the Cyprus Courts of Justice Order in Council, 1927,

- (a) compensation may be ordered to be paid to the person injured notwithstanding that such person has no right to recover compensation in any civil action in respect of the injury, and
- (b) the undermentioned Courts shall have power so to award compensation as follows:—

The Supreme Court or an Assize Court of an amount not exceeding .. £ 300

A Magisterial Court formed by the President and one or two of the District Judges of the District Court sitting together of an amount not exceeding .. 100

A Magisterial Court formed by the President or by two District Judges of a District Court sitting together of an amount not exceeding .. .. . 50

A Magisterial Court formed by a District Judge of a District Court sitting alone of an amount not exceeding .. .. . 10

A Magisterial Court formed by an Assistant District Judge of an amount not exceeding .. .. . 2”

- (c) The following section shall be substituted for section 36;

“36. When in this Code, no punishment is specially provided for any misdemeanour, it shall be punishable with imprisonment for a term not exceeding two years or with a fine not exceeding one hundred pounds or with both such punishments.”

- (d) Section 91 (1), the words “to a fine not exceeding ten pounds or”, (line four), and the words “or to both”, (line five), shall be deleted.

- (e) The following section shall be substituted for section 92 :

“92. Any person who creates a noise or uproar in a public place without reasonable cause in a manner likely to disturb the inhabitants or to

cause a breach of the peace is guilty of a misdemeanour and is liable to imprisonment for three months."

(f) Section 179, the words "or to a fine of ten pounds", (lines nine and ten), shall be deleted.

(g) Section 197, the following paragraph shall be substituted for paragraph (c) thereof ;

"(c) an intent to commit a felony when in the circumstances the commission of such felony is dangerous to life and likely in itself to cause death ;"

(h) Section 198, the word "wilfully", (line two), shall be deleted.

(i) The following section shall be substituted for section 257 ;

"257. If the offender is a person employed in the public service and the thing stolen is the property of His Majesty, or came into the possession of the offender by virtue of his employment, he is liable to imprisonment for seven years :

Provided that if the value of the thing stolen does not exceed fifty pounds he is liable to imprisonment for three years."

(j) The following section shall be substituted for section 258 ;

"258. If the offender is a clerk or servant, and the thing stolen is the property of his employer, or came into the possession of the offender on account of his employer, he is liable to imprisonment for seven years :

Provided that if the value of the thing stolen does not exceed fifty pounds he is liable to imprisonment for three years."

(k) Section 297, the expression "or to a fine not exceeding ten pounds, or to both", (lines six and seven), shall be deleted.

(l) Section 316, the words "or to a fine of ten pounds", (line fourteen), shall be deleted.

(m) Section 317, the words "or to a fine of ten pounds", (line twenty), shall be deleted.

3. The following section shall be inserted between sections 143 and 144 of the Cyprus Criminal Code Order in Council, 1928 :—

Addition of new section to the Criminal Code.

“ Suppression of brothels.

143A.—(1) From and after the first day of January one thousand nine hundred and thirty-two any person who—

(a) keeps or manages or acts or assists in the management of a brothel ; or

(b) being the tenant, lessee, occupier or person in charge of any premises, knowingly permits such premises or any part thereof to be used as a brothel or for the purposes of habitual prostitution ; or

(c) being the lessor or landlord of any premises, or the agent of such lessor or landlord, lets the same or any part thereof with the knowledge that such premises or some part thereof are or is to be used as a brothel, or is wilfully a party to the continued use of such premises or any part thereof as a brothel,

is guilty of a misdemeanour.

Determination of tenancy of premises on conviction for permitting use as brothel, etc.

(2)—(a) Upon the conviction of the tenant, lessee or occupier of any premises, of knowingly permitting the premises, or any part thereof, to be used as a brothel, the landlord or lessor shall be entitled to require the person so convicted to assign the lease or other contract under which the said premises are held by him to some person approved by the landlord or the lessor, which approval shall not be unreasonably withheld, and, in the event of the person so convicted failing within three months to assign the lease or contract as aforesaid, the landlord or lessor shall be entitled to determine the lease or other contract but without prejudice to the rights or remedies of any party to such lease or contract accrued before the date of such determination. If the landlord or lessor should so determine the lease or other contract of tenancy, the Court which has convicted the tenant, lessee or occupier shall have power to make a summary order for delivery of possession to the landlord or lessor.

(b) If the landlord or lessor, after such conviction has been brought to his notice, fails to exercise his rights under the foregoing provisions of this sub-section, and subsequently during the subsistence of the lease or contract any such offence is again committed in respect of the premises, the landlord or lessor shall be deemed to have knowingly aided or abetted the commission of that offence, unless he proves that he had taken all reasonable steps to prevent the recurrence of the offence.

(c) Where a landlord or lessor determines a lease or other contract under the powers conferred by this section, and subsequently grants another lease or enters into another contract of tenancy to, with, or for the benefit of the same person without causing to be inserted in such lease or contract all reasonable provisions for the prevention of a recurrence of any such offence as aforesaid, he shall be deemed to have failed to exercise his rights under the foregoing provisions of this section, and any such offence as aforesaid committed during the subsistence of the subsequent lease or contract shall be deemed, for the purposes of this section, to have been committed during the subsistence of the previous lease or contract."

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