



**SUPPLEMENT No. 2**

TO

**THE CYPRUS GAZETTE No. 3656 OF 19TH NOVEMBER, 1952  
LEGISLATION.**

**THE STATUTE LAWS OF CYPRUS**

**No. 28 of 1952.**

2156

**A LAW TO AMEND THE CRIMINAL CODE LAW.**

**CAP. 13.  
27 of 1949  
12 of 1951**

**A. B. WRIGHT,]** [17th November, 1952.

*Governor.*

**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 Criminal Code (Amendment) Law, 1952, and shall be read as one with the Criminal Code Law (hereinafter referred to as "the principal Law").

Short title.  
Cap. 13.  
27 of 1949  
12 of 1951

Amendment  
of section  
26 of the  
principal  
Law.

2. Section 26 of the principal Law is hereby amended by the insertion therein immediately after paragraph (g) of the following paragraph, the full stop at the end thereof being replaced by a semi colon :—

“(h) supervision.”.

Amendment  
of section 27  
of the prin-  
cipal Law.

3. Section 27 of the principal Law is hereby amended by the deletion therefrom of sub-section (2) and the substitution therefor of the following sub-section :—

“(2) Sentence of death shall not be pronounced on or recorded against a person convicted of an offence if it appears to the Court that at the time when the offence was committed he was under the age of sixteen years ; but in lieu thereof the Court shall sentence him to be detained during the Governor’s pleasure ; and if so sentenced he shall be liable to be detained in such place and under such conditions as the Governor may direct.”

Repeal of  
section 28  
of the  
principal  
Law and  
substitution  
of new  
section.

4. Section 28 of the principal Law is hereby repealed and the following section substituted therefor :—

‘Imprison-  
ment.

28. 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.”

Insertion  
of new  
section.

5. The principal Law is hereby amended by the insertion therein of the following new section :—

“Court  
may order  
supervision  
in certain  
cases.

33.—(1) When any person, having been convicted of any offence punishable with imprisonment for a term of two years or upwards, is again convicted of any offence punishable with imprisonment for a term of two years or upwards the Court may, if it thinks fit, at the time of passing sentence of imprisonment on such person, also order that he shall be subject to supervision as hereinafter provided for a term not exceeding five years from the date of the expiration of such sentence :

Provided that, if such conviction is set aside on appeal or otherwise, such order shall become void :

Provided further that, if the conduct of the person convicted is such as to make it unnecessary that he should remain under such supervision, the Court may, at any time, discharge such order.

(2) Every person subject to supervision, who is at large shall, unless the Court otherwise directs, report himself personally once in each month to

the probation officer named in the order at such time as may be directed by such officer and forthwith notify to such officer any change of his residence.

(3) If any person subject to supervision, who is at large, refuses or neglects to comply with any requirement as provided by the last preceding subsection such person shall, unless he proves to the satisfaction of the Court that he did his best to act in conformity with such requirement, be guilty of an offence and be liable to imprisonment for a term not exceeding six months."

6. Section 78 of the principal Law (as set out in section 4 of Law 12 of 1951) is hereby repealed and the following section substituted therefor:—

"Daggers. 78.—(1) Any person who imports, manufactures, sells, offers or exposes for sale a dagger or who wears or carries a dagger outside his house or the curtilage thereof, is guilty of a misdemeanour and is liable to imprisonment for two years and, notwithstanding anything to the contrary in sections 28, 31 and 32 of this Law contained, is liable to a minimum sentence of imprisonment for one year unless the Court, in all the circumstances of the case including consideration of hardship and similar mitigating circumstances personal to the convicted person, thinks it expedient to impose a lesser sentence or make any other order.

(2) Whenever any lesser sentence is imposed or any other order is made under sub-section (1) of this section the Court shall record the reasons for the imposition of such sentence or making of such order."

7. Section 79 of the principal Law is hereby amended as follows:—

(a) by the deletion therefrom of sub-section (2) and the substitution therefor of the following subsection:—

"(2) Any person who wears or carries a knife ending in a sharp point outside his house or the curtilage thereof is guilty of a misdemeanour and is liable to imprisonment for one year and, notwithstanding anything to the contrary in sections 28, 31 and 32 of this Law contained, is liable to a minimum sentence of imprisonment for six months unless the Court, in all the circumstances of the case including consideration of hardship and similar mitigating circumstances

Repeal of section 78 of the principal Law and substitution of new section.

Amendment of section 79 of the principal Law.

personal to the convicted person, thinks it expedient to impose a lesser sentence or make any other order.”;

(b) by the insertion therein immediately after sub-section (2) of the following sub-section:—

“(3) Whenever any lesser sentence is imposed or any other order is made under sub-section (2) of this section the Court shall record the reasons for the imposition of such sentence or making of such order.”;

(c) by renumbering sub-section (3) as sub-section (4).

**8.** Section 80 of the principal Law is hereby amended as follows:—

(a) by the deletion therefrom of sub-section (2) and the substitution therefor of the following sub-sections:—

“(2) Any person who wears or carries a knife ending in a sharp point at any wedding or fair or in any brothel or licensed premises is guilty of a misdemeanour and is liable to imprisonment for two years and, notwithstanding anything to the contrary in sections 28, 31 and 32 of this Law contained, is liable to a minimum sentence of imprisonment for one year unless the Court, in all the circumstances of the case including consideration of hardship and similar mitigating circumstances personal to the convicted person, thinks it expedient to impose a lesser sentence or make any other order.

(3) Whenever any lesser sentence is imposed or any other order is made under sub-section (2) the Court shall record the reasons for the imposition of such sentence or making of such order.”;

(b) by renumbering sub-section (3) as sub-section (4);

(c) by the deletion therefrom of sub-section (4) (as set out in section 5 of Law 12 of 1951).

**9.** Section 81 of the principal Law (as set out in section 6 of Law 12 of 1951) is hereby repealed and the following section substituted therefor:—

81. Nothing in this Law shall prevent any person from carrying a clasp-knife which has a blade—

(a) of not more than four inches in length if not ending in a sharp point; or

(b) of not more than two and a half inches in length if ending in a sharp point,

when it is not so constructed as to be convertible by means of a spring or otherwise into a dagger or knife with a fixed blade.”

Amendment  
of section  
80 of the  
principal  
Law.

Repeal of  
section 81 of  
the principal  
Law and  
substitution  
of new  
section.

“Clasp-  
knives.

10. Sections 175, 176 and 177 of the principal Law are hereby repealed and the following sections substituted therefor :—

“ill-treatment, etc., of children.

175.—(1) Any person who, being the parent, guardian or other person having the lawful care or charge of any child under the age of fourteen years, wilfully ill-treats, neglects, abandons, or exposes such child, or causes or procures such child to be ill-treated, neglected, abandoned or exposed, in a manner likely to cause such child unnecessary suffering or injury to health (including injury to or loss of sight, or hearing, or limb, or organ of the body, and any mental derangement), shall be guilty of a misdemeanour.

(2) For the purposes of this section a parent, guardian or other person having the lawful care or charge of a child under the age of fourteen years, shall, if possessed of sufficient means, have a duty to maintain such child and shall be deemed to have neglected the child in a manner likely to cause injury to his health if he has failed to provide adequate food, clothing, medical aid or lodging for the child, or if, having been unable otherwise to provide such food, clothing, medical aid or lodging, he has failed to take steps to procure it to be provided by any authority or persons providing for the relief of the poor.

Neglect of filial duty.

176.—(1) Any person over the age of seventeen, possessed of sufficient means, who wilfully neglects or refuses to provide adequate food, clothing, medical aid or lodging for any of his parents, who, owing to mental or bodily weakness or old age, is unable to provide for himself shall be guilty of a misdemeanour.

(2) Upon a conviction under this section a Court may order that any property registered or in the possession of the person convicted which may have been received as a gift from such parent shall be re-transferred or re-delivered to such parent and any such order shall be sufficient authority to the Land Registry Office to cause any necessary amendment to the relative registration to be effected but so that any rights of a third person shall not be prejudicially affected.

Power to the Court to make maintenance orders.

177.—(1) A Court, before which a person is convicted for an offence under section 175 or section 176 of this Law, may, in lieu of any other punishment, make an order (hereinafter in this

Repeal of sections 175, 176 and 177 of the principal Law and substitution of new sections.

*repealed by second schedule 2. 21/7.*

*Schedule 2 2-21/7*

section referred to as "the maintenance order") that the person convicted shall maintain the child or parent, as the case may be, and such order may include a provision that the person convicted shall pay to the child or the parent, as the case may be, or to any officer of Court or other person for the use of such child or parent, such weekly sum not exceeding three pounds as the Court shall, having regard to the means of the person convicted, consider reasonable.

(2) Any maintenance order may, at any time, be altered, varied, suspended or discharged by the Court and the Court may, upon application of an interested party, from time to time, increase or diminish the amount of any weekly payment ordered to be made, but so that the same does not, in any case, exceed the sum of three pounds.

(3) Where any person who without proper cause fails to comply with a maintenance order for weekly payments, the Court may order that the arrears due under the maintenance order be levied and recovered as a penalty in all respects in accordance with and subject to the provisions of the Criminal Procedure Law or of any Law amending or substituted for the same including the power to commit to prison in lieu of issuing a warrant for execution, provided that no order shall be made for the recovery of arrears falling due more than six months prior to the making of the order.

(4) No warrant of execution or of commitment under sub-section (3) of this section shall affect the force and effect of a maintenance order unless the Court shall otherwise direct."

Amendment  
of section 256  
of the  
principal  
Law.

**11.** Section 256 of the principal Law is hereby amended by the deletion therefrom of the words "for one year" (line 5) and the substitution therefor of the words "for three years".

Amendment  
of section  
259 of the  
principal  
Law.

**12.** Sub-section (1) of section 259 of the principal Law is hereby amended by the deletion therefrom of the words "for three years" (line 5) and the substitution therefor of the words "for five years".

Amendment  
of section  
260 of the  
principal  
Law.

**13.** Section 260 of the principal Law is hereby amended by the deletion therefrom of the words "for three years" (line 21) and the substitution therefor of the words "for five years".

14. Section 261 of the principal Law is hereby amended by the deletion therefrom of the proviso thereto, the colon at the end thereof being replaced by a full stop.

Amendment of section 261 of the principal Law.

15. Section 262 of the principal Law is hereby amended by the deletion therefrom of the proviso thereto, the colon at the end thereof being replaced by a full stop.

Amendment of section 262 of the principal Law.

16. Sub-section (1) of section 266 of the principal Law is hereby amended by the deletion therefrom of the words "for three years" (line 3) and the substitution therefor of the words "for five years".

Amendment of section 266 of the principal Law.

17. Sections 300 and 301 of the principal Law are hereby repealed and the following section substituted therefor:—  
"Receiving, 300. Any person who receives or retains any property knowing the same to have been stolen or obtained in any way whatsoever under circumstances which amount to felony or misdemeanour, is guilty of an offence of the like degree (whether felony or misdemeanour) and is liable—

Repeal of sections 300 and 301 of the principal Law and substitution of new section.

(a) in the case of felony, to imprisonment for five years;

(b) in the case of misdemeanour, to imprisonment for two years."

18. Section 115 of the Criminal Procedure Law is hereby repealed.

Repeal of section 115 of the Criminal Procedure Law. Cap. 14.

J. F. SYMONS,  
17th November, 1952. *Acting Colonial Secretary.*

## No. 29 OF 1952.

### A LAW TO AMEND THE COURTS OF JUSTICE LAW.

CAP. 11.  
2 of 1952.

A. B. WRIGHT,] [19th November, 1952.  
*Governor.*

**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 Courts of Justice (Amendment No. 2) Law, 1952, and shall be read as one with the Courts of Justice Law (hereinafter referred to as "the principal Law").

Short title.  
Cap. 11.  
2 of 1952.