

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 Sections 300 and 301 of the principal Law are hereby repealed and the following section substituted therefor:—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 Section 115 of the Criminal Procedure Law is hereby repealed.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,
Acting Colonial Secretary.

17th November, 1952.

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.

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 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.

Amendment
of section 2
of the prin-
cipal Law.

2. Section 2 of the principal Law is hereby amended by the insertion therein in their proper alphabetical place of the following definitions:—

“action” includes all proceedings of a civil nature before any Court;

“Court” means a Court of competent jurisdiction.

Amendment
of section 12
of the prin-
cipal Law.

3. Section 12 of the principal Law is hereby amended by the insertion therein immediately after paragraph (c) thereof of the following paragraph (the full stop at the end of paragraph (c) being substituted by a semi colon):—

“(d) to issue prerogative orders and exercise, in all matters where the proceedings of a quasi judicial tribunal or of a ministerial authority are called in question, the powers of the High Court of Justice in England.”.

Amendment
of section
14 of the
principal
Law.

4. Sub-section (2) of section 14 of the principal Law is hereby amended by the deletion therefrom of the words “three hundred pounds” (line 3) and the substitution therefor of the words “five hundred pounds”.

Repeal of
sub-section 5
of section 16
of the
principal
Law and
substitution
of new
sub-section.

5. Sub-section (5) of section 16 of the principal Law is hereby repealed and the following sub-section substituted therefor:—

“(5) Every Magistrate shall have jurisdiction to hear and determine any action in which the amount in dispute or the value of the subject matter does not exceed fifty pounds:

Provided that the Governor may by Order published in the *Gazette* increase the limit of the jurisdiction of any Magistrate to one hundred pounds”.

Repeal of
section 20 of
the principal
Law and
substitution
of new
section.

6. Section 20 of the principal Law is hereby repealed and the following section substituted therefor:—

“Criminal jurisdiction of District Courts.
20.—(1) The President of a District Court shall have jurisdiction to try summarily all offences punishable with imprisonment for a term not exceeding three years or with a fine not exceeding five hundred pounds or with both and may, in addition to or in substitution for any such punishment, adjudge any person convicted before him to make compensation not exceeding three hundred pounds to any person injured by his offence.

(2) Every District Judge shall have jurisdiction to try summarily all offences punishable with imprisonment for a term not exceeding one year or with a fine not exceeding two hundred pounds

or with both and may, in addition to or in substitution for any such punishment, adjudge any person convicted before him to make compensation not exceeding two hundred pounds to any person injured by his offence.

(3) Every Magistrate shall have jurisdiction to try summarily all offences punishable with imprisonment for a term not exceeding six months or with a fine not exceeding fifty pounds or with both and may, in addition to or in substitution for any such punishment, adjudge any person convicted before him to make compensation not exceeding fifty pounds to any person injured by his offence.

(4) Notwithstanding anything in this section contained a President of a District Court, a District Judge or a Magistrate shall, with the consent of the accused to be recorded in the minutes of the proceedings, have jurisdiction to try summarily any offence punishable with imprisonment for a term not exceeding seven years, if satisfied that it is expedient so to do, in all the circumstances of the case including consideration of the adequacy of the punishment or compensation such President, District Judge or Magistrate is empowered under this section to impose or award :

Provided that—

- (a) any punishment imposed or any compensation awarded shall not exceed the punishment or compensation which a President of a District Court, a District Judge or a Magistrate, as the case may be, is empowered to impose or award under sub-section (1), (2) and (3) respectively ;
- (b) failure to record the consent of the accused in the minutes of the proceedings shall not be a ground for setting aside any conviction or sentence in such proceedings ;
- (c) subject to paragraph (d) hereof where the prosecution in any case is conducted by a Law Officer or a police officer who informs the Court that it is necessary that the Attorney-General should be consulted, the Court shall not deal with a case under this sub-section until the prosecution has been afforded a reasonable opportunity of so doing, and

the Court shall refuse to deal with the case if informed in writing by the Attorney-General that he does not consent to such a course ;

(d) in any case where the offence charged is punishable with imprisonment exceeding five years no Court shall deal with the case under this sub-section unless the written consent of the Attorney-General is produced to the Court."

Amendment
of section
28 of the
principal
Law.

7. Paragraph (c) of section 28 (1) of the principal Law is hereby repealed and the following paragraph substituted therefor :—

"(c) the common law and the doctrines of equity save in so far as other provision has been or shall be made by any Law of the Colony ;".

J. F. SYMONS,

Acting Colonial Secretary.

19th November, 1952.