

No. 35 OF 1933.

A LAW FURTHER TO AMEND THE CYPRUS
CRIMINAL CODE, 1928 TO 1932.

A.D. 1933.

35 of 1933.

R. E. STUBBS,]

[15th August, 1933.

Governor.

BE it enacted:—

1. This Law may be cited as the Cyprus Criminal Code (Amendment) Law, 1933, and shall be read as one with the Cyprus Criminal Code, 1928 to 1932, (hereinafter called "the Criminal Code"), and the Criminal Code and this Law may together be cited as the Cyprus Criminal Code, 1928 to 1933.

Short title.
The Cyprus Criminal Code Order in Council, 1928.

9 of 1931.
34 of 1932.

2. Section 57 of the Criminal Code is hereby repealed and the following substituted therefor:—

Repeal of section 57 of the Criminal Code and substitution of new section.

" Member-
ship of an
unlawful
association
illegal.

57.—(1) Any person who is a member of an unlawful association is guilty of a misdemeanour.

Office
holding, etc.,
illegal.

(2) Any person who occupies or acts in any office or position in or of an unlawful association, or who acts as a teacher in any institution or school conducted by or under the authority or apparent authority of an unlawful association is guilty of a felony and is liable to imprisonment for five years.

Onus of
proof.

(3) Any person who attends a meeting of an unlawful association or of members of an unlawful association or of persons who advocate or encourage the doing of any of the acts declared to be unlawful in section 61 of this Code or who has in his possession or custody any badge, ticket, book of membership, or any letter or document whatsoever, whenever issued, which appears to imply membership of, or any authority from or any connection with an unlawful association shall be presumed, unless and until the contrary is proved, to be a member of an unlawful association."

3. Section 58 of the Criminal Code is hereby amended by the deletion of the word "misdemeanour" and by the substitution therefor of the words "felony and is liable to imprisonment for five years".

Amendment of section 58 of the Criminal Code.

Repeal of section 60 of the Criminal Code and substitution of new section.

4. Section 60 of the Criminal Code is hereby repealed and the following substituted therefor :—

“Publishing, etc., propaganda of an unlawful association.

60. Any person who prints, publishes, sells or exposes for sale, or transmits through the post or who, without lawful authority or excuse, the proof of which lies upon him, has in his possession any book, periodical, pamphlet, poster, proclamation, newspaper, letter or any other document or writing whatsoever having a seditious intention as defined in section 50 of this Code or which advocates or encourages any of the acts declared to be unlawful in section 61 of this Code is guilty of a misdemeanour and any book, periodical, pamphlet, poster, proclamation, newspaper, letter or any other document or writing in respect of which such person shall have been convicted shall be forfeited.”

New sections 60A and 60B inserted in the Criminal Code.

5. The Criminal Code is hereby amended by the insertion immediately after section 60 of the following sections :—

“Power of arrest and seizure.

60A. A Local Commandant of Police or an Inspector in charge of a Division or any Non-Commissioned Officer or Private authorized in writing by a Local Commandant of Police or Inspector in charge of a Division may without warrant and with or without assistance enter into any house or building or any place in which he has reason to believe that a meeting of an unlawful association or of members of an unlawful association or of persons who advocate or encourage the doing of any of the acts declared to be unlawful in section 61 of this Code is being held or which he has reason to believe contains any document or thing the possession of which is prohibited by section 60 of this Code and may arrest any person found therein and seize any such document or thing and it shall be lawful for a Magisterial Court or any Judge thereof upon application of a Local Commandant or Inspector in charge of a Division and upon such notice (if any) as he may think fit, to order any such document or thing to be forfeited.

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60B. In any prosecution under sections 57, 59 or 60 of this Code any book, periodical, pamphlet, poster, proclamation, newspaper, letter or any other document or writing which purports to be

or appears to be issued by or on behalf of or in the interests of the association alleged to be unlawful, or of any association or organization with which the association alleged to be unlawful is, or purports to be, or appears to be affiliated or in any way connected, whenever issued, shall, if tendered by the prosecution, be *prima facie* evidence of the contents thereof and of the doctrines or practices of the association alleged to be unlawful.”

6. Section 61 of the Criminal Code is hereby amended as follows :—

Amendment of section 61 of the Criminal Code.

- (i) by the deletion from paragraph (a) (iii) of the words “ or which is, or purports to be affiliated with any organization which advocates or encourages any of the doctrines or practices specified in this section ” ;
- (ii) by the insertion immediately after paragraph (b) of the following paragraphs :—

(c) any body of persons incorporated or unincorporated or any organization which is or purports to be or appears to be affiliated or in any way connected with any body of persons incorporated or unincorporated or any organization which by its constitution or propaganda or otherwise advocates, incites or encourages the doing of any act specified in paragraph (a) or (b) of this section ;

(d) any body of persons, incorporated or unincorporated, or any organization whether within or without the Colony which is declared by Order of the Governor in Council to have among its aims or to be used for the promotion of a general strike, or of disorder of any kind, or of the spread of sedition within the Colony and to be proscribed within the Colony.”

7. Section 199 of the Criminal Code is hereby amended by the deletion of the words “ is time for his passion ” and by the substitution therefor of the words “ would be time for the passion of such reasonable person ”.

Amendment of section 199 of the Criminal Code.

8. The Criminal Code is hereby amended by the insertion immediately after section 357 of the following section :—

New section 357A inserted in the Criminal Code.

“ Incitement to commit an offence.

357A. Any person who incites or attempts to induce another person to commit an offence

whether such other person consents to commit the offence or not is guilty—

(a) of a felony, if the offence in question is a felony, and such person is liable, if no other punishment is provided, to imprisonment for seven years or if the greatest punishment to which a person convicted of such felony is liable, is less than imprisonment for seven years, then to such lesser punishment,

(b) of a misdemeanour, if the offence in question is a misdemeanour and such person is liable, if no other punishment is provided, to imprisonment for two years, or if the greatest punishment to which a person convicted of such misdemeanour is liable, is less than imprisonment for two years, then to such lesser punishment.”

This Law came into operation on 16th August, 1933.

NO. 36 OF 1933.

A.D. 1933. A LAW FURTHER TO AMEND THE LAW RELATING TO
36 of 1933. CUSTOMS, EXCISE AND REVENUE.

R. E. STUBBS,]

[23rd August, 1933.

Governor.

Short title.

2 of 1932.
30 of 1932.
42 of 1932.
43 of 1932.
51 of 1932.
34 of 1933.

1. This Law may be cited as the Cyprus (Customs, Excise and Revenue) Order in Council, 1931, Amendment (No. 2) Law, 1933, and shall be read as one with the Cyprus (Customs, Excise and Revenue) Order in Council, 1931, as amended by the Cyprus (Customs, Excise and Revenue) Order in Council, 1931, Amendment Law, 1932, the Cyprus (Customs, Excise and Revenue) Order in Council, 1931, Amendment (No. 2) Law, 1932, the Cyprus (Customs, Excise and Revenue) Order in Council, 1931, Amendment (No. 3) Law, 1932, the Cyprus (Customs Excise and Revenue) Order in Council, 1931, Amendment (No. 4) Law, 1932, the Cyprus (Customs, Excise and Revenue) Order in Council, 1931, Amendment (No. 5) Law, 1932, and the Cyprus (Customs, Excise and Revenue) Order in Council, 1931, Amendment Law, 1933, (hereinafter together referred to as “the Order”).