

No. 19 OF 1944.

A LAW FURTHER TO AMEND THE CRIMINAL CODE.

C. C. WOOLLEY,]

[17th May, 1944.

Governor.

BE it enacted by His Excellency the Governor and Commander-in-Chief of the Colony of Cyprus as follows:—

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

9 of 1931
34 of 1932
35 of 1933
43 of 1933
9 of 1936
28 of 1936
2 of 1937

Amendment
of paragraph
(d) of section
61 of the
Criminal
Code.

Insertion of
new section
141A in the
Criminal
Code.

Repeal of
section 162
of the Crimi-
nal Code
and sub-
stitution
of new
section.

1. This Law may be cited as the Cyprus Criminal Code (Amendment) Law, 1944, and shall be read as one with the Cyprus Criminal Code, 1928 to 1937, (hereinafter referred to as "the Criminal Code"), and the Criminal Code and this Law may together be cited as the Cyprus Criminal Code, 1928 to 1944.

2. Paragraph (d) of section 61 of the Criminal Code is hereby amended by the insertion therein at the end thereof immediately after the words "to be proscribed within the Colony." of the following:—

"Every such order shall be published in the *Gazette* and shall remain in force for a period of twelve months from the date of such publication and no longer unless renewed for such further period or periods, not exceeding twelve months at any one time, as the Governor in Council may direct by order published in the *Gazette*."

3. The Criminal Code is hereby amended by the insertion therein immediately after section 141 of the following section:—

"Indecent
assault on
males.

141A. Any person who unlawfully and indecently assaults any male person is guilty of a misdemeanour."

4. Section 162 of the Criminal Code is hereby repealed and the following section substituted therefor:—

"Indecency.

162. Any person who publicly commits any act of indecency is guilty of a misdemeanour and is liable to a fine not exceeding ten pounds or to imprisonment for three months."

5. Section 199A of the Criminal Code is hereby repealed and the following section substituted therefor:—

“Infanticide.

199A.—(1) Where a woman by any wilful act or omission causes the death of her child, being a child under the age of twelve months, but at the time of the act or omission the balance of her mind was disturbed by reason of her not having fully recovered from the effect of giving birth to the child or by reason of the effect of lactation consequent upon the birth of the child, then, notwithstanding that the circumstances were such that but for this section the offence would have amounted to murder, she shall be guilty of felony, to wit of infanticide, and may for such offence be dealt with and punished as if she had been guilty of the offence of manslaughter of the child.

(2) Where upon the trial of a woman for the murder of her child, being a child under the age of twelve months, the Court is of opinion that she by any wilful act or omission caused its death, but that at the time of the act or omission the balance of her mind was disturbed by reason of her not having fully recovered from the effect of giving birth to the child or by reason of the effect of lactation consequent upon the birth of the child, then the Court may, notwithstanding that the circumstances were such that but for the provisions of this section it might have returned a verdict of murder, return in lieu thereof a verdict of infanticide.

Repeal of section 199A of the Criminal Code and substitution of new section.

17th May, 1944.

H. M. Foot,
Colonial Secretary.