



SUPPLEMENT No. 2

TO

THE CYPRUS GAZETTE No. 3828 OF 8TH JUNE, 1955.

LEGISLATION.

THE STATUTE LAWS OF CYPRUS

No. 20 OF 1955.

A LAW TO AMEND THE CRIMINAL CODE.

R. P. ARMITAGE,]

Governor.

[*2nd June, 1955.*

CAP. 13.
27 of 1949
12 of 1951
28 of 1952
4 of 1953
45 of 1953
28 of 1954.

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, 1955, and shall be read as one with the Criminal Code (hereinafter referred to as "the principal Law").

Short title.
Cap. 13.
27 of 1949
12 of 1951
28 of 1952
4 of 1953
45 of 1953
28 of 1954.

Repeal of section 13 of the principal Law and substitution of new section.

2. Section 13 of the principal Law is hereby repealed and the following section substituted therefor :—

“ Intoxication.

13.—(1) Subject to sub-sections (2) and (3), a person shall not, on the ground of intoxication be deemed to have done any act or made any omission involuntarily, or be exempt from criminal responsibility for any act or omission.

(2) A person is not criminally responsible for an act or omission if at the time of doing the act or making the omission he is in such a state of intoxication that he is incapable of understanding what he is doing, or controlling his action, or knowing that he ought not to do the act or make the omission, provided that the thing which intoxicated him was administered to him without his knowledge or against his will.

(3) When a specific intent is a constituent element of an offence, intoxication, whether complete or partial, and whether intentional or unintentional, shall be taken into account for the purpose of ascertaining whether such an intent in fact existed.”.

Amendment of the principal Law by the insertion of new section 27A.

3. The principal Law is hereby amended by the insertion therein, immediately after section 27, of the following new section :—

“ Commutation of death sentence to sentence of imprisonment.

27A. Where the Governor pardons any person who has been sentenced to death on condition that he serves a term of imprisonment, that person shall be deemed to have been sentenced by the Assize Court before which he was convicted for the said term.”.

Amendment of section 39 of the principal Law.

4. Section 39 of the principal Law is hereby amended by the substitution for the marginal note thereof of the following marginal note :—

“ Preparation of war or warlike undertaking.”.

Amendment of section 53 of the principal Law.

5. Sub-section (2) of section 53 of the principal Law is hereby amended by the substitution for the word “ misdemeanour ” (line 6) of the words “ felony and is liable to imprisonment for five years ”.

Amendment of section 54 of the principal Law.

6. Section 54 of the principal Law is hereby amended as follows :—

(a) by the substitution in sub-section (1) thereof for the word “ misdemeanour ” (line 2) of the words “ felony and is liable to imprisonment for three years ” ;

(b) by the substitution in sub-section (2) thereof for the words “ five years ” (line 6) of the words “ seven years ”.

Amendment of section 56 of the principal Law.

7. Section 56 of the principal Law is hereby amended by the substitution for the words “ six months ” (line 5) of the words “ one year ”.

Amendment of section 57 of the principal Law.

8. Section 57 of the principal Law (as set out in section 2 of Law 27 of 1949) is hereby amended by the substitution for the word “ misdemeanour ” (line 25) of the words “ felony and is liable to imprisonment for three years ”.

9. The principal Law is hereby amended by the insertion therein, immediately after section 118, of the following new section:—

“Deterrence of judges, etc., and interference with judicial proceedings.”

118A. Any person who does any act—

- (a) calculated, or which is likely, to deter any person from acting in any judicial capacity or in any manner as counsel, witness or party in any judicial proceedings ;
- (b) calculated, or which is likely, to obstruct, or in any way interfere with, any judicial proceedings,

is guilty of a misdemeanour and is liable to imprisonment for three years.”

Amendment of the principal Law by the insertion of new section 118A.

10. The principal Law is hereby amended by the insertion therein, immediately after section 141, of the following new section:—

“Incest.”

141A. Any male person who has carnal knowledge of a female person, irrespective of whether with the consent or not of such female person, who is to his knowledge his grand daughter, daughter, sister or mother shall be guilty of the offence of incest and shall be liable to imprisonment for seven years.”

Amendment of the principal Law by the insertion of new section 141A.

11. The principal Law is hereby amended by the insertion therein, immediately after section 147, of the following new section:—

“Defilement of girls between thirteen and sixteen years of age.”

147A. Any person who unlawfully and carnally knows or attempts to have unlawful carnal knowledge of any female person of, or above, the age of thirteen years and under the age of sixteen years is guilty of a misdemeanour :

Provided that it shall be a sufficient defence to any charge under this section if it shall be made to appear to the Court before which the charge shall be brought that the person so charged had reasonable cause to believe that the female person was of, or above, the age of sixteen years.”

Amendment of the principal Law by the insertion of new section 147A.

2nd June, 1955.

J. W. SYKES,
Acting Colonial Secretary.