

CYPRUS

**FOREST (PROTECTION AGAINST
INCENDIARISM)**

CHAPTER 61 OF THE LAWS

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1959

CHAPTER 61.

FOREST (PROTECTION AGAINST INCENDIARISM).

ARRANGEMENT OF SECTIONS.

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A LAW ENABLING CERTAIN MEASURES TO BE TAKEN IN CASES
OF FOREST FIRES.1949 Cap. 97.
22 of 51.

[25th July, 1946.]

Short title. 1. This Law may be cited as the Forest (Protection against Incendiarism) Law.

Interpreta- 2. In this Law—
tion.
Cap. 60. “forest” means a Main State Forest and a Minor State Forest as defined in the Forest Law.

Detention 3. If, upon the outbreak of a fire in any forest, it is shown
orders.
Schedule. to the satisfaction of the Governor that there is reasonable cause to believe that any person, being an inhabitant of any of the villages mentioned in the Schedule to this Law as in force for the time being, has been or is concerned or implicated, whether directly or indirectly, in the outbreak of such fire, the Governor may make an order against that person (hereinafter in this Law referred to as a “detention order”), directing that he be detained and a detention order shall be sufficient authority for the arrest of the person named therein, by any police officer.

Place of 4. Any person against whom a detention order has been
detention.
made shall be detained in such place as may be authorized

by the Governor and in accordance with the instructions issued by him and, during such detention, such person shall be deemed to be in lawful custody.

5. (1) Every person detained under the provisions of this Law shall, within eight days of his detention, be taken before a President of a District Court or a District Judge who shall proceed with all reasonable speed to inquire into the reasons for his detention.

Person detained to be taken before President of District Court or District Judge.

(2) The procedure to be followed in any inquiry under this section as to the taking of evidence on oath, examination and cross-examination of witnesses, appearance of advocates and the issue and service of summonses and the enforcement of obedience thereto, shall be as nearly as possible the same as the procedure for the time being followed in summary trials.

(3) In proceedings under this section, it shall not be necessary to prove that the person detained was guilty of any particular act or acts tending to show that he was concerned or implicated, whether directly or indirectly in the outbreak of the fire with reference to which the detention order was made but shall be sufficient if, from all the circumstances of the case, the President of the District Court or the District Judge considers that the person detained should not be released unconditionally.

6. The President of a District Court or a District Judge, after considering the evidence adduced before him, shall make a report to the Governor setting out his findings of fact and his opinion as to whether the person detained should be released unconditionally.

President of District Court or District Judge to make report to Governor.

7. Upon the receipt of a report under the provisions of section 6 of this Law, if the President of a District Court or a District Judge has expressed the opinion that the person detained should be released unconditionally, the Governor shall order accordingly and the person detained shall be released forthwith and the detention order shall be deemed to have been cancelled ; in every other case, the Governor may make such further order, regarding the detention of such person, as the Governor may think fit.

Action upon receipt of report.

8. (1) At any time after a detention order has been made and whilst such order remains in force, the Governor may

Suspension of detention orders.

direct that the operation of the order be suspended, subject to such conditions—

- (a) imposing upon the person affected such restrictions as may be specified in the direction in respect of his place of residence ;
- (b) requiring the person affected to notify his movements in such manner, at such times and to such authority or person as may be specified in the direction,

as the Governor may think fit and the Governor may, at any time, revoke any such direction.

(2) If any person fails to comply with a condition attached to a direction given by the Governor under subsection (1) of this section, that person shall, whether or not the direction is revoked be guilty of an offence against this Law and shall be liable to imprisonment not exceeding three years or to a fine not exceeding one hundred pounds or to both such imprisonment and fine.

Duration of
detention
order.

9. Every detention order, unless previously cancelled, shall remain in force for three months and no longer, unless renewed by the Governor for a further period of three months in which case it shall remain in force for such further period.

Governor in
Council may
amend
Schedule.

10. The Governor in Council may, at any time by Order published in the Gazette, delete from or add to the Schedule to this Law the name of any village.

Saving of
other
proceedings.

11. Nothing in this Law contained shall prevent any proceedings being taken against a person detained for any offence in connection with the outbreak of fire with reference to which the detention order was made.