

CYPRUS

PEACE AND ORDER

CHAPTER 160 OF THE LAWS

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1959

CHAPTER 160.

PEACE AND ORDER.

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A LAW TO MAKE BETTER PROVISION FOR THE PRESERVATION
OF PEACE AND ORDER AND THE PREVENTION OF
CRIME.

9 of 1951.

[20th February, 1951].

Short title.

1. This Law may be cited as the Peace and Order
(Preservation) Law.

Interpre-
tation.

2. In this Law—

2 of 21]58.
55 of 1955.
63 of 1955.
2 of 1956.
33 of 1956.
27 of 1957.

“ Justice ” means a Justice of the Special Court
established under the Special Court Laws, 1955 to
1957.

“ President ” means the President of the District
Court but shall further include a Justice when such
Justice is exercising the powers of a President under
the provisions of section 12 of this Law.

Power
to President
of District
Court.

3. (1) A President, upon information on oath, that there
is within his jurisdiction any person—

(a) whose utterances, publications or conduct are likely
to disturb public tranquility or to be prejudicial
to good government in the Colony ;

- (b) who is found in any place, whether public or private, in such circumstances as to satisfy him that such person was about to commit or aid in the commission of an offence ;
- (c) who is, by habit a robber or thief or receiver of stolen property or habitually protects or harbours thieves or aids in the concealment and disposal of stolen property ;
- (d) who is so desperate or dangerous as to render his being at large without security hazardous to the community,

may issue a summons in the form set out in the First Schedule, requiring such person to attend before him to show cause why he should not execute a bond for keeping the peace, for being of good behaviour or for refraining from utterances, publications or conduct or other acts of the nature hereinbefore set out :

First
Schedule.

Provided that, if such person fails to appear in response to the summons, the President may, upon proof of the service of such summons, issue a warrant for the arrest of such person.

(2) If it appears to a President, upon the report of a police officer in charge of a police station or upon other information on oath (the substance of which report or information shall be recorded by the President) that there is reason to fear the commission of a breach of the peace or disturbance of the public tranquility which cannot be prevented otherwise than by the immediate arrest of the person concerned, the President may, in lieu of summons, issue a warrant for the arrest of such person, specifying the reason for the issue of such warrant.

4. (1) When any person appears or is brought up upon a summons or warrant issued under section 3, the President shall proceed to enquire into the truth of the information or report upon which he has taken action and to take such further evidence as may appear necessary.

Procedure
at enquiry.

If, on enquiry, it is proved that the person should be required to execute a bond, the President shall make an order accordingly.

(2) A bond executed under the provisions of this section shall be in the form set out in the Second Schedule and shall be of such amount, not exceeding one thousand pounds,

Second
Schedule.

3 of 21]58.

with or without sureties, and of such duration, not exceeding two years, as the President may direct.

The President may refuse to accept any surety on the ground that, for reasons to be recorded by him, such surety is an unfit person.

(3) If, on enquiry, it is not proved to be necessary that the person should execute a bond, the President shall make an entry on the record to that effect, and, if such person is in custody only for the purpose of the enquiry, release him, or, if he is not in custody, discharge him.

General
procedure.

5. The procedure to be followed in proceedings under this Law shall, generally, be as nearly as possible as the procedure for the time being followed in summary trials :

Provided that—

- (a) in proceedings under this Law, it shall not be necessary to prove that the person concerned was guilty of any particular act or acts tending to show his purpose or intent or character and an order may be made against such person if, from the circumstances of the case and from his known character as proved to the President, it appears to the President that an order ought to be made ;
- (b) an enquiry shall be restricted to the particulars as contained in the summons or warrant ;
- (c) unless the President otherwise directs, an enquiry shall be held in his chambers in the presence only of the parties concerned and their advocates, if any.

Nature of
bond and
power to
forfeit it.

6. (1) The bond to be executed by any person under this Law shall bind him to keep the peace, to be of good behaviour or to refrain from utterances, publications or conduct or other acts of the nature set out in subsection (1) of section 3.

(2) Where a bond has been executed under the provisions of this Law, the President, upon proof of a breach of any condition of such bond, by the person bound as principal, may adjudge such bond to be forfeited, and adjudge the persons bound thereby, whether as principal or sureties, or any of such persons, to pay the sums for which they are respectively bound, and such judgment shall be a final