

## No. 45 OF 1934.

A.D. 1934.

A LAW FURTHER TO AMEND THE CYPRUS COURTS OF  
JUSTICE ORDER, 1927.

45 of 1934.

H. R. PALMER,]

[15th November, 1934.

*Governor.*

BE it enacted :—

Short title.

1. This Law may be cited as the Cyprus Courts of Justice Order, 1927 (Amendment) Law, 1934, and shall be read as one with the Cyprus Courts of Justice Order, 1927, as amended by the Cyprus Courts of Justice Amendment Order, 1931, (hereinafter together referred to as "the Order"), and the Order and this Law may together be cited as the Cyprus Courts of Justice Orders and Law, 1927 and 1934.

Amendment  
of clause 85  
of the Order.

2. Clause 85 of the Order is hereby amended by the insertion in the third paragraph after the word "refuses" of the words "or by reason of physical infirmity is unable".

Repeal of  
clause 106 of  
the Order  
and sub-  
stitution of  
new clause.

3. Clause 106 of the Order is hereby repealed and the following substituted therefor :—

"Right of  
accused to  
reply to  
charge.

106. When the Magisterial Court has expressed such intention to commit the accused as aforesaid the charge shall be read over to the accused and the Court shall then address him as follows :—

'Having heard the evidence do you wish to say anything in answer to the charge? You are not bound to say anything; but whatever you do say will be taken down in writing, and may be given in evidence at your trial.'

Whatever the accused then says in answer thereto shall be taken down in writing, and shall be signed by the Judge or Judges constituting the Court and kept with the depositions of the witnesses, and dealt with as hereinafter mentioned.

The accused or his advocate may then show cause why the Court should not commit him for trial."

4. Clause 142 of the Order is hereby amended by the insertion in the third paragraph after the word "refuses" of the words "or by reason of physical infirmity is unable".

Amendment of clause 142 of the Order.

5. The Order is hereby amended by the insertion immediately after clause 156 of the following title:—

Insertion of new title in the Order.

"CHAPTER XIXA.—POWERS OF THE ATTORNEY-GENERAL IN CRIMINAL PROCEEDINGS."

6. The Order is hereby amended by the insertion immediately after clause 157 of the following clauses:—

Insertion of new clauses 157A and 157B in the Order.

"Power of Attorney-General to delegate *nolle prosequi*."

157A. The Attorney-General may by Order under his hand direct that the powers vested in him to enter a *nolle prosequi* shall be vested in and exercised by the Solicitor-General or a Crown Counsel:

Provided that the power to enter a *nolle prosequi* in any proceedings preliminary to the committal of the accused for trial on information shall not be vested in any person other than the Attorney-General:

Provided also that the Attorney-General may by Order under his hand revoke any Order made by him under this clause.

Power of Attorney-General to remit case to lower Court.

157B. Whenever any person charged with any offence shall have been committed for trial on information and the Attorney-General shall be of opinion that further investigation is required before such trial, it shall be lawful for the Attorney-General to direct that the original depositions be remitted to the Court which committed the accused for trial, and such Court may thereupon reopen the case and deal with it in all respects as if such commitment had not been made; and if the case be one which in the opinion of the Attorney-General may suitably be dealt with under the powers possessed by such Court it may, upon the direction of the Attorney-General, be so tried and determined accordingly notwithstanding that such offence could not otherwise be triable by such Court:

Provided that nothing in this Chapter shall be construed so as to restrict in any way any right or power otherwise possessed by the Attorney-General."