

Amendment
of Schedule
to Law 31
of 1923.

3. The Schedule to the Principal Law is hereby amended by the deletion therefrom of the words "Receipt given by an officer of a public department for money paid by way of imprest or advance, other than a wage fee or salary" (which occur in the third paragraph of the table of exemptions relating to receipts or discharges for the payment of £1 and upwards) and the substitution therefor of the words—

"Receipt given by a public officer for money paid by way of imprest or advance, or in adjustment of an account, where he derives no personal benefit.

Receipt given for or on account of any salary, pay, allowance, wages or for or on account of any other like payment made to or for the account or benefit of any person, being the holder of an office or an employment, or for or on account of money paid in respect of any pension, superannuation allowance, compassionate allowance, or other like allowance."

NO. 2 OF 1937.

A LAW FURTHER TO AMEND THE CRIMINAL CODE.

H. R. PALMER,
Governor.

[27th February, 1937.]

BE it enacted:—

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

Repeal of
section 7 of
the Criminal
Code and
substitution
of new
section.

1. This Law may be cited as the Cyprus Criminal Code (Amendment) Law, 1937, and shall be read as one with the Cyprus Criminal Code, 1928 to (No. 2) 1936, (hereinafter called "the Criminal Code"), and the Criminal Code and this Law may together be cited as the Cyprus Criminal Code, 1928 to 1937.

2. Section 7 of the Criminal Code is hereby repealed and the following section substituted therefor:—

"Offences
committed
partly in one
and partly
in another
or other
Districts.

7. Where an offence is committed on the boundary of two or more Districts or within a mile of the boundary or is committed partly in one District and partly in another or other Districts, such offence may be tried by the District Court of either or any such District as if it had been wholly committed in the District in which it is tried."

3. Section 28 of the Criminal Code is hereby amended by the addition thereto of the following sub-section:—

Addition of new sub-section (3) to section 28 of the Criminal Code.

“(3)—(a) Where a woman convicted of an offence punishable with death is found in accordance with the provisions of this sub-section to be pregnant, the sentence to be passed on her shall be a sentence of imprisonment for life instead of sentence of death.

(b) Where a woman convicted of an offence punishable with death alleges that she is pregnant, or where the Assize Court before whom a woman is so convicted thinks fit so to order, the question whether or not the woman is pregnant shall, before sentence is passed on her, be determined by the Court.

(c) The question whether the woman is pregnant or not shall be determined by the Court on such evidence as may be laid before it either on the part of the woman or on the part of the Crown, and the Court shall find that the woman is not pregnant unless it is proved affirmatively to their satisfaction that she is pregnant.

(d) Where on proceedings under this sub-section the Court finds that the woman in question is not pregnant, the woman may appeal to the Supreme Court, and that Court, if satisfied that for any reason the finding should be set aside, shall quash the sentence passed on her and instead thereof pass on her a sentence of imprisonment for life.

(e) The rights conferred by this sub-section on a woman convicted of an offence punishable with death shall be in substitution for the right of such a woman to move in arrest of execution on the ground that she is pregnant and the last mentioned right shall cease as from the 5th day of March, 1937.”

4. Section 70 of the Criminal Code is hereby amended by the deletion therefrom of the words “in charge” (lines 2 and 3).

Amendment of section 70 of the Criminal Code.

5. Section 79 of the Criminal Code is hereby repealed and the following section substituted therefor:—

Repeal of section 79 of the Criminal Code and substitution of new section.

“Carrying knives outside house prohibited.

79.—(1) Any person who wears or carries a knife not ending in a sharp point outside his house or the curtilage thereof is guilty of a misdemeanour and is liable to imprisonment for one year.

(2) Any person who wears or carries a knife ending in a sharp point outside his house or the curtilage thereof is guilty of a misdemeanour and shall, notwithstanding anything to the contrary in section 29 (2), 34 or 35 of this Code or in clause 51 of the Cyprus Courts of Justice Order, 1927, contained, be liable to imprisonment for one year :

Provided that, unless the Court for special reasons to be recorded in the minutes thinks fit to order otherwise, no sentence imposed under this sub-section shall be for a term less than six months. Any such order if made by a member of a District Court other than the President shall be subject to confirmation by the President, and if the President does not confirm the lesser sentence the trial Court shall pass the minimum sentence prescribed by this sub-section.

(3) No person shall be deemed to have committed an offence under this section if he shall prove to the satisfaction of the Court that he was wearing or carrying outside his house or the curtilage thereof the knife in respect of which the charge is made, for some lawful purpose for which such knife was necessary."

Repeal of section 80 of the Criminal Code and substitution of new section.

6. Section 80 of the Criminal Code is hereby repealed and the following section substituted therefor:—

"Knives at weddings, etc., prohibited.

80.—(1) Any person who shall wear or carry a knife not ending in a sharp point at any wedding or fair or in any brothel or licensed premises is guilty of a misdemeanour.

(2) Any person who wears or carries a knife ending in a sharp point at any wedding or fair or in any brothel or licensed premises is guilty of a misdemeanour and shall, notwithstanding anything to the contrary in section 29 (2), 34 or 35 of this Code or in clause 51 of the Cyprus Courts of Justice Order, 1927, contained, be liable to imprisonment for two years :

Provided that, unless the Court for special reasons to be recorded in the minutes thinks

fit to order otherwise, no sentence imposed under this sub-section shall be for a term less than one year.

(3) No person shall be deemed to have committed an offence under this section if he proves to the satisfaction of the Court that he was wearing or carrying such knife in the exercise of his trade or calling."

7. Section 89 of the Criminal Code is hereby amended by the deletion therefrom of the words "misdemeanour and is liable to imprisonment for one year" (lines 7 and 8) and the substitution therefor of the words "felony and is liable to imprisonment for five years".

Amendment of section 89 of the Criminal Code.

8. The Criminal Code is hereby amended by the insertion immediately after section 169 of the following section:—

Insertion of new section 169A in the Criminal Code.

"Neglect of filial duty.

169A. Any person being the son or daughter of any parent incapable of providing himself or herself through mental or bodily weakness or old age who, being able to do so, refuses or neglects to provide sufficient food, clothes, bedding and other necessaries for such parent may, on conviction before any Court of summary jurisdiction, be ordered to maintain such parent and on default shall be liable on conviction by a competent Court to imprisonment not exceeding two years and the Court before which such person is convicted may order that any property in his or her possession which may have been received as a gift from such parent shall be re-transferred to such parent and any such order shall be sufficient authority to the Land Registry Office to cause the necessary amendments to the relative registrations to be effected:

Provided that no such order shall affect or prejudice the rights of any person other than the son or daughter against whom the order is made."

9. Section 255 of the Criminal Code is hereby repealed and the following section substituted therefor:—

Repeal of section 255 of the Criminal Code and substitution of new section.

"Stealing cattle, crops, etc.

255.—(1) If the thing stolen is any of the things following, that is to say, a horse, mare, gelding, ass, mule, camel, bull, cow, ox, ram,