

No. 9 of 1951. ✓

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

A. B. WRIGHT,]
Governor.

[*20th February, 1951.*

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 Peace and Order Short title.
(Preservation) Law, 1951.

Interpreta-
tion.

2. In this Law—

“ President ” means a President of a District Court.

Power to
President
of District
Courts.

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 tranquillity 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,

First
Schedule.

may issue a summons in the form set out in the First Schedule to this Law, 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 :

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 tranquillity 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.

Procedure
at enquiry.

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.

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 to this Law and shall be of such amount, with or without sureties, and of such duration, not exceeding one year, as the President may direct.

Second
Schedule.

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.

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 :

General
procedure.

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.

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 sub-section (1) of section 3.

Nature of
bond and
power to
forfeit it.

(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 judgment and shall be executed and recovered as a penalty in accordance with the provisions of the Criminal Procedure Law, 1948, relating to execution and recovery of penalties or any Law amending or substituted for the same.

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