

No. 6 OF 1953.

A LAW TO AMEND THE CRIMINAL PROCEDURE LAW.

CAP. 14.

A. B. WRIGHT,
Governor.

[24th February, 1953.]

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 Criminal Procedure (Amendment) Law, 1953, and shall be read as one with the Criminal Procedure Law (hereinafter referred to as "the principal Law").

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Repeal of section 4 of the principal Law and substitution of new section.

2. Section 4 of the principal Law is hereby repealed and the following section substituted therefor:—

“Investigating officers.

4.—(1) Any police officer may investigate into the commission of any offence.

(2) The Governor may authorize any person, by name or by his office, who appears to him to be competent for the purpose, to investigate into the commission of any offence.

(3) Any police officer or any person authorized under sub-section (2) investigating into the commission of any offence is hereafter in this Law referred to as ‘investigating officer’.

Repeal of section 5 of the principal Law and substitution of new section.

3. Section 5 of the principal Law is hereby repealed and the following section substituted therefor:—

“Investigation of offences.

5.—(1) Every investigating officer may require any person, whom he has reason to suppose to be acquainted with the facts or circumstances of the offence which he is investigating, to attend at such time and place as such officer may reasonably direct for the purpose of examining him and taking a statement from him in relation to such offence.

(2) The investigating officer may reduce into writing any statement made by the person examined and such statement shall then be read over to such person who shall thereupon sign the same or, if he is illiterate, affix his mark thereto and, if such person refuses to do so, the investigating officer shall make at the foot of the statement a note of the refusal stating also the reason thereof, if ascertained, and the statement shall then be signed by the investigating officer.

(3) Any such statement if proved to have been made voluntarily shall be admissible in evidence in any criminal proceedings against the person making the statement.

(4) Any person who, without reasonable cause, refuses to attend at such time and place as he may be directed, shall be guilty of an offence and shall be liable to imprisonment for a term not exceeding one year or to a fine not exceeding one hundred pounds or to both.”

4. Section 8 of the principal Law is hereby amended as follows :—

Amendment
of section 8
of the
principal
Law.

(a) by the substitution in sub-section (5) for the words “sub-section (3)” (line 1) of the words “sub-section (2)”;

(b) by the insertion therein, immediately after sub-section (5), of the following sub-section (6) (the existing sub-section (6) being renumbered as sub-section (7)) :—

“(6) Where a statement or any part thereof is made under this section in answer to a question and such statement is reduced to writing, the question as well as the answer shall be recorded.”.

5. Section 25 of the principal Law is hereby amended as follows :—

Amendment
of section
25 of the
principal
Law.

(a) by the insertion in sub-paragraph (i) of paragraph (b), immediately after the word “therein” at the end thereof, of the following :—

“or that any instrument with which any such offence has recently been committed anywhere may be found therein”;

(b) by the insertion therein of the following sub-section, the first part thereof being numbered as sub-section (1) :—

“(2) Anything which is found during a search carried out under sub-section (1) of this section and which might be seized had the search been carried out under a search warrant may be seized and dealt with in the same manner as if it were a thing seized during a search under a search warrant and the provisions of section 31 of this Law shall apply, *mutatis mutandis*, to any such thing.”.

6. The first proviso to sub-section (1) of section 44 of the principal Law is hereby amended by the deletion therefrom of the first three lines and the substitution therefor of the following :—

Amendment
of section
44 of the
principal
Law.

“Provided that a Judge or, in such classes of offences as the President of the District Court may by general order direct, a Registrar, may, by special direction in the summons, dispense with the personal attendance of the accused, and—”