



## SUPPLEMENT No. 3

TO

### THE CYPRUS GAZETTE No. 3975 OF 1ST SEPTEMBER, 1956. SUBSIDIARY LEGISLATION.

---

No. 845. THE VISITING FORCES ACT, 1952,  
AND  
THE VISITING FORCES ACT (APPLICATION TO COLONIES)  
ORDER, 1954.

---

ORDER MADE BY THE GOVERNOR.

JOHN HARDING,  
*Governor.*

In exercise of the powers vested in me by section 8 of the Visiting Forces Act, 1952, as extended to the Colony by the Visiting Forces Act (Application to Colonies) Order, 1954, and as read together with the Visiting Forces (Designation) Order, 1954, the Visiting Forces (Designation) (Colonies) Order, 1954, and the Visiting Forces (Designation) (Colonies) (Amendment) Order, 1956, I, the Governor, do hereby order as follows:—

1. This Order may be cited as the Visiting Forces (Application of Law) Order, 1956, and shall come into operation on the day on which it is published in the *Gazette*.

2.—(1) Except where the context otherwise requires, all expressions in this Order shall have the respective meanings assigned to them by the Visiting Forces Act, 1952, as adapted and modified by the Visiting Forces Act (Application to Colonies) Order, 1954.

(2) The Interpretation Law shall apply to the interpretation of this Order in like manner as it applies to the interpretation of any Law or public instrument.

3.—(1) The visiting forces to which this Order applies are those of Canada, Australia, New Zealand, the Union of South Africa, India, Pakistan, Ceylon, the United States of America and France; and the expression "visiting force" shall be construed accordingly.

(2) The provisions of this Order shall be without prejudice to any Law or rule of law which applies in relation to any such force as aforesaid as part of Her Majesty's forces.

4. The power of the Governor by Order to authorise the use of any land for military purposes, for air force purposes or for any of the purposes of Her Majesty's Navy under Defence Regulation 64 of the Defence Regulations set out in the First Schedule to the Supplies and Services (Transitional Powers) (Cyprus) Order, 1946, made under the Supplies and Services (Transitional Powers) Act, 1945, as continued in force by the Supplies and Services (Continuance) Order, 1955, may be exercised for the purposes of any visiting force to the like extent as if that force formed part of each of the United Kingdom forces, and the said Regulation shall have effect accordingly.

Cap. 1  
30 of 1953  
19 of 1954  
30 of 1954  
42 of 1955  
19 of 1956.

5. To such extent as may be provided by any agreement for the time being in force, being an agreement made by or on behalf of Her Majesty's Government in the United Kingdom with the service authorities of any visiting force or with the Government of the sending country of any such force, and subject to such conditions and restrictions as may be prescribed by any such agreement—

Cap. 281  
44 of 1953.

(a) letters conveyed, received, collected, sent, despatched or delivered by means of posts and post offices established in the Colony by the service authorities of that force shall be excepted from the exclusive privileges of the Postmaster-General under section 5 of the Post Office Law ;

(b) telegrams transmitted within the Colony by means of a telegraph maintained by the service authorities of that force shall be excepted from the provisions of any Law relating to telegraphy in force for the time being ;

7 of 1952  
37 of 1955.

(c) the establishment and installation of stations or apparatus for wireless telegraphy for use by members of that force for service purposes in the course of their duty as such and the use as aforesaid of such stations or apparatus, shall be excepted from the provisions of the Wireless Telegraphy Laws, 1952 and 1955 ;

7 of 1952  
37 of 1955.

(d) the use of any apparatus by members of that force for service purposes in the course of their duty as such shall be excepted from the provisions of the Wireless Telegraphy Laws, 1952 and 1955.

6.—(1) The reference in Regulation 62 of the Motor Vehicles Regulations, 1951 to 1955, to motor vehicles which are the property of Her Majesty's Government shall be deemed to include a reference to vehicles in the service of a visiting force.

(2) In this Article "vehicle in the service of a visiting force" means a vehicle belonging to the service authorities of such a force and used for the purposes of such a force, and any other vehicle when used as aforesaid by a person subject to the orders of any member of such a force.

8 of 1954  
49 of 1955  
64 of 1954  
29 of 1955  
1 of 1956  
10 of 1955.

7. In relation to the Customs Management Laws, 1954 and 1955, the Customs Tariff Laws, 1954 to 1956, and the Customs (Wharfage Dues) Law, 1955, the members and persons employed in the service of a visiting force, and vessels, stores and goods in the service of or belonging to such force, shall be entitled to the like exemptions and immunities as are enjoyed under the aforesaid Laws by members of the United Kingdom forces, and vessels, stores and goods in the service of or belonging to Her Majesty for the purposes of such forces, but subject to the payment by the service authorities of the visiting force of such sums on account of duties and dues to which the aforesaid Laws apply as would be payable under any agreement made on behalf of Her Majesty with respect to the payment of sums on account of such rates and duties if the visiting force formed part of the United Kingdom forces.

First  
Schedule.  
Cap. 1  
30 of 1953  
19 of 1954  
30 of 1954  
42 of 1955  
19 of 1956.

8. Any exemption, immunity or privilege which subsists in respect of the Laws specified in the First Schedule to this Order, by virtue of section 42 of the Interpretation Law or of the rule of law with respect to the application of enactments to the Crown or by virtue of provisions conferring specific exemptions, immunities or privileges on or in relation to the United Kingdom forces, shall extend to the service authorities and members of any visiting force, and to property held or used for the purposes of such a force, as if that force formed part of the United Kingdom forces, and any provisions conferring specific exemptions, immunities, or privileges shall have effect accordingly.

9.—(1) The provisions of the Second Schedule to this Order shall have effect with respect to the attendance and conduct of witnesses required for the purposes of the service courts of visiting forces, the privileges of such witnesses and courts, and the administration of oaths therein. Second  
Schedule.

(2) The provisions of the Third Schedule to this Order shall have effect with respect to the custody, detention and treatment of persons sentenced by such courts to imprisonment or detention. Third  
Schedule.

10. Section 43 of the Criminal Code (which provides for the punishment of persons who procure or persuade members of Her Majesty's forces or of the police force to desert) shall have effect as if any reference therein to military or naval forces included a reference to a visiting force. Cap. 13  
27 of 1949  
12 of 1951  
28 of 1952  
4 of 1953  
45 of 1953  
28 of 1954  
20 of 1955  
13 of 1956.

#### FIRST SCHEDULE.

The Accidents and Occupational Diseases (Notification) Law, 1953 (32 of 1953).

The Aliens and Immigration Laws, 1952 and 1956 (13 of 1952 and 18 of 1956).

The Assemblies, Meetings and Processions Law (Cap. 44).

The Boats Regulation Law (Cap. 268).

The Cinematograph Films Law (Cap. 61).

The Explosive Substances Law (Cap. 83 and 51 of 1955).

The Firearms Law (Cap. 86 and 30 of 1955 and 32 of 1955).

The Landing and Shipping Charges Law (Cap. 273).

The Medical Registration Law (Cap. 118 and 16 of 1952).

The Sale of Intoxicating Liquors Law (Cap. 152 and 15 of 1954).

The Trades and Industries (Regulation) Law (Cap. 173 and 18 of 1953).

The Unauthorized Uniforms Law (Cap. 177).

#### SECOND SCHEDULE.

##### PROVISIONS RELATING TO SERVICE COURTS OF VISITING FORCES.

###### *Civilian Witnesses.*

1. Subject to the provisions of this Schedule, any person required as a witness for the purposes of a service court of any visiting force (not being a person subject to the Naval Discipline Act, to military law or to the Air Force Act, or a person subject to the jurisdiction of a service court of any visiting force under sub-section (2) of section 2 of the Visiting Forces Act, 1952) may be summoned or ordered to attend the court by any officer of the United Kingdom forces who would have power to summon him to attend if the service court were a naval, military or air force court-martial.

2. An officer shall not issue a summons or order for the attendance of any person as a witness under the foregoing paragraph unless it appears to him that it is reasonably practicable to procure that person's attendance and that provision for the reasonable expenses of his attendance has been or will be made.

3. In relation to a person summoned or ordered to attend a service court under paragraph 1 of this Schedule, section 126 of the Army Act (which relates to misconduct of civilians at court-martial) shall apply as if for any reference to a court-martial there were substituted a reference to the service court.

*Service Witnesses.*

4. Any person required as a witness for the purposes of a service court of any visiting force, being a person subject to the Naval Discipline Act, to military law or to the Air Force Act, may, in accordance with arrangements made in that behalf between the service authorities of the visiting force and the Admiralty, the Army Council, or the Air Council, as the case may be, be ordered to attend that court by the proper naval, military, or air force authority.

5. In relation to a person ordered to attend a service court under the last foregoing paragraph, being a person subject to military law or to the Air Force Act, section 28 of the Army Act or of the Air Force Act, as the case may be (which relates to misconduct at courts-martial) shall apply as if for any reference in paragraphs (1) to (5) to a court-martial there were substituted a reference to the service court, and as if the words "other than the court in relation to or before whom the offence was committed" and the proviso to the section were omitted.

6. In relation to a person ordered to attend as aforesaid, being a person subject to the Naval Discipline Act, that Act shall have effect as if for section 66 there were substituted the provisions of section 28 of the Army Act subject to the modifications specified in the last foregoing paragraph and to the following additional modifications:—

- (a) for the words "military law" there shall be substituted the words "this Act"; and
- (b) for the words from "if an officer" to "in this Act mentioned" there shall be substituted the words "to dismissal from Her Majesty's service, or such other punishment as is mentioned in this Act".

*General Provisions.*

7. Every person attending in pursuance of a summons of order under this Schedule as a witness before a service court of any visiting force shall, during his necessary attendance in or on that court, and in going to and from it, have the same privilege from arrest as he would have if he were a witness before a court of civil jurisdiction.

8.—(1) For the purposes of section 28 of the Army Act or of the Air Force Act and of section 126 of the Army Act, as applied by virtue of this Schedule to proceedings before a service court of any visiting force, the expressions "legally required" and "legally require" shall be construed as if the service court were a court-martial under the Army Act or the Air Force Act, as the case may be, and subject in particular to any rule of law with respect to Crown privilege.

(2) Without prejudice to the generality of the foregoing sub-paragraph nothing in this Schedule shall compel any person to give or produce any evidence which he could not lawfully be compelled to give or produce in any court of criminal jurisdiction in England.

9. Any enactment or rule of law with respect to privilege in proceedings for defamation shall apply in relation to a service court of any visiting force as it applies in relation to a court-martial under the Naval Discipline Act, the Army Act or the Air Force Act.

10. Any oath required to be taken for the purposes of a service court of any visiting force may be administered by the person authorized in that behalf under the service law of the sending country.

## THIRD SCHEDULE.

CUSTODY, DETENTION AND TREATMENT OF PERSONS  
SENTENCED BY SERVICE COURTS OF VISITING FORCES.

1. A member of a visiting force who is sentenced by a service court of a visiting force to any form of imprisonment may, under the authority of the Admiralty or a Secretary of State, be detained temporarily, or for the whole or any part of his sentence, in any prison or establishment in which a person sentenced to imprisonment by a court-martial under the Naval Discipline Act, the Army Act or the Air Force Act may be detained, or in naval, military or air force custody.

2. A member of a visiting force who is sentenced by a service court of a visiting force to detention may, under the authority of the Admiralty or a Secretary of State, be detained temporarily, or for the whole or any part of his sentence, in any naval, military or air force establishment in which a person sentenced to detention by a court-martial under the Naval Discipline Act, the Army Act or the Air Force Act may be detained, or in naval, military or air force custody.

3. Where such a person as is mentioned in paragraph (b) of sub-section (2) of section two of the Visiting Forces Act, 1952 (that is to say a person subject to the service law of the country in question otherwise than as a member of that country's forces who is not a citizen of the United Kingdom and Colonies nor ordinarily resident in the United Kingdom) is sentenced by a service court of a visiting force to any form of imprisonment, he may, under the authority of the Admiralty or a Secretary of State, be detained temporarily, or during the whole or any part of his sentence, in any civil prison, or in naval, military, air force or civil custody.

4. The Admiralty, the Army Council and the Air Council may make arrangements with the service authorities of any visiting force as to the reception from those authorities of persons to be detained under this Schedule and their return to those authorities, and as to the circumstances in which any such persons are to be released.

5. The provisions of any enactment with respect to the treatment of persons detained in prisons or other establishments mentioned in the foregoing provisions of this Schedule (including any such provisions relating to unsoundness of mind) shall apply—

- (a) in relation to any person detained in pursuance of this Schedule in a civil prison, as if he were a person sentenced by a court of the United Kingdom to imprisonment for the like term as the term of the sentence of the service court ;
- (b) in relation to a person sentenced by a service court to any form of imprisonment and detained as aforesaid in any naval, military or air force establishment, as if he were a person sentenced by a naval, military or air force court-martial, as the case may be, to imprisonment for the like term as the term of the sentence of the service court ;
- (c) in relation to a person sentenced by a service court to detention and detained as aforesaid in any naval, military or air force establishment, as if he were a person sentenced by a naval, military or air force court-martial, as the case may be, to detention for the like term as the term of the sentence of the service court.

6.—(1) A person who, having been sentenced by a service court of a visiting force to imprisonment and authorized to be detained in pursuance of this Schedule, is unlawfully at large may (without prejudice to any other power of arrest) be arrested by any police officer without warrant and taken to any place in which he may be required in accordance with law to be detained.

(2) In relation to a person who, having been sentenced by a service court of a visiting force to detention and authorized to be detained in pursuance of this Schedule, is unlawfully at large, paragraphs (1) to (4) and (9) of section 154 of the Army Act, and so much of section 131 of that Act as relates to absentees without leave shall apply as if he were an absentee without leave within the meaning of the said Act, and as if references therein to military custody included references to naval or air force custody.

Made at Nicosia, this 1st day of September, 1956.

No. 846.

THE EMERGENCY POWERS (PUBLIC SAFETY AND ORDER)  
REGULATIONS, 1955 TO (No. 11) 1956.

ORDER MADE UNDER REGULATION 34.

In exercise of the powers vested in the Governor by Regulation 34 of the Emergency Powers (Public Safety and Order) Regulations, 1955 to (No. 11) 1956, and delegated to me by Notification No. 807, published in Supplement No. 3 to the *Gazette* of 27th December, 1955, I, Reginald Norman Kershaw Beresford, the Commissioner of Nicosia, do hereby order as follows:—

1. This Order may be cited as the Vehicular Traffic (Nicosia District) (Restriction) Order, 1956.

2. In this Order:—

“Vehicle” means pedal cycles and motor cycles.

3. The use of all vehicles within the Municipal limits of Nicosia and the village areas of Strovolos, Engomi, Ayios Dhometios, Trakhonas, Omorphita, Beuyuk Kaimakli and Palouriotissa, is hereby prohibited between 17.00 hours and 04.00 hours daily as from 17.00 hours on Saturday, 1st September, 1956, until further notice:

Provided that this Order shall not apply to:—

- (a) members of the Police Force and Her Majesty's Forces;
- (b) persons who can, by the production of an identity card issued under the Emergency Powers (Registration Areas) (No. 2) Regulations, 1956, prove that they are not Greek Cypriot males born in or after the year 1930.

Made this 31st day of August, 1956.

R. N. K. BERESFORD,  
*Commissioner of Nicosia and Kyrenia.*