



SUPPLEMENT No. 2

TO

THE CYPRUS GAZETTE No. 3257 OF 13TH AUGUST, 1946.

LEGISLATION.

THE STATUTE LAWS OF CYPRUS

No. 15 OF 1946.

A LAW TO MAKE PROVISION FOR THE DETENTION OF CERTAIN
PERSONS IN CERTAIN CASES.

C. C. WOOLLEY,
Governor.

[12th August, 1946.]

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 Detention (Illegal Short title.
Immigrants) Law, 1946.

Interpre-
tation.

2.—(1) In this Law, unless the context otherwise requires—

“detention order” means an order made by the Governor under the provisions of section 3 of this Law ;

“illegal immigrant” means any person certified, as in this Law provided, to be a person who intends to enter Palestine contrary to the Palestine Immigration Ordinance, 1941, or any Ordinance amending or substituted for the same.

(2) For the purposes of this Law, during the continuance in force of a detention order, an illegal immigrant, whilst taken or removed to a place of detention or from one place of detention to another such place, shall be deemed to be detained under the order.

Detention
of illegal
immigrants.

3.—(1) The Governor may, with respect to any person brought to the Colony by any Naval, Military or Air Force authority and certified by the officer in charge of the escort to be an illegal immigrant, make an order that such illegal immigrant shall be detained in such place in the Colony as may be specified in the order.

(2) The certificate of the officer in charge of the escort that the person therein named is an illegal immigrant shall, for the purposes of making a detention order, be conclusive evidence of the fact.

(3) A detention order may provide that the illegal immigrant to whom such order relates may be removed from the vessel or aircraft in which he was brought to the Colony, by force if necessary, and that, pending removal, such immigrant may be detained on board such vessel or aircraft.

(4) A detention order may be made with respect to any illegal immigrant or immigrants or to any class of illegal immigrants.

Illegal
immigrants
detained
deemed to be
in lawful
custody.

4. Any illegal immigrant detained in pursuance of this Law shall be deemed to be in lawful custody and shall be detained in accordance with such instructions as may be issued or approved, from time to time, by the Governor.

Arrest.

5. Any member of the Police Force or of His Majesty's Forces acting in the course of his duty as such and any person authorized by the Governor to act under the provisions of this Law, may arrest without warrant any illegal immigrant who escapes or attempts to escape from lawful custody and remove him, if necessary by force, to a place of detention specified in the detention order.

6.—(1) The Governor may make regulations making provision for the orderly administration of any place in which any illegal immigrants are detained under the provisions of this Law. Regulations.

(2) In particular and without prejudice to the generality of the foregoing power, such regulations may make provision for enabling any person or authority as may be therein specified—

(a) to issue such orders and directions as to such person or authority may seem fit for the maintenance of good order, discipline and sanitation in any such place;

(b) to inquire summarily into any contravention of any such order or direction by any illegal immigrant and to impose on any such immigrant in respect of any such contravention a fine not exceeding twenty-five pounds or solitary confinement not exceeding one week or both such fine and confinement;

(c) to depute any other person to exercise all or any of the powers vested in such person or authority under the regulations.

(3) Nothing in this section shall affect the liability of any illegal immigrant to be prosecuted, tried and punished for an offence under section 9 of this Law:

Provided that, if such an immigrant does an act which is punishable under this section and is also punishable under section 9 of this Law, he shall not be prosecuted, tried or punished for that act both under that section of this Law and also under the regulations.

7. When an order is made, or instructions are given or approved, or regulations are made, the Governor may specify in such order, instructions or regulations the manner in which the order, instructions or regulations shall be brought to the notice of any person or class of persons affected thereby or who, in his opinion, ought to have notice of the same. Publicity of orders, instructions or regulations.

8. The Governor may appoint such persons as he may see fit to be visitors to any place in which illegal immigrants are detained under the provisions of this Law for the purpose of inquiring into, and reporting to him upon, such matters relating to any such place as he may direct. Board of visitors.

9.—(1) Any person detained under the provisions of this Law who escapes or attempts to escape from lawful custody shall be guilty of an offence against this Law Penalties.

and shall, on conviction, be liable to imprisonment for a term not exceeding three years or to a fine not exceeding one hundred pounds or to both such imprisonment and fine.

(2) Any person detained under the provisions of this Law who acts in contravention or fails to comply with any instruction issued or approved or any regulations made under the provisions of this Law or with any order or direction issued under any such regulations and any person who impedes or interferes with or knowingly misleads any person exercising any powers or performing any duties under the provisions of this Law or any instruction issued or approved or any regulations made thereunder or any order or direction issued under any such regulations, shall be guilty of an offence against this Law and shall, on conviction, be liable to imprisonment for a term not exceeding one year or to a fine not exceeding twenty-five pounds or to both such imprisonment and fine.

Parties to
offences.

10. For the purposes of any offence against this Law, each of the following persons, whether an illegal immigrant or not, shall be deemed to have taken part in committing the offence and to be guilty of the offence, and may be charged and tried with actually committing the offence and may be punished accordingly, that is to say—

- (a) every person who actually does the act or makes the omission which constitutes the offence ;
- (b) every person who does or omits to do any act for the purpose of enabling or aiding another person to commit the offence ;
- (c) every person who procures, aids or abets another person in committing the offence ;
- (d) every person who solicits or incites or endeavours to persuade another person to commit the offence ;
- (e) every person who does any act preparatory to the commission of the offence ;
- (f) every person who attempts to commit the offence.

12th August, 1946.

H. G. RICHARDS,
Acting Colonial Secretary.