

## No. 5 OF 1948.

A LAW TO MAKE PROVISION FOR THE DETENTION OF  
ILLEGAL IMMIGRANTS SHIPS.

WINSTER,]  
Governor.

[2nd January, 1948.

**B**E it enacted by His Excellency the Governor and  
Commander-in-Chief of the Colony of Cyprus as  
follows :—

Short title.

1. This Law may be cited as the Detention (Illegal Immigrants Ships) Law, 1948.

Interpre-  
tation.

2. 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 immigrants ship” means any ship, certified  
as in this Law provided, to be a ship carrying persons  
intending to enter Palestine contrary to the Palestine  
Immigration Ordinance, 1941, or any Ordinance  
amending or substituted for the same.

Detention of  
illegal  
immigrants  
ships.

3.—(1) The Governor may, with respect to any ship  
brought or accompanied to the Colony by any Naval  
Authority and certified by the officer in charge of the  
escort to be an illegal immigrants ship, make an order that  
such ship 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 ship therein named is an illegal immigrants ship  
shall, for the purposes of making a detention order, be  
conclusive evidence of the fact.

(3) The Governor may in a detention order or by a  
subsequent order require the crew of an illegal immigrants  
ship or any member of the crew to leave the ship and order  
that it shall be placed under the control of such officers  
or other persons as may be provided for in the order.

4. An illegal immigrants ship detained in pursuance of this Law shall be detained in accordance with such instructions as may be issued or approved from time to time by the Governor or by any person authorized by the Governor in that behalf. Instructions for detention.

5.—(1) Any person who, without authority (the onus of proof whereof shall lie on him), interferes with any illegal immigrants ship detained under the provisions of this Law or does any act calculated to interfere with the detention of any such ship or to effect the escape of such ship from such detention shall be guilty of an offence 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. Offences and penalties.

(2) Any member of a crew ordered to leave an illegal immigrants ship under section 3 (3) of this Law, who fails to obey the order or who returns to the ship without permission by the Governor, may be removed from the ship by force if necessary and shall be guilty of an offence 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.

6. For the purposes of any offence against this Law, each of the following persons 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 :— Parties to offences.

- (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.

7. This Law shall be deemed to have come into operation on the 1st January, 1948. Date of commencement.

R. E. TURNBULL,  
*Colonial Secretary.*

2nd January, 1948.