

M. A. Aldred



SUPPLEMENT No. 2

TO

THE CYPRUS GAZETTE No. 3670 OF 4TH FEBRUARY, 1953.

LEGISLATION.

THE STATUTE LAWS OF CYPRUS

No. 1 of 1953.

A LAW TO AMEND THE PRISON DISCIPLINE LAW. CAP. 266

A. B. WRIGHT,] [3rd February, 1953.

Governor.

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 Prison Discipline Short title.
(Amendment) Law, 1953, and shall be read as one with the
Prison Discipline Law (hereinafter referred to as "the Cap. 266
principal Law").

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

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 Section 5 of the principal Law is hereby repealed and the following section substituted therefor:—

“Conveying prohibited articles into or out of prison.

5.—(1) Any person who conveys or attempts to convey any article whatever into or out of any prison contrary to the Regulations thereof shall be liable to imprisonment not exceeding three months or to a fine not exceeding twenty pounds or to both such imprisonment and fine.

(2) For the purposes of this section, a person shall be deemed to convey an article into a prison if he conveys it to a prisoner outside the prison or deposits it at any place outside the prison with intent that it shall come into the possession of a prisoner.”

Insertion of new sections 9, 10 and 11 and Schedule to the principal Law.

3. The principal Law is hereby amended by the insertion therein and immediately after section 8 of the following new sections and Schedule.

“Remission for good conduct and release on licence of young persons.

9.—(1) Regulations made under section 4 may make provision whereby, in such circumstances as may be prescribed by the Regulations, a person serving a sentence of imprisonment may be granted remission of such part of that sentence as may be so prescribed on the ground of his industry and good conduct; and on the discharge of a person from a prison in pursuance of any such remission as aforesaid his sentence shall expire.

(2) If it appears to the Governor that a person serving a sentence of imprisonment was under the age of twenty-one years at the commencement of his sentence, he may direct that instead of being granted remission of his sentence under the Regulations he shall, at any time on or after the day on which he could have been discharged if the remission had been granted, be released on licence under the provisions of the Schedule to this Law.

Schedule.

(3) For the purposes of this section, a person committed to prison in default of payment of a penalty shall be treated as undergoing a sentence of imprisonment for the term for which he is committed, and consecutive terms of imprisonment shall be treated as one term.

Regulations may provide for temporary release of prisoners.

10. Regulations made under section 4 may make provision for the temporary release, under such terms and conditions as may therein be provided, of persons serving a sentence of imprisonment.

Release on
licence of
persons
serving
imprison-
ment for life.

11.—(1) The Governor may at any time if he thinks fit release on licence a person serving a term of imprisonment for life subject to compliance with such conditions, if any, as the Governor may from time to time determine.

(2) The Governor may at any time by Order recall to prison a person released on licence under this section but without prejudice to the power of the Governor to release him on licence again; and where any person is so recalled his licence shall cease to have effect and he shall, if at large, be deemed to be unlawfully at large and may be arrested by any police officer without warrant and taken back to the prison in which he was serving sentence at the time of his release on licence.

SCHEDULE.

(Section 9 (2)).

RELEASE OF YOUNG OFFENDERS FROM PRISON ON LICENCE.

1. A person released on licence under section 9 shall, until the expiration of his sentence, be under the supervision of such person as may be specified in the licence and shall comply with such other requirements as may be so specified:

Provided that the Governor may at any time modify or cancel any such requirements.

2. If before the expiration of his sentence the Governor is satisfied that a person released as aforesaid has failed to comply with any requirement for the time being specified in the licence, he may by Order recall him to a prison; and thereupon he shall be liable to be detained in the prison until the expiration of his sentence and, if at large, shall be deemed to be unlawfully at large and may be arrested by any police officer without warrant and taken back to the prison in which he was serving sentence at the time of his release on licence.

3. The Governor may release on licence a person detained in a prison under paragraph 2 of this Schedule at any time before the expiration of his sentence; and the foregoing provisions of this Schedule shall apply in the case of a person released under this paragraph as they apply in the case of a person released under section 9.

4. Where the unexpired part of the sentence of a person released under the said section 9 is less than six months, the provisions of this Schedule shall apply to him subject to the following modifications:—

(a) the period for which he is under supervision under paragraph 1 of the Schedule, and is liable to recall under paragraph 2 of the Schedule, shall be a period of six months from the date of his release under the said section 9;

(b) if he is recalled under paragraph 2 of the Schedule, the period for which he may be detained thereunder shall be whichever is the shorter of the following, that is to say:—

(i) the remainder of the said period of six months; or

(ii) the part of his sentence which was unexpired on the date of his release under the said section 9, reduced by any time during which he has been so detained since that date;

and he may be released on licence under paragraph 3 of this Schedule at any time before the expiration of that period."

Cap. 262

4. The Convicts (Licences) Law is hereby repealed:

Provided that any person who, having been sentenced to imprisonment for life, is at the commencement of this Law the holder of a licence granted under the provisions of the Law hereby repealed, which has not been forfeited or revoked, shall be deemed to have been released on licence under section 11:

Provided further that any person who, having been sentenced to imprisonment for a term less than life, is at the commencement of this Law the holder of a licence granted under the provisions of the Law hereby repealed, which has not been forfeited or revoked, shall be treated as if his sentence has expired.

J. FLETCHER-COOKE,
3rd February, 1953. Colonial Secretary.