

CAP. 44.

CYPRUS

COMMISSIONS OF INQUIRY

CHAPTER 44 OF THE LAWS

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1959

CHAPTER 44.
COMMISSIONS OF INQUIRY.

ARRANGEMENT OF SECTIONS.

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1949 Cap. 64.

[14th May, 1942.]

Short title.

1. This Law may be cited as the Commissions of Inquiry Law.

Power of Governor to appoint Commission and invest it with powers.

2. (1) The Governor shall have power—
- (a) to appoint, by Order, a Commission of Inquiry, consisting of one or more Commissioners, to consider such questions as may be referred to it by the Governor and to report thereon to him;
 - (b) to invest the Commission with powers as in this Law provided.

(2) Every Order made under this section shall be published in the Gazette.

Contents of Order of appointment.

3. Every Order made under the preceding section shall contain—

- (a) the name or names of the member or members of the Commission ;
- (b) the appointment, in cases where more than one Commissioner is appointed, of the Chairman of the Commission ;
- (c) the terms of reference to the Commission ;
- (d) the names of any persons who by reason of their expert knowledge of the subject matter of the inquiry or otherwise may be required by the

Governor to sit as assessors with the Commission ;

- (e) the powers with which the Commission is invested in accordance with the provisions of this Law.

4. It shall be the duty of each Commissioner appointed under this Law to make and subscribe an oath that he will faithfully, fully, impartially, and to the best of his ability discharge the trust, and perform the duties devolving upon him by virtue of such Commission, which oath may be taken before the Governor, or before such person as the Governor may appoint, and shall be deposited with the Administrative Secretary.

Oath of office by Commissioner.

5. If the Commissioners shall, in any case, be equally divided on any question that arises during the proceedings of the Commission, the Chairman of the Commission shall have a second or casting vote.

Division of opinion of Commissioners.

6. The services of any assessors shall be consultative only ; assessors shall be entitled to be present at every meeting of the Commission, but they shall not sign the report of the Commission.

Assessors.

7. A Commission appointed under the provisions of this Law shall have such of the following powers as are conferred upon it by the Order of appointment required by section 2 of this Law—

Powers with which a Commission may be invested.

- (a) to procure all such evidence, written or oral, and to examine all such persons as witnesses as the Commission may think it necessary or desirable to procure or examine ;
- (b) to require the evidence, whether written or oral, of any witness to be made on oath or declaration, such oath or declaration to be that which could be required of the witness if he were giving evidence in a Court of law ;
- (c) to summon any person residing in the Colony to attend any meeting of the Commission to give evidence or produce any document in his possession and to examine him as a witness or require him to produce any document in his possession, subject to all just exceptions ;
- (d) to issue a warrant to compel the attendance of any person who, after having been summoned to

attend, fails to do so, and does not excuse such failure to the satisfaction of the Commission, and to order him to pay all costs which may have been occasioned in compelling his attendance or by reason of his refusal to obey the summons, and also to fine such person a sum not exceeding five pounds ;

- (e) to fine in a sum not exceeding five pounds any person who, being required by the Commission to give evidence on oath or declaration or to produce a document, refuses to do so and does not excuse such refusal to the satisfaction of the Commission :

Provided that, if the witness objects to answer any question on the ground that it will tend to incriminate him, he shall not be required to answer the question nor be liable to any penalties for refusing so to answer ;

- (f) to admit any evidence, whether written or oral, which might be inadmissible in civil or criminal proceedings ;
- (g) to admit or exclude the public from any meeting of the Commission ;
- (h) to admit or exclude the press from any meeting of the Commission ;
- (i) to award any person who has attended any meeting of the Commission such sum or sums as in the opinion of the Commission may have been reasonably incurred by such person by reason of such attendance.

Implicated persons, etc., may be represented.

8. Any person whose conduct is the subject of inquiry under this Law or who is in any way implicated or concerned in the matter under inquiry shall be entitled to be represented at the whole of the inquiry, by an advocate or such other person as the Commission may, at its discretion, give leave to appear, and any other person who may consider it desirable that he should be so represented may, by leave of the Commission, be represented in the manner aforesaid.

Allowances to members of Commission, etc.

9. There shall be paid out of the revenue of the Colony—

(a) any sums awarded by a Commission under section 7 (i) of this Law ;

- (b) any grants which the Governor may make by way of remuneration to members and assessors of a Commission.

10. (1) In the event of the death of any of the members or assessors of any Commission or of their being prevented by ill-health or otherwise from taking part in the investigations of the Commission, the Governor may fill any vacancy so caused by an Order of appointment made in accordance with section 2 of this Law.

Vacancies in
a Commis-
sion.

(2) The investigations of the Commission shall continue notwithstanding that such a vacancy as aforesaid shall not be filled and, if it shall be filled, the investigations made prior to such vacancy shall not be reopened or recapitulated.

11. Fines imposed under any of the provisions of this Law shall be recovered in the same manner as fines imposed by a Court of law.

Recovery
of fines.

12. The Governor may make Rules—

Rules.

- (a) regulating the procedure of Commissions appointed under this Law ;
- (b) generally for the carrying into effect of the provisions of this Law.

