



SUPPLEMENT No. 2

TO

THE SOVEREIGN BASE AREA GAZETTE

No. 34 of 5th MARCH, 1962.

L E G I S L A T I O N .

ORDINANCE 2 OF 1962.

AN ORDINANCE

**TO AMEND THE DOMESTIC SERVANTS (EMPLOYMENT
OF CHILDREN AND YOUNG PERSONS) ORDINANCE.**

WILLIAM MACDONALD,
ADMINISTRATOR.

19th February, 1962.

**BE it enacted by the Administrator of the Sovereign Base Areas
of Akrotiri and Dhekelia as follows:—**

1. This Ordinance may be cited as the Domestic Servants (Employment of Children and Young Persons) (Amendment) Ordinance, 1962, and shall be read as one with the Domestic Servants (Employment of Children and Young Persons) Ordinance (hereinafter referred to as "the principal Ordinance").

Short title.

Cap. 179
(Laws of
Cyprus).

2. Section 3 of the principal Ordinance is hereby amended by inserting, immediately after paragraph (a) in sub-section 2 thereof, the following new paragraph, to be lettered (b), the existing paragraph (b) being relettered (c) :-

Section 3
of the
principal
Ordinance
amended.

"(b) is accompanied by a certificate of health signed by a registered medical practitioner;"

Section 4 of
the principal
Ordinance
amended.

3. Section 4 of the principal Ordinance is hereby amended by deleting sub-section (4) thereof and substituting therefor the following new sub-section:-

“(4) There shall be implied by every such registration an obligation on the part of the employer during the period the registration remains in force —

- (a) to provide the registered domestic servant with reasonable wages, sufficient food of a wholesome kind, suitable sleeping and living accommodation and reasonable care in case of illness;
- (b) to take reasonable precautions for preventing any undesirable association of a registered domestic servant likely to subject such servant to any undue or improper influence;
- (c) to take reasonable steps to allow the domestic servant, of a school age, to attend any elementary school.”.

Section 14 of
the principal
Ordinance
repealed and
replaced.

4. The principal Ordinance is hereby amended by repealing Section 14 thereof and substituting therefor the following new section:—

“Evidence.

14. (1) In any proceedings whatsoever under this Ordinance, the following shall be admissible in evidence on production —

- (a) any register or any part of any register which purports to have been kept under this Ordinance;
- (b) any extract from any such register which purports to have been certified as correct by the Commissioner.

(2) Where in any proceedings under this Ordinance the person by whom the proceedings are brought alleges that any person whose age is material to the proceedings is under, of, or over, any age, and satisfies the Court that, having used all reasonable diligence to obtain conclusive evidence as to the age of that person, he has been unable to do so, then, unless the contrary is proved, the Court may from such evidence as may be before it, presume that person to be under, of, or over, the age alleged:

Provided that nothing in this sub-section contained shall preclude any person, against whom proceedings are brought, from producing conclusive evidence as to the age of the person whose age is material to the proceedings at any stage of such proceedings:

Provided further that nothing in this section contained shall be so construed as to shift the onus of proof on the person against whom proceedings are brought under this Ordinance."

5. The principal Ordinance is hereby amended by repealing Section 16 thereof and substituting therefor the following new section :—

Section 16 of the principal Ordinance repealed and replaced.

"Offences and penalties.

16.(1) Any person who —

- (a) takes or has in his employment an unregistered domestic servant ; or
- (b) allows a domestic servant to be employed in contravention of sub-section (4) of Section 4 or of Section 8 or of Section 9; or,
- (c) fails to give a change of his address in contravention of Section 6 or a determination of the employment in contravention of Section 7,

shall be guilty of an offence and shall be liable to imprisonment not exceeding three months or to a fine not exceeding one hundred pounds or to both such imprisonment and fine.

(2) Any parent of a domestic servant who fails to observe or acts in contravention of Section 13, or wilfully gives any false information under Section 13, or allows such domestic servant to be employed in contravention of the provisions of this Ordinance shall be guilty of an offence and shall be liable to a fine not exceeding twenty five pounds.

(3) Any person who obstructs or hinders or attempts to obstruct or hinder the Commissioner or Inspector in exercise of their powers under Section 12(1)(b) shall be liable to imprisonment not exceeding three months or to a fine not exceeding one hundred pounds or to both such imprisonment and fine."

I.M.G. WILLIAMS,

19th February, 1962.

Chief Officer.

AN ORDINANCE

TO AMEND THE JUVENILE OFFENDERS ORDINANCE.

WILLIAM MACDONALD,
ADMINISTRATOR.*19th February, 1962.*

BE it enacted by the Administrator of the Sovereign Base Areas of Akrotiri and Dhekelia as follows:-

Short title.

1. This Ordinance may be cited as the Juvenile Offenders (Amendment) Ordinance, 1962, and shall be read as one with the Juvenile Offenders Ordinance (hereinafter referred to as "the principal Ordinance").

Cap. 157 (Laws of Cyprus).

Section 2 of the principal Ordinance amended.

2. Section 2 of the principal Ordinance is hereby amended by deleting the definition of Juvenile Court appearing therein and substituting therefor the following new definition:—

“ ‘Juvenile Court’ means the Judge’s Court when sitting to hear charges against children or young persons other than charges against a child or young person jointly with an adult;”.

3. The principal Ordinance is hereby amended by inserting immediately after Section 4 thereof the following new section, to be numbered 4A:—

“Assessors may advise Judge in trials of juveniles.

4A. (1) The Administrator shall appoint by notice in the Gazette, any number of persons (at least two of whom shall be women) as Juvenile Court Assessors (hereinafter referred to in this section as “the assessors”).

(2) Two assessors (at least one of whom shall be a woman) nominated for the purpose in writing by the Administrator shall sit with the Judge at every sitting of a Juvenile Court to hear charges against a child or young person and shall perform the following functions:—

- (a) at any stage of the proceedings the assessors may put questions to the accused and to witnesses through the Court, and such questions shall for all purposes be deemed to be questions put by the Court; and
- (b) in the event of a plea of not guilty by the accused at any time before judgement, and in all cases at any time before sentence, the assessors may tender advice to the Court on any matter arising out of the proceedings, other than on a matter which the Court holds to be a question of law.

(3) Any advice tendered to the Court by the assessors in pursuance of paragraph (b) of the preceding sub-section may, at the discretion of the Court, be tendered in open Court or privately, and the Judge may, at his discretion, announce or record the substance of such advice, but shall be under no obligation to do so.

(4) A Juvenile Court shall be under no obligation to accept advice tendered to it by assessors in accordance with this section or to state reasons for not accepting such advice.

(5) Nothing in this section shall apply in any case where the accused is charged with murder or where the Juvenile Court is composed of three Judges.”.

4. Section 12 of the principal Ordinance is hereby amended by deleting paragraph (e) of sub - section (1) and sub - section (3) thereof.

Section 12 of
the principal
Ordinance
amended.

I.M.G. WILLIAMS,

19th February, 1962.

Chief Officer.

ORDINANCE 4 OF 1962.

AN ORDINANCE

TO AMEND THE MARRIAGE ORDINANCE.

WILLIAM MACDONALD,
ADMINISTRATOR.

19th February, 1962.

BE it enacted by the Administrator of the Sovereign Base Areas of Akrotiri and Dhekelia as follows:-

1. This Ordinance may be cited as the Marriage (Amendment) Ordinance, 1962, and shall be read as one with the Marriage Ordinance (hereinafter referred to as “the principal Ordinance”).

Short title.
Cap. 270
(Laws of
Cyprus).

Section 33 of the principal Ordinance repealed and replaced.

2. The principal Ordinance is hereby amended by repealing Section 33 thereof and substituting therefor the following new section:-

“British subjects and citizens of the Republic of Ireland in the Areas, and in the Republic or the United Kingdom.

33.—(1) Where a marriage is intended to be contracted in the Areas between a British subject or a citizen of the Republic of Ireland resident in the Areas and a British subject or a citizen of the Republic of Ireland resident in the United Kingdom or in the Republic, a certificate for marriage issued in England by a superintendent registrar, or in Scotland or Northern Ireland by a Registrar, or in the Republic by a Marriage Officer, shall in the Areas have the same effect as a certificate issued by a Marriage Officer.

(2) Where a marriage is intended to be solemnized or contracted in the United Kingdom or the Republic between a British subject or a citizen of the Republic of Ireland resident in the United Kingdom or the Republic and a British subject or a citizen of the Republic of Ireland resident in the Area, a Marriage Officer's certificate may be issued in the Areas by a Marriage Officer in like manner as if the marriage was to be contracted under circumstances requiring the issue of such a certificate, and as if both parties to the said marriage were resident in the Area.

(3) For the purpose of this section —

“certificate for marriage” in reference to certificates issued in Scotland shall mean a certificate of due proclamation of notice of intention to marry.”

Commencement of this Ordinance.

3. This Ordinance shall be deemed to have come into operation on the 16th day of August, 1960.

19th February, 1962.

I.M.G. WILLIAMS,
Chief Officer.



Printed by RAOC Printing Platoon, Cyprus.

[Appointed by the Administration of the Sovereign Base Areas of Akrotiri and Dhekelia to be Government Printers within the meaning of the Evidence (Colonial Statutes) Act. 1907].