

No. 2 OF 1938.

A LAW TO REGULATE AND CONTROL THE DEPARTURE FROM
THE COLONY OF NATIVES OF THE COLONY.

H. R. PALMER,]
Governor.

[5th February, 1938.

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 Departure from the Colony of Natives of the Colony (Regulation) Law, 1938. Short title.

2. In this Law—

“ native of the Colony ” means any person born in the Colony or of parents who at the time of his birth were ordinarily resident in the Colony ;

Interpreta-
tion.

“ passport ” means a valid passport or other document for travel purposes issued by a competent authority establishing the nationality (if any) and identity of the person to whom it refers ;

“ person ” means a native of the Colony.

3. No person shall depart from the Colony by sea or air for the purpose of proceeding to any country outside the Colony unless such person is in possession—

Prohibition
against
departure
from the
Colony
without
passport.

(a) of a passport, and

(b) a passage ticket for a country in respect of which such passport is valid :

Provided that the Commissioner may at his discretion grant a permit in writing to any person to depart from the Colony without complying with any of the requirements of this section.

4. Any Police Officer who has reasonable grounds for believing that a person is about to depart from the Colony for the purpose of proceeding to any country outside the Colony—

Power to
Police
Officers to
require
production
of passport
or passage
ticket or
permit
and to
interrogate
persons,

(a) may require such person to produce to him any passport or passage ticket or permit in writing from the Commissioner in his possession, and

(b) may put to such person such questions as may be necessary for ascertaining whether such person intends to depart from the Colony.

Offences and penalties.

5.—(1) Any person who—

- (a) acts or attempts to act in contravention of the provisions of section 3, or
- (b) aids or abets another person to act or attempt to act in contravention of the provisions of section 3, or
- (c) refuses to produce to a Police Officer any passport or passage ticket or permit in writing from the Commissioner in his possession after being required to do so under the provisions of section 4 (a), or
- (d) refuses to answer or answers falsely any question put to him by a Police Officer under the provisions of section 4 (b),

shall be guilty of an offence against this Law and shall be liable to imprisonment for three months or to a fine of fifty pounds or to both.

(2) If the Court before which any person is brought for any contravention of section 3 finds such person guilty of such contravention, such Court shall, in addition to the penalty it may consider fit to impose on such person, order such person to pay to Government by way of compensation the expenses (if any) incurred by Government on account of, or in connection with, the repatriation of such person to the Colony.

(3) For the purposes of sub-section (2), a certificate under the hand of the Treasurer stating that the amount of expenses specified therein has been incurred by Government on account of, or in connection with, the repatriation to the Colony of any person named therein shall be admissible in evidence and shall be conclusive evidence that the amount so specified has been expended by Government.

Power of arrest without warrant.

6. Any Police Officer may arrest without warrant any person—

- (a) who commits or attempts to commit an offence against this Law, or
- (b) whom he suspects on reasonable grounds of having committed or of having attempted to commit an offence against this Law.