

CYPRUS

ASSEMBLIES AND PROCESSIONS

CHAPTER 32 OF THE LAWS

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CHAPTER 32.

ASSEMBLIES AND PROCESSIONS.

ARRANGEMENT OF SECTIONS.

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A LAW TO REGULATE THE HOLDING OF ASSEMBLIES AND PROCESSIONS.

7 of 58.

[17th April, 1958.]

Short title.

1. This Law may be cited as the Assemblies and Processions Law.

Interpretation.

2. In this Law:—

“authorized officer” means any police officer not below the rank of sergeant and, during the continuation in force of Her Majesty’s Forces (Performance of Police Duties) Law, or any Law amending or substituted for the same, any commissioned officer of Her Majesty’s Forces ;

“building” includes any structure constructed with roof and walls of whatever material and any part of a building so defined ;

“Commissioner” means the Commissioner of a district and includes an Assistant Commissioner ;

“prescribed” means prescribed by the Governor in Regulations under section 11 ;

“procession” includes a procession of vehicles ;

“public” refers not only to all persons within the Colony but also to the persons inhabiting or using any particular place, or any number of such persons, and

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also to such indeterminate persons as may happen to be affected by the conduct in respect of which such expression is used ;

“ public place ” includes any road, market-place, square, street, bridge or other way which is lawfully used by the public and further includes any open space, whether such open space is in any way enclosed or is unenclosed, to which, for the time being, the public are entitled or permitted to have access whether on payment or otherwise, but does not include any building.

3. Subject to the provisions of subsection (1) of section 9, the Commissioner may issue orders in general or special terms for the purpose of directing the conduct of any assembly or procession at any place within the district.

Regulation of assemblies and processions.

4. (1) Any person who wishes to organize or convene an assembly or a procession at any public place shall first make an application for a permit in that behalf in the prescribed form to the Commissioner and, subject to any general or special directions by the Governor under subsection (5) of this section, if the Commissioner is satisfied that such assembly or procession is not likely to prejudice the maintenance of good order, he may issue a permit in such form as may be prescribed specifying :—

Permits required for assemblies and processions in a public place.

- (a) in the case of a procession, the purpose for which and the routes by which and the times at which such procession may pass, and such other conditions as the Commissioner may think fit to impose ;
- (b) in the case of an assembly, the purpose for which and the place and time or times at or between which such assembly may be held, and such other conditions as the Commissioner may think fit to impose ;
- (c) the name or names of the person or persons to whom it is issued.

(2) Every person to whom a permit is issued under the provisions of subsection (1) of this section shall be responsible for the due observance of all the conditions specified in the permit.

(3) (a) Without prejudice to the generality of subsection (1) of this section the Commissioner may, and shall when so

directed by the Governor, require any person making application for permission to organize or convene an assembly or a procession at any public place to execute a bond in such form as may be prescribed in such amount and with or without guarantor or guarantors, as the Commissioner may deem fit.

(b) When a bond has been executed under the provisions of this subsection, the Commissioner, upon proof of the breach of any conditions in a permit issued under subsection (1) of this section, may order such bond to be forfeited and any person bound thereby or, in default of any such person, any guarantor, shall forthwith pay to the Commissioner the sum for which he is bound and in default thereof such sum shall be deemed to be a penalty and be recoverable as such forthwith from such person or such guarantor in accordance with the provisions of the Criminal Procedure Law, or any Law amending or substituted for the same, relating to the execution and recovery of penalties.

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(4) The Commissioner may, and shall if so directed by the Governor, at any time cancel, withdraw or vary any permit granted by him under the provisions of subsection (1) of this section.

(5) The Governor may, from time to time, give general or special directions to Commissioners as to the exercise of their powers under this section and Commissioners shall comply with such directions.

Power to prohibit other assemblies and processions.

5. (1) The Governor, whenever at any time it appears to him to be in the interests of good order or the public safety so to do, may, by order—

(a) prohibit generally the holding of any assembly or procession or any class of assembly or procession at any place, not being a public place, in any part of the Colony ; or

(b) prohibit the holding of any assembly or procession or any class of assembly or procession, at any place, not being a public place, in any part of the Colony, on any specified date or during any specified period or within any specified hours, or otherwise than upon certain specified conditions.

(2) The Commissioner, whenever at any time it appears to him to be in the interests of good order or the public safety so to do, may, by order—

(a) prohibit generally the holding of any assembly or

procession or any class of assembly or procession at any place, not being a public place, in any part of the district ; or

- (b) prohibit the holding of any assembly or procession or any class of assembly or procession at any place, not being a public place, in any part of the district on any specified date or during any specified period or within any specified hours or otherwise than upon certain specified conditions.

6. (1) The Commissioner or any authorised officer may stop any procession for which no permit has been issued under subsection (1) of section 4 or which contravenes any of the conditions specified in such a permit or which has been convened or is taking place in contravention of an order under section 5 or any of the conditions specified therein and may order any such procession to disperse.

Power to order processions and assemblies held in contravention of this Law to stop and disperse.

(2) The Commissioner or any authorised officer may order any assembly which has been convened without a permit issued under subsection (1) of section 4 or which contravenes any of the conditions specified in such a permit or which has been convened or is taking place in contravention of an order under section 5 or any of the conditions specified therein to disperse.

7. (1) Any assembly of five or more persons or any procession of five or more persons or three or more vehicles—

When assembly or procession unlawful.

- (i) convened or taking place at a public place for which no permit has been issued under subsection (1) of section 4 or which contravenes any of the conditions contained in any such permit ;
- (ii) convened or taking place in contravention of an order under section 5 or any of the conditions specified therein ; or
- (iii) which neglects or refuses to obey any order for dispersal given under section 6,

shall be deemed to be an unlawful assembly within the meaning of section 70 of the Criminal Code.

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(2) Any police officer or, while Her Majesty's Forces (Performance of Police Duties) Law or any Law amending or substituted for the same, remains in force, any member of Her Majesty's Forces may—

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- (i) arrest without warrant all persons taking part in an unlawful assembly as in subsection (1) of this

section and all persons taking part in organizing, convening or directing the same ; and

- (ii) disperse any unlawful assembly as in subsection (1) of this section and may for this purpose use such force as may reasonably be necessary to effect such dispersal.

Offences
and
penalties.

8. (1) Any person who—

- (a) contravenes or fails to comply with an order issued under section 3 ; or
- (b) takes part in an assembly or procession at a public place for which no permit has been issued under subsection (1) of section 4 ; or
- (c) takes part in an assembly or procession held in contravention of any condition of a permit issued under subsection (1) of section 4 ; or
- (d) takes part in an assembly or procession convened or taking place in contravention of an order under section 5 or any of the conditions specified therein,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one hundred and fifty pounds or to imprisonment for one year or to both such fine and such imprisonment.

(2) Any person who—

- (a) takes part in organizing, convening or directing an assembly or procession at a public place for which no permit has been issued under subsection (1) of section 4 ; or
- (b) takes part in organizing, convening or directing an assembly or procession held in contravention of any condition of a permit issued under subsection (1) of section 4 ; or
- (c) obstructs or resists the Commissioner, any police officer or any member of Her Majesty's Forces attempting to carry out his duty under this Law ; or
- (d) takes part in organizing, convening or directing an assembly or procession convened or taking place in contravention of an order under section 5 or any of the conditions specified therein ; or
- (e) who continues to take part in an assembly or

procession which has been ordered under section 6 to disperse,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding four hundred pounds or to imprisonment for three years or to both such fine and such imprisonment.

9. (1) Nothing in this Law shall apply to any assembly or procession held in a Church or Mosque solely for the purposes of a religious ceremony in accordance with the adopted rites of such Church or Mosque. Exemptions.

(2) The Governor may from time to time, by order, exempt from the operation of any of the provisions of this Law any class of assembly or procession or any general or particular class of persons subject to any terms or conditions which such order may impose, and may in the like manner vary or revoke any such order.

(3) Every order made under subsection (2) of this section and any variation or revocation thereof shall be published in the Gazette.

10. In any proceedings against any person for an offence under this Law, the burden of proving that a permit has been granted shall lie on such person. Burden of proof.

11. The Governor may make Regulations prescribing anything which may be prescribed, and generally for the better carrying into effect of the purposes and provisions of this Law. Regulations.

12. When any order is made under the provisions of section 3 or section 5 of this Law the Governor or the Commissioner, being the authority making the order, shall cause notice of the effect of such order to be given as soon as may be in such manner as he thinks necessary for bringing it to the notice of all persons who, in his opinion, ought to have notice of the order. Publicity for orders given under section 3 and section 5.

