

CAP. 85.

CYPRUS

REGISTRATION OF RESIDENTS

CHAPTER 85 OF THE LAWS

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1959

CHAPTER 85.

REGISTRATION OF RESIDENTS.

ARRANGEMENT OF SECTIONS.

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A LAW TO MAKE PROVISION FOR THE REGISTRATION OF RESIDENTS IN THE COLONY, FOR THE ISSUE OF IDENTITY CARDS AND FOR PURPOSES CONNECTED THEREWITH.

31 of 57.

[19th November, 1957.]

Short title
and com-
mencement.

1. This Law may be cited as the Registration of Residents Law, and shall come into force on such date as the Governor may, by notification in the Gazette, appoint.

Interpreta-
tion.

2. In this Law, unless the context otherwise requires—

“ Commissioner for Registration ” means the person appointed as such by the Governor under section 3 of this Law;

“ finger print ” includes thumbprint;

“ identity card ” means an identity card issued under the provisions of section 8 or deemed to have been so issued under the provisions of section 22;

“ police officer ” means any member of the Cyprus

Police Force and includes members of the Auxiliary Police Force and Special Constables;

"register" means any register established and maintained under the provisions of section 4 of this Law;

"registration authority" means any person appointed to an office under section 3 of this Law;

"Registration Officer" includes an Assistant Registration Officer.

3. (1) The Governor may, by notice in the Gazette, appoint a Commissioner for Registration and such Registration Officers as may be necessary for the purposes of this Law.

Appoint-
ment of
Com-
missioner for
Registra-
tion, etc.

(2) The Commissioner for Registration may appoint such number of Assistant Registration Officers as the Governor may authorise.

(3) The Commissioner for Registration may appoint such number of Registration Agents as may be deemed necessary.

(4) All persons appointed under the provisions of this section shall be deemed to be persons employed in the public service within the meaning of the Criminal Code.

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(5) The Commissioner for Registration may, either generally or specially, direct any Registration Officer or Assistant Registration Officer to exercise, perform, or discharge any power, duty or function of the Commissioner for Registration under this Law or any rules made thereunder.

4. (1) The Commissioner for Registration shall cause to be kept such register, or registers as may be prescribed, of all persons in the Colony registered under this Law, in which there shall be entered the following particulars in respect of each person—

Establish-
ment of
register.

- (a) registration number;
- (b) his name, or, if he is known by different names each of his names, in full;
- (c) his father's name, or, if the father is known by different names, each of such names, in full;
- (d) sex;
- (e) nationality;
- (f) community;
- (g) place of birth;

- (h) date of birth ;
- (i) occupation, profession, trade or employment ;
- (j) full address of his usual place of residence ;
- (k) such finger prints as may be prescribed ;
- (l) date of registration ;
- (m) such other particulars as may be prescribed or which the registration authority concerned may in any particular case consider necessary for the purpose of identification.

(2) Any officer in the service of the Government, duly authorised by a Registration Officer in that behalf, may in the exercise of his official duties, inspect any such register.

5. (1) Subject to the provisions of section 22 all persons within the Colony shall register in the manner provided for by this Law.

(2) The following persons and classes of persons are exempted from the liability to register imposed by subsection (1) of this section—

- (a) the Governor ;
- (b) members of the Diplomatic Services or of the Consular Service of a Commonwealth Government or of a foreign Government with which Her Majesty's Government in the United Kingdom has diplomatic relations, who are duly accredited to the Colony by the Government concerned and who are in possession of a document of identity issued by the Government of Cyprus ;
- (c) such other persons or classes of persons as may from time to time by rules made under this Law be exempted absolutely, or subject to such conditions or qualifications as may be prescribed.

(3) Any person, exempted under the provisions of subsection (2) of this section, who contravenes or fails to comply with any term or condition of such an exemption, or who ceases in any manner to be qualified for such exemption, shall, as from the date on which he first contravened or failed to comply with such term or condition or otherwise ceased to be so qualified, be liable to register under this Law.

(4) When any person claims to be exempted from liability to register under this Law the burden of proving that he is so exempted shall lie upon him.

6. (1) Every unregistered person liable to register under this Law, other than a person who enters the Colony after the commencement of this Law, shall attend before a registration authority within six days, or such other period as may be prescribed in the case of any particular person or class of persons, of the commencement of this Law or of the date on which he first becomes liable to register, whichever may be the later, for the purpose of registering under the provisions of this Law. Every such person shall, upon so attending—

- (a) deliver to the registration authority two unmounted duplicate passport-size photographs of himself to the satisfaction of the registration authority, or submit to all such steps as may be reasonably necessary for the taking of photographs of himself in accordance with any directions given by the registration authority;
- (b) give to the registration authority the particulars specified in subsection (1) of section 4 of this Law, and for this purpose shall permit his finger print to be recorded in any manner prescribed.

(2) Any unregistered person who, being a person liable to register under this Law enters the Colony after the commencement of this Law, shall present himself within such time as may be prescribed, before the nearest registration authority and shall register himself in the manner prescribed in subsection (1) of this section.

7. A registration authority may require any person who has given any information in pursuit of this Law or rules made thereunder to furnish such documentary or other evidence of the truth of such information as it is within the power of that person to furnish.

Power to demand proof of information.

8. (1) Upon the registration of a person under the provisions of this Law, the registration authority shall issue an identity card in the prescribed form, to such person.

Registration authority to issue identity cards.

(2) Every registered person shall permit such of his finger prints to be recorded on his identity card as a registration authority may require.

(3) One of the photographs delivered under the provisions of section 6 of this Law shall be affixed to such identity card and the other shall be retained in the register.

Re-registra-
tion.

9. (1) The Governor may, by Order, cancel the registration of any person or class of persons registered or deemed to have been registered under the provisions of this Law, and such person or class of persons shall register again on or before such date as may be specified in the order aforesaid.

(2) The registration authority may, by endorsement upon any identity card, require the person, to whom such card has been issued to register again under this Law on such date as may be specified in such endorsement.

(3) Where, in the opinion of a registration authority any particulars entered on the register, in respect of any person registered or deemed to have been registered under this Law, are or have, subsequently to his registration, become incorrect or misleading, or any photograph affixed to any identity card is not, or has, or may have, ceased to be a good likeness or any finger print of any person furnished by him under this Law is not sufficient for the purpose of the ready identification of such person, the registration authority may require such person to surrender his identity card and to make application forthwith, in the prescribed manner, for the issue to him of a replacement identity card, on such date as he may direct.

(4) Upon such person making an application for the replacement of an identity card under the provisions of subsection (3) of this section, he shall surrender his original identity card if not previously surrendered, to the registration authority, who may thereupon issue a replacement identity card to such person in accordance with the procedure laid down in section 8.

(5) Any identity card issued to any person prior to the date on which such person is required to register again under this section or to apply for a replacement identity card under this section shall cease to be valid upon such date and thereafter such person shall be an unregistered person until he shall register in the manner specified in section 6.

Identity
card to be
kept safely.
Replace-
ment to be
made when
identity
card is lost,
destroyed or
defaced.

10. (1) Every person to whom an identity card has been issued shall be responsible for the safe custody thereof.

(2) Where an identity card is lost, destroyed, mutilated or defaced, so that the particulars thereon are no longer clearly decipherable, the person to whom the card relates shall forthwith notify the registration authority and such other persons as may be prescribed, and shall make applica-

tion forthwith, in the prescribed manner, for the issue to him of a replacement identity card, and thereupon the registration authority may issue such card in place of the one lost, destroyed, mutilated or so defaced as aforesaid, on such conditions and on payment of such fee as may be prescribed.

(3) If any person, having obtained or applied for an identity card to be replaced on the ground that his card was lost, subsequently finds or recovers possession of his original card he shall forthwith report the fact to such persons and in such manner as may be prescribed and shall take all such other steps as may be prescribed.

(4) Any person failing to make any report required under subsection (2) or subsection (3) of this section shall be guilty of an offence and shall be liable on conviction, to imprisonment for a term not exceeding three years or to a fine not exceeding five hundred pounds or both such imprisonment and fine.

11. (1) Where any person, required to be registered under the provisions of this Law, applies to any person employed in the public service (hereinafter in this section referred to as an "officer") for the grant of any licence, permit or other document or for the exercise of such lawful or judicial functions, the officer aforesaid, may, in his discretion, require the applicant to produce his identity card. If such applicant when so required, does not produce to such officer his identity card or other proof, to the satisfaction of the officer that he has been registered, the officer may, notwithstanding the provisions of any Law for the time being in force in the Colony, in his discretion, defer consideration of such application until such applicant produces either his identity card or such other proof.

Production
and inspection
of
identity
cards.

(2) Any police officer on duty and any registration authority and any other person, authorised by the Commissioner for Registration in writing in that behalf, may require any person to whom this part applies, to produce his identity card, or, if such person fails to produce such identity card when required so to do, may require him to produce it within such time, to such person and at such place as the person making the requirement may think fit.

(3) For the purposes of identification any police officer or other person, authorised to require the production of an identity card under this section, may at any time take the finger print of any person producing an identity card under

subsection (2) of this section and any person whose finger print is so required shall submit to such steps as may be reasonably necessary for the taking thereof.

(4) Any person, authorised by the Commissioner for Registration and purporting to act under the provisions of subsection (2) of this section, shall, if so requested by any person from whom he has required the production of an identity card, produce, for inspection by that person, the written authority under which he purports to be acting.

(5) Any person refusing or failing to produce his identity card on demand lawfully made under the provisions of this section, or within such time as the person lawfully requiring the production of the same may allow, shall be guilty of an offence and shall be liable, on conviction, to imprisonment for a term not exceeding one year or to a fine not exceeding one hundred and fifty pounds or to both such fine and such imprisonment.

Hotel and
lodging
house
keepers not
to accommo-
date persons
without an
identity
card.

12. (1) No hotel or lodging house shall accommodate any person required to be registered under this Law, unless he is in possession of an identity card duly issued to him, and produces the same to the proprietor or manager or other person in charge of such hotel or lodging house upon his arrival.

(2) Where any such person seeks accommodation in a hotel or lodging house and is not in possession of or fails to produce an identity card duly issued to him, it shall be the duty of the proprietor, manager or other person in charge of such hotel or lodging house to notify the police at the nearest police station of such fact immediately.

(3) Where any person seeks accommodation at any hotel or lodging house and claims to be a person exempted from the obligation to be registered the proprietor or manager or other person in charge of such hotel or lodging house shall take all reasonable steps to satisfy himself that the person claiming to be so exempted is entitled to be so exempted before providing accommodation for him.

(4) Any proprietor, manager or other person in charge of any hotel or lodging house who accommodates any person in contravention of this section or who fails or neglects to notify the police in accordance with subsection (2) of this section shall be guilty of an offence and shall be liable, on conviction, to imprisonment for a term not exceeding one year or to a fine not exceeding two hundred and fifty pounds or to both such fine and such imprisonment.

13. Any person who finds, or who comes into possession of, an identity card which does not belong to him, shall, without undue delay, return it either to its owner or to a police station or registration authority and, in particular, but without prejudice to the generality of the foregoing, any person who comes into possession of the identity card of any deceased person shall deliver such card to a police station or registration authority within six days after the date when he came into possession thereof.

Finder of lost identity card to deliver it to owner or registration officer.

14. No person, other than a registration authority or other person authorised by a Registration Officer in writing in that behalf, shall make any entry in, alteration to, or erasure from an identity card or otherwise deface, mutilate or destroy the same.

Entries in identity card.

15. Any person leaving the Colony who intends to be absent for a period exceeding thirty days shall surrender his identity card to the immigration authority at the port of embarkation.

Identity cards to be surrendered when leaving the Colony.

16. Any police officer, or any registration authority authorised generally or specially in that behalf in writing by the Commissioner for Registration, may, without warrant arrest any person whom he has reason to believe has committed an offence against this Law or against any rule made thereunder.

Arrest.

17. (1) Any police officer of or above the rank of sub-inspector or any registration authority authorised by the Commissioner for Registration under section 16, may, without warrant—

Search.

- (a) search any person;
- (b) enter and search any premises;
- (c) stop and search any vessel or vehicle,

if he has reason to believe that any evidence of the commission of any offence against this Law or any rule made thereunder is likely to be found on such person or premises or in such vessel or vehicle and may seize any evidence so found.

(2) No woman shall be searched under this section except by a woman.

18. (1) The burden of proving the truth of the contents of an identity card shall lie on the person to whom such identity card has been issued.

Burden of proof in certain cases.

(2) When any person alleges that his identity card has been lost the burden of proving that an identity card has previously been issued to him shall lie upon such person.

Offences
and
penalties.

19. (1) Any person who—

- (a) being a person liable to register under this Law fails to register or obtain an identity card within six days of the date on which he became liable to register or such longer period having application to him as may have been prescribed;
- (b) in giving any information for the purposes of this Law, knowingly or recklessly makes any statement which is false or incorrect in a material particular;
- (c) unlawfully deprives any person of an identity card ;
- (d) knowing that a person required to be registered under this Law is not so registered, harbours or assists such person;
- (e) unlawfully makes any entry, alteration or erasure on an identity card or wilfully defaces, mutilates or destroys the same;
- (f) unlawfully issues an identity card;
- (g) is in unlawful possession of or makes use of an identity card belonging to any other person;
- (h) falsely states that he has not previously been registered, or commits any act or makes any false representation or omission with the object of deceiving a registration authority;
- (i) is in possession of an identity card containing any false entry, alteration or erasure;
- (j) obtains or attempts to obtain a new identity card from a registration authority without first reporting to such authority the loss, mutilation, or destruction of any identity card which may previously have been issued to him or is unlawfully in possession of more than one identity card;
- (k) with intent to deceive—
 - (i) makes a false representation that he or any other person is the person to whom an identity card relates; or
 - (ii) except in such cases as may be prescribed, permits any other person to be in possession of an identity card issued to him; or

(iii) forges or mutilates an identity card or makes or has in his possession any document so closely resembling an identity card as to be calculated to deceive,

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

(2) Any person who—

- (a) being a person employed for the purposes of this Law publishes or communicates to any person, otherwise than in the ordinary course of such employment or for the purposes of proceedings in a Court any information acquired by him in the course of the employment;
- (b) having, under the provisions of subsection (2) of section 4 of this Law, inspected the register, publishes or communicates to any person, otherwise than in the ordinary course of his employment or for the purposes of proceedings in Court any information so acquired;
- (c) having possession of any information which to his knowledge has been disclosed in contravention of this Law, publishes or communicates such information to any other person otherwise than for the purposes of proceedings in a Court;
- (d) being a person exempted from liability to register under this Law, obtains or attempts to obtain an identity card;
- (e) being a person in possession of the identity card of another person fails to deliver that card to a police station or registration authority within the period prescribed by section 13;
- (f) being a person required to surrender his identity card under subsection (4) of section 9 or under section 5 fails to surrender that card in accordance with the provisions of the said section,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one hundred and fifty pounds.

20. (1) Any person who attempts to commit an offence against this Law or against any rule made thereunder shall be deemed to be guilty of that offence.

Attempts
to commit
an abetment
of offences
to be
offences.

(2) Any person who aids or abets the commission of any offence against this Law or against any rule made thereunder shall be deemed to be guilty of that offence.

Rules.

21. The Governor may make rules—

- (a) prescribing anything which may be prescribed under the provisions of this Law;
- (b) prescribing the form of identity cards;
- (c) providing for the insertion in, or removal from, the register of the particulars of any person, and for the procedure to be followed in the issue, surrender, correction or cancellation of any identity card;
- (d) providing for the procedure to be followed upon the loss, destruction or defacement of any identity card and the conditions upon which such card may be replaced;
- (e) providing for the procedure to be followed where any registered person has changed his name or changes his place of residence or postal address or leaves the Colony or dies;
- (f) prescribing the fees, if any, which may be charged for the replacement, renewal or alteration of an identity card;
- (g) authorising the Commissioner for Registration by order published in the Gazette to prescribe the charge to be made by any photographer in any particular area in the Colony for taking and supplying any photograph required to be submitted by any person under this Law and providing penalties for any breach of such order;
- (h) requiring the proprietor, manager, abbot, occupier, or other person in charge of an hotel, lodging house, monastery, private house or any other place where any person resides to record such particulars as may be prescribed of any person accommodated therein and to make such particulars available for inspection by such persons as may be prescribed;
- (i) conferring upon any members of Her Majesty's armed forces or of any local forces or any officer of the Department of Customs and Excise

all or any of the powers conferred by this Law upon police officers;

- (j) requiring any person or any class of persons to carry identity cards on their person at such times as may be prescribed;
- (k) declaring acts or omissions in contravention of any rule made under this section to be offences and prescribing penalties therefor not exceeding the penalty prescribed under subsection (1) of section 19;
- (l) generally for the better carrying out of the provisions of this Law.

22. Any registration made or identity card issued under the provisions of the Emergency Powers (Registration Areas) (No. 2) Regulations, 1956, shall be deemed to have been made or issued, as the case may be, under the provisions of this Law until such registration or identity card shall expire or be cancelled in accordance with the provisions of this Law.

Savings.
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NOTE.—This Law came into operation on the 1st December, 1957.

