
ASSEMBLIES AND PROCESSIONS LAW

This is a consolidated version of this legislation i.e. it incorporates all amendments made since the legislation was enacted as set out in the table below. It has been produced by the SBAA as an aid to transparency and easier access to SBA law. However, it is not the official version of SBA legislation and, although every effort has been made to check the document, its accuracy cannot be guaranteed. The official version of legislation is published in the SBA Gazette.

Legislation incorporated in this Consolidation	Ordinance	Date in Force
Assemblies and Processions Law	CAP.32	
Assemblies and Processions (Amendment) Ordinance 2005	6/05	07/03/2005

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A Law to regulate the holding of Assemblies and Processions

PART 1

Preliminary

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 the rank of sergeant and, during the continuation in force of Her Majesty’s Forces (Performance of Police Duties) Law (a), 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~~ “Area Officer” (b) means the ~~Commissioner~~ Area Officer of a district (c) and includes an Assistant ~~Commissioner~~ Area Officer;

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

“procession” includes a procession of vehicles;

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

Regulation of assemblies and procession

3. Subject to the provisions of subsection (1) of section 9, *if he reasonably believes that a condition specified in section 5A exists(f)*, the ~~Commissioner~~ Chief Officer 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.

(a) Cap.215 (Laws of Cyprus)
(b) Commissioner deleted and Area Officer inserted wherever it appears in the Ordinance amended by Ordinance 6/2005 – came into force on 07 March 2005
(c) Reference to district to be read as Areas (s4(1)(q) of Ordinance 5/1968)
(d) Reference to Governor to be read as Administrator (s4(1)(c) of Ordinance 5/1968)
(e) Reference to Colony to be read as Areas (s4(1)(a) of Ordinance 5/1968)
(f) New test inserted by Ordinance 6/2005 – came into force on 7 March 2005

Permits required for assemblies and processions in a public place

~~4.—(1) Any person who wishes to organize or convene an assembly or a procession at any place shall first make an application for a permit in that behalf in the prescribed form to the Commissioner Area Officer and the Area Officer may grant or refuse such application in accordance with the provisions of this section (a). and subject to any general or special directions by the Governor under subsection (5) of this section, if the Commissioner Area Officer 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 :-~~

- ~~(a) in the case of a procession, the purpose for which and the routes by which and the time 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 person to whom it is issued.~~

(1A) A permit granted under this section may, where the Area Officer reasonably believes that a condition specified in section 5A exists, be issued subject to such conditions as appear to him necessary to prevent the occurrence of such disorder, damage, disruption or intimidation, including conditions as to—

- (i) if the permit is in relation to a procession, the route of it and maximum duration of it or prohibiting it from entering any public place specified in the permit,*
- (ii) if the permit is in relation to an assembly, as to the place at which the assembly may be held, its maximum duration or the maximum number of persons who may constitute it. (b)*

(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 conditions specified in the permit.

(3) (a) Without prejudice to the generality of subsection (1) or *subsection 1(A)(c)* of this section the ~~Commissioner Area Officer~~ 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 Area Officer~~ may deem fit.

(b) When a bond has been executed under the provisions of this subsection, the ~~Commissioner Area Officer~~, 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 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.

~~(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.(d)~~

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

(a) New text inserted and repealing of remainder of section by Ordinance 6/2005 – came into force on 07 March 2005

(b) Subsection (1A) inserted by Ordinance 6/2005 – came into force on 7 March 2005

(c) Text inserted by Ordinance 6/2005 – came into force on 7 March 2005

(d) Subsection (4) repealed by Ordinance 6/2005 – came into force on 7 March 2005

(6) *If the Area Officer reasonably believes that, because of particular circumstances existing in the area in which the procession or assembly is to be held, his power under subsection (1A) above will not be sufficient to prevent the proposed assembly or procession from resulting in serious public disorder, he may refuse to grant a permit to authorise the holding of such procession or assembly.* (a)

Power to prohibit other assemblies and processions (b)

~~5.—(1) The Governor, whenever at any time it appears to him to be in the interest 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, Area Officer, 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.~~

Power of Administrator to issue an order prohibiting processions or assemblies

5.—(1) *Where he reasonably believes that—*

- (a) a condition specified in section 5A exists; and*
- (b) the power of the Area Officer to add conditions to a permit in accordance with section 4(1A) will not be sufficient to prevent any assembly or procession from resulting in serious public disorder in any specified area, the Administrator may make an order in terms provided for in subsection (2) below.*

(2) *An order made under subsection (1) may—*

- (a) prohibit the holding of any procession or assembly, or any class of procession or assembly, for such period as may be specified in the order not exceeding 3 months, at any place specified in the order;*
- (b) prohibit the holding of any assembly or procession, or any class of assembly or procession on any specified date;*
- (c) prohibit the holding of any assembly or procession, or any class of assembly or procession within any specified hours during such period as may be specified in the order not exceeding 3 months.*

(3) An order made under subsection (2) may be revoked by the Administrator at any time where the grounds for making the order no longer exist, or, where such grounds remain in existence on the expiry of the order, be renewed by him on the same or different terms.

(a) Subsection (6) inserted by Ordinance 6/2005 – came into force on 7 March 2005

(b) Section 5 repealed and replaced by Ordinance 6/2005 – came into force on 7 March 2005

Basis for imposing conditions, making prohibition orders etc. (a)

5A. *The conditions referred to in sections 3, 4 and 5 are as follows—*

- (a) *that the assembly or procession may result in serious public disorder, serious damage to property or the environment or serious disruption to the life of the community; or*
- (b) *the purpose of the persons organising it is the commission of any unlawful act or the intimidation of others with a view to compelling them not to do any act which they have a right to do, or to do any act they have a right not to do.*

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

6.—(1) The ~~Commissioner~~(b) 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.

(2) The ~~Commissioner~~ (c) 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.

When assembly or procession is unlawful

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

- (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 specified 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.

(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—

- (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) Section 5A inserted by Ordinance 6/2005 – came into force on 7 March 2005
(b) s7 of Ordinance 6/2005 repeals only the word “Commissioner” in s6, without repealing “The ... or” and without substituting “Area Officer”.
(c) s7 of Ordinance 6/2005 repeals only the word “Commissioner” in s6, without repealing “The ... or” and without substituting “Area Officer”.

- (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)~~ *subsection (1A)(a)* 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 imprisonment for one year or to both such fine and such imprisonment.

(2) Any person who—

- (a) takes part in organizing, conveying 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)~~ *subsection(1A) (b)* of section 4; or
- (c) obstructs or resists the ~~Commissioner~~ *Area Officer*, 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.

Exemptions

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

(2) The Governor may from time to time by order, exempt from the operation of any of the provisions of this Law any class or 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.

Burden of proof

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.

Regulations

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.

(a) Amended by Ordinance 6/2005 – came into force on 7 March 2005

(b) Amended by Ordinance 6/2005 – came into force on 7 March 2005

Publicity for orders given under section 3 and section 5

12. When an order is made under the provisions of section 3 or section 5 of this Law the Governor or the ~~Commissioner~~ *Chief Officer*,^(a) 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 person who, in his opinion, ought to have notice of the order.

(a) Amended by Ordinance 6/2005 – came into force on 7 March 2005