



**SUPPLEMENT No. 2**  
**T O**  
**THE SOVEREIGN BASE AREAS GAZETTE**  
**No. 618 of 12th May, 1982.**  
**L E G I S L A T I O N**

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ORDINANCE 4 OF 1982.

**AN ORDINANCE**

TO AMEND THE EVIDENCE ORDINANCE.

R. L. DAVIS,  
ADMINISTRATOR

*12th May, 1982.*

**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 Evidence (Amendment) Ordinance, 1982 and shall be read as one with the Evidence Ordinance, as amended from time to time (hereinafter referred to as “the principal Ordinance”).

Short title.  
Cap. 9 (Laws of Cyprus) and Ordinances 8/61, 9/65 and 5/78.

2. The principal Ordinance is hereby amended by inserting immediately after Section 18 thereof the following two new Sections, to be numbered 19 and 20 respectively:—

New Sections 19 and 20 added to the principal Ordinance.

“Formal admissions in criminal proceedings.”

19.—(1) Subject to the provisions of this Section, any fact of which oral evidence may be given in any criminal proceedings may be admitted for the purpose of those proceedings by or on behalf of the prosecutor or the defendant, and the admission by any party of any such fact under this Section shall as against that party be conclusive evidence in those proceedings of the fact admitted.

(2) An admission under this Section—

- (a) may be made before or at the proceedings;
- (b) in either case must be made in Court;

- (c) if made on behalf of a defendant must be made by his advocate and approved by the Court ;
- (d) if made on behalf of a defendant who the Court is not satisfied is fully conversant with the English language, must be translated or explained to the defendant in a language with which he is conversant, and the Court and his advocate must be satisfied that such defendant fully understands and agrees with such admission.

(3) An admission under this Section for the purposes of proceedings relating to any matter, shall be treated as an admission for the purposes of any subsequent criminal proceedings relating to that matter (including any appeal or retrial).

(4) An admission under this Section may, with the leave of the Court, be withdrawn in the proceedings for the purposes of which it is made or any subsequent criminal proceedings relating to the same matter.

Admission of statements as evidence in criminal proceedings.

20.—(1) Without prejudice to the provisions of Section 19 or any other provision of this Ordinance in any criminal proceedings, a written statement by any person shall, if such of the conditions mentioned in the next following subsection as are applicable are satisfied, be admissible to the like extent as oral evidence to the like effect by that person.

(2) The said conditions are :—

- (a) the statement purports to be signed by the person who made it ;
- (b) the statement contains a declaration by that person to the effect that it is true to the best of his knowledge and belief ;
- (c) all the parties to the proceedings or their advocates agree to such admission ; and
- (d) the Court approves such admission.

(3) Notwithstanding that a written statement made by any person may be admissible as evidence by virtue of this Section—

- (a) the party by whom or on whose behalf the statement is tendered, may call that person to give evidence ; and

- (b) the Court may, of its own motion or on the application of any party to the proceedings, require that person to attend before the Court and give evidence.”.

3. This Ordinance shall expire on the 31st of December of the year of enactment unless the Administrator by Order in the Gazette has, on or before that date, declared that it shall continue for a further year.

Expiration  
and renewal of  
this Ordinance.

The Administrator may make further similar orders on or before the 31st of December of each succeeding year and upon the making of each of such orders this Ordinance shall continue in force for the following year accordingly.

12th May, 1982.

(128/16)

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M. D. TIDY,  
Chief Officer.

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