
CRIMINAL PROCEDURE (AMENDMENT) ORDINANCE 2010

An Ordinance to amend the Criminal Procedure Ordinance

J. H. GORDON
ADMINISTRATOR

23rd April 2010.

BE it enacted by the Administrator of the Sovereign Base Areas of Akrotiri and Dhekelia as follows:—

1. Short title

This Ordinance may be cited as the Criminal Procedure (Amendment) Ordinance 2010.

2. Section 55 (Evidence of witness to be on oath or affirmation) amended

Section 55(1) of the Criminal Procedure Ordinance(a) is amended as follows—

- (a) in subsection (1)
 - (i) by inserting “Subject to subsection (3),” at the beginning;
 - (ii) by repealing the second proviso; and
- (b) by inserting the following new subsection after subsection (2)—
 - “(3) In any criminal proceedings any person under the age of 14 years who appears as a witness is to be examined without taking an oath.”

3. Commencement

This Ordinance comes into force on the day it is published in the Gazette.

Notes

- (a) Cap 155, Statute Laws of Cyprus revised edition 1959, as applied to and adapted in the Areas by the Sovereign Base Areas of Akrotiri and Dhekelia Order in Council 1960 (SI 1960/1369, United Kingdom) and the Laws (Adaptation and Interpretation) (Consolidation and Extension) Ordinance 1968 (5/68).

EXPLANATORY NOTE

(This note does not form part of the Ordinance)

1. This explanatory note relates to the Criminal Procedure (Amendment) Ordinance 2010 (the “Ordinance”). It has been prepared by the Office of the Attorney General and Legal Adviser in order to assist the reader of the Ordinance. It does not form part of the Ordinance.
2. This note should be read in conjunction with the Ordinance. It is not, and is not meant to be, a comprehensive description of the Ordinance. So when a section or part of a section does not seem to require any explanation or comment, none is given.
3. The Ordinance replicates the effect of the Republican Criminal Procedure (Amendment) Law 2009 (Law 9(I)/2009).
4. The Ordinance amends the Criminal Procedure Ordinance to provide that all children under 14 years of age who appear as witnesses in criminal proceedings are to be examined without taking an oath. The previous provision was to the effect that children of tender years could be examined without oath if the Court was of the opinion that they did not understand the nature of the oath.