



**SUPPLEMENT No. 2  
TO  
THE SOVEREIGN BASE AREAS GAZETTE  
No. 1742 of 6 May 2014  
LEGISLATION**

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**CRIMINAL PROCEDURE (AMENDMENT)**  
**ORDINANCE 2014**

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An Ordinance to amend the Criminal Procedure

**R.J. CRIPWELL**  
**ADMINISTRATOR**

*2 May 2014*

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

**Short title and commencement**

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

**Commencement**

2. This Ordinance comes into force on 12 May 2014.

**Criminal Procedure Ordinance amended**

3. The Criminal Procedure Ordinance (a) is amended in accordance with sections 4 and 5.

**Section 10 amended (search of arrested persons)**

4. Section 10(2) is repealed and the following subsections substituted—

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**(a)** Cap. 155, Laws of Cyprus, 1959 ed. Legislation of the former colony of Cyprus has effect in the Areas by virtue of article 5 of the Sovereign Base Areas of Akrotiri and Dhekelia Order in Council 1960. Schedule 2 to the Interpretation Ordinance 2012 provides for the interpretation of such legislation. There are a number of amendments, but none is relevant.

“(2) The search must be carried out by a police officer of the same sex as the arrested person.

(2A) Subsection (2) does not apply where—

- (a) a police officer thinks that an immediate search is necessary for the purposes of preventing harm to any person (including the arrested person); and
- (b) a police officer of the same sex as the arrested person is not immediately available to carry out the search.”

**New section 25A inserted**

5. The following new section is inserted after section 25—

**“Power to enter and search dwelling houses without warrant**

**25A.**—(1) A police officer may, without a warrant, enter and search a dwelling house—

- (a) if the occupier of the dwelling house calls in the assistance of the police;
- (b) if the officer has reasonable grounds for believing that it is necessary to do so to rescue a victim of an offence of violence or of any disaster; or
- (c) in any case in which the officer may enter and search the dwelling house without a warrant in accordance with any enactment in force for the time being.

(2) Where anything is found during a search under subsection (1) that might have been seized, if the search had been carried out under a search warrant,—

- (a) the thing may be seized and dealt with in the same manner as if it had been seized during a search warrant; and
- (b) section 32 applies, with all necessary modifications, in relation to the thing.”

## **EXPLANATORY NOTE**

*(This note is not part of the Ordinance)*

1. This explanatory note relates to the Criminal Procedure (Amendment) Ordinance 2014 (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.
2. The Ordinance amends the Criminal Procedure Ordinance (the “principal Ordinance”) in relation to police search powers.
3. When the police have arrested a person, any search must be carried out by an officer of the same sex as the arrested person, except where an immediate search is necessary to prevent harm and an officer of the same sex is not available immediately (see amended section 10 of the principal Ordinance).
4. New section 25A of the principal Ordinance gives the police a new power to search a dwelling house without a warrant in certain circumstances.

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