



**THE SOVEREIGN  
BASE AREAS OF AKROTIRI AND DHEKELIA  
GAZETTE  
Published by Authority**

SERIAL No. 1564	Tuesday, 19th January 2010	5
<p style="text-align: center;"><b>CONTENTS : ADMINISTRATION NOTICES :</b></p> <p>1. Practice direction issued in accordance with section 28 of the Courts (Constitution and Jurisdiction) Ordinance 2007.</p> <p>2. Authorisation under section 4 of the Criminal Procedure Ordinance (CAP155).</p>	<p><b>(1) Practice direction under the Courts (Constitution and Jurisdiction Ordinance 2007).</b></p> <p>The Senior Judge, The Hon Mr Justice J.J. Teare, under section 28 of the Courts (Constitution and Jurisdiction) Ordinance 2007, has issued a practice direction which is published overleaf.</p> <p style="text-align: right;"><i>(See (1) overleaf)</i></p>	
<p style="text-align: center;"><b>SUPPLEMENT No. 3 SUBSIDIARY LEGISLATION : P. Is. Nos. 2 and 3</b></p>	<p><b>(2) Criminal Procedure Ordinance (CAP155).</b></p> <p>On 18 January 2010 the Administrator issued an authorisation under section 4 of the Criminal Procedure Ordinance (CAP155) which is published overleaf.</p> <p style="text-align: right;"><i>(See (2) overleaf)</i></p>	
	<p>By the Administrator's Command,</p> <p>J. Gondelle, Acting Chief Officer, Sovereign Base Areas.</p>	

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**PRACTICE DIRECTION  
DISQUALIFICATION**

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1. In any case involving disqualification from driving, it is for the defence to show, on a balance of probabilities, that there are special reasons why he should not be disqualified, or why he should be disqualified for a term less than the minimum term.

2. The former practice that evidence of special reasons must be on oath should no longer be followed. In future it will be for the Judge concerned to decide, in his own discretion, whether or not he wishes to hear evidence on oath. In cases where the material relied upon is within the particular knowledge of the accused (for example suggestion that drinks were laced), then the Judge concerned would usually wish to hear sworn testimony.

3. Where the prosecutor has concerns about the truth of any submission made by the defence, he is entitled to make such representations as he sees fit, including whether there should be evidence on oath by or on behalf of the accused, or seek leave to call evidence in rebuttal of any evidence given or submissions made by the defence.

4. This Practice Direction will come into force on the day of its publication in the Sovereign Base Areas' Gazette.

Mr Justice J J Teare  
Presiding Senior Judge