

No. 3 OF 1946.

A LAW TO MAKE SPECIAL PROVISION IN CASES OF THEFT,
ETC., OF FIREARMS, ETC., BELONGING TO HIS MAJESTY.

R. E. TURNBULL,]

[20th February, 1946.

Officer Administering the Government.

BE it enacted by His Excellency the Officer Administering the Government and Commander-in-Chief of the Colony of Cyprus as follows :—

1. This Law may be cited as the Property of His Majesty (Theft and Possession) Law, 1946. Short title.

2.—(1) Any person who—

- (a) steals any firearm, ammunition or explosive belonging to His Majesty ;
- (b) unlawfully receives or takes upon himself the control or disposition of any firearm, ammunition or explosive belonging to His Majesty ;
- (c) without lawful authority or lawful occasion, the burden of proof of which shall lie on him, carries or has in his possession any firearm, ammunition or explosive belonging to His Majesty,

Theft, etc.,
of firearms,
etc.,
belonging
to His
Majesty.

shall be guilty of an offence against this section and shall, on conviction, be liable to imprisonment for life.

(2) For the purposes of this section the expression—

“firearm, ammunition or explosive belonging to His Majesty” shall include a firearm, ammunition or explosive furnished or issued for the use of an officer, non-commissioned officer or private of His Majesty’s Forces or of any Allied or Dominion or Colonial Forces or any member of the Cyprus Police Force ;

“has in his possession” shall include not only having in one’s own personal possession, but also knowingly having in the actual possession or custody of any other person, or having anything in any place (whether belonging to or occupied by oneself or not) for the use or benefit of oneself or of any other person ; and if there are two or more persons and any one or more of them with the knowledge and consent of the rest has or have anything in his or their custody or possession, it shall be deemed and taken to be in the custody and possession of each and all of them.

Theft, etc.,
of property
belonging
to His
Majesty.

3.—(1) Any person who—

- (a) steals any article or goods belonging to His Majesty ;
- (b) unlawfully receives or takes upon himself the control or disposition of any article or goods belonging to His Majesty ;
- (c) without lawful authority or lawful occasion, the burden of proof of which shall lie on him, detains, sells, exchanges, hands over or has in his possession any article or goods belonging to His Majesty,

shall be guilty of an offence against this section and may be tried by the President of a District Court or a District Judge and on conviction shall be liable to imprisonment for any term not exceeding seven years or to a fine not exceeding five hundred pounds or to both such imprisonment and fine.

(2) For the purposes of this section the expression—

“ any article or goods belonging to His Majesty ” shall include any article or goods belonging to His Majesty’s Government or any department thereof or belonging to any Allied, Dominion or Colonial Force or any article or goods which has or have been in the supply of, or imported into the Colony for the use of, the Navy, Army and Air Force Institutes or the Expeditionary Forces Institutes, but shall not include any firearm, ammunition or explosive belonging to His Majesty as defined in sub-section (2) of section 2.

“ has in his possession ” shall have the same meaning as in sub-section (2) of section 2.

(3) A prosecution for an offence against this section shall not be instituted except with the consent of the Attorney-General.

Date of
coming into
operation
and
duration.

4. This Law shall come into operation on the 24th day of February, 1946, and shall remain in force until the 31st day of December, 1947.

H. G. RICHARDS,

20th February, 1946.

Acting Colonial Secretary.