

Foundation Agreement
Annex II, Attachment 2, Law 1

**A Constitutional Law on the Strength and
Equipment of the Constituent State Police
Forces**

Short title

1. This Law may be cited as the Constitutional Law on the Strength and Equipment of the Constituent State Police Forces

Interpretation

2. In this Law, unless the context otherwise requires -

“Cooperation Agreement” means the Cooperation Agreement between the federal government and the constituent states on police matters;

“law-enforcement agencies” means the police forces of the constituent states, the Federal Police, the Financial Intelligence Unit, and the Joint Investigation Agency;

Constituent state police to be regulated by constituent state law

3. Subject to the provisions of this Law, each constituent state’s police force shall be regulated by the said constituent state’s law.

Size of constituent state police forces

4.(1) Each constituent state police force may not number more than 700 police personnel plus six police personnel per thousand constituent state inhabitants.

(2) Each constituent state government shall submit to the Presidential Council every year a detailed report on the strength, including structure and personnel, of its police force:

Provided that during the first five years from the entry into force of this Law, such report shall be submitted every six months.

Weapons held by constituent state police forces

5.-(1) Constituent state police forces may only carry weapons appropriate for normal civilian police duties.

(2) No weapons shall be purchased by any constituent state for the needs of its police force unless the following procedure is followed:

- a) Before purchasing any such weapons, the government of the constituent state concerned shall notify the Presidential Council and the government of the other constituent state of the type and number of weapons to be purchased.
- b) The Purchase of the weapons shall be considered as having been authorised if no objections are raised, in writing, by the Presidential Council or by the government of the other constituent state within one month from the notification referred to in paragraph (a) above.
- c) If objections are raised as provided in paragraph (b), the member of the Presidential Council and the members of the governments of

the constituent states having responsibility in respect of police matters shall hold consultations and may, within two months from the date on which the objections were raised, resolve the matter by consensus. If consensus is not achieved within the said time limit, the Presidential Council or the government of a constituent state may refer the matter to the Supreme Court of Cyprus, which shall decide whether the envisaged purchase of weapons complies with the provisions of the Constitution and of this Law.

(3) Each constituent state government shall submit to the Presidential Council every year a complete list of the weapons held by its police force. Such list shall, where relevant, mention serial numbers:

(4) The first list mentioned in sub-section (3) shall be submitted to the Co-Presidents within fifteen days from the entry into force of this Law. Any one of the Co-Presidents and the government of any one of the constituent states may, within three months from the submission of each constituent state's list, raise objections as to the conformity of the number and type of weapons held by the police force of the said constituent state with the provisions of the Constitution and of this Law. In such case, the provisions of paragraph (c) of sub-section (2) shall apply *mutatis mutandis*.

Provided that during the first five years from the entry into force of this Law, such list shall be submitted every six months.

(5) The Cooperation Committee shall review the holding of weapons by police forces of each constituent state once every six months. Weapons considered as surplus shall be reported to the Presidential Council, who may order their disposal in a manner to be defined in regulations made by the Presidential Council.

Non-discrimination and protection of fundamental rights

6. In performing its duties and functions, each constituent state police force shall not discriminate between the citizens of the United Cyprus Republic and shall protect the fundamental rights of the individual.

Duty of cooperation

7. Each constituent state police force shall fully cooperate with the other law-enforcement agencies in accordance with the provisions of the Cooperation Agreement.

Transitional provisions

8. - (1) During the transitional period referred to in Article 41.1 of the Constitution, the powers and duties, under the provisions of this Law, of the Presidential Council and of its member responsible in respect of police matters, shall be exercised by the Co-Presidents:

Provided that the Co-Presidents may delegate such powers and duties of the member of the Presidential Council having responsibility in respect of police matters, to one of the Cypriot citizens, who will be named to head the Federal Government Departments by virtue of Article 41.2. of the Constitution.

(2) Upon election of the Council of Ministers as per Article 41.3 of the Constitution and during the transitional period referred to in Article 41.4 thereof, the powers and duties conferred to the member of the Presidential Council having responsibility in respect of police matters under the provisions of this Law shall be exercised by the member the Council of Ministers having responsibility in respect of police matters and the powers and duties conferred to the Presidential Council under the provisions of this Law shall be exercised by the Council of Ministers.