

Preamble

WHEREAS, Article 146 of the Constitution provides that the Supreme Constitutional Court has exclusive jurisdiction to decide definitively and irrevocably on any appeal brought against a decision, act or omission of any administrative body or authority or person exercising an executive or administrative function, with a view to verifying whether it is contrary to the provisions of the Constitution or the law or whether it was made in excess or abuse of power,

AND WHEREAS, pursuant to the provisions of the Administration of Justice (Miscellaneous Provisions) Laws of 1964 to 1991, the jurisdiction of the Supreme Constitutional Court and the High Court provided for by the Constitution has been transferred to the Supreme Court established by the said Law,

AND WHEREAS, the exclusive jurisdiction of the Supreme Court to hear in first instance any such appeal makes the work of this Court difficult and does not contribute to the speedy administration of justice,

AND WHEREAS, it is deemed necessary to take measures for the smooth and unhindered operation of the Supreme Court and the rapid delivery of justice in general and administrative justice in particular by transferring this jurisdiction to an Administrative Court,

AND WHEREAS, Article 146 of the Constitution is not included in the fundamental Articles of the Constitution which cannot in any way be amended or repealed,

AND WHEREAS, due to the ongoing Turkish occupation and the special conditions prevailing in the Republic of Cyprus, Turkish Cypriots do not participate in the election and functioning of the House of Representatives,

AND WHEREAS, the law of necessity justifies the maintenance of the power of the House of Representatives to amend non-fundamental provisions of the Constitution,

AND WHEREAS, it is necessary to harmonise with -

(a) Paragraphs 1, 2 and 3 of Article 46 of the European Union act entitled "Directive 2013/32/EU of the European Parliament and of the Council of 26 ^{June} 2013 on common procedures for granting and withdrawing international protection", and

(b) paragraph 1 of article 26 of the European Union act entitled "Directive 2013/33/EU of the European Parliament and of the Council of

26^{June} 2013 on standards for the reception of applicants for international protection",

AND WHEREAS, it is necessary to implement more effectively paragraph 1 of Article 27 of the European Union act entitled "Regulation (EU) No. 604/2013 of the European Parliament and of the Council of 26^{June} 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person",

WHEREAS, Article 15 of the Constitution of the Republic of Cyprus protects the right to private and family life of every person,

AND WHEREAS, no interference with the exercise of this right shall be permitted except such as is in accordance with the law and is necessary for the purposes set out in the said Article,

AND WHEREAS, according to the jurisprudence of the Supreme Court, an individual's assets are part of his private life and no one has the right, unless authorized by law for the purposes specified in the Constitution, to impose the disclosure or control of such assets,

AND WHEREAS, it is deemed necessary to enable interference with the exercise of the right protected by Article 15 of the Constitution, to ensure transparency in public life or to take measures against corruption in public life, as may be prescribed by law,

AND WHEREAS, ensuring transparency in public life and taking measures against corruption in public life constitute a measure necessary for the prevention of criminal offences, as provided for in paragraph 2 of Article 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, which was ratified by the European Convention for the Protection of Human Rights (Ratification) Law of 1962 and which provides for human rights and fundamental freedoms, the like of which the Republic is obliged to ensure in accordance with Article 5 of the Treaty Establishing the Republic of Cyprus,

AND WHEREAS, Article 15 of the Constitution is not included in the fundamental Articles of the Constitution which cannot in any way be amended or repealed,

AND WHEREAS, due to the ongoing Turkish occupation and the exceptional conditions prevailing in Cyprus as a result thereof, Turkish Cypriots do not participate in the election and functioning of the House of Representatives,

AND WHEREAS, the law of necessity justifies the maintenance of the power of the House of Representatives to amend non-fundamental provisions of the Constitution,

WHEREAS the Republic of Cyprus, as a state governed by the rule of law that defends human rights and in particular the right to life and physical integrity, opposes, as a matter of principle, the imposition of the death penalty,

AND WHEREAS the death penalty has already been completely abolished in the legislation of the Republic and has not been applied in practice since 1962, although paragraph 2 of Article 7 of the Constitution provides for the possibility of imposing the death penalty by law in cases of premeditated murder, high treason, piracy under international law and an offense punishable by death under military criminal law,

AND WHEREAS the Charter of Fundamental Rights of the European Union, of which the Republic of Cyprus is a Member State, provides for the abolition of the death penalty,

AND WHEREAS the Republic has ratified the European Convention for the Protection of Human Rights and Fundamental Freedoms, as well as the 6th and 13th Protocols thereto, which provide for the complete abolition of the death penalty,

AND WHEREAS the Republic has ratified the International Covenant on Civil and Political Rights and its 2nd Protocol, which also provide for the abolition of the death penalty,

AND WHEREAS it is deemed necessary to adapt Article 7 of the Constitution to the permanent positions of the Republic on the protection of human life, as well as the consequent amendment of Articles 11, 47, 48, 49, 83, 106 and paragraph 4 of Article 53 of the Constitution, which are not included in the fundamental articles of the Constitution which cannot in any way be amended or repealed,

AND WHEREAS, due to the ongoing Turkish occupation and the exceptional conditions prevailing in Cyprus as a result thereof, Turkish Cypriots do not participate in the election and functioning of the House of Representatives,

AND WHEREAS the law of necessity justifies the maintenance of the power of the House of Representatives to amend non-fundamental provisions of the Constitution,

For all these reasons, the House of Representatives votes as follows:

PART 1 General Provisions

ARTICLE 1

The Cypriot State is an independent and sovereign Republic, with a presidential system, whose President is a Greek and whose Vice-President is a Turkish, elected respectively by the Greek and Turkish communities of Cyprus, as defined in this Constitution.

- [CONSTITUTION](#)

ARTICLE 1A

No provision of the Constitution shall be deemed to invalidate laws enacted, acts carried out or measures taken by the Republic which are made necessary by its obligations as a member state of the European Union, nor shall it prevent Regulations, Directives or other acts or binding measures of a legislative nature adopted by the European Union or by the European Communities or by their institutions or by their competent bodies on the basis of the Treaties establishing the European Communities or the European Union from having legal force in the Republic.

- [127\(I\)/2006](#)

ARTICLE 2

For the purposes of this Constitution:

1. The Greek community consists of all citizens of the Republic who are of Greek origin and have Greek as their mother tongue or participate in Greek cultural traditions or belong to the Greek Orthodox Church.
2. The Turkish community consists of all citizens of the Republic who are of Turkish origin and have Turkish as their mother tongue or who share Turkish cultural traditions or are Muslims.
3. Citizens of the Republic not included in the provisions of the first or second paragraph of this article shall individually choose the Greek or Turkish community within a period of three months from the date of entry into force of the Constitution. However, if they belong to a religious group, they choose the Greek or Turkish community collectively and upon such choice they are considered members of the community they have chosen, subject to the rule that every citizen of the Republic belonging to such a religious group has the right not to comply with the subsequent decision of the group to make this choice, in which case, by means of a signed declaration submitted within one month from the date of the choice of his group to the competent official

of the Republic, and to the Presidents of the Greek and Turkish Community Assembly, he chooses a community different from the community his group chose.

It is further understood that, in the event that the selection made by a religious group is not accepted, on the grounds that its members are fewer than the required number, everyone belonging to such a religious group is entitled, within one month from the date of the refusal to accept the group's selection, to individually choose the community to which he wishes to belong, following the aforementioned procedure.

In this paragraph, "religious group" means a group of persons ordinarily resident in Cyprus, professing the same religion and belonging either to the same denomination or subject to the same jurisdiction thereof, whose number on the date of entry into force of the Constitution exceeds one thousand, of whom at least five hundred became citizens of the Republic on the said date.

4. Anyone who acquires citizenship of the Republic after the expiry of three months from the date of entry into force of the Constitution shall exercise the right of choice specified in the third paragraph of this article within a period of three months from the date on which he acquired citizenship.

5. A Greek or Turkish citizen of the Republic subject to the provisions of the first or second paragraph of this article is entitled to cease belonging to the community of which he is a member and to choose the other community:

(a) upon submission of a signed declaration of his/her desire to change community to the competent official of the Republic and the Presidents of the Greek and Turkish Community Assemblies and

(b) upon the acceptance of his declaration by the Community Assembly of the community to which he declares that he wishes to belong.

6. Any person or any religious group considered to belong to either the Greek or the Turkish community, in accordance with the provisions of the third paragraph of this article, may cease to belong to one of the communities and be considered to belong to the other community:

(a) upon the submission of a signed written declaration of the desire for such change by the person or by the religious group to the competent

official of the Republic and to the Presidents of the Greek and Turkish Community Assemblies and

(b) upon the acceptance of the declaration by the Community Assembly of the community to which he declares that he wishes to belong.

7. (a) A polygamous woman belongs to her husband's community.

(b) A male or female unmarried child who has not completed the twenty-first year of age belongs to the community of his father, and in the case of an unknown father and provided that he has not been adopted, to the community to which his mother belongs.

- [CONSTITUTION](#)

ARTICLE 3

1. The official languages of the Republic are Greek and Turkish.

2. Legislative, executive and administrative acts and documents are drawn up in both official languages and, if publication is required by virtue of an express provision of the Constitution, they are published by publication in the official gazette of the Republic in both official languages.

3. Administrative or other official documents addressed to a Greek or a Turk are drawn up in the Greek or Turkish language respectively.

4. The proceedings before the courts shall be conducted and settled and the decisions shall be drawn up in the Greek language, if the parties are Greeks, in the Turkish language, if the parties are Turks and in both, the Greek and Turkish languages, if the parties are Greeks and Turks. The Supreme Court shall determine, by the regulation provided for in Article 163 of this Law, whether either or both of the official languages shall be used in any other case.

5. Any text registered in the official gazette of the Republic shall be published in the same edition in both official languages.

6. (1) Any difference between the Greek and Turkish texts of any legislative, executive or administrative act or document published in the official gazette of the Republic shall be resolved by the competent court.

(2) The prevailing text of a law or decision of a Community Assembly registered in the official gazette of the Republic is the one published in the language of the relevant Community Assembly.

(3) Any difference arising between the Greek and Turkish texts of an executive or administrative act or document, which, although not published in the official gazette of the Republic, has been otherwise published, shall be finally resolved by a declaration by the minister or other relevant authority regarding the prevailing or correct text.

(a) The competent court may provide the remedy it deems appropriate, if any of the above-mentioned differences arise between the two texts.

(b) As may be prescribed by law, the Commercial Court and the Maritime Court, as well as a court superior to them, when examining or reviewing a decision or order of the Commercial Court or the Maritime Court, may permit the use of the English language in the proceedings before it, including the recording of a speech or pleading and the filing of a document or testimony, as well as to draw up a judicial decision or order in the English language.

7. The two official languages are used on coins, banknotes and stamps.

8 Everyone has the right to address all authorities of the Republic in either of the official languages.

- [CONSTITUTION](#)
- [67\(I\)/2022](#)

ARTICLE 4

1. The Republic has its own flag of neutral design and color, which is chosen jointly by the President and the Vice-President of the Republic.

2. The authorities of the Republic and any legal person under public law or public benefit organization established by or in accordance with the law of the Republic shall hoist the flag of the Republic and shall have the right to hoist the Greek and Turkish flags simultaneously with the flag of the Republic on holidays.

3. The community authorities and their institutions have the right to hoist the Greek or Turkish flag simultaneously with the flag of the Republic during holidays.

4. Every citizen of the Republic or any organization, whether or not a legal person, with the exception of legal persons under public law, whose members are citizens of the Republic, has the right to fly the flag of the Republic or the Greek or Turkish flag over their residence or business, without any restriction.

- [CONSTITUTION](#)

ARTICLE 5

The Greek and Turkish communities are entitled to celebrate Greek and Turkish national holidays respectively.

- [CONSTITUTION](#)

PART 2 On Fundamental Rights and Freedoms

ARTICLE 6

Subject to the express provisions of the Constitution, no law or decision of Parliament or of any of the Community Assemblies, nor any act or decision of any body, authority or person in the Republic exercising executive power or administrative function, shall subject any of the two communities or any person as such or in his capacity as a member of a community to adverse discrimination.

- [CONSTITUTION](#)

ARTICLE 7

1. Everyone has the right to life and physical integrity.

2. [Deleted].

3. Deprivation of life shall not be considered a violation of this article when it results from the use of absolutely necessary force, when and as the law determines:

(a) in defense of person or property to prevent similar and otherwise unavoidable and irreparable harm,

(b) to effect an arrest or to prevent the escape of a person lawfully detained,

(c) on an act committed for the purpose of suppressing riots or insurrection.

- [CONSTITUTION](#)
- [93\(I\)/2016](#)

ARTICLE 8

No one shall be subjected to torture or to inhuman or degrading punishment or treatment.

- [CONSTITUTION](#)

ARTICLE 9

Everyone has the right to a decent standard of living and social security. The law shall provide for the protection of workers, assistance to the poor and a system of social insurance.

- [CONSTITUTION](#)

ARTICLE 10

1. No one shall be held in a state of slavery or servitude.
2. No one shall be compelled to perform forced or compulsory labor.
3. In this article, the term "forced or compulsory labour" does not include:

(a) any work imposed during the normal period of detention in accordance with the provisions of article 11 of the Constitution or during the period of conditional release from such detention,

(b) any service of a military nature that may be imposed or, in the case of conscientious objectors and subject to their recognition by law, service imposed in lieu of compulsory military service, and

(c) any service imposed in the event of a state of emergency or calamity threatening the life or welfare of the people.

- [CONSTITUTION](#)

ARTICLE 11

1. Everyone has the right to liberty and security of person.
2. No one shall be deprived of his liberty except when and as provided by law in the following cases:
 - (a) detention of a person after his conviction by a competent court,
 - (b) the arrest or detention of a person for failure to comply with a lawful order of a court,
 - (c) the arrest or detention of a person for the purpose of bringing him before the competent authority under law on reasonable suspicion that he has committed an offence or whenever the arrest or detention is reasonably considered necessary to prevent the commission of an offence or escape after its commission,
 - (d) the confinement of a minor by virtue of a lawful order for the purpose of reformative supervision or lawful detention for the purpose of bringing him before the competent authority by law,
 - (e) confinement of persons to prevent the spread of contagious diseases, mentally ill persons, alcoholics, drug addicts or vagrants, and
 - (f) arrest or detention of a person to prevent unauthorized entry into the territory of the Republic or arrest or detention of a foreigner against whom action has been taken for the purpose of deportation or extradition or arrest or detention of a citizen of the Republic for the purpose of extradition or surrender on the basis of a European arrest warrant or in accordance with an international convention binding the Republic, provided that such convention is applied accordingly by the contracting party. However, the arrest or detention of any person for the purpose of extradition or surrender is not possible if the legally competent body or authority has substantial reason to believe that the request for extradition or surrender was made for the purpose of criminal prosecution or punishment of a person

as a result of race, religion, nationality, ethnic origin, political beliefs or legitimate claims under international law of collective or individual rights.

3. With the exception of an offence punishable by imprisonment, whenever and as the law determines, committed in plain sight, no one shall be arrested except pursuant to a reasoned judicial warrant issued in accordance with the forms prescribed by law, or on the basis of a European arrest warrant.

4. Every arrested person shall be informed at the moment of his arrest, in a language he understands, of the reasons for his arrest and shall have the right to the services of a lawyer of his own choosing.

5. The arrested person shall be brought before the judge as soon as possible after his arrest, but at the latest within twenty-four hours of the arrest, unless he is released earlier.

6. The judge before whom the arrested person is brought shall promptly proceed to investigate the reasons for the arrest in a language understood by the arrested person and, as soon as possible, but in any case not later than three days from such arraignment, shall either release the arrested person under such conditions as he deems appropriate or order his detention, whenever the interrogation concerning the commission of the offense by the arrested person has not been completed and may order his detention in each case for a period of time not exceeding eight days. The total period of such detention, however, shall not exceed three months from the date of arrest, after which any person or authority having the arrested person in custody shall release him forthwith. Any decision of the judge in accordance with the above shall be subject to appeal.

7. Everyone deprived of his liberty by arrest or detention has the right to appeal to the competent court, so that it may decide speedily the lawfulness of the detention and order his release if the detention is not lawful.

8. Anyone arrested or detained in violation of the provisions of this article has an enforceable right to compensation.

- [CONSTITUTION](#)
- [127\(I\)/2006](#)
- [68\(I\)/2013](#)
- [93\(I\)/2016](#)

ARTICLE 12

1. No one shall be held guilty of any offence on account of any act or omission which did not constitute an offence under the law in force at the time of its commission, and no one shall be subjected to a heavier penalty for an offence than that expressly provided for by the law in force at the time of the commission.

2. A person who has been acquitted or convicted shall not be tried a second time for the same offence. No one shall be punished a second time for the same act or omission, unless death was caused as a result thereof.

3. The law may not provide for a penalty disproportionate to the gravity of the offence.

4. A person accused of a crime is presumed innocent until proven guilty according to law.

5. Everyone accused of a crime has the following minimum rights:

(a) to be informed promptly and in detail, in a language he understands, of the nature and reasons for the charge against him,

(b) to have adequate time and facilities for the preparation of his defence,

(c) to defend himself in person or through counsel of his own choosing or, if he does not have sufficient means to pay for counsel, to be granted free legal assistance when the interests of justice so require,

(d) to examine or cause to be examined witnesses for the prosecution and to request the attendance and examination of witnesses for the defence under the same conditions as apply to witnesses for the prosecution,

(e) to have the free assistance of an interpreter, if he is unable to understand or speak the language used in court.

6. The penalty of general confiscation of property is prohibited.

- [CONSTITUTION](#)

ARTICLE 13

1. Everyone has the right to freedom of movement within the territory of the Republic and to reside in any part thereof, subject to such restrictions as are prescribed by law and are deemed necessary only in the interests of defense or public health, or as are provided for as a penalty imposed by the competent court.

2. Everyone has the right to leave the territory of the Republic permanently or temporarily, subject to reasonable restrictions imposed by law.

- [CONSTITUTION](#)

ARTICLE 14

No citizen is prohibited from entering the Republic, nor is exile permitted under any circumstances.

- [CONSTITUTION](#)

ARTICLE 15

1. Everyone has the right to respect for his private and family life.

2. There shall be no interference with the exercise of this right except such as is in accordance with the law and is necessary only in the interests of the security of the Republic or of constitutional order or of public security or of public order or of public health or of public morals or of the protection of the rights and freedoms guaranteed to everyone by the Constitution or in the interests of transparency in public life or for the purposes of taking measures against corruption in public life.

- [CONSTITUTION](#)
- [69\(I\)/2016](#)

ARTICLE 16

1. Everyone's home is inviolable.

2. Entry into any residence or any search therein is not permitted, except when and as prescribed by law and following a duly justified court warrant or whenever entry is made with the express consent of the occupant or for the purpose of rescuing victims of any crime of violence or any destruction.

- [CONSTITUTION](#)

ARTICLE 17

1. Everyone has the right to respect and to ensure the confidentiality of his correspondence and all other communication, as long as such communication is carried out through means not prohibited by law.

2. There shall be no interference with the exercise of this right, unless such interference is permitted by law, in the following cases:

A. Persons who are in prison or pre-trial detention.

B. Following a judicial order issued in accordance with the provisions of the law, at the request of the Attorney General of the Republic, and the intervention constitutes a measure which in a democratic society is necessary only in the interests of the security of the Republic or the prevention, investigation or prosecution of the following serious criminal offences:

(a) Premeditated murder or manslaughter,

(b) trafficking in adults or minors and offences related to child pornography,

(c) trading, supply, cultivation or production of narcotic drugs, psychotropic substances or dangerous drugs,

(d) offences relating to the currency or paper money of the Republic and

(e) corruption offences for which, in the event of conviction, a sentence of imprisonment of five years or more is provided.

C. Following a court order, issued in accordance with the provisions of the law, for the investigation or prosecution of a serious criminal offense for which, in the event of conviction, a prison sentence of five years or more is provided and the intervention concerns access to traffic and location data related to electronic communication and to the related data necessary for the identification of the subscriber and/or user.

- [CONSTITUTION](#)
- [51\(I\)/2010](#)

ARTICLE 18

1. Everyone has the right to freedom of thought, conscience and religion.

2. All religions, whose doctrines and rituals are not mystical, are free.
3. All religions are equal before the law.

Without prejudice to the constitutional competence of the Community Assemblies, no legislative, executive or administrative act of the Republic may discriminate against any religious institution or religion.

4. Everyone is free and has the right to profess his faith and to manifest his religion or religious beliefs through worship, teaching, practice or observance, either individually or collectively, in private or in public, and to change his religion or religious beliefs.

5. The use of physical or moral force for the purpose of forcing a person to change his religion or preventing him from changing it is prohibited.

6. Freedom to manifest religion or religious belief shall be subject only to such limitations as are prescribed by the Constitution and are necessary in the interests of the security of the Republic or of constitutional order or of public safety or of public order or of public health or of public morals or of the protection of the rights and freedoms guaranteed to everyone by the Constitution.

7. Until the child reaches the age of sixteen, the decision regarding the religion that the individual will follow is made by the person who has legal custody of the child.

8. No one may be required to pay any tax or duty, the proceeds of which have been specifically allocated in whole or in part for purposes related to a religion other than his own.

- [CONSTITUTION](#)

ARTICLE 19

1. Everyone has the right to freedom of speech and expression in any form.
2. This right includes freedom to hold opinions and to receive and impart information and ideas without interference by any public authority and regardless of frontiers.
3. The exercise of the rights referred to in the first and second paragraphs of this article may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary only in the interests of the security of the Republic or of constitutional order or of public safety or of public order or of public health or of public

morals or for the protection of the reputation or rights of others or for preventing the disclosure of information received in confidence or for maintaining the authority and impartiality of the judiciary.

4. The seizure of newspapers or other printed matter is not permitted without written permission from the Attorney General of the Republic, which must be ratified by a decision of a competent court within seventy-two hours at the latest; in the event of non-ratification, the seizure shall be lifted.

5. Nothing contained in this article shall prevent the Republic from requiring the issuance of a license or the operation of radio, cinema or television enterprises.

- [CONSTITUTION](#)

ARTICLE 20

1. Everyone has the right to education and every individual or institution has the right to provide education subject to such formalities, conditions and restrictions as are imposed by the relevant Community law as are necessary only in the interests of the security of the Republic or of constitutional order or of public safety or of public order or of public health or of public morals or of the level and quality of education or for the protection of the rights and freedoms of others, including the right of parents to secure for their children an education in conformity with their religious convictions.

2. The Greek and Turkish Community Assembly shall ensure that elementary education is made available free of charge in the respective community elementary schools.

3. Elementary education is compulsory for all citizens who have reached the required age, as determined by the relevant Community law.

4. The provision of education, other than basic education, and further education shall be made available to appropriate and deserving persons, under the terms and conditions to be determined by the relevant Community law.

- [CONSTITUTION](#)

ARTICLE 21

1. Everyone has the right to peaceful assembly.

2. Everyone has the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests. Notwithstanding the restrictions in paragraph 3 of this article, no one shall be compelled to join any trade union or to continue to be a member thereof.

3. No other restrictions shall be imposed on the exercise of these rights than those determined by law, and which are strictly necessary only in the interests of the security of the Republic or of constitutional order or of public safety or of public order or of public health or of public morals or of the protection of the rights and freedoms guaranteed by this Constitution to any person, whether such person participates in such an assembly or is a member of such an association, or not.

4. Any association having an object or activity contrary to the constitutional order is prohibited.

5. The law may impose restrictions on the exercise of these rights by persons belonging to the armed forces, the police or the gendarmerie.

6. The provisions of this article shall also apply to the establishment of companies of all kinds and other profit-making cooperatives, subject to the provisions of any law regulating the establishment or acquisition of legal personality, the participating members, including their rights and obligations, the management and administration and the liquidation and dissolution thereof.

- [CONSTITUTION](#)

ARTICLE 22

1. Everyone who has reached marriageable age is free to marry and found a family in accordance with the law applicable to each person, by virtue of the provisions of the Constitution, regarding marriage.

2. The provisions of the first paragraph of this article shall apply as follows in the following cases:

(a) if the law applicable to both parties to a marriage, as defined in article 111, is not the same, the parties to a marriage may choose that their marriage shall be governed by the law applicable to each of them in accordance with the said article,

(b) if the provisions of article 111 are not applicable to those who are to marry and none of

them is a member of the Turkish community, their marriage shall be governed by a law of the Republic, passed by Parliament, which may not include restrictions other than those relating to age, health, degree of kinship and the prohibition of polygamy,

(c) if the provisions of article 111 are applicable only to one of the persons to be married and the other of them is not a member of the Turkish community, the marriage shall be governed by the law of the Republic, as defined in subsection (b) of this paragraph, subject to the condition that the persons to be married may choose to have their marriage governed by the law applicable to each of them in accordance with article 111, provided that this permits such a marriage.

3. Nothing contained in this article affects in any way the rights, other than those relating to marriage, of the Greek Orthodox Church with regard to its members or of any religious group to which the provisions of the third paragraph of article 2 apply, with regard to its members, as defined in the Constitution.

- [CONSTITUTION](#)

ARTICLE 23

1. Everyone, alone or in association with others, has the right to acquire, own, possess, enjoy or dispose of any movable or immovable property and is entitled to demand that this right be respected.

The right of the Republic over groundwater, mines and ores and antiquities is preserved.

2. Deprivation or restriction of any such right may not be imposed except as provided for in this article.

3. The exercise of this right may be subject by law to such conditions, restrictions or limitations as are strictly necessary in the interests of public safety or public health or public morals or town planning or the development and use of any property for the promotion of the public good or for the protection of the rights of third parties.

For any such condition, obligation or restriction, which substantially reduces the economic value of such property, fair compensation must

be paid as soon as possible, determined, in case of dispute, by a civil court.

4. Any movable or immovable property or any right or interest in such property may be compulsorily expropriated by the Republic or by the municipal authority, as well as by a Community Assembly in favor of educational, religious, charitable or sports associations, organizations or institutions subject to its jurisdiction and only to the detriment of persons belonging to the respective community, as well as by a legal person under public law or a public benefit organization, to whom such right has been granted by law and only:

(a) to serve a public utility purpose, specifically determined by a general law on compulsory expropriation, which will be enacted within one year from the date of entry into force of the Constitution,

(b) such purpose specified by a reasoned decision of the expropriating authority issued in accordance with the provisions of this law, clearly including the reasons for such expropriation and

(c) upon payment in cash and in advance of fair and reasonable compensation determined in the event of a dispute by a civil court.

5. Any immovable property, or right or interest in such property, compulsorily expropriated shall be used exclusively for the purpose for which it was expropriated. If within three years from the expropriation such purpose is not made possible, the expropriating authority shall, immediately after the expiry of the said period of three years, be obliged to offer the property on payment of the purchase price to the person from whom it was expropriated. Such person shall be entitled within three months from the receipt of the offer to notify whether he accepts it or not. If he notifies that he accepts the offer, the property shall be returned immediately upon the person paying the price within a further period of three months from such acceptance.

6. In the event of agrarian reform, land is distributed only to individuals belonging to the community to which the owner of the forcibly expropriated land belongs.

7. The third and fourth paragraphs of this article shall not apply to the provisions of any law, to the enforcement of any tax or penalty, to the enforcement of any judicial decision, or to the enforcement of

contractual obligations or to the prevention of danger threatening life or property.

8. Any movable or immovable property may be seized by the Republic, or by a Community Assembly in favor of educational, religious, charitable or sports associations, organizations or institutions subject to its jurisdiction and provided that the owner and the person entitled to possess the property belong to the respective community and only:

(a) to serve a public utility purpose specifically determined by a general law on requisitions, which shall be enacted within one year from the date of entry into force of the Constitution,

(b) such purpose specified by a reasoned decision of the authority imposing the requisition issued in accordance with the provisions of this law and clearly including the reasons for such requisition.

(c) for a period not exceeding three years and

(d) upon payment in cash as soon as possible of fair and reasonable compensation determined in the event of a dispute by a civil court.

9. However, no deprivation or condition, restriction or commitment of the right provided for in the first paragraph of this article shall be imposed on any movable or immovable property belonging to any diocese, monastery, or any other ecclesiastical organization, or of any right or interest therein, except with the written consent of the competent ecclesiastical authority having control of such property, and this provision shall also apply to the cases to which the provisions of the third paragraph apply, except for the conditions, restrictions or commitments in the interest of town planning, and the fourth, seventh and eighth paragraphs of this article.

10. However, no deprivation or condition, restriction or attachment of any right provided for in the first paragraph of this article shall be imposed on any movable or immovable waqf property, including the objects and subjects of waqfs and the properties of those belonging to mosques or any other Muslim religious institutions, or any right or interest therein, except with the approval of the Turkish Community Assembly and in accordance with the laws and principles of waqfs, and this provision shall also apply to the cases to which the provisions of the third paragraph apply, except for the conditions, restrictions or

attachments in the interest of town planning, and the fourth, seventh and eighth paragraphs of this article.

11. Any interested party shall have the right to appeal to the court in relation to any of the provisions of this article or in application thereof, and such appeal shall suspend the proceedings of compulsory expropriation. In the event of any condition, restriction or obligation in application of the third paragraph of this article, the court may order the suspension of any relevant proceedings. Any decision of a court issued in application of this paragraph shall be subject to appeal.

- [CONSTITUTION](#)

ARTICLE 24

1. Everyone is obliged to contribute to public burdens according to his means.

2. No such contribution by way of payment of tax, fee or levy of any nature shall be imposed, except by law or by authorization of law.

3. No tax, fee or levy of any nature shall be imposed retroactively. Import duties may be imposed from the date of the submission of the relevant proposal for a law or bill.

4. No tax, fee or levy of any kind, other than customs duties, may be of a destructive or prohibitive nature.

- [CONSTITUTION](#)

ARTICLE 25

1. Everyone has the right to engage in any profession or to engage in any occupation, trade or gainful employment.

2. The exercise of this right may be subject to such conditions, restrictions or formalities as may be prescribed by law, relating exclusively to the qualifications normally required for the practice of any profession or which are necessary solely in the interests of the security of the Republic or of constitutional order or of public safety or of public order or of public health or of public morals or of the protection of the rights and freedoms guaranteed by the Constitution to any person or in the public interest, provided that formalities, conditions and restrictions shall not be imposed by law on grounds of public interest if they are contrary to the interests of either community.

3. By way of exception to the aforementioned provisions of this article, the law may determine, insofar as this is in the public interest, that certain undertakings providing an essential public service or relating to the exploitation of energy sources or other natural resources shall be carried out exclusively by the Republic or by a municipality or by a legal person under public law established for this purpose by the above law and administered under the control of the Republic and whose capital may come from public and private resources or only from both of these sources.

However, if such an operation is carried out by any person other than a municipality or a legal entity under public law, the facilities used for such an operation shall, at the request of the interested party, be purchased upon payment of a fair price by the Republic or the municipality or the legal entity under public law, as the case may be.

- [CONSTITUTION](#)

ARTICLE 26

1. Everyone has the right to contract freely. This is subject to conditions, restrictions or obligations imposed on the basis of the general principles of the law of contracts. The law shall provide for the prevention of exploitation by persons having special economic power.

2. A law may regulate collective labor agreements, compulsorily applied by employers and employees, adequately protecting the rights of any individual, regardless of his or her representation, when concluding such an agreement.

- [CONSTITUTION](#)

ARTICLE 27

1. The right to strike is recognized and its exercise may be regulated by law solely for the purpose of protecting the security of the Republic or constitutional order or public order or public safety or the maintenance of supplies and services necessary for the life of the people or the protection of the rights and freedoms guaranteed to any person by the Constitution.

2. Persons belonging to the armed forces, the police and the gendarmerie shall not have the right to strike. A law may extend this prohibition to public servants.

- [CONSTITUTION](#)

ARTICLE 28

1. All are equal before the law, the administration and justice and are entitled to equal protection and treatment.

2. Everyone shall enjoy all the rights and freedoms provided for in the Constitution without any direct or indirect discrimination against any person on the grounds of community, race, colour, religion, language, sex, political or other opinion, national or social origin, birth, wealth, social status or any other ground, unless an express provision of the Constitution provides otherwise.

3. No citizen is entitled to use a title of nobility or social distinction or to enjoy any privilege derived therefrom within the territorial limits of the Republic.

4. No title of nobility or other social distinction is awarded or recognized in the Republic.

- [CONSTITUTION](#)

ARTICLE 29

1. Everyone has the right, individually or jointly with others, to submit written requests or complaints to any competent public authority, with the right to demand that the latter take them into consideration and decide on them promptly. The decision of this authority, duly justified, shall be notified in writing immediately to the person submitting the request or complaints, in any case within a period not exceeding thirty days.

2. If the interested party is not satisfied with the decision or if no decision is notified to him within the time limit specified in the first paragraph of this article, the interested party may bring the case to which his request or complaint relates before a competent court by way of appeal.

- [CONSTITUTION](#)

ARTICLE 30

1. No one may be denied access to the courts of law to whom he is entitled to access under the Constitution. The establishment of judicial committees or extraordinary courts under any name is prohibited.

2. In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public

hearing within a reasonable time by an independent, impartial and competent tribunal established by law.

The decisions of the courts must be reasoned and be pronounced in public session, however, the press and the public may be excluded from the trial in whole or in part by decision of the court, whenever the interest of the security of the Republic or of constitutional order or of public order or of public safety or of public morals or the interest of minors or the protection of the private life of the parties so requires or under special circumstances where, in the judgment of the court, publicity could adversely affect the interests of justice.

3. Everyone has the right:

(a) to be informed of the reasons for which he is summoned to appear before the court,

(b) to present his arguments before the court and to have sufficient time for their preparation,

(c) to produce or cause to be produced evidence and to examine witnesses in accordance with the law,

(d) to have counsel of his own choosing and to have free legal assistance, whenever the interests of justice so require and as the law provides,

(e) to have the free assistance of an interpreter, if he is unable to understand or speak the language used in court.

- [CONSTITUTION](#)

ARTICLE 31

Subject to the provisions of the Constitution and any electoral laws passed thereunder by the Republic or the competent Community Assembly, every citizen is entitled to vote in any election held in accordance with the Constitution and any such law.

- [CONSTITUTION](#)

ARTICLE 32

Nothing contained in this section prevents the Republic from regulating by law any matter relating to foreigners in a manner consistent with international law.

- [CONSTITUTION](#)

ARTICLE 33

1. Subject to the provisions of the Constitution relating to the state of emergency, the fundamental rights and freedoms guaranteed by this Part shall not be subject to any condition, obligation or limitation other than those specified in this Part.

2. The provisions of this Part referring to such conditions, commitments or limitations shall be interpreted narrowly and shall not be applied for any purpose other than that for which they were enacted.

- [CONSTITUTION](#)

ARTICLE 34

Nothing contained in this Part may be interpreted as conferring any right on any community, group or individual to engage in any action or perform any act aimed at the undermining or abolition of the constitutional order established by the Constitution or the abolition of any of the rights or freedoms set forth in this Part or their limitation to a greater extent than is provided for in this Part.

- [CONSTITUTION](#)

ARTICLE 35

The legislative, executive and judicial authorities of the Republic are obliged to ensure the effective implementation of the provisions of this part, each within the limits of its competence.

- [CONSTITUTION](#)

PART 3 On the President of the Republic, the Vice-President of the Republic and the Council of Ministers

ARTICLE 36

1. The President of the Republic is the Head of State and takes precedence over all in the Republic.

The Vice President of the Republic is the Deputy Head of State and takes precedence over everyone in the Republic, next to the President of the Republic.

The President of the Republic shall be replaced or substituted in the exercise of this function in the event of temporary absence or temporary impediment, as defined in the second paragraph of this article.

2. In the event of temporary absence or temporary impediment of the President of the Republic or the Vice-President of the Republic, and for as long as these continue, the President or the Vice-President of the House and, in the event of their absence or pending the filling of any of these offices, the Members of Parliament replacing them respectively in accordance with Article 72, shall respectively exercise the function of the President or the Vice-President of the Republic.

- [CONSTITUTION](#)

ARTICLE 37

The President of the Republic as Head of State:

(a) represents the Republic in all its official events,

(b) signs the credentials of diplomatic envoys appointed in accordance with article 54 and accepts the credentials of foreign diplomatic envoys accredited by him,

(c) signs-

(aa) the credentials of the representatives of those appointed in accordance with article 54 to negotiate international treaties, conventions or other agreements or to sign any such treaties, conventions or agreements, for which negotiations have been held as defined in the Constitution,

(bb) the act relating to the deposit of the instruments of ratification of any international treaties, conventions or agreements ratified or approved as defined in the Constitution,

(d) awards the honorary distinctions and the regulated decorations of the Republic.

- [CONSTITUTION](#)

ARTICLE 38

1. The Vice President of the Republic as Deputy Head of State has the right to:

(a) attends all official events,

(b) is present at the presentation of credentials of foreign diplomatic envoys,

(c) recommends to the President of the Republic the award of honorary distinctions or regulated decorations of the Republic to members of the Turkish community, the President being obliged to accept the recommendation, unless there are serious reasons for not accepting it. The honorary distinctions and decorations awarded under this provision shall be delivered to the person honored by the Vice-President of the Republic, if he so desires.

2. The Vice President of the Republic shall be notified in writing and in a timely manner regarding the official events or ceremonies referred to in subsections (a) and (b) of the first paragraph of this article.

- [CONSTITUTION](#)

ARTICLE 39

1. The election of the President and Vice-President of the Republic shall be direct by universal and secret ballot and, except in the case of a by-election, shall be held on the same day, but separately. In either case, however, if only one candidate appears, he shall be declared elected.

2. The candidate receiving more than fifty percent of the valid votes cast shall be elected. If none of the candidates receives the required number of votes, the election shall be repeated on the corresponding day of the immediately following week between the two candidates receiving the largest number of valid votes cast, and the candidate receiving the largest number of valid votes cast in this repeated election shall be deemed elected.

3. If the election cannot be held due to extraordinary and unforeseen circumstances, such as earthquake, floods, general epidemic and similar causes on the day designated in accordance with the Constitution, the election shall be held on the corresponding day of the immediately following week.

- [CONSTITUTION](#)

ARTICLE 40

40. Everyone is entitled to stand as a candidate for election as President or Vice-President of the Republic, provided that at the time of the election:

(a) is a citizen of the Republic,

(b) has reached the age of thirty-five,

(c) has not been convicted on or after the date of the coming into force of the Constitution of a defamatory or morally indecent offence or has not been deprived of the right to vote following a decision of a competent court due to any electoral offence,

(d) does not suffer from a mental illness rendering him incapable of exercising the duties of President or Vice-President of the Republic, and

(e) has not served continuously in the office of President or Vice-President of the Republic for the two immediately preceding terms.

- [CONSTITUTION](#)
- [160\(I\)/2019](#)

ARTICLE 41

1. The office of President or Vice-President of the Republic is incompatible with the office of minister or member of parliament or member of a Community Assembly or municipal council, including the mayor, or with the status of a member of the armed forces or security forces of the Republic or with any other public or municipal office or position.

The term "public office or position" in this article includes any office or position of remuneration in the public service of the Republic or a Community Assembly, the remuneration of which is controlled either by the Republic or by a Community Assembly and includes any office or position of remuneration in any legal person under public law or public benefit organization.

2. The President and the Vice-President of the Republic, during their term of office, may not engage, either directly or indirectly, on their own

account or on the account of any other person, in any gainful or non-gainful employment or practice any profession.

- [CONSTITUTION](#)

ARTICLE 42

1. The President and the Vice-President of the Republic are installed by the Parliament, before which they give the following affirmation: "I solemnly affirm my loyalty and respect for the Constitution and the laws consistent therewith and for the preservation of the independence and territorial integrity of the Republic of Cyprus."

2. For this purpose, the Parliament shall convene on the day on which the five-year term of office of the outgoing President and Vice-President of the Republic expires, and in the event of a by-election in accordance with the fourth paragraph of article 44 on the third day from the date of such election.

- [CONSTITUTION](#)

ARTICLE 43

1. The term of office of the President and Vice-President of the Republic is five years, commencing from the day of their installation and lasting until the installation of the new President and Vice-President of the Republic.

2. The term of office of the President or Vice-President of the Republic elected by by-election, in accordance with the fourth paragraph of article 44, is equal to the unexpired period of the term of office of the President or Vice-President of the Republic, as the case may be, whose office he was elected to hold.

3. The election of a new President and Vice-President of the Republic shall be held before the expiration of the five-year term of office of the outgoing President and Vice-President of the Republic, so as to enable the installation of the new President and Vice-President of the Republic on the day on which this period expires.

- [CONSTITUTION](#)

ARTICLE 44

1. The office of President or Vice-President of the Republic remains vacant:

- (a) by his death,

(b) by his written resignation addressed to the House through the President or the Deputy President of the House and received by them respectively,

(c) by reason of his conviction for high treason or for any other offense of dishonor or moral turpitude,

(d) due to permanent physical or mental incapacity or due to absence not temporarily rendering the effective performance of his duties impossible.

2. In all the above cases and until the installation of the President or Vice-President of the Republic elected in accordance with the fourth paragraph of this article, the President or Vice-President of the House of Representatives, respectively, shall exercise the duties of the President or Vice-President of the Republic, respectively.

3. The Supreme Constitutional Court shall decide on any issue arising in relation to subsection (d) of the first paragraph of this article, at the request of the Attorney General and the Assistant Attorney General of the Republic following a resolution of the deputies belonging respectively to the community of the President or the Vice-President of the Republic, approved by a simple majority; however, no such resolution may be approved and no relevant matter shall be included in the agenda or discussed by the House of Representatives, if the proposal for such resolution is not signed by at least one-fifth of the total number of deputies belonging to either community.

4. The new President or Vice-President of the Republic shall be elected by a by-election held within a period not exceeding forty-five days from the occurrence of any of the events referred to in the first paragraph.

- [CONSTITUTION](#)

ARTICLE 45

1. The President or the Vice-President of the Republic shall not be subject to any criminal prosecution during his term of office, except as provided in this article.

2. The President or the Vice-President of the Republic may be prosecuted for high treason. The charge shall be brought before the Supreme Court by the Attorney General and the Assistant Attorney General of the Republic, following a resolution of the House of

Representatives approved by secret ballot and a majority of at least three-fourths of the total number of deputies; however, no such resolution may be approved and no relevant matter shall be included in the agenda or discussed by the House of Representatives unless the proposal for such resolution is signed by at least one-fifth of the total number of deputies.

3. The President or the Vice-President of the Republic may be prosecuted for any offence of dishonour or moral turpitude with the permission of the President of the Supreme Court. The charge shall be brought before the Supreme Court by the Attorney General and the Assistant Attorney General of the Republic.

4. (1) The President or the Vice-President of the Republic shall refrain from exercising his/her duties from criminal prosecution pursuant to the second or third paragraph of this article, the provisions of the second paragraph of article 36 being applicable in such a case.

(2) The President or the Vice-President of the Republic shall be tried for any such criminal prosecution by the Supreme Court and upon conviction shall be deprived of his office, and upon acquittal shall resume the exercise of his duties.

5. Subject to the provisions of the second and third paragraphs of this article, the President or the Vice-President of the Republic shall not be prosecuted for any offence committed by him in the exercise of his office, but he may be prosecuted after the end of his term of office for any other offence committed during it.

6. The President or the Vice-President of the Republic may not be held liable for any act or omission by him in the performance of his functions, but nothing in this paragraph shall be construed as depriving in any way any person of the right to sue the Republic, as provided by law.

- [CONSTITUTION](#)

ARTICLE 46

Executive power is ensured by the President and the Vice President of the Republic.

The President and the Vice-President of the Republic, for the purpose of safeguarding the executive power, shall have a Council of Ministers consisting of seven Greek ministers and three Turkish ministers. The ministers shall be nominated respectively by the President and the Vice-President of the Republic, who shall appoint them by an act signed by

both of them. The ministers may also be chosen from outside the House of Representatives.

One of the following ministries, namely the Ministry of Foreign Affairs, the Ministry of Defense or the Ministry of Finance, shall be assigned to a Turkish Minister. If the President and the Vice-President of the Republic agree, they may replace this system with a system of rotation.

The Council of Ministers exercises executive power as defined in article 54.

The decisions of the Council of Ministers are taken by an absolute majority and, unless the right of final veto or referral is exercised by the President or the Vice-President of the Republic or by both of them in accordance with article 57, they are immediately issued by the President and the Vice-President of the Republic by publication in the official gazette of the Republic in accordance with the provisions of article 57.

- [CONSTITUTION](#)

ARTICLE 47

47. The executive power exercised jointly by the President and the Vice-President of the Republic is limited to the following matters, namely:

- (a) the determination of the design and colour of the flag of the Republic, as defined in article 4,
- (b) the establishment of honorary distinctions and the determination of decorations of the Republic,
- (c) the appointment of the members of the Council of Ministers by an act signed by both, as defined in article 46,
- (d) the issuance of the decisions of the Council of Ministers by publication in the official gazette of the Republic, as defined in article 57,
- (e) the issuance of any law or decision of Parliament by publication in the official gazette of the Republic, as defined in article 52,
- (f) the appointments provided for in articles 112, 115, 118, 124, 126, 131, 133, 153 and 184 and the dismissals of those appointed in accordance with article 131,

(g) the establishment of compulsory military service, as defined in article 129,

(h) the reduction or increase of the security forces, as defined in article 130,

(i) the reduction, suspension and commutation of the sentence, as defined in article 53,

(j) the right of referral to the Supreme Constitutional Court as defined in article 140,

(k) the publication in the official gazette of the Republic of decisions of the Supreme Constitutional Court as defined in articles 137, 138, 139 and 143,

(l) the replacement by a system of rotation of the system of appointing a Turkish minister to one of the three ministries, namely foreign or defense or finance, as defined in article 46,

(m) the exercise of any of the powers specifically referred to in subsections (d), (e), (f), and (g) of articles 48 and 49 and in articles 50 and 51, which the President or the Vice-President of the Republic respectively may exercise alone,

(n) the communication of messages to the House of Representatives as defined in article 79.

- [CONSTITUTION](#)
- [104\(I\)/2002](#)
- [93\(I\)/2016](#)

ARTICLE 48

The executive power exercised by the President of the Republic is limited to the following matters, namely:

(a) the appointment and dismissal of Greek ministers,

(b) the convening of meetings of the Council of Ministers as defined in article 55, the chairmanship of meetings of the Council of Ministers and participation in the discussions during these meetings without the right to vote,

(c) the preparation of the agenda of the meetings of the Council of Ministers as defined in article 56,

(d) the right of final veto over decisions of the Council of Ministers concerning foreign affairs, defense or security, as defined in article 57,

(e) the right to refer decisions of the Council of Ministers, as defined in article 57,

(f) The right of final veto of laws and decisions of Parliament relating to foreign affairs, defense or security, as defined in article 50,

(g) the right to refer laws or decisions of Parliament or the budget, as defined in article 51,

(h) the right of appeal to the Supreme Constitutional Court, as defined in articles 137, 138 and 143,

(i) the right to refer to the Supreme Constitutional Court as defined in article 141,

(j) the publication of community laws and decisions of the Greek Community Assembly, as defined in article 104,

(k) the right to refer to the Supreme Constitutional Court any law or decision of the Greek Community Assembly as defined in article 142,

(l) the right to appeal to the Supreme Constitutional Court in relation to any matter relating to a conflict or dispute of power or competence arising between the Parliament and the Community Assemblies or both of them as well as between any organs of the Republic or authorities therein, as defined in article 139,

(m) [Deleted],

(n) the exercise jointly with the Vice-President of the Republic of any of the powers specifically referred to in article 47,

(o) messages to the House of Representatives, as defined in article 79.

- [CONSTITUTION](#)
- [93\(I\)/2016](#)

ARTICLE 49

49. The executive power exercised by the Vice-President of the Republic is limited to the following matters, namely:

(a) the appointment and dismissal of Turkish ministers,

(b) the request to the President of the Republic to convene the Council of Ministers, as defined in article 55, the presence and participation without the right to vote in the discussions of any meeting of the Council of Ministers,

(c) the proposal to the President of the Republic of issues to be included in the agenda, as defined in article 56,

(d) the right of final veto over decisions of the Council of Ministers concerning foreign affairs, defense or security, as defined in article 57,

(e) the right to refer decisions of the Council of Ministers, as defined in article 57,

(f) the right of final veto of laws and decisions of Parliament relating to foreign affairs, defense or security, as defined in article 50,

(g) the right to refer laws or decisions of Parliament or the budget as defined in article 51,

(h) the right of appeal to the Supreme Constitutional Court, as defined in articles 137, 138 and 143,

(i) the right to refer to the Supreme Constitutional Court as defined in article 141,

(j) the publication of the community laws and decisions of the Turkish Community Assembly, as defined in article 104,

(k) the right to refer to the Supreme Constitutional Court any law or decision of the Turkish Community Assembly, as defined in article 142,

(l) the right of appeal to the Supreme Constitutional Court in relation to any matter relating to a conflict or dispute of power or competence arising between the Parliament and the Community Assemblies or both of them as well as between any organs of the Republic or authorities therein, as defined in article 139,

(m) [Deleted],

(n) the exercise jointly with the President of the Republic of any of the powers specifically referred to in article 47,

(o) messages to the House of Representatives, as defined in article 79.

- [CONSTITUTION](#)
- [93\(I\)/2016](#)

ARTICLE 50

I. The President and the Vice-President of the Republic, individually or jointly, have the right of final veto of any law or decision of the House of Representatives in whole or in part, provided that the law or decision in whole or in part concerns:

A. In foreign affairs, excluding the participation of the Republic in international organizations and treaties of alliance, as both the Kingdom of Greece and the Turkish Republic participate.

In this section the term "foreign affairs" includes:

(a) the recognition of states, the establishment of diplomatic and consular relations with other countries and the termination of such relations. The granting of

consent for the appointment of diplomatic representatives and the granting of writs of execution to consular representatives, the placement of diplomatic representatives and consular representatives from among those serving in the diplomatic service in posts abroad and the assignment of duties abroad, as special envoys, to those serving in the diplomatic service. The appointment and placement of persons not belonging to the diplomatic service in any position abroad, as diplomatic or consular representatives and the assignment of duties abroad as special envoys, to persons not belonging to the diplomatic service, in any position abroad, as diplomatic or consular representatives and the assignment of duties abroad as special envoys, to persons not belonging to the diplomatic service,

(b) the conclusion of international treaties, conventions and agreements,

(c) the declaration of war and the conclusion of peace,

(d) the protection abroad of the citizens of the Republic and their interests,

(e) the establishment, status and interests of foreigners in the Republic,

(f) the acquisition of foreign citizenship by citizens of the Republic and the acceptance by them of employment provided by a foreign Government as well as their entry into the service of a foreign Government.

B. The following defense issues:

(a) the composition and strength of the armed forces and the appropriations therefor,

(b) the appointments of executives and their promotion,

(c) the importation of war material and explosives of all kinds,

(d) the provision of bases and other facilities to allied countries.

C. The following security issues:

(a) the appointments of executives and their promotion,

(b) the distribution and deployment of security forces,

(c) emergency measures and martial law,

(d) the police laws.

It is clarified that the right of veto pursuant to the above paragraph C includes any emergency measure or decision, but not those relating to the normal operation of the police and gendarmerie.

1. The above right of veto may be exercised either in respect of the entire law or decision or in respect of any part thereof, in which case the law or decision shall be referred to the House of Representatives, so that it may decide whether or not the remaining part of the law or decision shall be sent for promulgation pursuant to the relevant provisions of the Constitution.

2. The right of veto pursuant to this article shall be exercised within the time limit specified by article 52 for the enactment of the law or decision of the House of Representatives.

- [CONSTITUTION](#)

ARTICLE 51

1. The President and the Vice-President of the Republic, individually or jointly, are entitled to refer any law or decision of the House of Representatives or any part thereof to the House of Representatives for reconsideration.

2. If the budget is voted on by the House of Representatives, the President and the Vice President of the Republic, individually or jointly, may refer the budget to the House of Representatives on the grounds

that in the judgment of either or both of them, adverse discrimination is being made.

3. In the event of referral of any law or decision or part thereof to the House of Representatives, as defined in the first paragraph of this article, the House of Representatives shall decide on the referred matter within fifteen days of the referral, and in the event of referral of the budget in accordance with the second paragraph of this article, the House of Representatives shall decide on the referred matter within thirty days of the referral.

4. If the House of Representatives insists on this decision, the President and the Vice-President of the Republic are obliged, in compliance with the provisions of the Constitution, to issue by publication in the official gazette of the Republic the law or the decision or the budget, as the case may be, within the period specified for the issuance of laws and decisions of the House of Representatives.

5. Whenever the President or the Vice-President of the Republic exercises the right of recall, as defined in this article, he is obliged to immediately notify the other thereof.

6. The right to refer this article shall be exercised within the deadline specified in article 52 for the issuance of laws or decisions of the House of Representatives.

- [CONSTITUTION](#)

ARTICLE 52

The President and the Vice-President of the Republic are obliged to issue by publication in the official gazette of the Republic, within fifteen days of notification to their respective offices, any law or decision of the House of Representatives unless within this period they exercise, individually or jointly, as the case may be, the right of veto, as defined in article 50, or the right of referral, as defined in article 51, or the right of reference to the Supreme Constitutional Court, as defined in articles 140 and 141, or, in the case of the budget, the right of appeal to the Supreme Constitutional Court, as defined in article 138.

- [CONSTITUTION](#)

ARTICLE 53

53.- 1. The President or the Vice-President of the Republic have the right to grant pardon to persons sentenced to death and belonging to the community of either of them.

2. When the injured person and the convicted person are members of different communities, the pardon shall be granted by agreement between the President and the Vice-President of the Republic, and in the event of their disagreement, the most lenient opinion shall prevail.

3. By granting a pardon pursuant to the first or second paragraph of this article, the death penalty shall be converted into a sentence of life imprisonment.

4. The President and the Vice-President of the Republic shall reduce, suspend or commute any sentence imposed by any court in the Republic following the concurring opinion of the Attorney General of the Republic and the Assistant Attorney General of the Republic.

- [CONSTITUTION](#)
- [93\(I\)/2016](#)

ARTICLE 54

With the exception of the executive power expressly reserved by Articles 47, 48 and 49 for the President and the Vice-President of the Republic, acting either individually or jointly, the Council of Ministers exercises executive power over all matters other than those which, by virtue of an express provision of the Constitution, have been placed within the competence of the Community Assembly. The executive power exercised by the Council of Ministers includes, inter alia, the following matters:

- (a) the general direction and control of the governance of the Republic and the direction of general policy,
- (b) external affairs, as referred to in article 50 of these subjects,
- (c) defense and security, including the matters referred to in article 50 thereof,
- (d) the coordination and supervision of all public services,
- (e) the supervision and disposal of property belonging to the Republic in accordance with the provisions of the Constitution and the law,
- (f) the preparation of bills before their submission to the House of Representatives by a minister,

(g) the issuance of regulatory and executive decrees, as defined by law,

(h) the preparation of the budget of the Republic before its submission to the House of Representatives.

- [CONSTITUTION](#)

ARTICLE 55

The President of the Republic shall convene the Council of Ministers for a meeting. The meeting shall be convened by the President of the Republic either on his own initiative or at the request of the Vice-President of the Republic, submitted in good time and including a specific subject.

- [CONSTITUTION](#)

ARTICLE 56

The agenda of any meeting of the Council of Ministers shall be drawn up by the President of the Republic at his absolute discretion and shall be communicated to all interested parties before each meeting. The Vice-President of the Republic may request the President of the Republic to include any matter in the agenda of any meeting. The President of the Republic shall include such matter in the agenda, provided that it can be discussed appropriately at the meeting for which the request was made; otherwise, such matter shall be included in the agenda of the immediately following meeting.

- [CONSTITUTION](#)

ARTICLE 57

1. When a decision is taken by the Council of Ministers, the decision is immediately notified to the corresponding office of the President and the Vice-President of the Republic.

2. The President or the Vice-President of the Republic or both shall have the right to refer the decision to the Council of Ministers for reconsideration within a period of four days from the date of its notification to the relevant office. The Council of Ministers shall proceed to reconsider the matter and, if it upholds its decision, the President and the Vice-President of the Republic shall be obliged to issue such decision by publication, in accordance with the provisions of the fourth paragraph of this article. However, the exercise of the right of referral does not

prevent, in cases where a right of veto exists, the President or the Vice-President of the Republic, or both, from exercising the right of veto, within a period of four days from the notification to the relevant office of the decision, to which the Council of Ministers insists.

3. If the decision concerns foreign affairs, defense or security as referred to in Article 50, the President or the Vice-President of the Republic, or both, have the right of veto, exercised within a period of four days from the date on which the decision was notified to the relevant office.

4. If the decision is enforceable and the rights of veto or referral have not been exercised in accordance with the provisions of the second or third paragraph of this article, the President and the Vice-President of the Republic shall issue the decision by publication in the official gazette of the Republic, unless the Council of Ministers determines otherwise by its decision.

- [CONSTITUTION](#)

ARTICLE 58

1. Each minister heads his own ministry.

2. With the exception of the executive power expressly reserved by the Constitution for the President and the Vice-President of the Republic, acting individually or jointly and for the Council of Ministers, the executive power exercised by each minister includes the following matters:

(a) the execution of the laws relating to the responsibilities of this ministry and the administration of all matters and affairs falling within the general jurisdiction of this ministry,

(b) the drafting of decrees or regulations relating to his ministry for submission to the Council of Ministers,

(c) the issuance of orders and general instructions for the execution of any law relating to his ministry and for the execution of any decree or regulation made under such law and

(d) the preparation for submission to the Council of Ministers of the part of the budget of the Republic relating to his ministry.

ARTICLE 59

No one shall be appointed as a minister unless he is a citizen of the Republic and has the qualifications required for election as a candidate for parliament.

The office of minister is incompatible with that of member of parliament or member of a Community Assembly or municipal council, including the mayor, or with the status of belonging to the armed forces or security forces of the Republic or with any other public or municipal office or position, and in the case of a Turkish minister, with the office of religious official.

The term "public office or position" has in this paragraph the same meaning as it has in article 41.

The Greek ministers will retain their office until they are dismissed by the President of the Republic, and the Turkish ministers until they are dismissed by the Vice-President of the Republic.

The person appointed as a minister is obliged, before or upon assuming his duties, to give the following assurance before the President and the Vice-President of the Republic.

"I solemnly pledge my loyalty and respect to the Constitution and the laws consistent therewith and to the preservation of the independence and territorial integrity of the Republic of Cyprus."

ARTICLE 60

A joint secretariat of the Council of Ministers is established, headed by two secretaries, civil servants, one of whom belongs to the Greek community and the other to the Turkish community.

The two secretaries of the joint secretariat of the Council of Ministers manage the office of the Council of Ministers and, in accordance with the instructions of the Council of Ministers, attend its meetings, take minutes and transmit the decisions of the Council of Ministers to the competent authorities or to the competent bodies or persons.

ARTICLE 61

The legislative power of the Republic is exercised by the House of Representatives in all matters, with the exception of those matters which, according to the Constitution, are expressly subject to the Community Assemblies.

- [CONSTITUTION](#)

ARTICLE 62

The number of deputies is set at fifty, and may be changed by a decision of the House of Representatives taken by a majority consisting of two-thirds of the deputies elected by the Greek community and two-thirds of the deputies elected by the Turkish community.

Of the number of deputies provided for in the first paragraph of this article, seventy percent are elected by the Greek community and thirty percent by the Turkish community, separately from the members of each community and, in the event of an election in which the candidates are a majority of the number of seats, by universal direct and secret ballot held on the same day.

The proportion of members of parliament specified in this paragraph is independent of statistical data.

- [CONSTITUTION](#)

ARTICLE 63

Subject to the provisions of the second paragraph of this article, every citizen of the Republic who has completed the eighteenth year of his age and who has the residence qualifications determined by the electoral law is entitled to be registered as a voter either in the Greek or in the Turkish electoral roll. Members of the Greek community, however, shall be registered only in the Greek electoral roll, and members of the Turkish community only in the Turkish electoral roll.

No one is entitled to register as a voter if they do not possess the qualifications required for registration by the electoral law.

- [CONSTITUTION](#)
- [106\(I\)/1996](#)

ARTICLE 64

64. Everyone has the right to submit a candidacy for parliament, provided that at the time of the election:

(a) is a citizen of the Republic,

(b) has completed his twenty-first year of age,

(c) has not been convicted on or after the date of the entry into force of the Constitution of a defamatory or morally indecent offense or has not been deprived of eligibility for election following a decision of a competent court due to any electoral offense, and

(d) does not suffer from a mental illness that renders him incapable of exercising his duties as a member of parliament.

- [CONSTITUTION](#)
- [161\(I\)/2019](#)

ARTICLE 65

The House of Representatives is elected for a period of five years. The term of the first House of Representatives begins on the date of the entry into force of the Constitution.

The outgoing House of Representatives shall continue until the commencement of the work of the new House of Representatives, in accordance with the first paragraph of this article.

- [CONSTITUTION](#)

ARTICLE 66

(1).-General elections for the House of Representatives shall be held on the second Sunday of the month immediately preceding the month in which the term of the outgoing House of Representatives expires.

(2).-(1) A resigned or unoccupied or vacant parliamentary seat shall be filled in the manner prescribed by law.

(2) Subparagraph (1) applies in relation to a parliamentary seat that has been relinquished or unoccupied or vacated on or after the date of entry into force of the Twelfth Amendment to the Constitution Law of 2019.

(3).- If the election under the first or second paragraph of this article cannot be held on the date specified by the Constitution or determined in accordance with it due to exceptional and unforeseen circumstances, such as an earthquake, flood, general epidemic and similar

circumstances, it shall be held on the corresponding day of the following week.

- [CONSTITUTION](#)
- [115\(I\)/1996](#)
- [128\(I\)/2019](#)

ARTICLE 67

The House of Representatives may be dissolved only by a decision taken by an absolute majority including at least one-third of the deputies elected by the Turkish community.

This decision, notwithstanding the provisions of the first paragraph of article 65 and the first paragraph of article 66, determines the date of the general elections, which may not be less than thirty days and more than forty days from the date of the adoption of such decision, as well as the date of the first meeting of the newly elected House of Representatives, the latter date being no more than fifteen days from the general elections. Until this date, the outgoing House of Representatives shall continue.

Notwithstanding the provisions of the first paragraph of article 65, the House of Representatives elected as a result of a dissolution shall be elected for a period equal to the unexpired term of the dissolved House of Representatives. In the event of the dissolution of the House of Representatives within the last year of the five-year parliamentary term, general elections to elect a new House of Representatives shall be held both for the unexpired term of the dissolved House of Representatives, during which any session of the newly elected House of Representatives shall be considered an extraordinary session, and for the following five-year period.

- [CONSTITUTION](#)

ARTICLE 68

When the House of Representatives continues until the beginning of the term of the newly elected House of Representatives in accordance with the provisions of the second paragraph of article 65 or the second paragraph of article 67, the outgoing House of Representatives shall not have the power to pass any laws or take any decisions on any matter except only in the case of urgent and exceptional unforeseen circumstances, of which special mention shall be made in the relevant law or decision.

- [CONSTITUTION](#)

ARTICLE 69

The Member of Parliament shall, before assuming his duties in Parliament and in its public session, make the following affirmation: "I solemnly affirm my loyalty and respect for the Constitution and the laws consistent therewith and for the preservation of the independence and territorial integrity of the Republic of Cyprus."

- [CONSTITUTION](#)

ARTICLE 70

The capacity of a member of parliament is incompatible with the office of minister or member of a Community Assembly or municipal council, including the mayor, or with the capacity of a member of the armed forces or the security forces of the Republic or with any other public or municipal office or position, and in the case of a member of parliament elected by the Turkish community, with that of a religious official.

The term "public office or position" in this article includes any office or position for remuneration in the service of the Republic or a Community Assembly, the remuneration of which is under the control of either the Republic or the Community Assembly, including any office or position in any legal person under public law or public benefit organization.

- [CONSTITUTION](#)

ARTICLE 71

71.-(1) The seat of a Member of Parliament shall become vacant:

- (a) by his death,
- (b) by his written resignation,
- (c) by the occurrence of any of the cases referred to in paragraphs (c) and (d) of article 64 or by the loss of citizenship of the Republic, and
- (d) by assuming an office or position referred to in article 70.

2. A parliamentary seat is considered vacated or unoccupied in the event that an elected candidate, before its declaration, dies or does not accept to exercise the right to declare it or, after its declaration and before the legally required assurance under article 69, dies or does not accept to assume his duties.

- [CONSTITUTION](#)
- [128\(I\)/2019](#)

ARTICLE 72

The President of the House of Representatives is Greek and is elected by the deputies elected by the Greek community, while the Vice President is Turkish and is elected by the deputies elected by the Turkish community.

Each is elected separately, as above, in the same session, at the beginning and for the entire duration of the term of the House of Representatives.

In the event of a vacancy in either of the offices provided for in the first paragraph of this article, the election provided for in this paragraph to fill the vacant positions shall be held as soon as possible and, if necessary, in an extraordinary session.

In the event of temporary absence or pending filling of the vacant office of the President or Vice-President of the House of Representatives, as defined in the second paragraph of this article, these duties shall be exercised by the eldest member of parliament of the respective community, unless the members of such community decide otherwise.

After the election of the President and the Vice-President of the House of Representatives, each of them shall appoint from among the deputies two Greeks and one Turk as secretaries of the House of Representatives, and two Greeks and one Turk as deans of the House of Representatives, who shall belong respectively to the office of the President and the Vice-President of the House of Representatives.

- [CONSTITUTION](#)

ARTICLE 73

Subject to the following provisions of this article, the House of Representatives shall regulate by its rules of procedure all matters relating to the procedure followed by it and the operation of its services.

During the meeting following the election of the President and Vice-President of the House, a selection committee is formed consisting of the President of the House of Representatives as President, its Vice-President as Vice-President and eight other members of parliament elected by the House of Representatives, one of whom is elected by the Greek community and two of whom is elected by the Turkish community.

The selection committee shall establish the standing parliamentary committees and any other temporary, ad hoc or special parliamentary committees and shall appoint members of parliament as members of such committees. In their establishment and appointment, consideration shall be given to the proposals submitted by the Greek Community Group and the Turkish Community Group or by the political party groups in the House of Representatives. Appointments to such committees shall be subject to the provisions of the following paragraph.

The Greek and Turkish community groups and the political party groups in the House of Representatives shall be duly represented in each standing and any other temporary, ad hoc or special parliamentary committee. However, the total number of members of such committees drawn respectively from deputies elected by the Greek and Turkish communities shall be in the same proportion as that which applies to the distribution of seats in the House of Representatives between deputies elected respectively by the Greek and Turkish communities.

Every bill and every proposal of law introduced in the House of Representatives shall first be referred for discussion before the competent parliamentary committee. No bill and no proposal of law, except those characterized as urgent, shall be discussed by a committee before the expiration of forty-eight hours from the distribution thereof to the deputies constituting that committee. Except those characterized as urgent, no bill and no proposal of law passing the committee stage shall be discussed by the House of Representatives before the expiration of forty-eight hours from the distribution thereof to the deputies together with the report of the parliamentary committee.

The agenda of each session of the House of Representatives, which shall include any additional matter proposed by the Vice-President of the House of Representatives, shall be drawn up by the President of the House of Representatives and shall be announced by him to the House of Representatives. After the agenda has been announced to the House of Representatives, any member of the House may propose additions or amendments to it, and the House of Representatives shall decide on the proposals.

A member of parliament may not speak at a session of the House of Representatives unless he is previously registered on the relevant list or unless he receives permission to do so from the presiding officer.

The member of parliament who has followed the prescribed procedure is entitled to speak and be heard during the said session for a reasonably sufficient time, taking into account each issue.

Speeches shall be made in the order of registration or of the oral request for permission of those wishing to speak, as the case may be. However, in the event of opposing opinions, the speaker shall be succeeded by the opposing Member, if possible. Members of Parliament speaking on behalf of parliamentary committees or political party groups in the House of Representatives shall not be subject to the above rules regarding the order of speeches.

Members wishing to speak on motions relating to any matter of the agenda or the observance of the rules of procedure or on the termination of the debate shall precede those wishing to speak on the matter under discussion, in which case two Members, one in favor of the motion and one against the motion, shall be permitted to speak each for fifteen minutes.

Speeches in the House of Representatives shall be delivered from the floor of the House of Representatives and shall be addressed to the House of Representatives. Speeches and all other proceedings in the House of Representatives and in the meetings of parliamentary committees shall be simultaneously interpreted from the official language in which they are delivered into the other official language.

Interruptions of the speeches of Members of Parliament or personal attacks against Members of Parliament unrelated to the subject under discussion are prohibited in the House of Representatives as well as during the meetings of parliamentary committees, unless otherwise specified by the rules of procedure.

The votes in the House of Representatives are counted uniformly and recorded by one of the Greek and the Turkish secretary of the House of Representatives.

The minutes of the debates of the House of Representatives shall include in full the proceedings of each session. The minutes of the meetings of the parliamentary committees shall be kept in summary form. Whenever an objection is made to the minutes of a session of the House of Representatives, either orally by a member of Parliament during the immediately following session or in writing sent to the President of the relevant session, the House of Representatives may decide to correct the minutes accordingly.

A political party represented in the House of Representatives by a number of deputies at least equal to twelve percent of the total number of deputies may form a political party group entitled to recognition.

ARTICLE 74

The House of Representatives meets in regular session without convocation on the fifteenth day after the general elections and thereafter on the corresponding day of each year.

The regular session of the House of Representatives lasts for three to six months per year, as the House of Representatives may decide.

The House of Representatives is convened in extraordinary session by the President or the Vice President of the House of Representatives at the request of ten members addressed to both the President and the Vice President of the House of Representatives.

- [CONSTITUTION](#)

ARTICLE 75

The meetings of the House of Representatives are public and the minutes of its discussions are published.

The House of Representatives may, if it deems it necessary, convene in secret session following a decision taken by a majority of three-quarters of the total number of deputies.

- [CONSTITUTION](#)

ARTICLE 76

The President of the House of Representatives declares the beginning and end of each session.

The President of the House of Representatives, declaring the end of the session, shall at the same time notify the consent of the House of Representatives of the date and time of the next session and shall communicate to the House of Representatives the agenda of this session, with the provisions of the sixth paragraph of article 73 being applied.

The agenda is printed and distributed to the members of parliament at least twenty-four hours before the meeting, but if it refers to a matter already under discussion, the distribution is carried out at any point in time before the meeting.

- [CONSTITUTION](#)

ARTICLE 77

The House of Representatives is in quorum when at least one-third of the total number of members is present.

A debate relating to any specified subject may be adjourned once for twenty-four hours at the request of the majority of those present at the meeting of deputies of either community.

- [CONSTITUTION](#)

ARTICLE 78

The laws and decisions of the House of Representatives are voted on by a simple majority of the deputies present and voting.

Any amendment to the electoral law, as well as the passing of a law relating to municipal offices and any law imposing taxes or fees, requires a separate simple majority of the members of parliament elected by the Greek and Turkish communities respectively, participating in the vote.

- [CONSTITUTION](#)

ARTICLE 79

The President or the Vice-President of the Republic may address messages to the House of Representatives or transmit their views to the House of Representatives through the ministers.

Ministers may attend the meetings of the House of Representatives or any of the parliamentary committees and may make statements or inform the House of Representatives or any of the parliamentary committees on any matter within their competence.

- [CONSTITUTION](#)

ARTICLE 80

The right to submit proposals for laws belongs to members of parliament and bills to ministers.

No bill involving an increase in the expenses provided for in the budget may be submitted by a Member of Parliament.

- [CONSTITUTION](#)

ARTICLE 81

The budget is submitted to the House of Representatives no later than three months before the date of commencement of the financial year

determined by law and is voted on by the House of Representatives before the date of commencement of the financial year.

Within three months of the end of the financial year, the final report is submitted to the House of Representatives for approval.

- [CONSTITUTION](#)

ARTICLE 82

The laws and decisions of the House of Representatives enter into force upon their publication in the official gazette of the Republic, unless a different date is specified in the published law or decision.

- [CONSTITUTION](#)

ARTICLE 83

83. Members of Parliament are not subject to criminal prosecution and are not civilly liable for any opinion expressed or vote cast by them in the House of Representatives.

A member of parliament may not, without the permission of the Supreme Court, be prosecuted, arrested or imprisoned for as long as he continues to be a member of parliament.

Such permission is not required for an offence punishable by imprisonment for five years or more, provided that the offender was caught red-handed. In this case, the Supreme Court, immediately notified by the competent authority, shall decide whether or not to grant permission to continue the prosecution or detention, as long as the offender continues to be a member of parliament.

If the Supreme Court refuses to grant permission to prosecute the Member of Parliament, the period during which the Member of Parliament cannot be prosecuted shall not be included in the limitation period for the offence in question.

If the Supreme Court refuses to grant permission to execute a prison sentence imposed on a Member of Parliament by a competent court, the execution of this sentence shall be postponed until the convicted person ceases to be a Member of Parliament.

- [CONSTITUTION](#)
- [93\(I\)/2016](#)

ARTICLE 84

Members of Parliament receive from the public treasury a compensation determined by law.

Any increase in this compensation may not be put into effect during the term of the House of Representatives during which such increase was decided.

- [CONSTITUTION](#)

ARTICLE 85

All matters relating to the eligibility qualifications of candidates and all objections to the elections are adjudicated finally and irrevocably by the Supreme Constitutional Court.

- [CONSTITUTION](#)

PART 5 About Community Assemblies

ARTICLE 86

The Greek and Turkish communities respectively elect from among their members a Community Assembly, the competence of which is expressly defined by the provisions of the Constitution.

- [CONSTITUTION](#)

ARTICLE 87

Each Community Assembly has the authority, in relation to the respective community, to exercise, within the limits of the Constitution and under the restrictions of the third paragraph of this article, legislative power exclusively and only on the following matters:

- (a) on all religious matters,
- (b) on all educational, cultural and teaching matters,
- (c) on the personal institution,
- (d) on the composition and degrees of jurisdiction of the courts, adjudicating civil disputes, referring to the personal institution and to religious matters,
- (e) on matters relating to interests and institutions of a purely community nature, such as charitable and sports foundations, organizations

and associations established to promote the welfare of the respective community,

(f) on the imposition of personal contributions and personal fees on members of the respective community for the purpose of meeting their respective needs and the needs of the organizations and institutions under their control, in accordance with article 88,

(g) in such cases it becomes necessary to issue secondary legislation in the form of administrative or management regulations, issued in application of the laws on municipalities, for the purpose of enabling the Community Assembly to promote the objectives pursued by municipalities comprising residents belonging exclusively to the same community as the Community Assembly,

(h) on matters relating to the exercise of control over cooperative producers and consumers and credit institutions and the supervision of the operation of such municipalities, including residents belonging exclusively to the same community as the Community Assembly, insofar as the exercise of such control or supervision falls under the competence of the Community Assembly according to the Constitution, subject to the rule that:

(aa) no law, administrative or management regulation or decision of the Community Assembly under subsection (h) may be directly or indirectly contrary to or inconsistent with any law by which producers' and consumers' cooperatives and credit institutions are governed or to which municipalities are subject,

(bb) nothing in subsection (aa) above may be interpreted as authorizing the House of Representatives to legislate on matters relating to the exercise of the competence under subsection (h) belonging to the Community Assemblies,

(i) on any other matter expressly provided for in the Constitution.

Nothing contained in subsection (f) of the first paragraph of this article may be construed as limiting in any way the power of the House of Representatives to impose personal contributions in accordance with the provisions of the Constitution.

No law or decision of the Community Assembly, in the exercise of its competence under the first paragraph of this article, may contain anything contrary to the interests of the security of the Republic or constitutional order or public security or public order or public health or public morals or to the fundamental rights and freedoms guaranteed by the Constitution to any person.

- [CONSTITUTION](#)

ARTICLE 88

The authority of each Community Assembly to impose contributions under subsection (f) of the first paragraph of article 87 is exercised for the purpose of covering part of the funds included in its annual budget, which are not covered by the corresponding subsidy from the budget of the Republic to the Community Assembly for each financial year, as defined in the second paragraph of this article, or by any other resource that may be acquired by each Community Assembly during the financial year in question.

The House of Representatives shall provide for each financial year through the budget and shall make available to both Community Assemblies, in relation to their respective financial years and for the purpose of meeting their respective needs in matters falling within their competence, an amount of not less than two million liras, and distributed to the Greek and Turkish Community Assemblies as follows:

(a) to the Greek Community Assembly an amount not less than one million six hundred thousand pounds, and

(b) to the Turkish Community Assembly an amount not less than four hundred thousand pounds, provided that in the event of an increase in the minimum total amount allocated to both Community Assemblies, the distribution to either of them of any excess amount shall be made in such manner as the House of Representatives may decide.

At the request of a Community Assembly, the contributions imposed by it are collected on its behalf and paid to the Community Assembly by the authorities of the Republic.

In this article and in subparagraph (f) of the first paragraph of article 87, the term "member" includes legal persons or cooperatives without legal personality, and specifically to the extent of the participation in legal persons or cooperatives without legal personality of the members of either community.

- [CONSTITUTION](#)

ARTICLE 89

In relation to the respective community, each Community Assembly also has the responsibility to:

(a) (aa) to determine the general guidelines within the limits of its community laws.

(bb) to exercise administrative competence, in the manner and by the persons determined by Community law, in relation to any matter on which it is competent to legislate in accordance with the provisions of article 87, except those specified in subsections (g) and (h) of the first paragraph of this article, for which special provision is made in the following subsections.

(b) to exercise control over consumer producers' cooperatives and over credit institutions, both of which are established for the purpose of promoting the welfare of their respective communities. Such cooperatives and credit institutions shall be governed by the relevant laws,

(c) to promote the objectives pursued by municipalities which include residents belonging exclusively to the same community as the Community Assembly, and to supervise the operation of such municipalities. Such municipalities are subject to the laws.

The content of the provisions of subsection (e) of the first paragraph of article 87 and subsection (b) of the first paragraph of this article cannot be

considered to prevent the creation of mixed and joint institutions of the type defined in these provisions, provided that the residents so desire.

In the event that the central administration wishes to exercise, under the applicable legislation, the control exercised by it over the cooperatives, institutions or municipalities referred to in subsections (b) and (c) of the first paragraph of this article, such control shall be carried out by public servants belonging to the same community to which the cooperatives, institutions or municipalities in question belong.

- [CONSTITUTION](#)

ARTICLE 90

Subject to the following provisions of this article, each Community Assembly has the authority to provide through its laws for the implementation of its laws and decisions.

The Community Assembly has no power to impose by any laws or resolutions thereof any penalty of imprisonment or detention for any violation thereof or failure to comply with any directive given by it in the exercise of the power entrusted to it by the Constitution.

The Community Assemblies do not have the authority to impose coercive measures to achieve compliance with the respective community laws or decisions and with the decisions of the courts, which judge civil disputes concerning their respective jurisdiction, including personal status and religious matters.

Whenever it becomes necessary to use coercive measures to achieve compliance with any law or decision of the Community Assembly or with a matter related to the exercise of control or supervision by the Community Assembly, such measures shall be imposed at the request or on behalf of the Community Assembly by the public authorities of the Republic, which shall have exclusive competence to impose such coercive measures.

The execution of any decision or order of a court, in relation to any matter within the exclusive competence of the Community Assembly, shall be carried out through the public authorities of the Republic.

- [CONSTITUTION](#)

ARTICLE 91

The Fourth Community Assembly draws up and votes annually on the budget of its income and expenditure for the following financial year.

This budget is voted by the Community Assembly before the date of commencement of the Community financial year determined by Community law.

- [CONSTITUTION](#)

ARTICLE 92

The number of members of each Community Assembly is determined by a community law voted by a two-thirds majority of the total number of members of each Community Assembly.

- [CONSTITUTION](#)

ARTICLE 93

The election of members of both Community Assemblies is carried out by universal, direct and secret ballot.

- [CONSTITUTION](#)

ARTICLE 94

Subject to the provisions of the second paragraph of this article, every citizen of the Republic, having reached the age of twenty-one and having the residence qualifications determined by the relevant community electoral law, is entitled to be registered as a voter in the relevant community electoral list.

Members of the Greek community are registered only in the Greek community electoral list and members of the Turkish community are registered only in the Turkish community electoral list.

No one is entitled to be registered on the community electoral roll as a voter unless he or she possesses the qualifications required for registration by the relevant community electoral law.

- [CONSTITUTION](#)

ARTICLE 95

Any person is entitled to submit a candidacy for election as a member of the Community Assembly, provided that at the time of the election:

(a) is a citizen of the Republic, registered in the corresponding community electoral roll,

(b) has completed his twenty-fifth year of age,

(c) has not been convicted on or after the date of the entry into force of the Constitution of a defamatory or morally indecent offence or has not been deprived of the right to stand for election following a decision of a competent court due to any electoral offence and

(d) does not suffer from a mental illness that renders him incapable of exercising his duties as a member of the Community Assembly.

- [CONSTITUTION](#)

ARTICLE 96

The term of office of the Community Assemblies is five years, starting from the date specified by the respective community laws.

The outgoing Community Assembly continues until the beginning of the term of the new Community Assembly, as per the first paragraph of this article.

- [CONSTITUTION](#)

ARTICLE 97

General community elections are held for each of the Community Assemblies at least thirty days before the end of the term of office of the outgoing Community Assembly.

Whenever the seat of a member of a Community Assembly becomes vacant, it shall be filled by a by-election held within a period of forty-five days from the day on which the seat became vacant.

If the election under the first or second paragraph of this article cannot be held on the day specified by the Constitution or in accordance therewith, due to exceptional and unforeseen circumstances, such as an earthquake, flood, general epidemic and similar circumstances, the election shall be held on the corresponding day of the following week.

- [CONSTITUTION](#)

ARTICLE 98

A Community Assembly may be dissolved only by a decision of the Assembly itself, taken by an absolute majority.

Notwithstanding the provisions of the first paragraph of article 96 and the first paragraph of article 97, the above decision shall determine the date of the holding of a general community election of the said Community Assembly, which may not be less than thirty days and more than forty days from the date of the decision on dissolution, as well as the date of the first meeting of the newly elected Community Assembly, this date not being more than fifteen days from the said general community election. Until the latter date, the outgoing Community Assembly shall continue.

Notwithstanding the provisions of the first paragraph of article 96, the term of office of the Community Assembly elected after dissolution shall be limited to the remaining term of office of the dissolved Community Assembly. However, in the event that the dissolution takes place during the last year of the five-year term of office of the Community Assembly, the general community election of this Community Assembly shall be announced for both the remaining term of office of the dissolved Community Assembly and for the following five-year term of office of this Community Assembly.

- [CONSTITUTION](#)

ARTICLE 99

Whenever the Community Assembly continues until the day of commencement of the term of office of the newly elected Community Assembly, according to the provisions of the second paragraph of article 96 or the second paragraph of article 98, it may not pass laws or take decisions on any matter, except only in the case of urgent and exceptional unforeseen circumstances, which must be specifically mentioned in the relevant law or decision.

- [CONSTITUTION](#)

ARTICLE 100

Before assuming his duties, every member of the Community Assembly must give the following affirmation in public session: "I solemnly affirm my loyalty and respect for the Constitution and the laws consistent therewith and for the preservation of the independence and territorial integrity of the Republic of Cyprus."

- [CONSTITUTION](#)

ARTICLE 101

1. The capacity of a member of the Community Assembly is incompatible with the office of minister or member of parliament or member of a municipal council, including the mayor, or with the capacity of a person belonging to the armed forces or the security forces of the Republic or with any public or municipal office or position, and in the case of a member of the Turkish Community Assembly and with that of a religious official.

2. The term "public office or position" in this article includes any office or position for remuneration in the service of the Republic or a Community Assembly, the remuneration of which is under the control of either the Republic or the Community Assembly, including any office or position in any legal person under public law or public benefit organization.

- [CONSTITUTION](#)

ARTICLE 102

Through these regulations, the Community Assemblies regulate all procedural matters, including regular and extraordinary meetings, their dates and duration, the method of voting and the conduct of their business.

- [CONSTITUTION](#)

ARTICLE 103

The meetings of the Community Assemblies are public, and the minutes of these meetings are published.

The Fourth Community Assembly may, if it deems it necessary, convene in secret session, following a decision taken by a majority of two-thirds of the total number of its members.

- [CONSTITUTION](#)

ARTICLE 104

The laws passed or the decisions taken by the Greek and Turkish Community Assemblies, after being signed by the President or Vice-President of the Republic respectively, within fifteen days of their adoption, shall be published immediately in the official gazette of the Republic.

Community law enters into force, unless another date is expressly specified therein, from the date of its publication in the Official Gazette of the Republic.

- [CONSTITUTION](#)

ARTICLE 105

The President of the Republic in relation to the Greek Community Assembly and the Vice-President of the Republic in relation to the Turkish Community Assembly may, within a period of fifteen days from the adoption by them of any law or decision of the respective Community Assembly, refer such law or decision to the Community Assembly for reconsideration.

If the interested Community Assembly insists on the referred law or decision, the President or Vice-President of the Republic, as the case may be, shall sign and publish the law or decision, in accordance with the provisions of the immediately preceding article.

- [CONSTITUTION](#)

ARTICLE 106

106. Members of the Community Assemblies shall not be criminally prosecuted and shall not be civilly liable for any opinion expressed or vote cast by them in the Community Assembly.

Members of the Community Assemblies shall not be prosecuted, arrested or imprisoned, as long as they continue to be members thereof, without the permission of the Supreme Court. Permission shall not be required in the case of a criminal offence committed in absentia punishable by imprisonment for five years or more.

In this case, the Supreme Court, immediately notified by the competent authority, decides on whether or not to grant permission to continue the prosecution or detention, as the case may be, as long as the offender continues to be a member of the Community Assembly.

If the Supreme Court refuses to grant permission to prosecute a member of the Community Assembly, the time during which such member cannot be prosecuted shall not be included in the period of limitation of the offense in question.

If the Supreme Court refuses to grant permission to execute a sentence of imprisonment imposed on a member of the Community Assembly by a competent court, the execution of this sentence shall be postponed

until the convicted person ceases to be a member of the Community Assembly.

- [CONSTITUTION](#)
- [93\(I\)/2016](#)

ARTICLE 107

The seat of a member of the Community Assembly is vacant:

(a) due to his death, or

(b) by a written resignation thereof, or

(c) upon the occurrence of any of the cases referred to in subsection (c) or (d) of article 95 or upon the loss of citizenship of the Republic or if he ceases to have the qualifications to be registered in the corresponding community electoral roll as a voter, or

(d) by assuming an office or position referred to in article 101.

- [CONSTITUTION](#)

ARTICLE 108

The Greek and Turkish communities are entitled to receive grants from the Greek or Turkish Government, respectively, for educational, cultural, sports and charitable institutions, which belong respectively to the Greek or Turkish community.

Also, whenever the Greek or Turkish community considers that it does not have the necessary number of teachers, professors or clergy for the operation of its institutions, the community will be entitled to receive and use the personnel absolutely necessary to meet its needs, which the Greek or Turkish Government respectively will provide.

- [CONSTITUTION](#)

ARTICLE 109

Each religious group, which in accordance with the third paragraph of article 2 has elected a community, is entitled to be represented in the Community Assembly of the community, which the group has elected, as the relevant community law shall determine, by a member or members of the religious group elected by it.

ARTICLE 110

The autocephalous Greek Orthodox Church of Cyprus shall continue to have the exclusive right to regulate and administer its internal affairs and property in accordance with the Holy Canons and its current Charter. The Greek Community Assembly may not act contrary to the said right of the Greek Orthodox Church of Cyprus.

The institution of the Vakf and the principles and laws concerning the Vakfs as well as those referring to the Vakfs are recognized by the Constitution. Any matter in any way affecting or relating to the institution of the Vakf or Vakfs or any property of the Vakfs including the property of mosques and any other Muslim religious institution shall be administered only in accordance with the laws and principles of the Vakfs and the laws and regulations passed by the Turkish Community Assembly. No legislative, executive or other act shall be permitted to violate the said laws or principles of the Vakfs and the relevant laws and regulations of the Turkish Community Assembly or may override or interfere with them.

Each church of a religious group, for which the provisions of the third paragraph of article 2 apply, shall continue to have, from the date of the entry into force of the Constitution, all rights relating to religious matters which it has in accordance with the law of the colony of Cyprus in force immediately before the said date.

ARTICLE 111

(1A).- Subject to the provisions of the Constitution, all matters concerning members of the Greek Orthodox Church or a religious group, for which the provisions of the third paragraph of article 2 apply, relating to engagement, marriage, the validity of marriage, shall be governed from the date of entry into force of the Constitution by the ecclesiastical law of the Greek Orthodox Church or by the ecclesiastical law of each religious group, as the case may be. A law shall make provision for other family relations in general, including divorce.

A law will provide for the attempted reconciliation or spiritual dissolution of marriage before a Bishop.

1B. Any matter concerning members of the Greek Orthodox Church and members of a religious group to which the provisions of paragraph (3) of Article 2 apply, which is related to marriage, the validity of marriage,

divorce, separation from bed and board, cohabitation of spouses or family relations, shall be determined by family courts, as the law shall determine.

(2). [Deleted].

(3). [Deleted].

(4).- The law seeks to provide for appeals against decisions of family courts.

(5).- Notwithstanding the provisions of the first paragraph of this article, those belonging to the Greek Community or the Greek Orthodox Church or to a religious group to which the provisions of paragraph (3) of Article 2 apply are offered the free choice of civil marriage.

(6).- Nothing contained in the first paragraph of this article may prevent the application of the provisions of the fifth paragraph of article 90 in the execution of any decision or order of any ecclesiastical court.

- [CONSTITUTION](#)
- [95/1989](#)
- [3\(I\)/2023](#)

PART 6 On the Independent Officials of the Republic
CHAPTER I - The Attorney General of the Republic and the Assistant Attorney General of the Republic

ARTICLE 112

The President and the Vice-President of the Republic shall jointly appoint two persons who have met the qualifications for appointment as judges of the Supreme Court as Attorney General of the Republic and Assistant Attorney General of the Republic, provided that they do not belong to the same community.

The Attorney General of the Republic heads the Legal Service of the Republic and the Assistant Attorney General of the Republic follows him. The Legal Service of the Republic is an independent service not subordinate to any ministry.

The Attorney General and the Assistant Attorney General of the Republic have the right to be heard by any court or judge and take precedence in the hierarchy of any other person appearing before any court or judge, subject to the rule that the Attorney General of the Republic always takes precedence in the hierarchy of the Assistant Attorney General of the Republic.

The Attorney General and the Assistant Attorney General of the Republic are members of the permanent legal service of the Republic and serve under the same conditions as the judges of the Supreme Court, except for the President thereof, and are not dismissed except under the same conditions and in the same manner as those judges.

On any matter concerning persons belonging to the community of the Attorney General of the Republic, as the case may be, one shall consult the other before a decision is taken by the Attorney General of the Republic, observing the rule that in prosecutions before courts having criminal jurisdiction, composed of judges belonging to a community, the Attorney General of the Republic or the Assistant Attorney General of the Republic, as the case may be, belonging to that community, shall have the active management of the case.

- [CONSTITUTION](#)

ARTICLE 113

The Attorney General of the Republic, assisted by the Assistant Attorney General of the Republic, is the legal advisor to the Republic, the President of the Republic, the Vice-President of the Republic, the Council of Ministers and the ministers, and exercises any other power and performs any other service or duty determined or assigned to him by the Constitution or by law.

The Attorney General of the Republic shall have power in his judgment in the public interest to institute, conduct, take charge of, continue or discontinue any proceedings or order the prosecution of any person in the Republic for any offence. Such power may be exercised by the Attorney General of the Republic either in person or by officers under him acting under and in accordance with his directions.

- [CONSTITUTION](#)

ARTICLE 114

The Assistant Attorney General of the Republic shall have the power and shall exercise the services and duties normally falling within the competence of his office. He may also exercise any power and perform any service or duty entrusted to the Attorney General of the Republic by virtue of the Constitution or the laws, subject to the directions of the Attorney General of the Republic.

The Assistant Attorney General of the Republic replaces the Attorney General of the Republic in the exercise of his duties in the event of his absence or temporary impediment.

CHAPTER II - The Auditor General and the Assistant Auditor General

ARTICLE 115

The President and the Vice-President of the Republic shall jointly appoint two capable and suitable persons as Auditor General and Assistant Auditor General, observing the rule that the Auditor General and the Assistant Auditor General shall not belong to the same community.

The Auditor General is the head of the Audit Service of the Republic and the Assistant Auditor General reports to him. The Audit Service of the Republic is an independent service of the Republic not subordinate to any ministry.

The Auditor General and the Assistant Auditor General are permanent public servants of the Republic and shall not leave the service nor be dismissed from their position, except under the same conditions and in the same manner as the judges of the Supreme Court.

ARTICLE 116

The Auditor General, assisted by the Assistant Auditor General, shall audit in the name of the Republic every payment or collection and every account of funds or other assets or liabilities incurred by or on behalf of the Republic, the management of which is carried out by the Republic or on its behalf, and shall also inspect and audit every such account. For this purpose, he shall have the right to inspect all books, records and statements relating to such accounts and the places where the assets in question are kept.

The Auditor General, assisted by the Assistant Auditor General, exercises any other power and performs any other service or duty determined or assigned to him by law.

The powers and duties of the Auditor General specified in this chapter may be exercised and the specified service may be performed by him either in person or by officials subordinate to him and acting under and in accordance with his directions.

The Auditor General shall submit an annual report on the exercise of his services and duties referred to in this chapter to the President and the Vice-President of the Republic, who shall arrange for this report to be presented before Parliament.

ARTICLE 117

1. The Assistant Auditor General shall have the power and shall perform the services and duties normally falling within the jurisdiction of his office. He may also, subject to the directions of the Auditor General, exercise any power and perform any duty or service entrusted to the Auditor General by virtue of the Constitution or by law.

2. The assistant auditor general shall replace the auditor general in the performance of his duties, in the event of his absence or temporary impediment.

- [CONSTITUTION](#)

CHAPTER III - The Governor and the Deputy Governor of the Issuing Bank of the Republic

APTHPON 118

1. The President and the Vice-President of the Republic shall jointly appoint two capable and suitable persons as Governor and Deputy Governor of the Issuing Bank of the Republic, subject to the rule that the Governor and Deputy Governor of the Issuing Bank of the Republic shall not belong to the same community.

2. The Governor of the Bank of Issuance of the Republic shall be the head of the Bank of Issuance and the Deputy Governor shall be subordinate to him. This Bank shall not be subordinate to any ministry.

3. The Governor and Deputy Governor of the Bank of the Republic shall be appointed under conditions specified in the records of their appointment.

4. The governor and the deputy governor of the Issuing Bank of the Republic shall be dismissed by the council established under paragraph 8 of article 153, under terms and conditions specified in a law governing the operation of the Issuing Bank of the Republic.

5. [Repealed].

6. Any disciplinary matter relating to the exercise of the service of the administrative and sub-administrative staff of the Issuing Bank of the Republic falls within the competence of the council established under the eighth paragraph of article 153.

- [CONSTITUTION](#)
- [104\(I\)/2002](#)

APTHPON 119

1. The Governor of the Issuing Bank of the Republic, assisted by the Deputy Governor, shall implement the monetary laws of the Republic, shall be responsible for the administration of the Issuing Bank of the Republic, shall exercise any other power and shall perform any other service or duty falling within the competence of the Issuing Bank of the Republic.

2. The Governor of the Issuing Bank of the Republic, assisted by the Deputy Governor, exercises all other powers and performs all other duties or services prescribed or assigned to him by law.

3. The powers and duties of the Governor of the Bank of Issuance specified in this chapter may be exercised and the specified service may be performed by him either in person or through employees subordinate to him and acting under and in accordance with his instructions.

4. [Repealed].

5. The Governor of the Bank of the Republic shall submit semi-annual reports on the state of the currency, capital and securities of the Republic to the President and Vice-President of the Republic, who shall arrange for the submission of the reports before the House of Representatives.

- [CONSTITUTION](#)
- [104\(I\)/2002](#)

APTHPON 120

1. The Deputy Governor of the Bank of the Republic shall have the power and shall perform the services and duties normally falling within his jurisdiction. He may also exercise, subject to the directions of the Administrator, any power and perform any duty or service assigned to the Governor of the Bank of the Republic by virtue of the Constitution or the law.

2. The deputy governor shall replace the governor of the Issuing Bank of the Republic in the exercise of his duties in the event of his absence or temporary impediment.

- [CONSTITUTION](#)

APTHPON 121

Nothing contained in this Chapter shall be construed as preventing the conversion of the Bank of Issuance of the Republic into a Central Bank, provided that in such event, subject to the provisions of this Chapter,

the Governor and Deputy Governor of the Bank of Issuance of the Republic shall become Governor and Deputy Governor respectively of the Central Bank of the Republic.

- [CONSTITUTION](#)

PART 7 On the Civil Service
CHAPTER I - General Provisions

APTHPON 122

In this chapter, the following terms, unless the given sequence of use of a term indicates otherwise, have the following meanings:

The term "public position or office" means a position or office in the public service.

The term "public official" means a person holding a permanent or temporary public position or office or a person acting as a substitute for the permanent holder.

The term "public service" means service under the Republic, other than service in the army or security forces of the Republic and includes service by the Cyprus Internal Telecommunications Organization, the Cyprus Broadcasting Corporation and the Cyprus Electricity Corporation and by any other legal person under public law or by any other public law organization without legal personality, established in the public interest by law, the funds of which are either provided or guaranteed by the Republic, in which case the business is carried on exclusively by such legal person or organization, provided that its administration is under the control of the Republic. The term in principle does not, however, include service in a position or office whose appointment or filling under the Constitution is made jointly by the President and the Vice-President of the Republic, nor service of workers, unless they are regularly employed as workers in permanent works of the Republic or of any of the aforementioned legal persons or organizations.

- [CONSTITUTION](#)

123

1. The public service is composed of seventy percent Greeks and thirty percent Turks.
2. This quantitative distribution shall apply, to the extent practically possible, to all grades of the hierarchy in the public service.
3. In an area or locality where one community constitutes a majority approaching one hundred percent, public servants assigned or charged with service in such areas or localities must belong to the said community.

- [CONSTITUTION](#)

APHPON 124

1. A civil service committee is hereby established, consisting of a chairman and nine other members appointed jointly by the President and the Vice-President of the Republic.
2. Seven of the members of the committee are Greeks and three are Turks.
3. Each member of the committee is appointed for a period of six years, but may at any time submit a written resignation addressed to the President and the Vice-President of the Republic.
4. The remuneration and other terms of service of a member of the committee shall be determined by law and may not be changed to the disadvantage of the member after his appointment.
5. The members of the committee may not be dismissed except under such conditions and in such manner as the judges of the Supreme Court may determine.
6. (1) No person may be appointed as a member of the committee unless he is a citizen of the Republic, is of impeccable character and does not have the qualifications for election as a member of parliament.

(2) No person may be appointed or remain a member of the committee if he holds or has held during the twelve months preceding such appointment in the case of the chairman thereof, or during the six months preceding such appointment in the case of any other member:

(a) minister

(b) a member of parliament or member of either Community Assembly,

(c) a public servant or a person belonging to the armed forces,

(d) an employee of any local authority or legal person or public utility organization established by law in the public interest, and

(e) a member of a trade union or association or an organization affiliated thereto.

7. If any member of the committee is on leave or unable to exercise his duties due to his absence outside the borders of the Republic or due to any other reason, the President and the Vice-President of the Republic may jointly appoint any person who possesses the required qualifications to the position of the absent or prevented person from exercising his duties, for as long as the absence or prevention lasts.

- [CONSTITUTION](#)

APTHPON 125

1. Subject to any other express provision in the Constitution on any of the matters in this paragraph and subject to the provisions of any law, the Civil Service Commission shall distribute public positions between the two communities and shall appoint, make permanent, integrate into the force of permanent or pensionable civil servants, promote, transfer, retire civil servants and exercise disciplinary authority over them, including dismissal or relief from their duties.

2. The chairman shall convene the committee and preside over its meetings, subject to the following:

(a) no meeting shall be held unless all members of the committee have been previously notified thereof.

(b) in the event of a tie, the chairman is not entitled to a second or casting vote.

3. (1) Subject to the following provisions of this paragraph, any decision of the committee shall be taken by an absolute majority of its members.

(2) In the case of appointment or promotion, the filling of a vacant or newly created position or a decision regarding the filling thereof in accordance with the provisions of the Constitution by a Greek or a Turk, shall be taken by an absolute majority, in which the votes of at least two of the Turkish members of the committee shall be included. However, if such a decision cannot be taken by the above-defined majority, the matter shall be referred by the committee to the Supreme Constitutional Court for a decision in this regard. The decision of this Court shall be final and binding on the committee.

(3) When the decision concerns exclusively a Turk, it shall be taken by an absolute majority, in which the votes of at least two Turkish members of the committee shall be included. When the decision concerns exclusively a Greek, it shall be taken by an absolute majority, in which the votes of at least four Greek members of the committee shall be included.

(4) Whenever the decision concerns the selection of a Greek or a Turk for appointment or promotion, it shall be taken, in compliance with the provisions of subsection (3) of this paragraph, by an absolute majority; however, the unanimous proposal of five Greek members of the committee in the case of the selection of a Greek or the unanimous proposal of three Turkish members in the case of the selection of a Turk shall bind the committee.

- [CONSTITUTION](#)

CHAPTER II - The accountant general and the assistant accountant general APHPON 126

The President and the Vice-President of the Republic shall jointly appoint two capable and suitable persons as Accountant General and Assistant Accountant General, observing the rule that the Accountant General and the Assistant Accountant General shall not belong to the same community.

1. The accountant general is the head of the treasury and the assistant accountant general is subordinate to him.

2. The accountant general and the assistant accountant are permanent civil servants of the Republic.

3. The retirement from service and all disciplinary control, including the dismissal and removal from service of the accountant general and the assistant accountant, fall under the jurisdiction of the public service committee.

- [CONSTITUTION](#)

APTHPON 127

1. The Accountant General, assisted by the Assistant Accountant General, shall direct and supervise all accounting work relating to the funds and assets managed by or on behalf of the Republic, and to the obligations undertaken by or on behalf of the Republic. Subject to the provisions of the Constitution or any law, he shall receive and effect all payments of moneys of the Republic.

2. The accountant general, assisted by the assistant accountant general, exercises all other powers and performs all other duties or services prescribed or assigned to him by law.

3. The powers and duties of the accountant general specified in this chapter may be exercised and the specified service may be performed either in person or by employees subordinate to him and acting under and in accordance with his instructions.

- [CONSTITUTION](#)

APTHPON 128

1. The Assistant Accountant General shall have the power and shall perform the services and duties normally falling within his jurisdiction. He may also, subject to the directions of the Accountant General, exercise any power and perform any service and duty entrusted to the Accountant General by virtue of the Constitution or law.

2. The assistant accountant general replaces the accountant general in the performance of his duties in the event of his absence or temporary impediment.

- [CONSTITUTION](#)

PART 8 On the Armed Forces of the Republic

APTHPON 129

1. The Republic has an army of two thousand men, of whom sixty percent are Greeks and forty percent are Turks.
2. Compulsory military service may not be imposed, except by mutual agreement of the President and the Vice-President of the Republic.

- [CONSTITUTION](#)

APTHPON 130

1. The security forces of the Republic consist of the police and the gendarmerie and have a strength of two thousand men, which may be reduced or increased by mutual agreement of the President and the Vice-President of the Republic.
2. The security forces of the Republic shall be composed of seventy percent Greeks and thirty percent Turks during the initial period, but in order not to dismiss the Turks who serve in the police force on February 11, 1959, not including those serving in the auxiliary police, the percentage of Turks may be maintained at a maximum of forty percent and consequently the percentage of Greeks may be reduced to sixty percent.

- [CONSTITUTION](#)

APTHPON 131

1. The commanders and deputy commanders of the army, police and gendarmerie of the Republic are appointed jointly by the President and the Vice-President of the Republic.
2. The leaders of the army, police and gendarmerie are Turks, and whenever the leader of the army or police or gendarmerie belongs to one community, the deputy leader belongs to the other community.

- [CONSTITUTION](#)

APTHPON 132

Forces stationed in parts of the territory of the Republic inhabited in a proportion approaching one hundred percent exclusively by members of a single community shall belong to that community.

PART 9 On the Supreme Constitutional Court
APTHPON 133

1. (1) A Supreme Constitutional Court of the Republic is hereby established, consisting of one Greek, one Turkish and one neutral judge. The neutral judge shall be the President of the Court.

(2) The president and the other judges of the Supreme Constitutional Court are appointed jointly by the President and the Vice-President of the Republic; however, in the event of a single vacancy, whether of a Greek or Turkish judge, the proposal of the President or Vice-President of the Republic to whose community the appointed judge belongs shall prevail, if the President and the Vice-President of the Republic do not agree on such appointment within one week of such proposal.

2. The seat of the Supreme Constitutional Court is the capital of the Republic.

3. The neutral judge may not be a national or citizen of the Republic or the Kingdom of Greece or the Turkish Republic or the United Kingdom and its colonies.

4. The Greek and Turkish judges of the Supreme Constitutional Court must be citizens of the Republic.

5. The president and the other judges of the Supreme Constitutional Court are appointed by being selected from among lawyers of the highest professional and moral standard.

6. (1) The President of the Court shall be appointed for a period of six years.

(2) The salary and other conditions of service of the President of the Court shall be stated in the document of his appointment.

(3) The terms of service of the President of the Court, as referred to in the document of his appointment under subsection (2) of this paragraph, shall include:

(a) a condition regarding his/her withdrawal from service for the same reasons for which a Greek or Turkish judge withdraws under subsection (3) of the seventh paragraph of this article, and

(b) a condition regarding his dismissal for the same reason for which a Greek or Turkish judge may be dismissed, according to subsection (4) of the seventh paragraph of this article.

7. (1) The Greek and Turkish judges are permanent members of the judicial service of the Republic and remain in service until they have completed their sixty-eighth year.

(2) A Greek or Turkish judge may submit his resignation in writing to the President and Vice-President of the Republic, without prejudice to his rights to any allowance, pension, additional allowance or other similar benefit granted upon his departure, which he may have acquired under any law.

(3) A Greek or Turkish judge of the Court shall retire from service on account of mental or physical incapacity or disability, rendering him incapable of discharging his duties either permanently or for such a period as to render it impracticable to continue his service. A judge so retiring shall be entitled to all the benefits and allowances provided for by the law in force at the time of his retirement.

(4) The Greek or Turkish judge of the court shall be dismissed from service for misconduct.

8. (1) A council is hereby established, consisting of the President of the Supreme Court as chairman, the most senior Greek judge by appointment and the Turkish judge of the Supreme Court as members.

(2) This council has exclusive jurisdiction to decide on any matter relating to:

(a) upon the retirement, dismissal or any other termination of the service of the President of the Court, in accordance with the terms of

service contained in the document of his appointment,

(b) upon the retirement or dismissal of the Greek or Turkish judge of the Court for the reasons provided for in subsections (3) and (4) of the seventh paragraph of this article.

(3) The proceedings before the council under subsection (2) of this paragraph are of a judicial nature, and the judge under trial is entitled to be heard and to present his case before the council.

(4) The decision of the council, taken by majority, is binding on the President and the Vice-President of the Republic, who shall jointly take the appropriate action in accordance with this decision.

9. In the event of temporary absence or incapacity of the President or the Greek or Turkish judge of the Court, the President of the Supreme Court or the senior of the two Greek judges or the Turkish judge thereof, respectively, shall replace them during such temporary absence or incapacity.

10. Any action against the President or any judge of the Court for any act done or any opinion expressed in the exercise of his judicial duties is excluded.

11. The remuneration and other conditions of service of the Greek and Turkish judges of the court shall be determined by law.

12. The remuneration and other conditions of service of any judge of the Court may not be altered to his disadvantage after his appointment.

- [CONSTITUTION](#)

APHPON 134

1. All sessions of the Supreme Constitutional Court are public, but the Court may decide to sit only in the presence of the parties, if any, and the officials of the Court, if it considers that this is required in the interest of the smooth conduct of the proceedings or the security of the Republic or public morals.

2. If an appeal appears to be manifestly unfounded, the Court may, after hearing the parties, dismiss it by unanimous decision, without a public hearing, if it is satisfied that the appeal is manifestly unfounded.

- [CONSTITUTION](#)

APTHPON 135

The Supreme Constitutional Court issues procedural regulations of the Court, by which it regulates the procedure to be followed before it and the exercise of the jurisdiction assigned to it by the Constitution, determines the types of pleadings and the court fees and expenses of the procedure before the Court, the composition of its secretariat and regulates the rights and duties of its employees.

- [CONSTITUTION](#)

APTHPON 136

The Supreme Constitutional Court has exclusive jurisdiction to decide definitively and irrevocably on all the matters referred to in the following articles, as well as on matters that may be specifically defined by law.

- [CONSTITUTION](#)
- [103\(I\)/2022](#)

APTHPON 137

1. The President and the Vice-President of the Republic, acting individually or jointly, are entitled to appeal to the Supreme Constitutional Court, under the terms of this article, on the grounds that a law or decision of the House of Representatives or its provisions discriminates against one of the two communities.

2. The appeal under the first paragraph of this article must be filed within a period of seventy-five days from the issuance of the law or decision.

3. The President and the Vice-President of the Republic shall, within twenty-four hours of the filing of the appeal, publish in the official gazette of the Republic a notice of the filing of the appeal. From the day following the publication of such notice in the official gazette of the Republic, the validity of the challenged law or decision shall be suspended, until the Supreme Constitutional Court has ruled on the appeal.

4. Upon such an appeal, the Court may confirm or annul the challenged law or decision or any provision thereof or refer it back to the House of

Representatives for reconsideration in whole or in part; however, in the event of annulment of the law or decision or any provision thereof, such annulment shall take effect from the publication of the decision of the Supreme Constitutional Court in accordance with the fifth paragraph of this article, without prejudice to the validity of any act or omission performed under the rule of the law or the decision or provision thereof.

5. Every decision of the Court shall be immediately communicated to the President and the Vice-President of the Republic, and the President and the Vice-President of the Republic shall be obliged to publish it forthwith in the official gazette of the Republic.

- [CONSTITUTION](#)

APTHPON 138

1. If, during the vote on the budget by the House of Representatives, the President and the Vice-President of the Republic, acting individually or jointly, refer the matter to the House on the grounds that, in their own judgment, it constitutes adverse discrimination, and the House of Representatives insists on this decision, the President and the Vice-President of the Republic are entitled, individually or jointly, as the case may be, to appeal the above grounds to the Supreme Constitutional Court.

2. This appeal shall be brought within the time limit set by the Constitution for the issuance of laws or decisions of the House of Representatives.

3. Upon such an appeal, the Court may annul or confirm the budget or refer it in whole or in part to the House of Representatives.

4. Every decision of the Court shall be immediately communicated to the President and the Vice-President of the Republic and to the President and Vice-President of the House of Representatives and shall be published promptly in the official gazette of the Republic by the President and the Vice-President of the Republic.

- [CONSTITUTION](#)

APTHPON 139

1. The Supreme Constitutional Court shall have jurisdiction to decide finally and irrevocably on any appeal concerning a conflict or dispute of power or competence arising between the House of Representatives and the Community Assemblies or between either of them, as well as between any organs or authorities of the Republic. However, this

provision shall not apply to conflicts or disputes between the courts or judicial authorities of the Republic, which shall be resolved by the Supreme Court. The term "courts or judicial authorities of the Republic" in this paragraph does not include the Supreme Constitutional Court.

2. Whenever a question of the competence of the Supreme Constitutional Court arises, it shall, on any matter, resolve any question of its competence.

3. The appeal referred to in the first paragraph of this article shall be brought before the Court:

(a) by the President or the Vice-President of the Republic, or

(b) by the House of Representatives, or

(c) under either or both of the Community Assemblies, or

(d) by any other organ of the Republic or authority in the Republic, provided that all of the above are interested parties in the conflict or dispute.

4. The appeal shall be filed within thirty days from the date on which the said authority or competence is challenged.

5. On such an appeal, the Court may rule that the subject matter of the appeal, a law or decision or act, is invalid and without any legal effect whatsoever, whether from the time the conflict occurred or the dispute arose, or ex officio, either in whole or in part, on the ground that such law or act was made or the decision was taken without authority or jurisdiction, and in either case the Court may decide as to the validity of any act or omission done by virtue of such law or decision or act.

6. The decision of the Court issued on such an appeal shall be notified immediately to all interested parties and to the President and Vice-President of the Republic, who shall publish it forthwith in the official gazette of the Republic.

7. Once such an appeal has been filed, the Court may order the suspension of the subject matter of the appeal, law or decision or act, as the case may be, until the Court has ruled. Such a decision on suspension shall be published promptly in the Official Gazette of the Republic.

APTHPON 140

1. The President and the Vice-President of the Republic, together with the President, prior to the promulgation of a law or a decision of the House of Representatives, are entitled to refer to the Supreme Constitutional Court for its opinion as to whether the said law, decision or a certain provision thereof is in conflict with or inconsistent with a provision of the Constitution for any reason other than discrimination against either community or is in conflict with or inconsistent with the law of the European Communities or the European Union.

2. The Supreme Constitutional Court shall investigate the issue referred to it in accordance with the first paragraph of this article and, after hearing the views of the President and the Vice-President of the Republic and the House of Representatives, shall issue its opinion on the issue referred to it and shall communicate it to the President and the Vice-President of the Republic, as well as to the House of Vice-Presidents.

3. In the event that the Supreme Constitutional Court rules that the law or decision or provision thereof is in conflict with or inconsistent with a provision of the Constitution, or of the law of the European Communities or of the European Union, the law or decision may not be issued by the President and the Vice-President of the Republic.

- [CONSTITUTION](#)
- [127\(I\)/2006](#)

APTHPON 141

1. The President or the Vice-President of the Republic may, before issuing a law imposing formalities, conditions or restrictions on the right guaranteed by article 25, refer it to the Supreme Constitutional Court, for its opinion as to whether or not the formalities, conditions or restrictions are imposed in the public interest or are contrary to the interests of his community.

2. The Supreme Constitutional Court shall investigate the issue brought before it and, after hearing the views of the President or Vice-President of the Republic, as the case may be, as well as the views of the House of Representatives, shall issue its opinion and communicate it to the President and Vice-President of the Republic and to the House of Representatives.

3. In the event that the Supreme Constitutional Court rules that the said conditions, restrictions or formalities were not imposed in the public interest or are contrary to the interests of the community concerned, the said law or a specific provision thereof establishing conditions,

restrictions or formalities may not be promulgated by the President and the Vice-President of the Republic.

- [CONSTITUTION](#)

APTHPON 142

1. The President of the Republic, in relation to any law or decision of the Hellenic Parliament and the Vice-President of the Republic, in relation to any law or decision of the Turkish Parliament, may, before the publication of such law or decision, refer it to the Supreme Constitutional Court for an opinion as to whether the said law or decision or a certain provision thereof is in conflict with or inconsistent with any provision of the Constitution.

2. The Supreme Constitutional Court shall investigate any issue raised under its jurisdiction in accordance with the first paragraph of this article and, after hearing the views of the President or Vice-President of the Republic, as the case may be, as well as the views of the interested Community Assembly, shall issue its opinion on the issue raised and shall communicate it to the President or Vice-President of the Republic, as the case may be, and to the interested Community Assembly.

3. In the event that the Supreme Constitutional Court issues an opinion that the law or its decision or provision is in conflict with or inconsistent with a provision of the Constitution, the law or its decision or a certain provision may not be published by the President or the Vice-President of the Republic, as the case may be.

- [CONSTITUTION](#)

APTHPON 143

1. The President or the Vice-President of the Republic or members of Parliament representing at least one-fifth of the total number of members of the newly elected Parliament are entitled to resort to the Supreme Constitutional Court, for a ruling, if such urgent and exceptional unforeseen circumstances arise, justifying the Parliament, which continues until the beginning of the term of the new Parliament, to pass laws or take decisions in accordance with article 68.

2. The appeal of the President or the Vice-President of the Republic must be filed within the deadline set by the Constitution for the issuance of laws and decisions of the House of Representatives, while the appeal of the aforementioned members of parliament must be filed within fifteen days of the first meeting of the new House.

3. The decision of the Court shall be notified immediately to the President and the Vice-President of the Republic and to the President and the Vice-President of the House of Representatives and shall be published promptly in the official gazette of the Republic by the President and the Vice-President of the Republic.

- [CONSTITUTION](#)

APTHPON 144

1. (1) Any party, at any stage of the proceedings, including on appeal, may raise an issue of unconstitutionality of a law, decision or provision thereof essential for the determination of the case pending before the court.

(2) The court before which a question of the unconstitutionality of a law, decision or provision thereof, essential for the diagnosis of a case pending before it, is raised, may refer this matter to the Supreme Constitutional Court as a matter of law, and in such a case it shall suspend the progress of the proceedings before it, until the Supreme Constitutional Court has ruled on the matter, as provided for by the provisions of subsection (3).

(3) The Supreme Constitutional Court may accept the referral, adjudicating the matter referred to it, in accordance with paragraph 2, or reject the referral, informing the court that referred the matter, and in the event that the Supreme Constitutional Court rejects the referral, the referred matter shall be adjudicated by the referring court.

(4) Notwithstanding the provisions of subsection (3), in a case where a question of the unconstitutionality of a law, decision or provision thereof essential for the determination of a case pending before it is raised before the Supreme Court, the Supreme Court shall forthwith refer the matter to the Supreme Constitutional Court and shall suspend the progress of the proceedings before it, until the Supreme Constitutional Court has adjudicated the matter, in accordance with paragraph 2, and has ruled on the referred

matter. Any party is entitled, at any stage of the proceedings, including on appeal, to raise a question of the unconstitutionality of a law, decision or provision thereof essential for the determination of the case pending before the court. The court before which the issue is raised shall immediately refer the matter to the Supreme Constitutional Court and suspend the progress of the proceedings until the Supreme Constitutional Court has ruled on it.

2. After hearing the parties, the Supreme Constitutional Court investigates the matter referred to it and decides thereon, and transmits its decision to the court that referred the matter.

3. The decision of the Supreme Constitutional Court pursuant to the second paragraph of this article shall be binding on the court that referred the matter and the parties to the proceedings, and in the event that it accepts that the law or the decision or provision thereof is unconstitutional, it shall result in the non-application only in the pending proceedings of this law or of the decision or of the relevant provision thereof.

- [CONSTITUTION](#)
- [103\(I\)/2022](#)

APTHPON 145

The Supreme Constitutional Court has exclusive jurisdiction to decide definitively and irrevocably on any electoral process, carried out in accordance with the electoral law, relating to the election of the President or Vice-President of the Republic or of members of parliament or members of the Community Assemblies.

- [CONSTITUTION](#)

APTHPON 146

1. The Supreme Constitutional Court, in a case provided for by law, in which an appeal is referred to it by the Court of Appeal, shall have, as the law may determine, jurisdiction to decide on such appeal and the Court of Appeal in any other case shall have jurisdiction to decide on an appeal against a decision of an Administrative Court which has exclusive jurisdiction to decide in first instance on any appeal submitted against a decision, act or omission of any organ, authority or person exercising an executive or administrative function on the ground that it is contrary to the provisions of the Constitution or the law or was made in excess

or abuse of the power entrusted to such organ, authority or person. In addition, the Supreme Constitutional Court has jurisdiction to decide, in a case provided for by law and as the law may determine, on a decision issued by the Court of Appeal in an appeal pending before it against a decision of an Administrative Court.

1A. Subject to the provisions of this article, a law may provide for the establishment, jurisdiction and powers of an Administrative Court.

2. The appeal may be brought by any person whose own, existing legitimate interest, whether as an individual or as a member of a community, has been directly affected by the decision, act or omission.

3. The appeal shall be filed within seventy-five days from the date of publication of the decision or act or, in the event of non-publication or in the event of omission, from the date on which the act or omission came to the knowledge of the appellant, unless a different time limit for filing an appeal against a decision, act or omission is expressly provided for by law.

4. Upon such an appeal, the Administrative Court may, by its decision:

(a) to confirm, in whole or in part, such decision or act or omission; or

(b) to declare the decision or act, in whole or in part, null and void and devoid of any effect; or

(c) to declare the omission in whole or in part null and void and that whatever was omitted shall appear to have been performed; or

(d) to amend, in whole or in part, the decision or act, as it may determine by law, provided that it concerns a tax matter or is a decision or act relating to an international protection procedure, under European Union law or any other matter as it may determine by law.

5. The decision referred to in the fourth paragraph of this article or, in the event that an appeal has been lodged, the decision on the appeal, which is issued within the framework of the jurisdiction granted to the Supreme Constitutional Court or the Court of Appeal, by virtue of paragraph 1, binds any court, body or authority in the Republic, and the bodies, authorities or persons in question are obliged to actively comply with it.

5A. Subject to the provisions of this article, a court which issues a decision, in accordance with the provisions of paragraph 5, has jurisdiction as the law may determine, to examine and decide whether there has been active compliance with its decision, and may impose sanctions against a non-compliant party.

6. Any person injured by a decision or act or omission declared invalid under this article is entitled, if his claim has not been satisfied by the body, authority or person in question, to seek judicial compensation or other remedy with the aim of being awarded just and reasonable compensation determined by the court or being provided with another just and reasonable remedy that the court has the power to provide.

- [CONSTITUTION](#)
- [130\(I\)/2015](#)
- [135\(I\)/2020](#)
- [103\(I\)/2022](#)

APTHPON 147

The Supreme Constitutional Court has exclusive jurisdiction to rule finally and irrevocably on the application of the Attorney General of the Republic and the Assistant Attorney General of the Republic in accordance with the third paragraph of article 44 on the existence of permanent or temporary incapacity or non-temporary absence of the President or Vice-President of the Republic, preventing the effective performance of his duties, as provided for in subparagraph (d) of the first paragraph of article 44.

- [CONSTITUTION](#)

APTHPON 148

Subject to the provisions of the third paragraph of article 144, any decision of the Supreme Constitutional Court on any matter falling within its jurisdiction or competence shall be binding on any court, body, authority or person in the Republic.

- [CONSTITUTION](#)

APTHPON 149

The Supreme Constitutional Court has exclusive jurisdiction:

- (a) resolving any contradiction between the two texts of the Constitution, by reference to the text of the draft Constitution signed in the Joint Constitutional Committee in Nicosia on the 6th of

April, 1960, as well as to the annex of amendments thereto, signed on the 6th of July, 1960, by representatives of the Kingdom of Greece, the Turkish Republic and the Hellenic and Turkish communities, taking into account also the text of the agreements of Zurich of the 11th of February, 1959, and of London of the 19th of February, 1959, in both their letter and their spirit, and

(b) interpretation of this Constitution in case of ambiguity, taking into account the text of the Zurich Agreements of February 11, 1959, and the London Agreements of February 19, 1959, both in their letter and spirit.

- [CONSTITUTION](#)

150

The Supreme Constitutional Court has jurisdiction to impose penalties for contempt of this Court.

- [CONSTITUTION](#)

APTHPON 151

1. Notwithstanding the preceding provisions of this part, the Supreme Constitutional Court shall have exclusive jurisdiction to decide finally and irrevocably on a reference from the civil service commission in accordance with subsection (b) of the third paragraph of article 125.

2. The jurisdiction of the Supreme Constitutional Court under this article does not exclude the exercise of an appeal under article 146 against a decision, act or omission of the civil service committee.

- [CONSTITUTION](#)

PART 10 On the Supreme Court and the Courts Subordinate thereto APTHPON 152

1. Judicial power, with the exception of that exercised under Part Nine by the Supreme Constitutional Court and under the second paragraph of this article by the courts provided for by Community law, shall be exercised by a Supreme Court and by lower courts, which shall be established by law, in compliance with the provisions of the Constitution.

2. Judicial power over civil disputes concerning personal status and religious matters, which fall under the jurisdiction of the Community Assemblies according to article 87, is exercised by the courts, for which a Community law will provide in accordance with the provisions of the Constitution.

- [CONSTITUTION](#)

APTHPON 153

1. (1) A Supreme Court is hereby established, consisting of two Greek judges, one Turkish judge and one neutral judge. The neutral judge shall be the President of the Court, who shall have two votes.

(2) The president and the other judges of the Supreme Court are appointed jointly by the President and the Vice-President of the Republic.

In the event of a single vacancy for a Greek or Turkish judge, the proposal of the President or Vice-President of the Republic to whose community the appointed judge belongs shall prevail, if the President and the Vice-President of the Republic do not agree on this appointment within one week of this proposal.

2. The seat of the Supreme Court is the capital of the Republic.

3. The neutral judge may not be a national or citizen of the Republic or the Kingdom of Greece or the Turkish Republic or the United Kingdom and its colonies.

4. The Greek judges and the Turkish judge of the Supreme Court must be citizens of the Republic.

5. The president and the other judges of the Supreme Court are appointed by being selected from among lawyers of the highest professional and moral standing.

6. (1) The President of the Supreme Court shall be appointed for a period of six years.

(2) The salary and other conditions of service of the President of the Supreme Court shall be stated in the document of his appointment.

(3) The terms of service of the President of the Supreme Court referred to in the document of his appointment under subsection (b) of this paragraph shall include:

(a) a condition regarding his/her withdrawal from service for the same reasons for which a Greek or Turkish judge withdraws, according to the subsection

(c) the seventh paragraph of this article, and

(b) a condition regarding his dismissal for the same reason for which a Greek or Turkish judge may be dismissed under subsection

(d) of the seventh paragraph of this article.

7. (1) The Greek judges and the Turkish judge of the Supreme Court are permanent members of the judicial service of the Republic and remain in service until they have completed their sixty-eighth year.

(2) The Greek judges or the Turkish judge of the Supreme Court may submit their resignation in writing to the President and the Vice-President of the Republic, without prejudice to their rights to any allowance, pension, additional allowance or other similar benefit granted upon their resignation, which they may have acquired under any law.

(3) Greek or Turkish judges of the Supreme Court who retire from service on account of mental or physical incapacity or disability, rendering them incapable, shall discharge their duties either permanently or for such period as to render it impossible to continue their service. A judge so retiring shall always be entitled to the benefits and emoluments provided for by the law in force at the time of his retirement.

(4) A Greek or Turkish judge of the Supreme Court is dismissed due to improper conduct.

8. (1) A council is hereby established consisting of the President of the Supreme Constitutional Court as chairman and the Greek and Turkish judges of the Supreme Constitutional Court as members.

(2) This council has exclusive jurisdiction to decide on any matter relating to:

(a) upon the retirement, dismissal or in any other way termination of the appointment of the President of the Supreme Court in accordance with the terms of service contained in the document of his appointment.

(b) the retirement or dismissal of Greek judges or Turkish judges of the Supreme Court for the reasons provided for in subsections (3) and (4) of the seventh paragraph of this article.

(3) The proceedings before the council under subsection (2) of this paragraph are of a judicial nature, and the judge under trial is entitled to be heard and to present his case before the council.

(4) The decision of the council, taken by majority, is binding on the President and the Vice-President of the Republic, who shall jointly take the necessary action in accordance with this decision.

9. In the event of temporary absence or incapacity of the President of the Supreme Court or of one of the Greek judges or of the Turkish judge thereof, the President of the Supreme Constitutional Court or the Greek judge or the Turkish judge thereof, respectively, shall replace them during such temporary absence or incapacity; however, in the event that replacement by the Greek or Turkish judge of the Supreme Constitutional Court is impossible or difficult, the acting Greek or Turkish judge of the judicial service of the Republic, who is senior in rank, shall replace him, respectively.

10. Any action against the President or any judge of the Supreme Court for any act done or any opinion expressed in the exercise of his judicial duties is excluded.

11. The remuneration and other conditions of service of the Greek judges and the Turkish judge of the Supreme Court shall be determined by law.

12. The salary and other conditions of service of any judge of the Supreme Court may not be altered to his disadvantage after his appointment.

APTHPON 154

The sessions of the Supreme Court are public, but the Court may decide to sit only in the presence of the parties, if any, and the employees of the Court, if it considers that this is required in the interest of the smooth conduct of the proceedings or the security of the Republic or public morals.

- [CONSTITUTION](#)

APTHPON 155

1. Without prejudice to the jurisdiction of the Supreme Constitutional Court under article 146, the Supreme Court shall have jurisdiction to decide, in a case provided for by law and as the law may determine, on a decision issued by the Court of Appeal and on an appeal referred to it by the Court of Appeal against a decision of any other court, except the Supreme Constitutional Court and the Administrative Court, as well as on other matters as the law may determine.

2. [Repealed].

3. The Supreme Court, to the exclusion of any other court, shall determine the composition of the court which shall try any civil case in which the plaintiff and defendant belong to different communities and of the court which shall try any criminal case in which the defendant and the injured party belong to different communities. This court shall be composed of judges belonging to both the Greek and the Turkish communities.

4. The Supreme Court has exclusive jurisdiction to issue writs of the nature of habeas corpus, mandamus, prohibition, quo warranto and certiorari.

5. Subject to the provisions of this article, a law may provide for the establishment, jurisdiction and powers of the Court of Appeal.

- [CONSTITUTION](#)
- [103\(I\)/2022](#)

APTHPON 156

The following offences shall be tried in the first instance by a court presided over by the President of the Supreme Court and composed of judges belonging to both communities, as the Supreme Court shall determine:

(a) high treason and other offences against the security of the Republic,

(b) offences against the Constitution and the constitutional order. The appeal against the decisions issued in accordance with the above shall be heard by the Supreme Court, presided over, however, instead of the President of the Supreme Court, by the President of the Supreme Constitutional Court, exercising in such a case all the powers belonging to the President of the Supreme Court.

- [CONSTITUTION](#)

APTHPON 157

1. Subject to the provisions of the Constitution concerning the Supreme Constitutional Court, the Supreme Court shall constitute the Supreme Judicial Council, the President of which shall have two votes.

2. The appointment, promotion, transfer, termination of service and dismissal of judges, as well as disciplinary authority over them, fall under the exclusive competence of the Supreme Judicial Council.

3. No judge shall be dismissed or removed from office except under the conditions and in the manner provided for in the Constitution for judges of the Supreme Court.

- [CONSTITUTION](#)

APTHPON 158

1. Subject to the provisions of the Constitution, a law shall determine the establishment, jurisdiction and powers of civil and criminal courts, with the exception of the courts which shall be determined by a Community law in accordance with Article 160.

2. Any such law shall provide for the establishment of courts of appeal in sufficient number for the prompt and expeditious administration of justice and for ensuring, within the limits of their jurisdiction, the faithful application of the provisions of the Constitution guaranteeing fundamental rights and freedoms.

3. A law shall provide for the remuneration and other conditions of service of the judges of the courts established in accordance with the first paragraph of this article. The remuneration and other conditions of

service of any judge may not be altered to his disadvantage after his appointment.

- [CONSTITUTION](#)

APTHPON 159

1. When in a case the plaintiff and the defendant belong to the same community, the court exercising civil jurisdiction over that case shall be composed of a judge or judges belonging to that community.
2. Whenever in a case the accused and the injured person belong to the same community, or whenever there is no injured person, the court exercising criminal jurisdiction over the case shall be composed of a judge or judges belonging to that community.
3. When in a civil case, the plaintiff and the defendant belong to different communities, the court shall be composed of judges belonging to both communities, as the Supreme Court shall determine.
4. When in a criminal case the accused and the injured person belong to different communities, the court shall be composed of judges belonging to both communities, as the Supreme Court shall determine.
5. In the event of a death inquest, if the deceased belonged to the Greek community, the inquest shall be conducted by a Greek coroner, and if the deceased belonged to the Turkish community, the inquest shall be conducted by a Turkish coroner. When there are more than one deceased and they belong to different communities, the inquest shall be conducted by a coroner appointed by the Supreme Court.
6. The execution of any decision or order of a court exercising civil or criminal jurisdiction shall be carried out by Greek judicial officers if the court issuing it consists of a Greek or Greek judges, and by Turkish judicial officers if the court issuing it consists of a Turkish or Turkish judges, and in all other cases the execution shall be carried out by judicial officers designated by the court issuing the decision.

- [CONSTITUTION](#)

APTHPON 160

1. Subject to the provisions of the Constitution, a Community law, passed by the Community Assembly, shall provide for the establishment, composition and jurisdiction of courts which shall adjudicate civil disputes relating to personal status and religious matters

which, according to the provisions of the Constitution, fall within the competence of the Community Assemblies.

2. This law shall provide for appeals against the decisions of these courts, for the composition of the courts, for the judges and decision-makers on the composition of the courts, for the judges and decision-makers on these appeals, as well as for the jurisdiction and authority of these courts of second instance. A Community law in accordance with the provisions of this paragraph may provide that the court of second instance may be composed of one or more judges of the Supreme Court, sitting alone or with one or more other judges of the judicial service of the Republic as the law may determine.

3. In the exercise of their jurisdiction, the above courts shall apply the laws passed in favor of the relevant Community Assembly; however, the provisions of this paragraph shall not exclude the right of a court of the Republic to apply the relevant Community law in a case in which a question of personal status or a religious question is incidentally raised.

- [CONSTITUTION](#)

APTHPON 161

Subject to the provisions of the third paragraph of article 160, the courts of the Republic have the power to apply the relevant community laws, except for the laws on personal status and religious matters.

- [CONSTITUTION](#)

APTHPON 162

The Supreme Court shall have jurisdiction to impose penalties for contempt of this Court and every other court of the Republic, including those established by Community law under article 160, shall have power to order the imprisonment of any person who does not obey a decision or order thereof until he complies with such decision or order, but in no case shall the imprisonment exceed twelve months.

Notwithstanding the provisions of article 90, a law or a community law, as the case may be, may grant jurisdiction to impose a penalty for contempt of court.

- [CONSTITUTION](#)

APTHPON 163

1. The Supreme Court shall issue procedural regulations for the purpose of regulating the procedure before it and before any other court established under the provisions of this part of the Constitution, except as provided for in article 160.

2. Without prejudice to the general provision of the first paragraph of this article, the Supreme Court may issue procedural rules for the purposes mentioned below:

(a) the regulation of the sittings of the courts and the selection of judges for any purpose,

(b) the summary trial of any appeal which is considered by the Supreme Court before which it is pending as manifestly unfounded or futile or as having been brought with the purpose of delaying the administration of justice, and also the summary conduct of any other proceedings before the Supreme Court or another court before which an appeal is pending as manifestly unfounded or futile or brought with the purpose of delaying the administration of justice.

(c) the determination of the types of pleadings and the court fees and expenses of the proceedings before the courts.

(d) the determination and regulation of the composition of the court secretariat and the powers, duties and authorities of judicial officers,

(e) the determination of the time limits within which compliance with the provisions of the procedural regulations is required.

(f) the determination of the procedure to be followed before the Supreme Judicial Council in the exercise of its disciplinary jurisdiction over judicial officers.

3. The procedural rules under this article may determine the number of judges of the Supreme Court who shall try a specific matter; however, in the exercise of the jurisdiction recognized by the Constitution in the Supreme Court, no case may be tried except in accordance with the provisions of article 159, and in the hearing of any appeal, including such appeal in accordance with article 156, the Supreme Court shall

consist of all its members, subject to the provisions of the second paragraph of article 160.

- [CONSTITUTION](#)

ARTICLE 164

1. The courts of second instance established in accordance with the second paragraph of article 160 shall issue procedural regulations for the purpose of regulating the procedure before them, as well as the procedure before the courts whose decisions are appealed before them.

2. Without prejudice to the general provision of the first paragraph of this article, the above courts of second instance may themselves issue, for themselves or for the courts whose decisions are appealed before them, procedural regulations for the purposes mentioned below:

(a) the regulation of the sittings of these courts,

(b) the determination of the types of pleadings and the court fees and expenses of the proceedings before them,

(c) the determination and regulation of the composition of the secretariat of these courts and the powers and duties of the judicial officers, and

(d) the determination of the time limits within which compliance with the provisions of the court's rules of procedure is required.

- [CONSTITUTION](#)

PART 11 Financial Provisions

APTHPON 165

1. All income and all sums of money in any way collected or received by the Republic shall be deposited, in accordance with the provisions of the Constitution and the laws, in a State account called the "permanent fund account of the Republic".

2. All income and all sums of money in any way collected or received by either Community Assembly shall be deposited, subject to Community laws, in an account called the "Community Assembly fixed fund account".

3. Any reference in the Constitution to the term "fixed fund account" shall be construed as referring to the fixed fund account of the Republic, referred to in the first paragraph of this article, unless the term is used in such a context as to indicate otherwise.

- [CONSTITUTION](#)

APTHPON 166

1. In addition to grants, salaries and other sums of money, the debiting of which is regulated under any other provision of the Constitution or law, the fixed fund account shall be debited with the following expenses:

(a) any pension and any grant for the payment of which the Republic is obliged,

(b) the grants of the President and the Vice-President of the Republic and the remuneration of the judges of the Supreme Constitutional Court and the Supreme Court, the Attorney General and the Assistant Attorney General of the Republic, the Auditor General and the Assistant Auditor General, the Governor and Deputy Governor of the Issuing Bank of the Republic and the members of the Public Service Commission,

(c) any debt arising from debts for which the Republic is liable, and

(d) any sum of money payable in execution of a judgment or order issued against the Republic by any court.

2. In this article, the term "debts" includes interest, deductions to create a repayment reserve, the repayment of public debt amortizations and all expenses related to the conclusion of loans, the guarantee of the fixed fund account, as well as the servicing and repayment of the debt arising from the conclusion of the loan.

- [CONSTITUTION](#)

APTHPON 167

1. The Minister of Finance, immediately upon receiving the estimates of each ministry and each independent service of the Republic, shall ensure the preparation, in relation to each financial year, of a complete budget

of the Republic for the year in question, which, after its approval by the Council of Ministers, shall be submitted to the House of Representatives.

2. The expenditure estimates in the budget shall show separately:

(a) the total funds required to meet the expenses for which the fixed fund account is debited, and

(b) the amounts required respectively to meet other expenses.

3. The budget shall reflect, as far as is practicable, the assets and liabilities of the Republic at the end of the preceding completed financial year, the manner in which the assets are invested or held, and details of outstanding liabilities.

4. The expenses that are met from the fixed fund account, those not charged to it, are submitted for a vote to the House of Representatives and, if voted by the House of Representatives, are included in the budget of the fiscal year to which they refer.

5. If in any financial year it is found that the appropriation voted by the House of Representatives for any purpose is insufficient or that there is a need to allocate an appropriation for a purpose for which no appropriation has been voted, a supplementary budget shall be submitted to the House of Representatives for vote, showing the required sums of money and if this is voted by the House of Representatives, the appropriation shall be included in the budget of the financial year to which it refers.

6. The House of Representatives may vote or refuse to vote on any expenditure included in a supplementary budget, but it may not vote on an increase in expenditure or a change in the purpose for which it is intended.

7. The budget of the House of Representatives, drawn up by the President of the House in accordance with the broader budgetary conditions and in compliance with the maximum expenditure limits determined from time to time by the Executive Power, constitutes a distinct part of the budget of the Republic, is submitted to the House for approval by a decision taken in the usual procedure under the same terms and conditions as referred to in its preparation, and is subsequently registered as such in the budget of the Republic for the financial year to which it relates and becomes permanently enforceable upon its publication in the Official Gazette of the Republic.

8. A law shall provide for the execution of the budget of the House of Representatives and the establishment of effective control mechanisms, as well as any other related issue for the purpose of ensuring the full financial autonomy of the House of Representatives.

- [CONSTITUTION](#)
- [100\(I\)/2019](#)

ARTICLE 168

1. No expenditure shall be made from the fixed fund account or any other account of the State, except on the basis of a payment order signed by the Minister of Finance; however, the Minister of Finance may not refuse to sign a payment order for an expenditure provided for in the budget.

2. Subject to the provisions of the third paragraph of this article, no payment order shall be issued if the relevant expenditure has not been included in the budget of the financial year to which the payment order refers.

3. If the budget has not been voted by the House of Representatives by the day of the commencement of the financial year to which it relates, the House of Representatives may, subject to the provisions of the Constitution, by resolution thereof authorize the making of any required expenditure for a period not exceeding one month at a time and in any case two months in total from the fixed fund account or any other account of the State, if it deems this necessary for the continuation of the public services provided for in the budget and namely until the expiration of the said period, but the expenditure approved in accordance with the above for any service may not exceed the corresponding amount of the a portion of the total amount voted for the said service in the budget of the previous financial year.

- [CONSTITUTION](#)

PART 12 Miscellaneous Provisions

ARTICLE 169

Subject to the provisions of article 50 and the third paragraph of article 57

1. All international agreements with other states or any international organization concerning commercial matters, economic cooperation, including payments and credits and modus vivendi, shall be concluded following a decision of the Council of Ministers.

2. The negotiation of any other treaty, convention or international agreement, as well as their signing, shall take place following a decision of the Council of Ministers, but they shall not enter into force and shall not bind the Republic, unless and until they are ratified by a law passed by the House of Representatives, at which time they shall be ratified.

3. Treaties, contracts and agreements concluded in accordance with the aforementioned provisions of this article shall, from the date of their publication in the official gazette of the Republic, have increased force over any domestic law, provided that such treaties, contracts and agreements are applied accordingly by the contracting party.

4. The Republic may exercise any of its options and discretions provided for in the Treaties Establishing the European Communities and in the Treaty on European Union and in any treaties amending or replacing them and to which the Republic agrees.

- [CONSTITUTION](#)
- [127\(I\)/2006](#)

ARTICLE 170

1. The Republic shall grant, by agreement under appropriate conditions, the most-favoured-nation clause to the Kingdom of Greece, the Turkish Republic and the United Kingdom of Great Britain and Northern Ireland in any agreement of any nature.

2. The provisions of the first paragraph of this article shall not apply to the treaty relating to the establishment of the Republic of Cyprus and concluded between the Republic, the Kingdom of Greece, the Republic of Turkey and the United Kingdom of Great Britain and Northern Ireland, concerning the bases and military facilities granted to the United Kingdom.

- [CONSTITUTION](#)

ARTICLE 171

1. In radio and television broadcasts, programs are broadcast for both communities, the Greek and the Turkish.

2. The duration of radio programs for the Turkish community shall not be less than seventy-five hours per week, divided into regular daily broadcasts on all days of the week; however, if a reduction in the total duration of the broadcasts is imposed so that the duration of the programs for the Greek community becomes shorter than seventy-five hours per week, then the duration of the programs for the Turkish

community in any given week shall be reduced by the same number of hours by which the duration of the programs for the Greek community has been reduced; if, on the contrary, the duration of the programs for the Greek community is increased beyond one hundred and forty hours per week, then the duration of the programs for the Turkish community shall be increased in proportion to three hours for the Turkish community compared to seven hours for the Greek community.

3. Television will be allocated three days' broadcasts in each period of ten consecutive days for programs for the Turkish community, and the total duration of these programs in each such ten-day period will be determined in proportion to three hours of programming for the Turkish community versus seven hours of programming for the Greek community.

4. All official radio and television broadcasts are made in both Greek and Turkish and are not counted in the duration of the broadcasts referred to in this article.

- [CONSTITUTION](#)

ARTICLE 172

The Republic shall be liable for any harmful, unjust act or omission of the officials or authorities of the Republic in the exercise of their duties or in connection with the exercise of their duties. A law shall determine the liability of the Republic.

- [CONSTITUTION](#)

ARTICLE 173

1. Separate municipalities shall be created in the five largest cities of the Republic, namely Nicosia, Limassol, Famagusta, Larnaca and Paphos by their Turkish inhabitants, on condition that the President and the Vice-President of the Republic shall, within four years from the coming into force of the Constitution, examine the question whether this separation of the municipalities of the said cities shall be continued or not.

2. In any of the above cities, the council of the Greek municipality is elected by the Greek voters of the city, and the council of the Turkish municipality is elected by the Turkish voters of the city.

3. In each of the above cities, a coordination body shall be established consisting of two members elected by the council of the Greek municipality, two members elected by the council of the Turkish

municipality and a chairman elected by common agreement by the two councils of the said municipalities of the city. The coordination body shall provide for all work which is required to be carried out jointly, shall provide within the city to the citizens of both municipalities services assigned to it following agreement of the councils of the two municipalities, and shall take care of matters which render cooperation to a certain extent necessary.

- [CONSTITUTION](#)

ARTICLE 174

Within the limits of any of the above cities no municipal tax, real estate tax, fee or any other revenue shall be imposed, assessed or collected by any person under any of the above municipalities, if such person does not belong to the same community as the municipality concerned, except:

(a) the fees paid for the use of municipal markets, slaughterhouses and other municipal places, all within the area in which the council of one of the above municipalities of any of the said cities exercises its jurisdiction,

(b) public entertainment fees, payable on immovable property or premises situated within the area in which the council of one of the above municipalities of any of the said cities exercises its jurisdiction, and

(c) the fees which, following an agreement between the two councils of the above municipalities of any of the said cities, are paid for any service provided to a person not belonging to the community of the municipality in excess of the measure of the service usually provided by the municipality, which are always paid to the council of the municipality in question; however, in the event that any service in the form of control or inspection as well as a service of a similar nature is provided by a municipality in any of the said cities to a person belonging to the community of the other municipality, any relevant fee is paid to the municipality to which the service is provided.

- [CONSTITUTION](#)

ARTICLE 175

No permit shall be granted by a municipality of any of the said cities to a person not belonging to the community of that municipality, but permits relating to real estate, premises or building work within the area in which a municipality of any of the said cities exercises its jurisdiction shall be issued by that municipality, and in relation to the permit issued, the same municipality, which shall collect the relevant fees payable, shall provide all services, exercise all supervision and all control.

- [CONSTITUTION](#)

ARTICLE 176

Nothing in articles 173 to 178 inclusive may be interpreted as excluding the issuance of a law on urban planning applicable to any of the above municipalities subject to the following conditions:

(a) the authority preparing the town-planning plans for any of the said cities shall consist of a ten-member committee composed of seven Greeks and three Turks,

(b) the decisions of this authority are taken by an absolute majority, however, no decision concerning a Greek municipality shall be taken if the above majority does not include the votes of at least four Greeks and no decision concerning a Turkish municipality shall be taken if the above-mentioned majority does not include the votes of at least two Turks.

(c) all matters of a town planning nature in any of the aforementioned cities as well as all town planning arrangements fall within the exclusive competence of the said authority.

- [CONSTITUTION](#)

ARTICLE 177

Subject to the provisions of articles 173 to 178 inclusive, each municipality of any of the said cities shall exercise its competence and all its functions within an area, the boundaries of which shall be determined for each municipality by agreement of the President and the Vice-President of the Republic.

- [CONSTITUTION](#)

ARTICLE 178

For the remaining areas, special provision should be made for the formation of municipal bodies based on the rule of proportional representation of the two communities, as far as possible.

- [CONSTITUTION](#)

PART 13 Final Provisions

ARTICLE 179

1. Subject to the provisions of article 1A, the Constitution is the supreme law of the Republic.

2. No law or decision of the House of Representatives or either Community Assembly, nor any act or decision of any body, authority or person in the Republic exercising executive power or any administrative function, may be in any way contrary to or inconsistent with any of the provisions of the Constitution or with any obligation imposed on the Republic as a result of its participation as a member state in the European Union.

- [CONSTITUTION](#)
- [127\(I\)/2006](#)

ARTICLE 180

1. Both the Greek and Turkish texts of the Constitution are original and have the same validity and legal force.

2. Any contradiction between the two texts of the Constitution shall be resolved by the Supreme Constitutional Court by reference to the text of the draft Constitution signed in the Joint Constitutional Committee in Nicosia on April 6, 1960, as well as to the annex of amendments thereto, signed on July 6, 1960, by representatives of the Kingdom of Greece, the Turkish Republic and the Greek and Turkish communities, taking into account also the text of the Zurich agreements of February 11, 1959, and of London of February 19, 1959, according to both the letter and the spirit thereof.

3. In case of ambiguity, the Constitution shall be interpreted by the Supreme Constitutional Court taking into account the text of the Zurich Agreements of February 11, 1959, and the London Agreements of February 19, 1959, according to both the letter and the spirit thereof.

- [CONSTITUTION](#)

ARTICLE 181

The Treaty guaranteeing the independence, territorial integrity and the Constitution of the Republic, concluded between the Republic, the Kingdom of Greece, the Turkish Republic and the United Kingdom of Great Britain and Northern Ireland, as well as the Treaty of Military Alliance concluded between the Republic, the Kingdom of Greece and the Turkish Republic, the texts of which are attached to this Constitution as Annexes I and II, shall have constitutional force.

- [CONSTITUTION](#)

ARTICLE 182

1. The articles or parts of the articles of the Constitution included in the annexes III attached hereto, incorporated into the Constitution by the Zurich Agreement of February 11, 1959, constitute fundamental articles of the Constitution and may not, in any way, be amended by alteration, addition or repeal.

2. Subject to the provisions of the first paragraph of this article, any provision of the Constitution may be amended by alteration, addition or repeal as defined in the third paragraph of this article.

3. For the passage of any amendment law, a majority comprising at least two-thirds of the total number of deputies belonging to the Greek community and at least two-thirds of the total number of deputies belonging to the Turkish community is required.

- [CONSTITUTION](#)

ARTICLE 183

1. In case of war or other public danger threatening the existence of the Republic or any part thereof, the Council of Ministers shall have the power to declare by its decision the declaration of a state of emergency; the President and the Vice-President of the Republic, however, individually or jointly, shall have the right of veto of any such decision, exercised within forty-eight hours from the day on which the decision was communicated to the office of either.

2. Any such proclamation shall specify the articles of the Constitution which shall be suspended for the duration of the state of emergency; however, only the following articles of the Constitution may be suspended by proclamation: article 7, only in so far as death is caused by lawful military action, the second and third paragraphs of article 10,

articles 11, 13, 16, 17, 19, 21, subparagraph (d) of the eighth paragraph of article 23 and articles 25 and 27.

3. The President and the Vice-President of the Republic shall issue the proclamation by publication in the official newspaper of the Republic, unless one of them or jointly exercises the right of veto, as defined in the first paragraph of this article.

4. A proclamation issued in accordance with the foregoing provisions of this article shall be immediately laid before the House of Representatives. If the House of Representatives is not in session, it shall be convened to decide on the matter as soon as possible.

5. The House of Representatives has the right to reject or approve the proclamation declaring a state of emergency. In case of rejection, the proclamation declaring a state of emergency has no legal force. In case of approval, the President and the Vice-President of the Republic shall promulgate the decision of the House of Representatives by publication in the official gazette of the Republic.

6. The proclamation declaring a state of emergency shall cease to be in force upon the lapse of two months from its approval by the House of Representatives, unless the House of Representatives, at the request of the Council of Ministers, decides to extend the duration of the state of emergency, in which case the President and the Vice-President of the Republic, individually or jointly, shall have the right to veto the decision to extend the duration of the state of emergency, exercised in accordance with article 50.

7. (1) Notwithstanding the provisions of the Constitution, as long as a proclamation declaring a state of emergency is in force, the Council of Ministers, if it considers that immediate action is required, shall issue decrees strictly related to the state of emergency, having the force of law and subject to the right of veto of the President and the Vice-President, acting either individually or jointly, in accordance with article 57.

(2) If the right of veto is not exercised in accordance with the first subparagraph of this paragraph, the President and the Vice-President of the Republic shall issue the said decrees by way of promulgation in the official gazette of the Republic.

(3) The above decrees shall cease to have effect upon the expiry of the state of emergency, unless they have been revoked earlier.

- [CONSTITUTION](#)

ARTICLE 184

1. Whenever a decree issued in accordance with subsection (2) of the seventh paragraph of article 183 authorizes the imposition of preventive personal detention

(a) the authority by whose order any person is detained pursuant to the decree shall, as soon as possible, inform the detainee of the reasons for his detention and, subject to the provisions of the third paragraph of this article, of the allegations as to the facts on which the order is based and shall afford him the opportunity of submitting, as soon as possible, objections to the detention order, and

(b) No citizen shall be detained in execution of a decree for a period exceeding one month, unless an advisory council composed as defined in the second paragraph of this article, after examining the objections submitted by the detainee in accordance with subsection (a) of this paragraph, gives an opinion before the expiration of the month that it considers that there is sufficient reason justifying the detention.

2. Advisory Council established for the implementation of this

3. Article is composed of a president appointed jointly by the President and the Vice-President of the Republic and selected from persons who are or have been judges of the Supreme Court or who have acquired the qualifications for their appointment as judges of this Court and from two other members appointed jointly by the President and the Vice-President of the Republic, after having previously consulted the president of the Supreme Court.

4. This article does not oblige any authority to disclose facts the disclosure of which, in its judgment, would be contrary to the national interest.

- [CONSTITUTION](#)

ARTICLE 185

1. The territory of the Republic is unitary and indivisible.
2. The total or partial union of Cyprus with any other state or separate independence is excluded.

- [CONSTITUTION](#)

ARTICLE 186

1. In the Constitution, unless otherwise expressly provided or unless the given sequence of use of a term indicates otherwise –

(a) "Community" means the Greek or Turkish community, "court" includes any judge thereof, "Greek" means a member of the Greek community, as defined in Article 2, "law" means a law of the Republic, whenever the term is used in relation to a period of time following the entry into force of the Constitution, "person" includes any company, partnership, association, corporation, foundation or organization of persons, with or without legal personality, "Republic" means the Republic of Cyprus; "Turk" or "Turkish" means a member of the Turkish community, as defined in Article 2,

(b) words denoting the masculine gender include the feminine gender and words in the singular number include the plural and vice versa.

2. In cases where the Constitution provides power to issue all kinds of decrees, administrative or management regulations and any instructions, this power should be interpreted as including power, exercised in a similar manner, to amend or revoke any of the said decrees, regulations or instructions.

- [CONSTITUTION](#)

Transitional Provisions

ARTICLE 187

1. The elected –

(a) as the first President or Vice-President of the Republic,

(b) as members of parliament or as members of either Community Assembly, in accordance with the provisions of any law in force immediately prior to the date of entry into force of the Constitution, they shall be deemed to be the President of the Republic, Vice-President of the Republic, members of parliament and members of the Community Assemblies respectively, who have been legally elected within the meaning of the provisions of the Constitution.

2. All electoral laws and regulations, the validity of which has automatically expired on the date of the coming into force of the Constitution, shall continue to be in force until a new electoral law is passed by the House of Representatives or by any Community Assembly, as the case may be, but in any case not later than eighteen months from the date of the coming into force of the Constitution. This extension of validity shall apply to any by-election held to fill, during the said period, a vacancy in the office of President of the Republic or Vice-President of the Republic or the office of a Member of Parliament or the position of a Member of the Community Assembly.

- [CONSTITUTION](#)

ARTICLE 188

1. Subject to the provisions of the Constitution and the following provisions of this article, any law in force on the date of the coming into force of the Constitution shall continue to be in force on and after the said date, until it is amended, by alteration, addition or repeal by any law or community act passed in accordance with the Constitution, and from that date it shall be interpreted and applied, adapted, to the extent necessary, to the Constitution.

2. Subject to any other provision in the transitional provisions, no provision of this law which is contrary to or inconsistent with any provision of the Constitution and no law for which a special majority is required under article 78 shall continue in force; however, the laws relating to municipalities shall continue in force for a period of six months from the date of the coming into force of the Constitution, and any law imposing taxes or duties shall continue in force until December 31, 1960.

3. For any such law maintained in force in accordance with the first paragraph of this article, the following shall apply, unless the use of a term in a given sequence indicates otherwise:

(a) any reference to the colony of Cyprus or to the "Crown" shall be construed in relation to any period of time commencing from the date of the coming into force of the Constitution and hereinafter as meaning the Republic,

(b) any reference to the Governor or the Governor in Council shall be construed, in relation to any such period of time, as meaning the President and the Vice-President of the Republic in accordance with the express provisions of the Constitution, individually or jointly, the House of Representatives in respect of matters relating to the exercise of legislative power, excluding matters expressly referred to the Communal Assemblies, the Communal Assemblies in respect of any matter falling under their jurisdiction in accordance with the Constitution, and the Council of Ministers in respect of matters relating to the exercise of executive power,

(c) any reference to the administrative secretary or the financial secretary shall be construed, in relation to any such period of time, as meaning the ministry or independent service of the Republic to which the matters were generally assigned, if the said secretaries were competent,

(d) any reference to the Attorney General or the Deputy Attorney General shall be construed in relation to any such period of time as meaning respectively the Attorney General of the Republic or the Assistant Attorney General of the Republic, and

(e) any reference to any other person holding a public office or position or to any authority or any organization shall be construed in relation to any such period of time as meaning the corresponding public servant or the corresponding authority or service or the corresponding organization of the Republic.

4. Any court of the Republic applying the provisions of any law, maintained in force in accordance with the first paragraph of this article, shall continue to apply it in relation to any such period of time with the

necessary adjustments to bring it into conformity with the provisions of the Constitution, including its transitional provisions.

5. In this article-

(a) the term "law" includes any administrative act drawn up under this law before the date of entry into force of the Constitution.

(b) the term "adaptation" includes modification, alignment and repeal.

- [CONSTITUTION](#)

ARTICLE 189

Notwithstanding the provisions of article 3 and for a period of five years from the date of entry into force of the Constitution-

(a) all laws maintained in force under article 188 may remain in the English language, and

(b) the English language may be used in any proceedings before any court of the Republic.

- [CONSTITUTION](#)

ARTICLE 190

1. Subject to the following provisions of this article, any court existing immediately before the date of the coming into force of the Constitution shall, notwithstanding the provisions of the Constitution, continue to function as heretofore, but under a constitution, as far as possible in accordance with the provisions of the Constitution, from the said date and until a new law is passed on the constitution of the courts of the Republic, but in any case not later than four months from that date. However, pending hearings, whether civil or criminal, which on the date of the coming into force of the Constitution had been partially completed, shall continue and be heard before the court so pending, constituted as before, regardless of any provision of the Constitution.

2. Notwithstanding the provisions of the Constitution and until the Supreme Constitutional Court established thereby is organized and for a period not exceeding three months from the date of entry into force of the Constitution, the protocol of the Supreme Court shall also function as the protocol of the Supreme Constitutional Court.

3. The protocol of the Supreme Court shall function as the protocol of the Supreme Constitutional Court in relation to all matters, including appeals, until such Court is constituted; the constitution of the Court shall take place not later than three months from the date of entry into force of the Constitution.

4. For the purpose of calculating any time limit in relation to an appeal before the Supreme Constitutional Court under the provisions of the Constitution, the time from the date of entry into force of the Constitution until the above-mentioned establishment of the Court shall not be included.

5. The Supreme Court existing immediately on the date of the coming into force of the Constitution shall be deemed, until the formation of the Supreme Court in accordance with the provisions of the Constitution, to be the Supreme Court established by the Constitution. The formation of the Supreme Court by the Constitution shall take place not later than three months from the date of the coming into force of the Constitution; however, the reference to the Chief Justice shall mean the most senior member of the Court and the existing Supreme Court shall be deemed to have been validly constituted during the said period of time, regardless of the reduction of its members below the number of four.

- [CONSTITUTION](#)

ARTICLE 191

Any proceedings pending on the date of the coming into force of the Constitution in which the Attorney General on behalf of the Government of the Colony of Cyprus or any department or officer thereof is a party shall be continued on that date and thereafter, with the Republic or the corresponding department or officer thereof substituted as a party.

- [CONSTITUTION](#)

ARTICLE 192

1. Subject to any other provision of the Constitution, every person who immediately before the date of the coming into force of the Constitution holds a position or office in the public service shall be entitled after that date to the same conditions of service as were in force for him before that date. Such conditions shall not be altered to his disadvantage during the continuance of his service in the public service of the Republic on or after the said date.

2. Subject to the provisions of the first paragraph of this article, the judges of the Supreme Court, other than the Chief Justice, and the

judges and justices of the peace or magistrates of the lower courts, holding their offices or positions immediately before the date of the coming into force of the Constitution, shall continue to hold, notwithstanding the provisions of articles 153 and 157, their respective offices or positions, as if they had been appointed to their positions or positions in accordance with the provisions of these articles, and in particular, until appointments are made in accordance with the provisions of the said articles, and the provisions of the Constitution shall apply accordingly to them.

3. If the holder of a position or office referred to in the first and second paragraphs of this article is not appointed to the public service of the Republic, he is entitled, subject to the conditions of service applicable to him, to fair compensation or a pension on the basis of the provisions on pensions in the event of the abolition of the position or office, the more advantageous of the two being chosen and paid from the public treasury of the Republic.

4. Without prejudice to the validity of the fifth paragraph of this article, any holder of a position referred to in the first and second paragraphs, subject, in application of the Constitution, to the competence of a Community Assembly, may, if he so wishes, waive his rights in accordance with the third paragraph of this article and choose a service subject to a Community Assembly. In such a case, the holder of the said position or office shall be entitled to receive from the Republic any severance pay, pension, additional allowance or other similar benefit to which he would be entitled under the law in force immediately before the date of the coming into force of the Constitution, and in particular in relation to a period of service prior to the said date, if that period, by itself or together with any period of service under a Community Assembly, entitled him to receive any such benefit under the said law.

5. Every teacher who, immediately before the date of the coming into force of the Constitution, was in active teaching service and was receiving remuneration paid from the public treasury of the colony of Cyprus and whose position, in application of the Constitution, falls under the jurisdiction of a Community Assembly, shall be entitled to receive from the Republic any severance pay, pension, additional allowance or other similar benefit to which he would be entitled in accordance with the law in force before the date of the coming into force of the Constitution and in particular in relation to a period of service before the said date, if that period by itself or together with any period of service falling under a Community Assembly provided him with the right, in accordance with the aforementioned law, to receive any such benefit.

6. Every person who immediately before the date of the coming into force of the Constitution was a civil servant of the colony of Cyprus, and was on leave by reason of retirement from the service or being transferred from the service to any other service outside that of the Republic, shall be entitled to the same conditions of service which under the same conditions applied to him before the said date, irrespective of whether he is a citizen of the Republic or not, and such conditions of service shall not be altered to his disadvantage.

7. In this article, the following terms have the meaning indicated opposite them:

(a) "public service" in relation to the period before the date of the coming into force of the Constitution means service subject to the Government of the colony of Cyprus, and in relation to service after that date means civil service, subject to the Government of the Republic and includes service in the security forces of the Republic.

(b) "terms of service" include, subject to the necessary adjustments in accordance with the provisions of the Constitution, those relating to remuneration, leave, suspension or retirement, pension, additional allowances or other similar benefits.

8. Subject to the provisions of the sixth paragraph of this article, none of the provisions of this article shall apply to anyone who is not a citizen of the Republic.

- [CONSTITUTION](#)

ARTICLE 193

Anyone who immediately before the date of the coming into force of the Constitution was receiving from the public treasury of the colony of Cyprus, including the widows' and orphans' pension fund, any pension or other allowance on account of retirement from service shall, from the date of the coming into force of the Constitution, continue to receive the pension or allowance on account of retirement from service from the public treasury of the Republic, under the conditions and terms in force for pensions or other said allowances immediately before the date of the coming into force of the Constitution or under conditions and terms established subsequently, but not less favourable to the beneficiary and applicable to his case.

- [CONSTITUTION](#)

ARTICLE 194

The right of any person to a pension from the widows' and orphans' pension fund from the date of the coming into force of the Constitution and hereafter shall continue to be subject to the conditions and terms of pension in force immediately before the date of the coming into force of the Constitution, and these may not be changed to the disadvantage of any person, as long as his right to the pension exists.

- [CONSTITUTION](#)

ARTICLE 195

Notwithstanding the provisions of the Constitution, the persons elected as the first President of the Republic and as the first Vice-President of the Republic, who by virtue of article 187 are recognized as the first President and as the first Vice-President of the Republic, before or after their installation in office, as defined in article 42, shall have and shall be deemed to have jointly the exclusive right and authority to sign and conclude in the name of the Republic the Treaty establishing the Republic of Cyprus, between the Republic, the Kingdom of Greece, the Republic of Turkey and the United Kingdom of Great Britain and Northern Ireland, together with the exchanges of communications drawn up for signature with this Treaty and the Treaty guaranteeing the independence, territorial integrity and the Constitution of the Republic, between the Republic, the Kingdom of Greece, the Republic of Turkey and the United Kingdom of Great Britain and Northern Ireland, the Treaty of Military Alliance between the Republic, the Kingdom of Greece and the Republic of Turkey and the Agreement between the Republic, the Kingdom of Greece and the Republic of Turkey on the Implementation of the Treaty of Alliance concluded between these States and these treaties, agreements and exchanged communications shall be hereby validly concluded in the name of the Republic, and, having entered into force, shall become binding from the date of their signature as above.

- [CONSTITUTION](#)

ARTICLE 196

The term of office of the first Community Assemblies begins from the date of entry into force of the Constitution.

- [CONSTITUTION](#)

ARTICLE 197

1. All movable or immovable property or any right or interest therein held immediately before the date of the coming into force of the Constitution in favour of any school or organisation or institution, subject by virtue of the provisions of the Constitution to the jurisdiction of a Community Assembly or on its behalf or in trust for it, whether belonging to the Government of the colony of Cyprus or to any organisation or other person, or registered in their name, shall, from the date of the coming into force of the Constitution, be transferred and delivered into the possession of the persons, authorities or organisations whom the law of the relevant Community Assembly shall designate, subject to the conditions and terms which such law shall establish. Such law, however, cannot provide that any such property shall be transferred to this Community Assembly or shall be delivered into the possession of this Community Assembly.

2. Nothing contained in this article shall apply to bequests or other donations administered by trustees or to any endowment, and relating to educational purposes.

- [CONSTITUTION](#)

ARTICLE 198

1. The following provisions shall apply until a law on nationality is passed including these provisions:

(a) any matter relating to nationality shall be governed by the provisions of Annex D to the Treaty of Establishment, and

(b) a person born in Cyprus on or after the date of the coming into force of the Constitution shall acquire by birth the citizenship of the Republic if his father had acquired the citizenship of the Republic on that date or would have acquired such citizenship by virtue of the provisions of Annex D to the Treaty of Establishment if he had not died.

2. In this article "Treaty of Establishment" means the treaty between the Republic of Cyprus, the Kingdom of Greece, the Republic of Turkey and the United Kingdom of Great Britain and Northern Ireland, relating to the establishment of the Republic of Cyprus.

- [CONSTITUTION](#)

ARTICLE 199

1. The Turkish Community Assembly is entitled to receive from the Government of the United Kingdom of Great Britain and Northern Ireland the amounts referred to in the exchanges of communications between the Governor of the Colony of Cyprus on behalf of the Government of the United Kingdom and representatives of the Turkish Community of Cyprus which were drawn up for signature on 6 July 1960.

2. None of the provisions of this article may be interpreted as limiting the right of either of the two communities under the Constitution.

- [CONSTITUTION](#)

ANNEXES

ANNEX I

ANNEX I (Article 181)

WARRANTY CONDITION (Translated from the original English and French)

text)

The Republic of Cyprus, on the one hand, and Greece, Turkey and the United Kingdom of Great Britain and Northern Ireland, on the other hand, I. Considering that the recognition and maintenance of the independence, territorial integrity and security of the Republic of Cyprus, as established and defined by the fundamental articles of its Constitution, is in their common interest, II. Desiring to cooperate in ensuring respect for the situation created by the said Constitution, have agreed as follows:

Article I

The Republic of Cyprus undertakes the obligation to ensure the maintenance of its independence, territorial integrity and security, as well as respect for its Constitution.

The Republic of Cyprus undertakes not to participate, in whole or in part, in any political or economic union with any state. Consequently, it declares prohibited any action which may, directly or indirectly, promote either union with any other state or the division of the island.

Article II

Greece, Turkey and the United Kingdom, taking note of the obligations undertaken by the Republic of Cyprus in Article I of this Treaty, recognize and guarantee the independence, territorial integrity and security of the Republic of Cyprus as well as the situation created by the fundamental articles of its Constitution.

Greece, Turkey and the United Kingdom also undertake to prohibit, in their opinion, any action aimed at promoting, directly or indirectly, either the union of Cyprus with any other state or the partition of the island.

Article III

The Republic of Cyprus, Greece and Turkey undertake to respect the integrity of the territories which at the time of the establishment of the Republic of Cyprus were retained under the sovereignty of the United Kingdom and guarantee the use and enjoyment by the United Kingdom of the rights secured in this respect by the Republic of Cyprus in accordance with the Treaty of Establishment of the Republic of Cyprus signed in Nicosia on this day.

Article IV

In the event of a violation of the provisions of this Treaty, Greece, Turkey and the United Kingdom undertake to consult each other regarding the representations or measures necessary to ensure compliance with the said provisions.

Should joint or concerted action prove impossible, each of the three guarantor powers reserves the right to act solely for the purpose of restoring the situation created by the present treaty.

Article V

This Treaty shall enter into force on the date of this signature. The authentic texts of this Treaty shall be deposited in Nicosia.

The High Contracting Parties shall proceed as soon as possible to register the present Treaty with the Secretariat of the United Nations in accordance with Article 102 of the Charter of the United Nations.

ANNEX II

ANNEX II

(Article 181)

TREATY OF ALLIANCE (Translated from the original French text)

The Republic of Cyprus, Greece and Turkey, I. in their common desire to maintain the peace and security of each of them, II. bearing in mind that their efforts for the maintenance of peace and security are in accordance with the purposes and principles of the Charter of the United Nations, have agreed as follows:

Article I

The High Contracting Parties undertake to cooperate for their common defense and to consult with each other on problems arising in this connection.

Article II

The High Contracting Parties undertake to resist any direct or indirect attack directed against the independence or territorial integrity of the Republic of Cyprus.

Article III

For the purposes of this alliance and to achieve the aforementioned, a Tripartite Headquarters will be established on the territory of the Republic of Cyprus.

Article IV

Greece and Turkey will participate in the Tripartite Headquarters thus established through the military detachments specified in the Additional Protocols No. 1 attached to the present treaty.

The said detachments will take care of the training of the army of the Republic of Cyprus.

Article V

The command of the Tripartite Headquarters will be assumed in rotation, for a period of one year each, by a Greek, Turkish and Cypriot senior officer, who will be appointed respectively by the Governments of Greece and Turkey and by the President and Vice-President of the Republic of Cyprus.

Article VI

This Treaty shall enter into force on the date of this signature.

The High Contracting Parties shall conclude additional agreements if the application of the present Treaty should make this necessary.

The High Contracting Parties shall proceed as soon as possible to register the present Treaty with the Secretariat of the United Nations in accordance with Article 102 of the Charter of the United Nations.

ADDITIONAL PROTOCOL No. I

I. The future participating detachments of the Tripartite Headquarters, Greek and Turkish, will include respectively 950 Greek officers, non-commissioned officers and hoplites and 650 Turkish officers, non-commissioned officers and hoplites.

II. The President and the Vice-President of the Republic of Cyprus, acting by agreement, may request from the Governments of Greece and Turkey the increase or decrease of the Greek and Turkish contingents.

III. It is agreed that the barracks of the Greek and Turkish detachments participating in the Tripartite Headquarters, their legal status, the facilities and exemptions from customs duties and taxes, as well as their other immunities and privileges, as well as any other military and technical matters concerning the organization and operation of the aforementioned Headquarters, will be determined by a special agreement which will enter into force no later than the Treaty of Alliance.

IV. It is also agreed that the Tripartite Headquarters shall be established not later than three months after the completion of the work of the Joint Constitutional Commission and shall consist, during the initial period, of a limited number of officers charged with the training of the armed forces of the Republic of Cyprus. The aforementioned detachments, Greek and Turkish, shall arrive in Cyprus on the date of the signing of the Treaty of Alliance.

ADDITIONAL PROTOCOL No. II

Article I

A Committee is hereby established consisting of the Ministers of Foreign Affairs of Cyprus, Greece and Turkey. This shall constitute the supreme political organ of the tripartite alliance and may deal with any question concerning the alliance which the Governments of the three allied countries shall agree to submit to it.

Article II

The Committee of Ministers shall meet in regular session once a year. In case of emergency, the Committee of Ministers may be convened in extraordinary session by its Chairman at the request of one of the members of the alliance.

The decisions of the Committee of Ministers are taken unanimously.

Article III

The Committee of Ministers shall be chaired in turn for a period of one year by each of the three Ministers of Foreign Affairs. Unless otherwise decided, it shall meet in ordinary session in the capital of the country of its Chairman. During his term of office, the Chairman shall preside over both ordinary and extraordinary sessions of the Committee of Ministers.

The Commission may establish subsidiary bodies whenever it deems this necessary for the fulfillment of its task.

Article IV

In the exercise of its functions, the Tripartite Headquarters established by the Treaty of Alliance shall be responsible to the Committee of Ministers. The Tripartite Headquarters shall submit to the Committee, during its regular session, an annual report containing a detailed account of the Headquarters' activities.

ANNEX III

ANNEX III TABLE OF FUNDAMENTAL ARTICLES OF THE CONSTITUTION

(Article 182)

Article 1.

First and second paragraphs of article 3.

First paragraph of article 4.

Second paragraph of article 4 only insofar as it mentions the principles of the Republic.

Third paragraph of Article 4 only insofar as it refers to the Community authorities.

Fourth paragraph of article 4 only insofar as it refers to citizens of the Republic.

Article 5.

Fourth paragraph of article 23 only insofar as it refers to the Republic or municipality and subsection (c) of the said paragraph.

Fifth paragraph of article 23 only insofar as it refers to the use of property acquired by compulsory expropriation by the Republic or a municipality and its return to the owner.

Sixth paragraph of article 23.

The eleventh paragraph of article 23 only insofar as it refers to compulsory expropriation carried out by the Republic or a municipality and insofar as the paragraph refers to recourse to the courts and its suspensive effect.

Second paragraph of article 36.

First paragraph of article 39 only insofar as it mentions universal suffrage.

First paragraph of article 42 excluding the text of the affirmation, except for the mention in this text of faith in and respect for the Constitution.

Second paragraph of article 42.

First paragraph of article 43 only insofar as it mentions the five-year term.

Monday and Wednesday paragraph of article 44.

Article 46, excluding the fourth paragraph thereof.

First paragraph of article 50, excluding the part of subsection A from subsection (a) up to and including subsection (f).

First and second paragraph of article 51.

Third paragraph of article 51 excluding the thirty-day deadline for the Budget.

Fourth and sixth paragraph of article 51.

Article 52, excluding appeals to the Supreme Constitutional Court in accordance with article 140.

First, second and third paragraphs of article 53.

Second paragraph of article 57, excluding the deadlines and the period beginning with the words: "the exercise of the right of appeal" - until the end of the paragraph.

Third paragraph of article 57, excluding deadlines.

Fourth paragraph of article 57 only insofar as it refers to publication.

Article 61.

Second paragraph of article 62 only insofar as it mentions the percentages, the separate Universal vote and that the percentages are independent of statistical data.

First paragraph of article 65 only insofar as it mentions the five-year deadline.

Article 78.

Article 86.

Subsections (a), (b), (c), (d) and (e) of the first paragraph of article 87, and subsection (f) excluding the words "in accordance with article 88" at the end thereof. Subsections (b) and (c) of the first paragraph of article 89 and the second and third paragraphs of the same article.

Article 92 only insofar as it refers to the determination by the Community assemblies of the number of members of each of them.

Article 108.

First paragraph of article 112, excluding the qualifications referred to therein.

First paragraph of article 115, excluding the qualifications referred to therein.

First paragraph of article 118, excluding the qualifications referred to therein.

Article 123.

First paragraph of article 126, excluding the qualifications referred to therein.

Article 129.

Article 130.

Article 131.

Article 132.

First paragraph of article 133, excluding the second sentence of subsection (2).

First paragraph of article 137.

Third paragraph of article 137 only insofar as it refers to the suspension of the validity of the contested law or decision.

Fourth paragraph of article 137, excluding the second sentence.

First paragraph of article 138.

First paragraph of article 139 only insofar as it mentions the conflict of competence arising between the Parliament and the Community assemblies.

First paragraph of article 153, excluding the second sentence of subsection (2).

First and second paragraph of article 157.

First, Monday, Tuesday and Wednesday paragraph of article 159.

First paragraph of article 160 insofar as it provides for the matters which the courts will try.

Third paragraph of article 160, excluding the second sentence.

Article 170.

First paragraph of article 173, excluding the names of cities.

Third paragraph of article 173, specifically excluding the coordination organization's responsibility for all work that is required to be carried out jointly.

Article 178.

Article 181.

Article 182.

Second paragraph of article 185.

The Coat of Arms of the Republic

Below is the Coat of Arms of the Republic in color and black and white versions.

Note

4 of Law 95/1989 Transitional provisions

Pending proceedings on the date of entry into force of this Law [S.S.: namely Law 98/1989] shall continue and be completed before the court in which they are pending, constituted as previously and regardless of the amendment to the Constitution provided for in this Law [S.S.: namely Law 98/1989].

Note

5 of Law 95/1989 Date of entry into force of Law 95/1989

The force of this Law [S.S.: namely Law 95/1989] begins on 1.1.1990

Note

3 of Law 130(I)/2015 Transitional provisions

3.-(1) The Supreme Court retains and continues to exercise, pursuant to Article 146 of the Constitution, as amended by this Law, first-instance jurisdiction, until the date of publication in the Official Gazette of the Republic of the notification of the Supreme Court, on the establishment of the Administrative Court and its readiness to operate, at which time this jurisdiction is transferred to the Administrative Court to be exercised exclusively by it.

(2) On the date of publication of the notification issued under the provisions of subsection (1), the pending proceedings for appeals filed before the Supreme Court in the exercise of such first-instance jurisdiction shall be transferred to the Administrative Court established by law for the continuation of the judicial proceedings and the issuance of decisions under the law on the basis of which it is established, while the appeals in which the decision has been reserved shall be continued and concluded before the court in which they are pending.

Note

6 of Law 103(I)/2022 Transitional provision

6. Notwithstanding the provisions of this Law [S.S.: namely L. 103(I)/2022], the Supreme Court established by subsection (1) of article 3 of the Administration of Justice Laws of 1964 to 2015, shall continue to exercise the jurisdiction, powers and authorities which it had prior to the date of publication of this Law [S.S.: namely L. 103(I)/2022] in the Official Gazette of the Republic, until a law provides otherwise.

Note

7 of Law 103(I)/2022 Entry into force of Law 103(I)/2022

7.-(1) Subject to subsections (2), (3) and (4), this Law [S.S.: namely L. 103(I)/2022] shall enter into force on the date of its publication in the Official Gazette of the Republic.

(2) Subsections (3) and (4) of paragraph 1 of Article 144, as set out in Article 3, shall come into force on the date on which the Supreme Court established by subsection (1) of Article 3 of the Administration of Justice Laws of 1964 to 2015 shall begin to function as the Supreme Constitutional Court and as the Supreme Court.

(3) The repeal of paragraph (b) of Article 5 of paragraph 2 of Article 155 shall come into force on the date on which the Court of Appeal shall begin to exercise jurisdiction, as may be determined by law.