CYPRUS BAR ASSOCIATION



The Courts Law of 1960 (14/1960)

History of Modifications

14/1960 50/1962 11/1963 8/1969 40/1970 58/1972 1/1980 35/1982 29/1983 91/1983 51/1984 83/1984 93/1984 18/1985 71/1985 89/1985 96/1986 317/1987 49/1988 64/1990 136/1991 149/1991 232/1991 237/1991 42(I)/1992 43(I)/1992 102(I)/1992 26(I)/1993 82(I)/1995 102(I)/1996 27(I)/1998 53(I)/1998 110(I)/1998 34(I)/1999 146(I)/1999 4(I)/1997 53(I)/1997 90(I)/1997 41(I)/2000 32(I)/2001 40(I)/2002 80(I)/2002 140(I)/2002 206(I)/2002 17(I)/2004 165(I)/2004 268(I)/2004 21(I)/2006 99(I)/2007 170(I)/2007 76(I)/2008 81(I)/2008 118(I)/2008 119(I)/2008 36(I)/2009 129(I)/2009 138(I)/2009 19(I)/2010 166(I)/2011 30(I)/2013 46(I)/2014 191(I)/2014 29(I)/2017 109(I)/20175(I)/2020 102(I)/2020 199(I)/2020 70(I)/2022 146(I)/2022 168(I)/2022 222(I)/2022 114(I)/2023 152(I)/2023 71(I)/2024 107(I)/2024

Short title

1. The Courts Laws shall be referred to together as the Courts Laws of 1960 to (No. 3) of 1998.

14/1960

PART ONE

Hermeneutics

2. In the present law, unless the text provides otherwise,

"lawsuit" means a civil proceeding by which a claim is raised;

"cause" means any claim or other proceeding between a plaintiff and a defendant;

"immovable property" has the meaning assigned to that term by section 2 of the Immovable Property (Ownership, Registration and Valuation) Law;

"Supreme Judicial Council" means the Supreme Judicial Council, which is provided for by the provisions of article 10 of the Administration of Justice (Miscellaneous Provisions) Law

"Senior District Judge" has the powers conferred on him by article 4;

"cause of action" includes the totality of the facts forming the basis of the actionable right, but in actions in contract does not necessarily mean the whole of the cause of action. A cause of action shall be deemed to have arisen within the jurisdiction if the contract was made within it, and the breach could have been made elsewhere, and also if the breach was made within the jurisdiction, and the contract could have been made elsewhere:

"matrimonial dispute" means any action for divorce, for annulment of marriage, for judicial separation, for fraudulent invocation of the existence of marriage or for the restoration of conjugal rights;

"Republic" means the Republic of Cyprus;

"procedural regulation" also includes types of documents;

"miscellaneous" includes any action or other original proceeding between a plaintiff and a defendant;

"court" means the Supreme Constitutional Court, the Supreme Court, the Court of Appeal or any other court established under this law or established under any other law, having jurisdiction, and includes any judge thereof;

"judge" means a judge of any court;

"defendant" means the person against whom a claim is made;

"claimant" means the person who raises a claim;

"District Judge" has the meaning assigned to him under article 4;

"Court of Appeal" means the court established under the provisions of the Administration of Justice (Miscellaneous Provisions) (Amendment) Law of 2022

"matter" means any proceeding in a court which does not constitute a cause of action;

"Civil Procedure Rules of 2023" means the Civil Procedure Rules of Procedure;

"criminal proceedings" means any proceedings instituted before any court against any person for the purpose of obtaining his punishment for any offence for the violation of any law or secondary legislation;

"civil proceeding" includes any other proceeding or criminal proceeding;

"President of the District Court" has the powers conferred on him by article 4;

"Constitution" means the Constitution of the Republic of Cyprus;

"Employee" in relation to a court, means any employee in the public service of the Republic who is employed by the court.

14/1960 58/1972 29/1983 96/1986 146(I)/2022 114(I)/2023

PART TWO

Courts

- 3.-(1) The following courts are hereby established, to exercise such jurisdiction and authority as is conferred upon them by this law or by any other law for the time being in force:
 - (a) Provincial Courts
 - (b) criminal courts:

It is understood that other courts may be established as may be provided for under any other law.

- (2) For the purposes of this law, the Republic of Cyprus shall be divided into provinces and for each of these provinces one or more Criminal Courts shall be established and there shall be a District Court, as provided in this law.
- (3) Subject to the provisions of subsection (4), the administrative regions then existing shall be the provinces for the purposes of this law.
- (4) The Supreme Court may, from time to time, by order published in the Official Gazette of the Republic, alter the number and boundaries of such districts or to form two or more districts or to divide any such district for the purpose of forming a Criminal Court or a District Court.

14/1960 136/1991 21(I)/2006

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4.-(1) Subject to the provisions of this Law, including the provisions of this article, the District Court shall consist of one or more Presidents (in this Law referred to as the "President of the District Court"), one or more Senior District Judges (in this Law referred to as the "Senior District Judge") and the same number of other judges (in this Law referred to as the "Judges"). "District Judge"), as the Supreme Court wanted to define:

It is understood that the Supreme Court has the power to appoint a President of a District Court, a Senior District Judge or a District Judge as a member of a majority of a District Court.

(2) The President of the District Court, the Senior District Judge and the District Judge shall exercise the powers and perform the duties assigned to them by this Law or any other Law for the time being in force.

14/1960 58/1972

Composition of the Criminal Court

5.-(1) Each Criminal Court shall consist of a President of the District Court and two Superior District Courts or District Courts appointed by the Supreme Court, and shall be presided over by the President of the District Court:

It is understood that the Supreme Court may, in any case other than a case in which the accused is charged with an offence punishable by death, when the circumstances so require, determine that the Criminal Court may consist of three Superior District Courts or District Courts designated by it under the presidency of one of them as the Supreme Court may designate.

It is further understood that if, while a case is being heard by the Criminal Court, a member thereof is promoted to President of a District Court, with the result that the composition of the court includes more than one President of a District Court, the trial shall continue, with the participation of the former, until it is completed.

- (2) The Judges who shall constitute the Criminal Court shall, when not engaged in the Criminal Court, be concerned with the adjudication of cases within the jurisdiction of the District Court.
- (3) The Judges who shall constitute the Criminal Court shall serve therein until the Supreme Court terminates their term of office:

It is understood that the Supreme Court has the power to replace or substitute a member or all members of the Criminal Court if this becomes necessary due to their absence or other impediment.

- (4) In case of temporary absence-
- (a) one or two of the members of the Assize Court, while a case is being tried by the Assize Court, the Assize Court, sitting as a two-member or single-member bench respectively, may take up the case solely for the purpose of adjourning it and on the basis of such adjournment may either release the accused under such conditions as it considers reasonable or order his detention.
- (b) all members of the Criminal Court, while a case is being tried by the Criminal Court, the Supreme Court has power to appoint another Criminal Court to take up the case solely for the purpose of adjourning it and on the basis of such adjournment it may either discharge the accused on such terms as it considers reasonable or order his detention.

14/1960 58/1972 136/1991 149/1991 42(I)/1992 21(I)/2006 30(I)/2013

Appointment of District Court judges

6.-(1) No person shall be qualified to be appointed as President of a District Court or a Senior District Judge unless he has been a lawyer practising that profession for at least ten years and is of high moral character, and no person shall be qualified to be appointed as a District Judge unless he has been a lawyer practising that profession for six years and is of high moral character.

For the purposes of this section-

"practice of profession" includes service in any judicial position

"lawyer practicing his profession" also includes lawyers registered under the Lawyers Law exercising, under the authority of the Supreme Court, duties relating to the publication and editing of the jurisprudence of the Supreme Court and the Courts subordinate to it:

- (2) Nothing contained in subsection (1) shall apply to any appointments made after the enactment of this law of persons who, on the date of the coming into force of this law, were serving as judges or magistrates in the permanent judicial service of the Republic.
- (3) At any time, the District Courts in the Republic shall be staffed by a sufficient number of Presidents of District Judges, Senior District Judges and District Judges, as the interests of justice require, on the basis of the budget of the Republic at any given time.

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judicial service.

7. Each President of a District Court, each Senior District Judge and each District Judge shall be permanent members of the judicial service of the Republic.

14/1960 58/1972

Salary and other conditions of service of judges

8.-(1) From 1 January 2002 the salary of the position of President of the Supreme Court shall be determined at an annual fixed basic salary of eleven thousand seven hundred and nine pounds (£11,709), of the position of Judge of the Supreme Court at an annual fixed basic salary of eleven thousand seven hundred and nine pounds (£11,709), of the position of President of a District Court at an annual fixed basic salary of eight thousand nine hundred and sixty-six pounds (£8,966), of the position of Senior District Judge at an annual fixed basic salary of eight thousand six hundred and thirteen pounds (£8,613) and of the position of District Judge at an annual basic salary on the salary scale of £6,587 X 243 - 7,802. To these basic salaries are added the general salary increases applicable to public servants and the indexation allowance applicable at any time:

It is understood that the Supreme Judicial Council may, when appointing a District Judge, place him at any level of the salary scale of the position as it may decide.

- (2) Every President of a District Court, every Senior District Judge and every District Judge shall hold office until he attains the age of sixty-three (63).
- (3) Subject to the provisions of the Constitution and this Law, the pension, allowance or other similar benefit paid to a judge upon his retirement, as well as the pension paid to the widow and children of a judge, shall be regulated by the law in force from time to time relating to the pensions of members of the public service of the Republic:

It is understood that-

- (i) The annual pension granted upon retirement to a judge of the Supreme Court shall be calculated on the basis of a coefficient of one six-hundredth of his annual pensionable salary on the date of retirement for each completed month of pensionable service in the judicial service of the Republic and the lump sum shall be equal to this annual pension multiplied by fourteen and divided by the resulting amount by three,
- (ii) the annual pension granted upon retirement to a President of a District Court, a Senior District Judge and a District Judge shall be calculated on the basis of a coefficient of one six hundredth of a seventh of his annual pensionable salary on the date of his retirement for each completed month of pensionable service in the judicial service of the Republic and the lump sum shall be equal to this annual pension multiplied by fourteen and divided by the resulting amount by three,
- (iii) the annual pension granted upon retirement to a judge in respect of any prior service in any other pensionable position in the Republic shall be calculated on the basis of a coefficient of one eight percent of his annual pensionable earnings on the date of his retirement from the judicial service for each completed month of such prior service and the lump sum shall be equal to this annual pension multiplied by fourteen and the resulting amount divided by three,
- (iv) The provisions of section 14 of the Pensions (Amendment) Law of 1990 shall also apply to judges, since the months of service referred to in the said section shall be replaced by the months of service required by judges to secure the maximum pension rate under the Courts (Amendment) Law of 1987, or which were required before the commencement of this Law.

- (4) Subject to the provisions of the Constitution and this law, each judge shall otherwise be subject to any laws or regulations regulating service matters of members of the public service of the Republic.
- (5) A President of a District Court, a Senior District Judge, or a District Judge may at any time submit in writing to the President of the Supreme Judicial Council his resignation, without prejudice to his rights to any pension, allowance or other similar benefit which he may have acquired under any law in force at any time.
- (6) A pension, allowance or other similar benefit granted on resignation to a judge who has completed five or more years of service shall be granted from the date of his resignation, regardless of his age on the relevant date.

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14/1960 8/1969 58/1972 1/1980 89/1985 317/1987 64/1990 140(I)/2002
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Judge's oath

- 9.-(1) Each judge of the Supreme Constitutional Court or the High Court, before assuming the duties of his office, must take and sign, before the President and Vice-President of the Republic, the oath of allegiance to the Republic and the judicial oath specified in the Schedule.
- (2) Every judge of the Court of Appeal or the District Court shall, before assuming the duties of his office, take and sign the oaths provided for in subsection (1) before the Supreme Judicial Council or two of its members.

14/1960 146(I)/2022

Temporary appointments

- 10.-(1) In the event of the incapacity or absence of the President of a District Court, a Superior District Court or a District Court or for the purpose of avoiding delay in the administration of justice in a district, the Supreme Judicial Council, if it deems it appropriate, may appoint persons who possess the qualifications required by article 6 to perform the duties of President of a District Court, a Superior District Court or a District Court for the of that province for such period as shall be specified in the document of appointment.
- (2) Any person appointed under this article shall, during his term of office, have all the powers and may perform all the duties of a President of a District Court, a Superior District Court Judge or a District Judge, as the case may be.
- (3) Persons so appointed under this article may be paid a salary not exceeding the salary provided for such function, or in the event that the salary provided is on a salary scale, the minimum amount of the scale provided for such function.

14/1960 58/1972

Court Associations

10A. The formation of a Union of Courts is permitted.

14/1960 136/1991

Judicial training

10B. Judges attend annual training programs, which are organized by the School of Judges under the provisions of the Establishment and Operation of the School of Judges Law of 2020, or equivalent programs.

102(I)/2020

Chief Registrar

11.-(1) There shall be a Chief Registrar of the Supreme Court who shall be appointed by the Public Service Commission and who shall perform such duties as may be required of him or he is empowered to perform by virtue of any law or procedural regulation in force.

- (2) The Chief Registrar shall be the person responsible for the execution of judicial decisions and shall perform his duties in this capacity under the instructions of the Supreme Court, in accordance with any applicable laws or procedural regulations.
- (3) The Chief Registrar shall be a member of the permanent public service of the Republic, and shall serve under the same conditions of service as any other permanent member thereof.

Subject to the provisions of this Law and the Public Service Law, the Chief Registrar shall be in charge of the Judicial Branch Services.

(4) The Chief Registrar shall be paid a salary of 1,236 X 42 - 1,404 X 48 - 1,548 per annum.

14/1960 11/1963 35/1982

Appointment of judicial officers

- 12.-(1) There shall be such other officers of the courts as may from time to time be determined by a procedural regulation made by the Supreme Court under article 163(2)(d) of the Constitution, as shall serve as officers in the registry of the courts and the powers and duties of such officers shall be as may be determined by such procedural regulation and until the issuance of such regulation determining The total number of such employees shall not exceed the total number of positions in each position in the courts on the date of entry into force of this law.
- (2) All court employees shall be members of the permanent civil service of the Republic and shall be appointed by the Civil Service Commission of the Republic and, until a law is enacted providing for the remuneration of such employees, they shall receive the same remuneration as was paid in respect of the relevant positions on the date of the coming into force of this law.
- (3) Subject to the procedural regulations in force from time to time, all persons appointed as Registrar shall be in the province in which the deputy of the person entrusted with the execution of judicial decisions has been appointed under whose instructions he shall act. Any reference in this law to "the person entrusted with the execution of judicial decisions" shall also include his deputy.

14/1960

Duties of the representative of the authorized representative in executions

13. The duty of the commissioner for the execution of judicial decisions is to receive, in person or through his employees, in each province for which he acts, warrants and court documents and to execute them and submit reports in relation to them:

It is understood that the person in charge of execution shall not be held liable for any act or omission of any bailiff, bailiff, or other person in the execution of any document, which occurred or was effected either due to disobedience or negligence with regard to the orders or instructions given by him or which occurred or was effected without his authority.

14/1960

Liability of an employee for negligence in carrying out orders, etc.

- 14.-(1) If any officer executing any warrant or writ of court loses the opportunity to execute it due to negligence, forbearance or omission, any person aggrieved thereby may file a complaint with the court.
- (2) Upon satisfactory proof of such negligence, forbearance or omission, the court shall order the officer to pay to the complainant compensation, not exceeding the amount for which the warrant or writ was issued, for any loss which the complainant appears to have suffered as a result of such negligence, forbearance or omission.

14/1960

Anomalies in the execution of warrants or documents

15. No officer in the execution of any warrant or document, and no person at whose request any such warrant or document is executed, shall be deemed to commit the tort of interference in consequence of any irregularity

or irregularity referred to-

- (a) in any proceeding on the validity of which the warrant or writ is based;
- (b) the type of warrant or document or the manner of its execution,

However, any injured party may bring an action for any special damage suffered as a result of the anomaly or irregularity against the person responsible for it:

It is understood that no costs will be awarded in such an action, unless the damages awarded exceed three pounds.

14/1960

Inappropriate behavior of an employee

16. If any officer is charged with embezzlement of money by invocation of a proceeding or authority of the court or with the irregular payment of money received in execution or with any other improper conduct, the court, if it thinks fit, may (without prejudice to any other liability or punishment to which the officer may be liable), investigate the charge summarily and may for this purpose summon and compel the appearance of all necessary persons as a suit, and may issue such order for the payment of any money so seized or for the payment of any money collected in execution, and for the payment of such damages and expenses, as the court thinks fit and the court may also, if it thinks fit, impose on the officer such fines not exceeding .250 for each offence, as the court thinks fit.

14/1960

Protection of the protocol, etc. of the seller of movable property without knowledge of third party claims

- 17. Whenever any movable property in the possession of a judgment debtor at the time of seizure by the clerk or other officer charged with the execution of a warrant or other document issued by a court is sold by the clerk of that or other officer without any claim having been made against them-
 - (a) the purchaser of the movable property so sold acquires legal title to that property, and
 - (b) no person shall be entitled to claim compensation from the Registrar or other officer, or any person lawfully acting under his authority, for any sale of movable property or payment of the proceeds of sale, before the receipt of any claim on the said movable property, unless it is proved that the person from whom restitution of the damage is sought knew, or could have ascertained after reasonable inquiry, that the movable property did not belong to the person concerned. debtor's decision:

It is understood that:

- (aa) nothing in this article shall affect the right of any person having a claim, capable of proving that at the time of the sale he had legal title to any movable property so seized and sold, to any remedy which he may have against any person other than the Registrar or other officer.
- (bb) the provisions of this article shall have effect, subject to the provisions of articles 44 and 45 of the Bankruptcy Law and articles 305 and 306 of the Companies Law.

14/1960

PART THREE JURISDICTION AND LAW

Definitions

18. In this Part, unless the text otherwise requires:-

"Cypriot" means a citizen of the Republic, or a person who, by virtue of the provisions in force from time to time on Citizenship of the Republic, would be entitled to become a citizen of the Republic and includes any group of persons, organized into legal persons or not, whether registered or operating under the laws of the Republic or acting under the control of citizens of the Republic or persons who would be entitled to become citizens of the Republic.

"Independence Day" means August 16, 1960.

"Sovereign Base Areas" means the Sovereign Base Area of Akrotiri and the Sovereign Base Area of Dekeleia, as defined in Article 1 of the Treaty relating to the Establishment of the Republic of Cyprus, signed at Nicosia on the 16th day of August, 1960.

14/1960

Additional powers of the Supreme Court

19. The Supreme Court, in addition to the powers and jurisdiction conferred upon it by the Constitution, shall have exclusive original jurisdiction to hear and determine such other matters as the court may be empowered to hear and determine in the first instance by virtue of the provisions of this or any other Law for the time being in force.

14/1960 29/1983 96/1986 70(I)/2022

Criminal Court Jurisdiction

- 20.-(1) Subject to article 156 of the Constitution, every Criminal Court shall have jurisdiction to try all offences punishable under the Penal Code or any other law, which were committed-
 - (a) within the borders of the Republic, or
 - (b) within the Sovereign Base Areas under Cypriot control or in relation to Cypriots, or
 - (c) in any foreign country by a citizen of the Republic while he is in the service of the Republic, or
 - (d) on board a ship or aircraft registered in the Republic, or
 - (e) in such other places and under such circumstances as may be provided for by law.
- (2) The Criminal Court may, in addition to or in substitution for any other punishment, order any person convicted by it to pay to any person injured by the offence committed by him compensation not exceeding ten thousand euros ($\leq 10,000.00$).
- (3) The Court of Appeal shall make such inquiry in respect of persons detained within the district in which the Court of Appeal sits as may be necessary to ensure that no person is being detained unlawfully and that the administration of criminal justice is not being unduly delayed. For this purpose, the Court of Appeal may make such order as it thinks fit for the release of any person detained on or without bail.

14/1960 83/1984 170(I)/2007

Territorial jurisdiction of District Courts in political cases

- 21.-(1) The District Court, subject to the provisions of section 19, shall have jurisdiction to hear and determine any action in accordance with the provisions of section 22 where-
 - (a) the basis of the action arose either wholly or in part within the boundaries of the province for which the court was established;
 - (b) the defendant or the defendant's representative, at the time the action was brought, resided or carried on a profession within the province for which the court was established;
 - (c) all parties to the proceedings are Cypriots whether the basis of the action arose, in whole or in part, within the Sovereign Base Areas or the defendant or any of the defendants resides or carries on business therein
 - (d) the basis of the action arose wholly or partly within the Sovereign Base Areas from the use of a motor vehicle by a person who was or should have been insured under section 3 of the Motor Vehicles (Third Party Insurance) Act;
 - (e) the basis of the action arose wholly or partly within the Sovereign Base Areas from an accident or occupational disease to an employee arising out of and during his employment in connection with an

employer's liability for which he was or should have been insured under section 4 of the Employers' Liability Insurance Act.

(1)A. Where the action relates to a matrimonial dispute over which the Supreme Court had jurisdiction under section 19 before its repeal and substitution by section 2 of Law 96 of 1986, it shall be brought in the District Court of the district in which either of the parties has his residence or had his last residence or, in the absence of such residence, in any other District Court of the choice of the plaintiff.

For the purposes of this paragraph, the term "marital divorce" also includes any divorce relating to spousal support or minor children or the custody of minors.

- (1)B. Where the action concerns a charitable institution or any patent or trademark for which the District Court has jurisdiction by virtue of section 7 and the Schedule to Law 29 of 1983, the action shall be brought in such District Court.
- (2) Where the action concerns the division or sale of any immovable property or any other matter relating to immovable property, it shall be brought in the District Court of the province within which such property is situated.

For the purposes of this section, since all those concerned are Cypriots, "province" also includes the Sovereign Base Areas.

It is understood that, subject to the provisions of any other special Law, a claim for the return of arrears of rent arising from a lease agreement for real estate or a claim for the payment of compensation due to a breach of a sales or tenancy document or other contract relating to real estate ownership may be brought in the District Court, as provided for in subsection (1) of this article.

- (3) For the purposes of this article, the Sovereign Base Area of Akrotiri shall be deemed to be included in the district of Limassol. The Sovereign Base Area of Dekelia shall be deemed to be included:-
 - (a) as regards that part thereof which on the day immediately preceding the day of independence was included within the administrative region of Famagusta, in the province of Famagusta
 - (b) as regards that part thereof which on the day immediately preceding the day of independence was included within the administrative region of Larnaca, in the province of Larnaca.
- (3A) In a case where the jurisdiction of the court arises on the basis of Union and/or international and/or private international law and/or any legislation in force in the Republic, including the provisions of the Civil Procedure Regulations of 2023 and/or common law, the competent court is the Nicosia District Court, unless otherwise provided.
- (4) Notwithstanding the provisions of articles 61, 62, 63 and 64, in the event that the District Court before which the action was brought or registered is not territorially competent, pursuant to the provisions of subsection (1), it may refer the action or case to the territorially competent District Court.

14/1960 51/1984 96/1986 102(I)/1992 82(I)/1995 110(I)/1998 118(I)/2008 114(I)/2023

Civil jurisdiction of District Courts

- 22.-(1) Subject to the provisions of section 19, the provisions of the following subsections of this section and the provisions of section 22B and to the general or special directions issued by the Supreme Court, a District Court consisting of a President of a District Court shall have jurisdiction to hear and decide at first instance any action.
- (2) Except for a dispute which falls within the jurisdiction of a family court under the Family Courts Law and the Family Courts (Religious Groups) Law, the President of a District Court has jurisdiction to hear and decide any other matrimonial dispute which falls within his local jurisdiction.
- (3) Every Superior District Judge or District Judge shall have jurisdiction to hear and determine-
 - (a) Any action in which the amount in dispute or the value of the cause in dispute does not exceed, in the case of a Superior District Judge, five hundred thousand euros (\le 500,000.00) and in the case of a District Judge, one hundred thousand euros (\le 100,000.00).
 - (b) Any action for the taking of possession of any immovable property, or any action based on a tort committed in relation to immovable property in which the remedy sought includes the issue of a prohibitory order and in which the title to the immovable property is not in dispute, without taking into

account that because of the value of the disputed immovable property, the action would not be within the jurisdiction of a Superior District Judge or a District Judge, in accordance with the provisions of paragraph (a) of present territory:

It is understood that every Superior District Judge has jurisdiction to hear and decide any case in relation to accidents and in relation to compensation for compulsory expropriation or requisition of immovable property, regardless of the amount of the cause in dispute.

It is further understood that every Senior District Judge and every District Judge has jurisdiction to hear and decide any case in relation to the securities of credit institutions acquired in the period between 2008 and March 2013, regardless of the amount of the disputed cause.

- (4) Notwithstanding the provisions of any other law and notwithstanding that the amount in dispute or the value of the cause in dispute exceeds the jurisdiction vested in him, a Superior District Judge or a District Judge shall have jurisdiction-
 - (a) to issue a decision in any action in which-
 - (aa) the defendant fails to file an appearance within the time limit for such appearance, or
 - (bb) either party fails to appear at the hearing of the action, or
 - (cc) either party fails to submit any written submissions within the time limit provided for by the procedural rules relating to the civil procedure in force at the time, or
 - (dd) an application for summary judgment has been registered under the procedural regulation relating to the civil procedure in force at the time, or
 - (ee) the claim of any party is admissible in whole or when it is admissible in part, as to the admissible part
 - (b) to issue any order in any action, without determining the substance of the action.
- (5) Subject to the procedural regulation, the disputed amount or value of the disputed cause, as mentioned above, shall be the amount or value actually disputed between the parties as disclosed in the written pleadings, or admitted by the parties at any stage of the proceedings, or upon application decided by the court, notwithstanding that the claimed amount or the alleged value of the disputed dispute in the action exceeds such amount or value:

It is understood that in determining the amount in dispute or the value of the disputed cause, no account shall be taken of any amount of interest payable on the disputed amount or the value of the difference.

(6) Every Senior District Judge or District Judge has jurisdiction to hear and determine any application in relation to execution on immovable property under Part V of the Civil Procedure Law, as amended or replaced from time to time, regardless of the value of the property.

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Jurisdiction of the Superior District Court

22A. Unless otherwise expressly provided in this Law or any other Law relating to the jurisdiction of a District Court includes the Senior District Court Judge.

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14/1960 29/1983
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Jurisdiction of District Courts in maritime cases

22B. [Deleted]

History of Modifications 14/1960 70(I)/2022

Adjudication of disputes arising from or in connection with credit facilities

22C.-(1) Subject to the provisions of articles 19, 21, 22 and 22A and, notwithstanding the provisions of article 28, the Supreme Court may, in cases in which it deems it necessary, issue directions so that the President of a

District Court may appoint, with the approval of the Supreme Court, a number of judges to hear disputes-

- (a) between the borrower, the guarantor and the collateral provider and the creditor in relation to the outstanding balance of the credit facility, which is in arrears or in excess and which has been terminated, as well as any other dispute between such persons arising out of or in connection with the credit facility, the related guarantees and/or collateral, including overdrafts and/or unfair terms; and/or
- (b) with regard to the sale of mortgaged property which constitutes security for a credit facility in accordance with the provisions of Part VIA of the Transfer and Mortgage of Real Estate Law:

It is understood that the President of a District Court has the power, with the approval of the Supreme Court, to replace or deputize a judge, if this becomes necessary due to his justified absence or other justified impediment.

(2) For the purposes of this section-

"licensed credit institution" or "ACI" has the meaning assigned to this term by the provisions of article 2 of the Credit Institutions Business Law;

"borrower" means a person to whom a credit facility is granted;

"guarantor" means a person who provides a guarantee under a guarantee agreement;

"security" means security in the form of a mortgage, bond, floating or fixed charge, security assignment agreement, general lien, charge on an object, pledge of shares or any object, as well as any other form of real or other security, whether provided by the borrower himself or by a guarantor or another person and in the case where it is provided by the guarantor, it also includes the personal guarantee;

"credit acquisition company" has the meaning assigned to this term by the provisions of article 2 of the Purchase and Sale of Credit Facilities and Related Matters Law;

"main residence" means the residence which is used for the residence of its owner and/or his/her family members, for a period of time exceeding six (6) months per year, the estimated value of which does not exceed three hundred and fifty thousand euros (€350,000):

It is understood that the assessment of the value of the main residence is carried out by a valuer who is a member of the Scientific and Technical Chamber of Cyprus;

"member of the family of the owner of the main residence" means his spouse and the direct descendants of him or his spouse, who are under the age of eighteen (18) years or are dependent on him, regardless of their age, as well as the dependent direct ascendants of him and/or his spouse:

It is understood that the term family member of the owner of the main residence also includes a person who entered into a civil partnership with the owner thereof under the provisions of the Civil Partnership Law, as well as the children born from it;

"non-credit institution" has the meaning assigned to this term by the provisions of article 2 of the Consumer Credit Agreements in relation to Residential Property Law;

"special purpose vehicle for securitization" has the meaning assigned to this term by the provisions of article 2 of the Securitization Law;

"collateral provider" means the person who provides collateral to a credit facility under a contract;

"creditor" means a licensed credit institution or a credit acquisition company or a special purpose vehicle for securitization or a non-credit institution;

"credit facility" means the agreement to provide financial assistance, which includes, among others and without limitation, a loan or overdraft limit or credit limit on a credit card, regardless of the amount, and which was agreed upon between a creditor and a borrower, secured by a primary residence.

152(I)/2023

Transitional provisions

22D. Cases pending before a District Court, on the date of entry into force of the provisions of the Courts (Amendment) (No. 2) Law of 2023, which concern disputes provided for in paragraphs (a) and (b) of subsection (1) of article 22C, subject to the provisions of subsection (1) of article 22C and following the submission of a

party's notice to the Registry, are transferred for continuation of the judicial proceedings and issuance of a decision before judges appointed under the provisions of subsection (1) of article 22C, provided that the hearing of the case has not commenced, while otherwise they are continued and concluded by the court before which they are pending.

152(I)/2023

Territorial jurisdiction of District Courts in criminal cases

- 23.-(1) Each District Court, subject to the provisions of section 19, shall have jurisdiction to try in accordance with the provisions of section 24-
 - (a) all offences established within the province by the court
 - (b) all offences committed within the Sovereign Base Areas by Cypriots against Cypriots or in relation to Cypriots.
- (2) Where an offence is committed on the border of two or more provinces or within one mile of a border or has been committed partly in one province and partly in another province or in other provinces, such offence may be tried by the District Court of either of such provinces as if it had been committed wholly in the province in which it is tried.

For the purposes of this section, "province" includes the Sovereign Base Areas.

- (3) For the purposes of this article, the Sovereign Base Area of Akrotiri shall be deemed to be included in the district of Limassol. The Sovereign Base Area of Dekelia shall be deemed to be included in-
 - (a) as regards that part thereof which on the day immediately preceding the day of independence was included in the province of Famagusta, in the province of Famagusta
 - (b) as regards that part thereof which on the day immediately preceding the day of independence was included in the district of Larnaca, in the district of Larnaca.
- (4) In a case where the District Court before which the criminal proceedings were brought or registered is not the territorially competent one, by virtue of the provisions of subsection (1) it shall discontinue the proceedings brought before it and refer them to the territorially competent District Court, provided that the accused has not responded to the charge.

14/1960 71(I)/2024

Criminal jurisdiction of the District Court

- 24.-(1) Every President of a District Court, every Senior District Judge and every District Judge shall have jurisdiction to try summarily all offences punishable by imprisonment for a term not exceeding five years or by fines not exceeding fifty thousand pounds or by both and may in addition to or in lieu of any such punishment, order any person convicted by them to pay to any person injured by him for this offense, compensation not exceeding six thousand euros ($\{6,000.00\}$).
- (2) Notwithstanding any provision of this article, the President of the District Court, a Senior District Judge or a District Judge, with the consent of the Attorney General of the Republic, shall have jurisdiction to try any offence summarily, if he is satisfied that the offence is intentional, having regard to all the circumstances of the case involved and the adequacy of the punishment or compensation which the President of the District Court, Senior District Judge or a District Judge may impose. or the District Judge has power under this article to impose the award:

It is understood that any punishment imposed or any compensation awarded shall not exceed the punishment or compensation which the President of a District Court, a Senior District Judge or a District Judge, as the case may be, has power to impose or award under section (1).

14/1960 58/1972 35/1982 26(I)/1993 90(I)/1997 34(I)/1999 41(I)/2000 170(I)/2007

Appeals

25.-(1) Subject to any procedural regulation, in an appeal before, as may be prescribed by law, the Court of Appeal, the Supreme Constitutional Court or the Supreme Court, it shall be subject to-

- (a) Any final decision or order of a court exercising civil jurisdiction,
- (b) an interim order (prohibitory, perpetual or mandatory) or an order appointing a receiver, which orders are issued under the provisions of any law, and
- (c) interim decisions, regardless of whether they are decisive or declaratory of the rights of the parties:

It is understood that, in any case, a party is not deprived of the right to raise issues concerning any interim decision at the appeal stage against the final decision:

It is further understood that an appeal against an interim decision may be heard by only one (1) judge of the, as the case may be, competent court.

(2) Subject to the provisions of the Criminal Procedure Law, except as otherwise provided in this section, every decision of a court exercising criminal jurisdiction shall be subject to appeal, as may be determined by law, to the Court of Appeal or to the Supreme Court.

Any such appeal may be brought against the acquittal or conviction or the imposition of such penalty for any reason whatsoever.

- (2A) Notwithstanding the other provisions of this Law and the provisions of any other law or procedural regulation, the decision of a court to refer a matter to the Court of Justice of the European Communities for a preliminary ruling or to reject a request by a party for such a preliminary ruling shall not be subject to appeal.
- (3) Notwithstanding any provision of the Criminal Procedure Law or any other law or procedural regulation and in addition to any powers granted thereunder, the Court of Appeal or the Supreme Court, as the case may be, in the hearing and determination of any appeal, whether in a civil or criminal case, shall not be bound by any decision on the facts of the trial court and shall have power to review the evidence adduced, to take its own conclusions, to hear and receive further evidence and, where the circumstances of the case so require, to reexamine any witnesses already heard by the trial court, and may give any decision or issue any order justified by the circumstances of the case, including an order for a re-hearing of the case by the trial court or another competent court as the Court of Appeal or the Supreme Court may order, as the case may be.
- (4) The Court of Appeal may, in the exercise of its civil jurisdiction, in addition to any powers granted for this purpose by any law or procedural regulation, order the reopening of an appeal after the issuance of the final decision, in accordance with the procedure and conditions provided for in the provisions of the Civil Procedure Regulations of 2023.

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14/1960 53(I)/1998 99(I)/2007 118(I)/2008 119(I)/2008 129(I)/2009 109(I)/2017 146(I)/2022 114(I)/2023 107(I)/2024
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Jurisdiction of District Courts to conduct preliminary investigations

26. [Deleted]

History of Modifications 14/1960 166(I)/2011

Decision by majority vote

- 27.-(1) Whenever any case is tried by a court consisting of a majority of one judge, the opinion of the majority shall prevail.
- (2) When the court consists of an even number of judges who are tied, the decision shall be given against the party who bears the burden of proof and, when the question concerns the admissibility of any evidence, against the party who requests the production of such evidence.
- (3) Whenever a minority decision is issued, the provisions of paragraph 2 of article 30 of the Constitution shall apply to any such decision.

14/1960

Power of the President to regulate the duties of judges and officials

28.-(1) The President of the District Court shall have power, subject to any directions of the Supreme Court, to arrange and distribute the duties of the judges of the District Court and its employees.

(2) Where a District Court has more than one President, the power conferred by subsection (1) shall be exercised by the President of the District Court appointed for that purpose by the Supreme Court.

14/1960

Applicable law

- 29.-(1) Every court in the exercise of its civil or criminal jurisdiction shall apply-
 - (a) the Constitution of the Republic and the laws made thereunder or applied by a Court;
 - (b) the laws maintained in force by virtue of article 188 of the Constitution under the conditions provided therein, except as otherwise provided by or to be made by virtue of a law applicable or made by virtue of the Constitution.
 - (c) the common law and the principles of equity, unless otherwise provided by any law made or applicable under the Constitution or any law retained in force by virtue of paragraph (b) of this section, in so far as they are not repugnant to or inconsistent with the Constitution.
 - (d) the laws and principles concerning Endowments (ahkamul evkaf) referred to in paragraph 2 of article 110 of the Constitution
 - (e) the Laws of the Parliament of the United Kingdom of Great Britain and Northern Ireland, which were in force in Cyprus on the day immediately preceding the day of independence, except as otherwise provided by any law applicable or made under the Constitution and in so far as they are not repugnant or incompatible with the Constitution.
- (2) The Supreme Court, in exercising its jurisdiction under the provisions of article 19, shall apply the law relating to matrimonial disputes, which was applied by the Supreme Court of Cyprus on the day immediately preceding independence, as amended.
- (3) The President of the District Court, in the exercise of his jurisdiction over matrimonial disputes, shall apply the law applied by the Supreme Court in both cases prior to the repeal and replacement of section 19 by section 2 of Law 96 of 1986.
- (4) The President of a District Court shall also have jurisdiction to hear and decide any matrimonial dispute relating to marriages solemnized in accordance with the provisions of the Marriage Law provided that any of the parties has resided in Cyprus for a period of at least fifteen days immediately prior to the date of commencement of the proceedings in Court.

14/1960 51/1984 96/1986 70(I)/2022

Practice and Procedure

30. The civil jurisdiction conferred on any court established under this law or any other law shall be exercised in accordance with the procedure and practice prescribed by any procedural regulation made under article 163 of the Constitution.

14/1960

PART FOUR POWERS OF THE COURTS

Determination of the disputed issue fully and finally

31. Every court in the exercise of its civil jurisdiction shall in every trial or other proceeding, afford either absolutely or on such terms and conditions as the court shall think just, all remedies to which either party may be entitled in respect of any claim raised by it based on the law or the principles of equity in such manner, as far as possible, that all matters in dispute between the parties may be It is fully and finally announced and any multiplicity of the procedure concerning any of these issues is avoided.

Decrees and Recipients

- 32.-(A1) Subject to the provisions of this section, a court shall have jurisdiction to hear and determine at first instance any application for interim relief at any time, including the time before the filing of a claim or after the issuance of a decision, in relation to any judicial or arbitral proceeding which has been, is being or will be held within or outside its jurisdiction.
- (AB1) Subject to the provisions of this article, in relation to judicial or arbitral proceedings which have been, are being or will be held outside the jurisdiction, a court shall have jurisdiction to hear and decide at first instance any application for interim relief in the following cases where-
 - (a) the defendant within whose jurisdiction the application is located; or
 - (b) the property or subject matter of the treatment is located within the jurisdiction; or
 - (c) there is such other connection with the Republic that the court is appropriate to hear and decide on the application.
- (1) Subject to any procedural rule, a court in the exercise of its civil jurisdiction may issue an interim order (injunctive, perpetual or injunctive) or appoint a receiver, if it considers it just or expedient in the circumstances, notwithstanding that no compensation or other remedy is claimed or granted therewith:

It is understood that no interim order shall be issued unless the court is satisfied that there is a serious issue to be tried in the hearing, that there is a possibility that the requesting party is entitled to relief, and that it will be difficult or impossible to fully administer justice at a later stage if the said order is not issued.

- (2) Any interim order made under subsection (1) may be made on such terms and conditions as the court thinks fit, and the court may at any time, on showing good cause, set aside or vary any such order.
- (3) If it appears to the court that any interim order made under subsection (1) was based on insufficient grounds, or if the claim of the applicant on whose application the order was made fails or judgment has been given against him as a result of an omission or otherwise and it appears to the court that there was no probable basis for his claim, the court may, if it thinks fit, on the application of the party against whom the order was made, order the payment to him of reasonable compensation for the costs and damage caused to him by the execution of the order.

The payment of compensation under this section shall be a bar to any action for compensation in respect of any event arising out of the order. And if any such action has already been brought, the court may stay the same in such manner and on such terms as it thinks fit.

14/1960 17(I)/2004 114(I)/2023 107(I)/2024

Interest on debts, etc. and decisions

33.-(1) In any proceedings before any court for the recovery of any debt for which interest is payable either by agreement or otherwise as provided by law, the court shall award interest at the agreed or otherwise provided by law rate of interest, for the period commencing from the day on which such interest became due until final payment:

It is understood that this interest rate will not exceed the maximum interest rate permitted under the law.

(2) Every judgment, including the part thereof relating to legal costs, unless otherwise provided in the judgment under subsection (1), shall, subject to the provisions of subsection (4), bear interest at the rate of 5.5% per annum from the date of registration of the action or, in relation to pending actions, from the date of the commencement of the Courts (Amendment) (No. 2) Law of 2008, until final payment of the debt:

It is understood that the Court may, where appropriate, award interest-

- (a) In the entire amount awarded by the decision, for part only of the period between the date of registration of the action and the date of issuance of the decision or
- (b) in part only of the amount awarded by the decision, for the whole or part only of the period between the date of registration of the action and the date of issuance of the decision:

It is further understood that, in cases of deceit or fraud on the part of the defendant, interest begins to be calculated from the date of creation of the actionable right, regardless of whether or not

a lawsuit is pending:

It is further understood that nothing in the present section shall apply to any judgment issued before November 16, 1944, and any such judgment shall bear such interest as is specified therein and in accordance with its terms.

- (3) Nothing contained in this article shall give authority to grant interest on interest.
- (4)(a) The amount of the interest rate specified in subsection (2) may be revised by decree of the Minister of Finance, which shall be published in the Official Gazette of the Republic and shall be in force until the issuance of a new decree.
 - (b) In order to determine the amount of the interest rate pursuant to paragraph (a), the Minister of Finance shall use as a basis the weighted average of the basic interest rate over the last twelve months, which was in force at the end of each month, and shall add to it such an adjustment percentage that the resulting sum, taking into account the current economic and/or monetary conditions, would be reasonable and fair to apply as the interest rate pursuant to subsection (2):

It is understood that the above added adjustment percentage may in no case exceed 5 percentage points.

(c) For the purposes of this subsection, <base interest rate> means the bid rate for the main refinancing operations, as determined in the respective decisions by the European Central Bank.

14/1960 35/1982 83/1984 102(I)/1996 81(I)/2008 191(I)/2014 199(I)/2020

Preparation of documents by order of the Court

34. Whenever any person neglects or refuses to comply with a judgment or decree ordering him to make any transfer or to enter into and sign any contract or other document or to endorse any instrument of credit, the court may, under such terms and conditions as would be just, order that the transfer, contract or other document shall be executed or that the instrument of credit shall be endorsed by such person. as the court may appoint for this purpose, and any transfer, contract, document or instrument of credit so executed or endorsed shall be as valid and available for all purposes as if it had been executed or endorsed by the person who originally authorized the execution or endorsement thereof.

14/1960

Reference for a preliminary ruling to the Court of Justice of the European Communities concerning acts provided for in Article 35(1) of the Treaty on European Union

- 34A.-(1) Without prejudice to the provisions of subsections (2), (3) and (4), a court before which a question arises concerning the validity and interpretation of framework decisions and decisions adopted on the basis of Title VI of the Treaty on European Union, or the interpretation of conventions drawn up on the basis of Title VI of the Treaty on European Union, or the validity and interpretation of measures implementing them, may, if it considers that a decision on the question is necessary for the delivery of its own judgment, refer the question to the Court of Justice of the European Communities for a ruling thereon.
- (2) In the event that a question referred to in subsection (1) arises before the Supreme Court in cases where the decisions of that court are not subject to appeal, if it considers that a decision on the question is necessary for the issuance of its own decision, the Supreme Court shall refer the question to the Court of Justice of the European Communities.
- (3) In the event that a matter referred to in the provisions of subsection (1) arises before the Court of Appeal, if it considers that a decision on the matter in question is necessary for the issuance of its own decision, it shall refer the matter to the Court of Justice of the European Union.
- (4) In the event that a matter referred to in the provisions of subsection (1) arises before the Supreme Constitutional Court, if it considers that a decision on the matter in question is necessary for the issuance of its own decision, it shall refer the matter to the Court of Justice of the European Union:

It is understood that the Supreme Constitutional Court may issue a Procedural Regulation for the regulation of its own referral of such an issue to the Court of Justice of the European Union.

119(I)/2008 146(I)/2022

Referral to arbitration

- 35.-(1) Subject to any procedural rule, the court may, with the consent of all the parties to any cause or matter, refer to an official or special arbitrator for investigation or report on any question arising in any civil proceeding.
- (2) The report of an official or special arbitrator may be adopted in whole or in part by the court, and if so adopted it may be enforced as a judgment or order having the same effect.

14/1960 114(I)/2023

Referral to trial

- 36.-(1) In any political proceeding-
 - (a) if all interested parties, who are not incapacitated, consent, or
 - (b) if the cause or other proceeding requires a lengthy examination of documents or any scientific or onsite investigation, which in the opinion of the court cannot properly be done before the court or be conducted by it, through other regular officers, or
 - (c) whether the disputed matter consists wholly or partly of matters of account,

The court may at any time order that the whole cause or matter, or any such question or disputed fact, shall be tried before a special or simple arbitrator agreed to by the parties, or in the event of their disagreement, appointed by the court or before an official arbitrator or officer of the court.

(2) Where the conduct of a special arbitrator or arbitrator during the proceedings is not proper or where he conducts them improperly, the court may suspend him and further annul the arbitral award issued by him during such proceedings or otherwise improperly reached.

14/1960 114(I)/2023

Arbitrators' fees and salaries

- 37.-(1) In all cases of referral to an official, special or simple arbitrator, the official, special or simple arbitrator shall be deemed to be an officer of the court and, subject to the procedural rules, shall have such authority and shall direct the investigation in such manner as the court may order.
- (2) The report or award of an official, special or ordinary arbitrator shall be filed with the court, and the court, at the request of the parties, or of its own motion, may order that such report or award be annulled or registered as a decision of the court.
- (3) The fee payable to a special or ordinary arbitrator to whom any matter is referred by order of the court shall be determined by the court.

14/1960

Referral to court for an opinion by an arbitrator

38. An arbitrator may at any stage of the arbitration proceedings, and must, if so ordered by the court, refer, under the form of a special case, for consideration by the court, any legal question which arises during the course of the arbitration.

14/1960

Power of court to award costs

39. An order issued under section 35 relating to investigations and trials by arbitrators may be issued on the same terms as to costs or otherwise as the court deems fit.

Repealed by article 20 of Law 232/91

40. It was repealed by article 20 of the Regulation of the Material Relations of Spouses Law of 1991, (L.232/91).

14/1960 232/1991

Power of the court to issue judgments of appellate jurisdiction

41. Each court in the exercise of its civil jurisdiction shall have power to issue binding declarations of right whether or not any ancillary remedy is sought or may be sought.

14/1960

Forced obedience to decrees

42. Subject to any rule of procedure, every court shall have power to compel obedience to any order made by it, ordering or prohibiting the doing of any act, by fine or imprisonment or by the taking of property. And the court may in addition award to the person in whose interest the order was made such sums by way of compensation as the court may think proper.

It is understood that each court shall have the power to punish for disobedience or to compel obedience to any of its orders in cases involving a party to a judicial proceeding but also in cases involving any other person, provided that the latter has taken cognizance of the order and knowingly and intentionally incites or cooperates in the disobedience of the order.

14/1960 80(I)/2002

Authority to award costs

43. The costs of any civil proceedings or those related thereto, before any court, except as otherwise provided by any law or secondary legislation for the time being in force, shall be at the discretion of the court and the court shall have full power to decide under what circumstances and to what extent such costs shall be paid.

14/1960

Contempt of Court

- 44.-(1) Any person who-
 - (a) within the premises where any judicial proceedings are being held, or within the area thereof, shows disrespect by words or conduct towards or in connection with such proceedings or towards any person before whom such proceedings are being held;
 - (b) obstructs or causes disturbance during the conduct of judicial proceedings, or
 - (c) pending judicial proceedings or while a decision has not yet been issued thereon, publishes any documents, utters any words or makes any speeches or does any act falsely representing such proceedings or capable of influencing the fair trial of such proceedings or of interrupting or delaying the course of justice or calculated to demean the reputation of any person before whom such proceedings are being conducted, or
 - (d) publishes a report of the testimony taken in any judicial proceeding in which, by virtue of this law or any other law for the time being in force, only the parties and their lawyers or other representatives, if any, and the officers of the court are permitted to be present, or
 - (e) publishes any documents, makes any speeches or utters any words or acts of a scandalous nature with respect to any court which has issued a decision in any proceedings relating to any judicial proceedings, or
 - (f) unlawfully attempts to interfere with or influence a witness in a judicial proceeding, either before or after the testimony, in relation to such testimony, or

- (g) dismisses an employee because he has given testimony in a legal proceeding, or
- (h) takes possession of land from any person of whom he has recently acquired possession by order of the court, or
- (i) except in cases where this is done in accordance with general or special directions issued by the Supreme Court in exceptional cases—
 - (aa) takes or attempts to take any photograph or film or video footage in any courtroom or in any building where judicial proceedings are being conducted or in any area of the Court, including the building and the courtyard thereof, or during the transfer of a suspect or convicted person from the place of detention to the Court and vice versa, or attempts to ask questions or asks questions to suspects and defendants during their attendance, stay or departure from the Court premises or during their transfer from the places of detention to the Court and vice versa; or
 - (bb) takes or attempts to take any photograph or film or video footage in any such place or makes or attempts to make in any such place and for the purpose of publication the portrait or sketch of a judge, coroner, judicial officer, lawyer, witness or party to any civil or criminal proceedings; or
 - (cc) takes from any place or attempts to take any photograph or film or video footage of any such person, while such person is in any courtroom or in any building where judicial proceedings are being conducted or in any area of the Court, including the building and the courtyard thereof, or during the transfer of a suspect or convicted person from the place of detention to the Court and vice versa, or attempts to ask questions or asks questions of suspects and defendants during their attendance, stay or departure from the Court premises or during their transfer from the places of detention to the Court and vice versa; or
- (j) publishes or displays a photograph taken, or a portrait or sketch made, or cinematographic or photographic footage, in violation of paragraph (i) of this subsection or any copy thereof or
- (k) makes or causes to be made a false statement in a document which is confirmed by a statement of truth, without sincerely believing in the truth of its contents, or
- (I) commits any other act of wilful disrespect to any judicial proceedings, or to any person before whom such proceedings are being held, shall be guilty of an offence, and shall be liable to imprisonment for a term not exceeding six months or to a fine not exceeding £450 or to both such penalties.
- (2) Where any offence under paragraphs (a), (b), (c), (i), (i) or (k) of subsection (1) has been committed before the court, the court may order that the offender be remanded in custody, and at any time before the adjournment of the hearing on the same day may proceed to try the offence and sentence the offender to a fine of .75, or to imprisonment for one month, or to both such penalties.
- (3) The provisions of subsection (2) shall not apply in a case where the words or conduct spoken or the conduct or the act of wilful disrespect committed before the court, which constitute an offence under paragraphs (a) and (k) of subsection (1), respectively, are directed personally against a judge of that court. In such cases, the said court shall not itself deal with the offence and may, within five (5) working days from the date of the commission of the said acts or the display of the said conduct, apply to the President of the Supreme Court, transmitting the relevant minutes, in order for the President of the Supreme Court to designate another court to deal with the offence:

It is understood that before the court initiates a trial procedure by submitting a request to the President of the Supreme Court as mentioned above, it shall precisely inform the offender of the words or conduct, or his act, which in the court's opinion constitute disrespect under paragraph (a) of subsection (1), or intentional disrespect under paragraph (k) of the aforementioned subsection, as the case may be, as well as of the penalties provided for and subsequently may not proceed with a trial, in the event of a satisfactory, in its judgment, apology by the offender for the said words or conduct or act:

It is further understood that in any case where the court refers to the President of the Supreme Court, pursuant to this subsection, to designate another court to handle the trial of the offense, by transmitting the relevant minutes, it shall also transmit the minutes of the procedure that followed for the above information of the offender about his words, behavior, or act and about the penalties provided, as well as everything that may have been said subsequently in the procedure, including any response or explanation of the offender after the said information, and any apology he may have made to the court.

(4) The trial of the offence referred to in subsection (3) shall be heard by another court designated by the President of the Supreme Court within five (5) working days from the day on which the court before which the words were spoken or the conduct was displayed, or the act was committed, which in the opinion of the said

court constitute disrespect, pursuant to paragraph (a) of subsection (1), or intentional disrespect, pursuant to paragraph (k) of the said subsection, was referred to that court.

- (5) A court, which is appointed by the President of the Supreme Court pursuant to subsection (4), may try the offence, issue a decision and impose a penalty on the offender, within five (5) working days from the day on which it is appointed, subject to the provisions of subsection (6).
- (6) A court which is charged with the trial of an offence pursuant to a definition under subsection (4) shall deliver to the offender a copy of the court record referred to in subsection (3), informing him precisely of his words or conduct constituting disrespect in violation of paragraph (a) of subsection (1), or of his act constituting intentional disrespect in violation of paragraph (k) of the said subsection, as the case may be, as well as of the penalties provided for and shall provide him with every opportunity to be represented by counsel and to present a defence or to apologize for the said words, conduct or act.
- (7) A court designated by the President of the Supreme Court under subsection (4) may impose the penalties referred to in subsection (2):

It is understood that for the possible imposition of a prison sentence, both the said court and a court that, pursuant to subsection (2), itself hears the trial of an offense committed before it, balances in each case the need to protect, on the one hand, the authority of the judiciary, and on the other hand, the exercise of the right to freedom of speech and expression.

- (8) The procedure and practice in relation to the appointment of a judge under subsections (3) and (4) shall be determined in a procedural regulation issued by the Supreme Court.
- (9) In order to safeguard the right to freedom of speech and expression of a lawyer and the right to a fair trial of a party whom a lawyer represents, words or conduct on the part of a lawyer when appearing in proceedings before a court and presenting on behalf of the party he represents his claims or positions, or presenting evidence, or examining or cross-examining witnesses do not constitute a criminal offence under paragraph (a) of subsection (1):

It is understood that a lawyer's lack of respect for any judge, in words or behavior in the cases mentioned above, constitutes a disciplinary offense which the court before which it was committed may report to the Disciplinary Council established under the Lawyers Law, which examines the complaint as a priority.

(10) In this section 'judicial proceedings' means any proceedings before any court whether such proceedings are conducted before an audience or in the judge's private office and 'Court premises' means any building situated in the court yard including the court yard up to the public road.

14/1960 50/1962 32(I)/2001 36(I)/2009 168(I)/2022 114(I)/2023

Forced payment of fees and other monies

45. Every court shall have power to issue such warrants as may be issued for the enforcement of judgment debts for the purpose of compelling the payment of any court costs and of any expenses of witnesses in any civil proceedings, and of any other costs and fees and other pecuniary penalties.

14/1960

Execution of District Court Maintenance Orders

45A. Any amount due under a maintenance order issued or to be issued by a District Court under the provisions of any law may also be collected as a fine in accordance with the Criminal Procedure Law.

14/1960 4(I)/1997

Disposal of fees and other funds

46. All fees, fines and other monetary penalties collected under this law shall be transferred to the accounts of the permanent fund of the Republic, unless otherwise specifically provided by the decree by virtue of which it is imposed or by any law by virtue of which any such fines or monetary penalties are determined or provided for.

The decision will be binding without notice.

47. The judgment of any court, whether or not it contains an order to the contrary and notwithstanding the fact that it has been made in default of the filing of any pleadings or appearance of any party, shall be binding on all parties as soon as it is given, notwithstanding any appeal therefrom, but the court by which such judgment is given, or any court having jurisdiction to hear an appeal from such judgment, shall have jurisdiction to hear and determine any appeal therefrom. may at any time, if it considers it necessary, and regardless of whether or not a decree has been issued for its execution, order that the execution of such decision be suspended, for such period and under such conditions or otherwise, as the said court may deem fit.

14/1960

PART FIVE WITNESSES AND EVIDENCE

The Court may call a witness

48. In any civil proceedings before any court and at any stage thereof, the court, either ex officio or at the request of any party, may summon any person within the Republic or the Sovereign Base Areas to appear to give evidence or to produce any document in his possession, and may examine such person as a witness or expert and may require him to produce any document in his possession. the possession or control of such documents, subject to all reasonable exceptions.

14/1960

Witness not present

49. If a person summoned, after having received reasonable notice of the time and place at which he is required to appear, fails to appear and does not give the court a satisfactory explanation for his failure, it is possible, regardless of any other obligation, to take judicial action against him by issuing a warrant compelling him to appear, and he may be ordered to pay all costs incurred by reason of the failure. of his coercion to appear or due to his refusal to comply with the summons and shall also be liable to imprisonment not exceeding two months or to a fine not exceeding .150 or to both these penalties.

14/1960

The witness shall swear or make an affirmation.

- 50.-(1) In any civil proceedings, any person summoned to give evidence before any court shall, before being examined, take the same oaths which are usually administered by persons of that religion or belief when they give evidence before a court. This oath may be administered before any judge, clerk, or officer or before any person requested by the presiding judge to administer such oath.
- (2) If any witness refuses to testify or objects to testify because he is not competent to do so, or if the court considers that the oath will not have a binding effect on his conscience, he shall be required to give the following promise and make the following declaration:-

"I solemnly promise and declare that the testimony I give in court will be the truth, the whole truth, and nothing but the truth."

14/1960

Witness called to be examined

51. In any civil proceeding, any person, whether summoned or subpoenaed, who is required to give evidence, refuses to testify or to make any promise or affirmation, or refuses to answer any question put to him or to produce any document in his possession, and fails to give a satisfactory explanation to the court for his refusal. This person, therefore, regardless of any other liability, shall be liable to imprisonment not exceeding one month unless he decides in the meantime to make a proper response, and shall also be liable to fines not exceeding .75.

14/1960

The Court may summon persons to give evidence before the Court.

52. Any person present in court, whether or not connected with the trial, may be compelled by the court to give evidence and to produce any document in its possession or control, in the same manner and subject to the same rules as if he had been summoned to appear and give evidence or to produce such document, and he may be punished if he refuses to comply with the order of the court. court, as he had been summoned.

14/1960

Summoning a prisoner etc. as a witness

53. Any court may issue a warrant for the production of any person confined in a prison or institution or who is in custody to give evidence in any civil proceedings pending before it, if it believes that the said evidence is likely to prove material, to the officer responsible for such persons and such officer, after receiving the warrant, shall forthwith communicate it to the Chief of Police who shall act in accordance with it and shall arrange for the safe custody of the person. of a person for the time he is absent from the place where he was confined or detained.

14/1960 136/1991

The witness will proceed regardless of whether the costs have been paid.

54. It shall not be lawful for any person in any civil proceeding to refuse to appear as a witness, or to give evidence, when so required by the proceedings before the court, on the ground that his expenses have not been paid, even though provision has been made to that effect.

14/1960

When can witnesses give testimony without oath or affirmation?

55. In any case, in any civil proceeding, the court may, if it considers it proper and proper (for reasons which shall be stated in the minutes of the proceeding) receive without oath, or promise and affirmation, the testimony of any person who, by reason of his age, should not, in the opinion of the court, be permitted to give evidence on oath; the fact that the testimony was given in this manner shall be stated. also in the minutes of the proceedings.

14/1960

Autopsy

56. In any civil proceedings, it shall be lawful for the court, at the request of either party or of its own motion, to issue an order for the examination by the court of the parties or witnesses of any movable or immovable property, the examination of which may be essential for the taking of a correct decision on the question in question, and to give such directions in relation to such examination as the court shall deem proper.

14/1960

PART SIX LAWSUITS UNDER OR AGAINST THE REPUBLIC

Actions under or against Democracy

57. Actions by the Republic against any person, except as otherwise provided by any law, shall be brought in the name of the Attorney General of the Republic, and actions by any person against the Republic, except as otherwise provided by any law, shall be brought against the Attorney General of the Republic as defendant. Such actions, subject to the provisions of any law or procedural regulation, shall be tried in the same manner, in all respects, as legal actions between private parties.

14/1960

PART SEVEN SESSIONS OF THE COURTS AND REFERRAL OF CASES

Venue of the Supreme Court and the Criminal Court

- 58.-(1) The sessions of the Supreme Court shall be held in Nicosia in such buildings as the Minister of Justice may from time to time assign as Courts for that purpose.
- (2) The sessions of the Criminal Court shall ordinarily be held in such buildings within the capital of each of the several provinces of the Republic as the Minister of Justice may from time to time assign as courts for that purpose, but may, if it appears to the presiding judge with the consent of the Supreme Court, be held in any other building in any such city or in any other building. in some other places.

14/1960

District Court venue

59. The sittings of each District Court shall ordinarily be held in such buildings within the principal city of the District as the Minister of Justice may from time to time grant as courts for this purpose; however, if it appears to the President of the District Court, with the consent of the Supreme Court, they may be held in any other building in such city or in any building at any other place within of the Province or beyond the local limits of the court's jurisdiction:

It is understood that each member of the District Court may, for the purpose of taking the deposition of any person, use any buildings in such city or any buildings in any other places within the district or beyond the local limits of the jurisdiction of the court.

14/1960

Conference period

60. Subject to any procedural regulation, the Supreme Constitutional Court, the Supreme Court, the Court of Appeal, each District Court and each Criminal Court shall remain open throughout the year, except on Sundays and public holidays.

14/1960 136/1991 146(I)/2022

COURT REFERRAL

Authority for referral

61. Any action may at any time and at any stage thereof and upon application or without such application by any of the parties be referred by the High Court from any court to any other court of competent jurisdiction and such action may be referred either in whole or in respect of only such part of it or of the same proceedings which it is necessary to refer thereto.

14/1960

Manner of exercising authority

62. The power of reference shall be exercised by order bearing the signature of the President of the Supreme Court and the seal of the Supreme Court, and the Supreme Court may at any time annul, add to and amend such order.

The Court may submit a request for referral

63. The President of a District Court may, ex officio or upon request of any interested person, refer to the Supreme Court the pendency of any civil proceeding, which in the opinion of the District Court should, for any reason, be referred by that court to any other court, and the Supreme Court shall immediately thereafter order in which court the case shall be tried and concluded.

14/1960

Effects of the referral order

64. Every order of reference shall stay the proceedings before the court to which it was sent in any suit or case to which it is extended or applied, and the proceedings of every such suit or case, together with certified copies of all relevant entries in the books of the court, shall be sent to the court to which it is referred, and such suit or case shall be tried and determined by or before the court to which it was referred by this order. decree.

14/1960

- 64A. (1) Notwithstanding the provisions of articles 22, 61, 62, 63 and 64, in the event that a lawsuit, application or case falling within the substantive jurisdiction of a court of special jurisdiction is registered before a District Court, the District Court shall suspend the proceedings before it and refer the lawsuit or application or case to the substantively competent court of special jurisdiction for trial.
- (2) Any court of special jurisdiction, if it finds that it does not have substantive jurisdiction to hear an action or application or case registered before it, shall discontinue the proceedings before it and refer the action or application or case to the substantively competent District Court or another court of special jurisdiction for trial.
- (3) In the event of referral, under this article, of a claim or application or case to a court with jurisdiction over the matter, that court shall, within thirty days of the referral, issue instructions for the correction of the pleadings in any case where this is required.
- (4) For the purposes of this section, the term "court of special jurisdiction" includes the Commercial Court, the Maritime Court, the Family Court, the Labour Court and the Rent Control Court.

138(I)/2009 70(I)/2022

PART EIGHT MISCELLANEOUS PROVISIONS ARCHIVES

Minutes and testimonies notes

65. In all political proceedings, minutes and notes of the testimony given shall be kept as provided by procedural regulations.

14/1960

Archives

- 66.-(1) Every court shall keep such books as may be prescribed by rules of procedure or, in the absence of such rules, as the Supreme Court may direct for the registration of orders and penalties and of any other proceedings for which an order may be given to be registered therein.
- (2) Any party to any proceedings, civil or criminal, and any person to whom notice of such proceedings has been sent, by order of the court, shall be provided, at his request, with a translation, into the Greek or Turkish language, as he may request, of any part of the pleadings, copies of which he is entitled to have in accordance with these terms in all respects, as if he were provided only with such copies. Subject to any procedural regulation, the translation of any part of the pleadings shall be considered complete, regardless of the omission from such translation of any formal part of the pleadings.

SEALS

Seals

- 67.-(1) The Supreme Court and each Criminal Court and District Court shall have and use, whenever circumstances require, a seal bearing the name of that court and such emblem as may be approved from time to time by the Minister of Justice.
- (2) Each court shall be provided with as many copies of the seal as may be necessary, but these shall not exceed one seal for each member of the court except the President of the District Court.
- (3) The Supreme Court shall order in whose custody each copy of the seal of the Supreme Court and the Criminal Court shall be kept.
- (4) The President of the District Court shall give instructions as to the custody of each copy of the seal of the Court and in the event that there is more than one President in a court, such instructions shall be given by the President of the District Court appointed for this purpose by the Supreme Court.

14/1960

Warrants, etc., will be sealed.

68. All warrants, decrees and other documents issued by a Criminal Court or District Court shall be sealed with the seal of the court issuing them.

14/1960

PROCEDURAL REGULATION

Authority to issue Regulations

- 69.(1) The Supreme Court may issue regulations (in this law referred to as "procedural regulations") which shall be published in the official gazette of the Republic for the better implementation of this law.
- (2) Without prejudice to the generality of subsection (1), the Supreme Court may issue procedural rules, which shall be published in the Official Gazette of the Republic, to regulate the referral of a matter by a court to the Court of Justice of the European Communities under the provisions of-
 - (a) Article 68 or Article 234 of the Treaty establishing the European Community, or
 - (b) Article 150 of the Treaty establishing the European Atomic Energy Community, or
 - (c) Article 35 of the Treaty on European Union.

14/1960 99(I)/2007

TRANSFER OF JURISDICTION

Transfer of jurisdiction

70. All jurisdiction, civil or criminal, vested by any law in the Supreme Court, the Criminal Courts, the District Courts and the several judges of such courts shall vest in the Supreme Court, the Criminal Courts and the District Courts established by virtue of this law and shall be exercised by them in view of the jurisdiction vested respectively in such courts.

PENDING CASES

Pending cases

- 71.-(1) Any cases pending on the date on which this law comes into force shall continue and be tried, notwithstanding the provisions of this law, by the court before which they are pending.
- (2) If the court before which such cases are pending cannot be reconstituted, then such cases shall be referred, at the stage they are at, to a competent court for continuation and completion of the proceedings before that court:

It is understood that every party is entitled, upon his/her request to the court, to request a re-hearing of a witness who has already been heard.

14/1960

RESERVATIONS

Reservations

72. All buildings within which, prior to the application of this law, the sessions of the various courts established by virtue of the law repealed by this law were held shall be deemed to have been designated as buildings for the sessions of the Supreme Court, the Criminal Courts and the District Courts established by virtue of this law, respectively.

14/1960

Abolition

73. The Courts Law, the Courts (Extension of Jurisdiction) Law and article 11 of the Civil Procedure Law are repealed by this law.

14/1960

ANNEXES

ANNEX

[Deleted]

PINAX

(Article 9(I))

ASSURANCE TO DEMOCRACY

I affirm my faith in the Republic of Cyprus and respect for its Constitution and the laws enacted thereunder.

JUDICIAL OATH

I assure you that I will serve the Republic of Cyprus well and faithfully in its office and will administer justice to all in accordance with the laws and customs of the Republic of Cyprus, without fear or favour, prejudice or passion.

PINAX

(7 of Law 29/83.)

Laws

Area of Amendment

The Charitable Foundations It shall be read, interpreted and applied as if, instead of the Supreme Court, it Law, (Chapter 41). were issued by the competent President of the District Court.

It shall be read, interpreted and applied as if, instead of the Supreme Court, it had been brought by the competent District Court, except for the appeal under article 146 of the Constitution which is brought before the Supreme Court.

The Patent Privileges Law, Article 2 (Chapter 266).

The definition of "Court" is amended as follows:

The Trademarks Law (Chapter "Courts" means the competent District Court, except for the appeal under Article 268 and Laws 63 of 1962 and 146 of the Constitution which is brought before the Supreme Court.

Note

1

4 of Law 8/69. The salaries determined by the amendments in article 3 of this Law will be paid to the beneficiaries from the designated day.

Note

2

5 of Law 8/69. Article 3 of the Supreme Constitutional Court (Salary and other Conditions of Service of Greek and Turkish Judges) Law of 1961, and subsection (4) of article 4 of the Administration of Justice (Miscellaneous Provisions) Law of 1964 shall be read, interpreted and applied in accordance with the provisions of article 3 of this Law.

Note

3

3 of Law 1/80. Article 3 of the Supreme Constitutional Court (Salary and Other Conditions of Service of Greek and Turkish Judges) Law of 1961, and subsection (4) of article 4 of the Administration of Justice (Miscellaneous Provisions) Laws of 1964 to 1977 shall be read, interpreted and applied in compliance with the provisions of article 2 of this Law.

Note

4

4 of Law 1/80. The Public Service (Increase of Salaries and Restructuring of the Salary Scale and Designated Posts) Law of 1979 shall be read, interpreted and applied in compliance with the provisions of this Law which relate to the salaries of the judicial officers referred to in subsection (1) of article 8 of the basic law as set out in article 2.

Note

5

6 of Law 29/83. Any maritime cases or matrimonial disputes or cases relating to the Laws referred to in the first column of the Table of this Law pending on the day of the entry into force of this Law shall be continued and

adjudicated, notwithstanding the provisions of the basic law amended by this Law, by the Supreme Court before which they are pending:

It is understood that the Supreme Court has the power to refer for trial and decision to any District Court or President of a District Court, as the case may be, any case pending as aforesaid before it.

Note

6

7 of Law 29/83. The Laws referred to in the first column of the Table are amended to the extent specified in the second column thereof.

Note

7

8 of Law 29/83. This Law shall enter into force on 1 June, 1984.

Note

8

5 of Law 51/84. The provisions of the Courts (Amendment) Law of 1983 in so far as they relate to maritime cases shall come into force on 11 July, 1986.

Note

9

4 of Law 89/85. The force of this Law is considered to have begun on 1 September 1984.

Note

10

6 of Law 96/86. The provisions of the Courts (Amendment) Law of 1983 in so far as they relate to maritime cases are repealed as of 11 July 1986 and this Law comes into force as of the same date.

Note

11

3 of Law 317/87. The Supreme Judicial Council may extend the service of any judge who is serving on the date of entry into force of this Law and who, upon his normal retirement, has not completed ten years of service in any pensionable position in the Republic, for such period of time as may be necessary to complete ten years of such service.

Note

12

4 of Law 317/87. This Law shall enter into force upon its publication in the Official Gazette of the Republic, except for paragraphs (b) and (c) of Article 2 thereof, which shall enter into force on 1 September 1984.

Note

13

3 of Law 64/90. The force of this Law is deemed to have commenced on December 31, 1987, except for the reservation (IV) of the new section (3) set out in article 2 of this Law.

Note

14

8 of Law 136/91. Any maritime cases pending on the date of entry into force of this Law shall continue and be heard, notwithstanding the provisions of the basic law amended by this Law, by the Supreme Court before which they are pending:

It is understood that the Supreme Court has the power to refer for trial and decision to any District Court or President of a District Court, as the case may be, any such case pending before it.

Note

15

3 of Law 42(I)/92. This Law is considered to be in force from 1 March 1992.

Note

16

3 of Law 82(I)/95. The force of this Law shall commence two years from the date of its publication in the Official Gazette of the Republic.

Note

17

5 of Law 102(I)/96. The hearing of a case that has already begun with the presentation of evidence before the entry into force of this Law shall continue and be concluded before the same Court, notwithstanding the provisions of article 22 as amended by article 3 of this Law.

Note

7 of Law 70(I)/2022Entry into force of Law 70(I)/2022

- 7.-(1) Subject to the provisions of subsections (2) and (3), this Law [S.S.: namely L. 70(I)/2022] shall enter into force on the date of its publication in the Official Gazette of the Republic.
- (2) The provisions of section 5, in the part referring to the Commercial Court, shall come into force on the date of publication of the notification of the Supreme Court issued under the provisions of subsection (2) of section 32 of the Establishment and Operation of the Commercial Court and Maritime Court Law in the Official Gazette of the Republic.
- (3) The provisions of sections 2 to 5, in the part referring to the Maritime Court and the provisions of section 6 shall come into force on the date of publication of the notification of the Supreme Court issued under the provisions of subsection (3) of section 32 of the Establishment and Operation of the Commercial Court and Maritime Court Law in the Official Gazette of the Republic.

Note

7 of Law 146(I)/2022Entry into force of Law 146(I)/2022

- 7. This Law [S.S.: namely L. 146(I)/2022] comes into force-
 - $_{\rm July}$ (a) on 1 $_{\rm 2023}$ to the extent that its provisions relate to the Supreme Court and the Supreme Constitutional Court and
 - (b) on the date referred to in subsection (2) of section 22 of the Administration of Justice (Miscellaneous Provisions) (Amendment) Law of 2022 [S.S.: namely L. 145(I)/2022], to the extent that the provisions thereof relate to the Court of Appeal.

Note

10 of Law 114(I)/2023Entry into force of this Law [S.S.: namely Law 114(I)/2023)

- 10.-(1) Subject to the provisions of subsection (2), this Law [S.S.: namely L. 114(I)/2023] shall come into force from the date of entry into force of the Civil Procedure Regulations of 2023.
- (2) The provisions of article 5 shall be deemed to have come into force on 3 2023.

<u>Cylaw.org</u>: From KINOP/CyLii and <u>ConvertPLC</u> for the <u>Cyprus Bar Association</u>