

## CHAPTER 2

### THE ADVOCATES LAW

#### ARRANGEMENT OF ARTICLES

##### PART I

##### PRELIMINARY PROVISIONS

Articles

1. Short title.
2. Interpretation.

##### PART II

##### ADMISSION AND ENROLLMENT

3. Legal Council. Composition and responsibilities.
4. Qualifications for enrollment in the Register.
- 4A. Enrollment of trainee advocates.
- 4B. Appearance of trainee advocates before the Court.
5. Examination.
6. Enrollment of advocates.
- 6A. 2 of 31(I) of 2001. Enrollment of practising advocates.
- 6B. 4 of 180(I) of 2002. Issue of evidence to an advocate for the provision of services in another Member State.
- 6C. 4 of 117(I) of 2007. Lawyers' Company
- 6D. 4 of 117(I) of 2007. Liability of the members of a Lawyers' Limited Company.
7. Special licence to established lawyers from abroad.
8. Saving.
9. Regulations.

##### PART III

##### PRACTICE

10. Queen's Counsel.
11. Conditions of practice.
- 11A. 2 of 41(I) of 2002. Appearance of advocates. Schedule.
12. Judicial officers practising the profession after retirement.
13. Table of fees and Procedure Rules to be exhibited.
14. Liability to pay costs.

5 of 180(I) of 2002.

##### PART IIIA

##### PROVISION OF SERVICES BY MEMBER STATE ADVOCATES

- 14A. 5 of 180(I) of 2002. Advocates, nationals of the Member States who provide services.
- 14B. 5 of 180(I) of 2002. Professional title.
- 14C. 5 of 180(I) of 2002. Activities of an advocate who is a national of a Member State before the judicial and public authorities of the Republic.
- 14D. 5 of 180(I) of 2002. Appearance of an advocate who is a national of a Member State before a Court.

- 14E. 5 of 180(I) of 2002. Obligation to produce declaratory information also for the provision of services before public authorities.
- 14F. 5 of 180(I) of 2002. Keeping of a special Register.
- 14G. 5 of 180(I) of 2002. Discipline.

5 of 180(I) of 2002

PART IIIB

PERMANENT PRACTICE BY MEMBER STATE ADVOCATES

- 14H. 5 of 180(I) of 2002. Scope of application.
- 14I. 5 of 180(I) of 2002. Interpretation.
- 14J. 5 of 180(I) of 2002. Practice under the home-country professional title.
- 14K. 5 of 180(I) of 2002. Enrollment in the Register of Practising Advocates.
- 14L. 5 of 180(I) of 2002. Terms of practice under the home-country professional title.
- 14M. 5 of 180(I) of 2002. Conditions of practice under the home-country professional title.
- 14N. 5 of 180(I) of 2002. Keeping of rules of professional conduct and ethics.
- 14O. 5 of 180(I) of 2002. Discipline.
- 14P. 5 of 180(I) of 2002. Like treatment as a Cypriot advocate.
- 14Q. 5 of 180(I) of 2002. Joint practice.
- 14R. 5 of 180(I) of 2002. Cooperation between the competent authorities.

PART IV

DISCIPLINE

- 15. Disciplinary liability of advocate, etc.
- 16. Disciplinary Board.
- 17. Disciplinary offences and proceedings.

PART V

LOCAL BARS, COMMITTEES, CYPRUS BAR ASSOCIATION  
AND BAR COUNCIL

- 18. Interpretation.
- 19. Ordinary general meeting of Local Bars.
- 20. Extraordinary general meeting of Local Bars.
- 21. Ordinary general meeting of the Cyprus Bar Association.
- 22. Extraordinary general meeting of the Cyprus Bar Association.
- 23. Bar Council.
- 24. Powers of the Bar Council.
- 25. Sub-committees.

PART VI

PENSIONS AND ALLOWANCES

- 26. Rules to provide for pensions and allowances.
- 27. Regulations of the Council of Ministers to provide for dues.
- 27A. Submission of Regulations to the House of Representatives.
- 28. Payment of dues into the Fund.
- 29. Restrictions on advocates to charge clients for contributions or

- 30. dues.
- 31. Parties to proceedings.
- 32. Filling of vacancies.
- 33. Power to make Rules.
- 34. Saving.
- 34. Date of coming into operation of the Law.

FIRST SCHEDULE  
 SECOND SCHEDULE  
 THIRD SCHEDULE

**LAW TO CONSOLIDATE AND AMEND THE ADVOCATES LAWS AND TO  
 MAKE PROVISION FOR THE ESTABLISHMENT OF AN ADVOCATES'  
 PENSION FUND**

PART I  
 PRELIMINARY PROVISIONS

- |   |   |
|---|---|
| Short Title.<br>Cap.2<br>42 of 1961<br>20 of 1963<br>46 of 1970<br>40 of 1975<br>55 of 1978<br>71 of 1981<br>92 of 1983<br>98 of 1984<br>17 of 1985<br>52 of 1985<br>9 of 1989<br>175 of 1991<br>212 of 1991<br>9(l) of 1993<br>56(l) of 1993<br>83(l) of 1994<br>76(l) of 1995<br>103(l) of 1996<br>79(l) of 2000<br>31(l) of 2001<br>41(l) of 2002<br>180(l) of 2002<br>117(l) of 2003<br>130(l) of 2003<br>199(l) of 2004<br>264(l) of 2004<br>21(l) of 2005<br>65(l) of 2005. | <b>1.</b> This Law may be cited as the Advocates Law.   |
| Interpretation.   | <b>2.</b> - (1) In this Law, unless the context otherwise requires<br>-<br><br>"Supreme Court" means the Supreme Court of the Republic. |

2 of 42/61  
 15 of 33/64.

2 of 40/75.	“practising as an advocate” means –
	(i) appearing before any Court to conduct any proceedings on behalf of any person or the Republic.
	(ii) preparing or perusing any pleading on behalf of a client.
	For the purposes of this paragraph “pleading” includes any document filed in Court and forms part of the pleadings but does not include an expert’s report or a witness attestation including a statement of facts.
2(a) of 98/84.	(iii) the act of registering trademarks or patents and appearing before any administrative authority for the aforementioned purposes.
2(a) of 71/81. 2(b) of 98/84.	(iv) drawing, reviewing, amending any Memorandum or Articles of Association of a company of any form or any application, report, statement, affidavit, decision or other document pertaining to the incorporation, registration, organisation, reorganisation or dissolution of any legal entity.
2(a) of 98/84.	(v) registering ships and drawing all documents referring to the incorporation, transfer, alteration or abolition of all rights on a ship as well as appearing before the competent authority for this purpose.
2(a) of 117(l) of 2007.	(vi) giving opinions on all legal matters submitted to the advocate.
2(b) of 71/81 2(a) of 98/84. Cap.189. 157 of 1985.	(viii) drawing or perusing any document filed in Court for administration purposes under the Administration of Estates Law.
2 of 42/61.	“Republic” means the Republic of Cyprus.
2 of 42/61. 15 of 33/64.	“Court” means the Supreme Court or any other Court under this and includes any judge thereof.
	“judicial function” means the function of a judge of any Court of the Republic.
	“advocate” means a person enrolled as such under this Law or any Law previously in force in that behalf.
	“practising advocate” means an advocate who is

	entitled to practise under the provisions of clause (1) of Article 11 and who, having as a principal profession that of a practising advocate, holds himself out as ready to do so, and includes a Law Officer who is an advocate.
2 of 21(l) of 2005.	“contributor” means a practising advocate but does not include a Law Officer employed in the Law Office of the Republic after September 14, 1966.
2 of 42/61.	“Local Bar Committee” means a district bar committee elected under the provisions of clause (3) of Article 19.
2(b) of 117(l) of 2007.	“Lawyers’ Company” means a general or limited partnership or a private limited liability company whose registration as a Lawyers’ Company is approved by the Legal Council for the purposes of exercising the profession of advocate by one or more advocates in accordance with the provisions of clause (1) of Article 6C.
2 of 42/61.	“examination” means the examination of persons wishing to be enrolled in the Register of Advocates as set out in Article 5.
2(a) of 130(l) of 2003. 2 of 180(l) of 2002.	“Member State” means a Member State of the European Union, which is a Contracting Party to the European Economic Area and Switzerland;
	“home Member State” means a Member State, in which the advocate, who is a national of the Member State, is established.
	“Legal Council” means the Council which is established under this Law,
	“Disciplinary Board” means the Disciplinary Board established under Article 16.
	“Bar Council” means the central council of the Cyprus Bar Association established under Article 23.
2(b) of 130(l) of 2003.	“Agreement for the European Economic Area” means the Agreement for the European Economic Area signed on the 2 <sup>nd</sup> of May 1992 at Oporto and its amendments from time to time.
	(2) For the purposes of the definition “practising as an advocate”, “Court” means a Court established under any Law, in force for the time being.

PART II  
ADMISSION AND ENROLLMENT

Legal Council.  
Composition and  
responsibilities.  
15 of 33/64.  
3 of 98/84.  
2 of 17/85.  
2 of 52/85.  
2(a) of 103(l) of  
1996.

3.-(1) For the purposes of this Law, a Legal Council is established consisting of the Attorney-General of the Republic as Chairman, the Chairman, Vice-Chairman and Secretary of the Bar Council for the time being and three advocates from the two communities:

Provided that for as long as the participation of advocates from the other community is not possible, the advocates participating in the Legal Council shall all be advocates from the Greek-Cypriot community.

(2)(a) The three advocates participating in the Legal Council are selected by the Bar Council out of a list submitted by the Attorney-General of the Republic which includes a number of advocates which is at least twice the number provided for in clause (1).

(b) the Attorney-General of the Republic indicates as members of the Legal Council advocates having the qualifications for appointment to the office of the Judge of the Supreme Court.

(c) The term of the three advocates, members of the Legal Council is three years.

2(b) of 103(l) of  
1996.

(3) The Legal Council is deemed duly convened, regardless of any vacancy therein.

2 of 117(l) of  
2003.

(4)(a) The Legal Council addresses and decides as follows –

3 of 117(l) of  
2007.

(i) with regard to applications of natural persons wishing to be enrolled as advocates, it carries out the examination and issues the necessary certificates and with regard to applications for the registration of a Lawyers' Company, it examines whether the requirements provided for in this Law are fulfilled and issues the relevant approval.

(ii) on the obligation of the Attorney-General and any practising advocate, who upon submission to the Court of any specific pleading in any Court proceedings or on behalf of whom such pleading is submitted, to pay fees as may be determined, in order to cover the administrative and other operation expenses of the

Legal Council:

Provided that no advocate is permitted to appear before any Court or make any specified action and no specific document is filed in or presented before a Court, unless the fixed fees are paid; and

(b) the Legal Council performs any such other functions for the purposes of this Law, as provided hereinbelow.

Transitional  
Provision.  
3 of 103(l) of  
1996.

As from January 1<sup>st</sup>, 1997 and until the approval of the three members of the Legal Council by the Bar Council which will result from the elections to be carried out in 1997 under Article 23, the Legal Council shall comprise the Attorney-General and its seven present members – advocates.

3 of 1980(l) of  
2002.

(5) The decisions of the Legal Council and their legality are examined in the context of an action before a District Court.

Qualifications for  
enrollment in the  
Register.

4.

Every person shall be entitled to receive from the Legal Council a certificate stating that he is entitled to be enrolled as an advocate if he satisfies the Legal Council that -

(a) he has completed his twenty first year of age, and

(b) he is of a good character and he is not an unsuitable person to become accepted as an advocate due to any kind of behaviour which would justify the Disciplinary Board taking measures against him under Article 17, and

(c) he is a citizen of the Republic with permanent residence in Cyprus:

3 of 71/81.  
2 of 9(l)/93.  
2 of 76(l) of  
1995.

Provided that regardless of any other provisions of the basic law or of the Regulations made under this law, a non-Cypriot citizen who is a spouse or a child of a citizen of the Republic with permanent residence in Cyprus is entitled, as long as he fulfils all the other conditions of this Law, to obtain from the Legal Council a certificate stating that he is entitled to be enrolled as an advocate, and

3(a) of 40/75.  
2 of 92/83.

(d) he holds any of the following qualifications, that is –

(i) he is a holder of a Law degree or diploma,

obtained in any other manner or by correspondence, from any University of Greece or Turkey, or

- (ii) he is a barrister-at-law of England, Northern Ireland or the Republic of Ireland or an advocate of Scotland, or
- (iii) he is a holder of a Law degree obtained in any other manner or by correspondence from any University of the United Kingdom, of Great Britain and Northern Ireland or the Republic of Ireland:

Provided that the Law degree for external students of the University of London shall be deemed as being a degree obtained in any other manner or by correspondence, or

- (iv) he is a holder of such Law degree or diploma obtained in any other manner or by correspondence, from any other University or Institution as the Legal Council may from time to time determine with a notice published in the Official Gazette of the Republic:

Provided that the Legal Council shall not determine any such degree or diploma of any such University or Institution unless this is equivalent to the qualifications and the Universities or Institutions indicated in subparagraphs (i), (ii) and (iii), and

- (e) upon obtaining the qualifications indicated in paragraph (d) he has completed a training period of not less than twelve months at the office of an advocate practising for at least five years:

Provided that, if any person wishing to obtain by the Legal Council a certificate that he is entitled to be enrolled as an advocate convinces the Attorney-General of the Republic that he could not do his training at the office of an advocate practising for at least five years, this person shall be entitled to do his training at the office of the Attorney-General of the Republic.

Provided further that the Attorney-General of the Republic may, if he deems necessary, place any



person doing his training at his office, at the office of a practising advocate who has been assigned to handle cases on behalf of the Republic upon instructions by the Attorney-General of the Republic for such period that the Attorney-General shall consider necessary; but for the purposes of this Law, the trainee advocate shall be deemed to be trained at the office of the Attorney-General of the Republic.

2 of L.212/91.

Provided further that the training period of twelve months, if not continuous, must be completed within a period of three years. The period of the first six months must be continuous while the completion of the remaining period must be carried out in periods of not less than two months each, and

(f) he has passed an examination satisfying the Legal Council:

Provided, however, that the Legal Council shall have the discretion to –

3(b) of 40/75.

(i) exclude from the provisions of paragraph (f) any person who satisfies the Legal Council that he had, prior to the enforcement of this Part, been enrolled as a student having the intention to obtain the qualifications which would give him the right to practise as an advocate had this Part been not passed, and who have obtained these qualifications within a period of six years from the date of this Part coming into operation.

3(b) of 40/75.

(ii) exclude from the provisions of paragraphs (e) and (f) any person who will satisfy the Legal Council that he had, at or prior to 31<sup>st</sup> December 1961, obtained the qualifications which would have given him the right to become accepted to practise as if this Part had not been passed.

2 of 20/63.  
3(b) of 40/75.

(iii) shorten, subject to the regulations to be made under Article 9, the period provided for under paragraph (e) for a time period fixed by the Legal Council, if the latter is convinced that such shortening is justified:

3(c) of 40/75.

Provided that this period shortening is not permitted before the interested person completes a training period of at least six months under paragraph (3) and

passes the examination or is exempted therefrom under sub-paragraph (i) or (ii) of the present saving.

3 of 212/1991  
Transitional  
Provision.  
56(l) of 1993.  
83(l) of 1994.

For all the persons enrolled in the Register of Trainee Advocates under Article 4A(2) of the basic law, the deadline for the completion of the training period provided for by the provisions of this Law shall be 7 years and its calculation shall commence from the date of coming into operation of the Advocates (Amendment) (No.2) Law of 1991:

Provided that the training period already covered shall not be wasted, but taken into account.

Enrollment of  
trainee  
advocates.  
3 of 20/63.

**4A.**

- (1) A person who commenced his training at the office of a practising advocate, or at the office of the Attorney-General of the Republic, under paragraph (e) of Article 4 (hereinafter called in this Article and in Article 4B as the “trainee advocate”) is obliged no later than thirty days from the date on which he has commenced his training at this office, to submit an application to be enrolled as a trainee advocate in accordance with the provisions of this Article.

(2) The application of trainee advocates for enrollment is submitted by the interested person to the Legal Council, and states the name of the practising advocate at the office of whom he commenced his training or, as the case may be, states the fact that he commenced his training at the office of the Attorney-General of the Republic, and the date of commencement of his training, which is proven under the provisions of clause (3), as well as other specific information, and if the Legal Council is convinced that he holds the qualifications set out in paragraphs (b), (c) and (d) of Article 4, it enters his name in a book kept by the Chief Registrar and which is called “Register of Trainee Advocates”.

3 of 117(l) of  
2003.

(3) The date a trainee advocate commences his training is proven by the production to the Legal Council of a document signed by the practising advocate, at the office of whom the trainee advocate is being trained or, as the case may be, by the Attorney-General of the Republic, who certifies this date.

(4) The date of commencement of training which is entered in the Register of Trainee Advocates under this Article, is deemed for all the purposes of this Law as the date of commencement of the trainee

advocate's training period:

Provided that if the trainee advocate does not submit an application for enrollment within thirty days from the commencement of the training as provided for in clause (1), the training period shall be deemed to have commenced thirty days prior to the submission of the enrollment application under this Article, and this date shall be filed in the Register of Trainee Advocate as the date of commencement of the training.

(5) Following an application by a trainee advocate whose name has been entered in the Register of Trainee Advocates, the Chief Registrar issues him a Certificate of Trainee Advocate in the manner specified at the time.

(6) A person who, at the date of coming into operation of this Law, does his training at the office of a practising advocate, or at the office of the Attorney-General of the Republic under paragraph (e) of Article 4, following the submission of an application in writing to the Legal Council within thirty days from the date of coming into operation of this Law, or within any such further deadline as the Legal Council may permit for any reasonable cause, and upon production to the Legal Council of the information and documents requested by the Council, shall be entitled to be enrolled in the Register of Trainee Advocates, if the Legal Council is convinced that he holds the qualifications indicated in paragraphs (a), (b), (c) and (d) of Article 4. The provisions of clauses (3), (4) and (5) shall apply *mutatis mutandis* for applications and documents made under this clause.

(7) The disciplinary provisions of this Law (Articles 15 to 17) shall apply to all persons enrolled as trainee advocates under this Article:

4 of 40/75.

Provided that instead of the disciplinary penalty provided for in paragraph (b) of clause (1) of Article 17, the Disciplinary Board may impose the suspension of the enrollment of the trainee advocate in the Register of Advocates, for such time period as the Disciplinary Board may deem fit.

Appearance of  
trainee  
advocates  
before the Court.  
3 of 20/63.

**4B.** - (1) Subject to the provisions of this Article, every trainee advocate who is enrolled in the Register of Trainee Advocates may –

(a) appear on behalf of the practising advocate at the office of whom he trains or, as the case may be, on behalf of the Attorney-General of the Republic, and based on his instructions, before -

- (i) any Court in civil proceedings, for the submission of *ex parte* applications, for mention, or for requesting adjournment of the hearing or to decide on a failure to submit a pleading:

Provided that the trainee advocate shall not be entitled to declare settlement.

- (ii) any Court in criminal proceedings for denial of charge or for admission of charge and hearing of the case when the offence is punishable with imprisonment for a period not exceeding six months or a fine not exceeding one-hundred pounds or both penalties. He is also entitled to appear before such Court to request adjournment of the hearing.

15 of 33/64.

- (iii) the Supreme Court in any appeal for mention, or hearing for the issue of instructions:

Provided that the trainee advocate may not declare settlement.

(b) appear before any Court along with the advocate at the office of whom he trains, or, in case he trains at the office of the Attorney-General of the Republic, along with the Attorney-General of the Republic, the Deputy Attorney-General of the Republic or other advocate of the Republic and, in his presence, take such part in the proceedings carried out before the Court as the above persons may allow him.

3 of 175/91.

(2)(a) The advocate at the office of whom the trainee advocate trains is obliged to pay the latter, for a period up to twelve months of training, a fee amounting to one hundred pounds per month or an amount to be determined from time to time by the Legal Council and approved by the Council of Ministers:

Provided, however, that the party for whom the trainee advocate appears before the Court under this Article shall not be subject to additional fee for this

appearance.

(b) Trainee advocates who under paragraph (e) of Article 4 are trained at the office of the Attorney-General of the Republic shall be paid out of the State budget an amount of one hundred pounds per month or any other amount to be determined under paragraph (a) above.

Provided that persons who at the date of coming into operation of this Law are already trainee advocates shall be paid, for the remaining period of their training, a fee in accordance with the provisions of this clause.

(3) The trainee advocate may not appear before any Court under this Article before he completes a training period of at least four months at the office of a practising advocate, or at the office of the Attorney-General of the Republic in accordance with paragraph (e) of Article 4.

(4) No person who is a trainee advocate may appear before any Court under this Article after a period of two years from the date of commencement of his training period at the office of a practising advocate or at the office of the Attorney-General of the Republic in accordance with paragraph (e) of Article 4.

(5) For the purposes of this Article-

14 of 1960  
50 of 1962  
11 of 1963  
8 of 1969  
40 of 1970  
58 of 1972  
1 of 1980  
35 of 1982  
29 of 1983  
91 of 1983  
16 of 1984  
51 of 1984  
83 of 1984  
93 of 1984  
18 of 1985  
71 of 1985  
89 of 1985  
96 of 1986  
317 of 1987  
49 of 1988  
64 of 1990  
136 of 1991  
149 of 1991  
237 of 1991

“civil proceedings” and “criminal proceedings” shall have the meaning attributed to these terms in Article 2 of the Courts of Justice Law.

42(l) of 1992  
43(l) of 1992  
102(l) of 1992.

15 of 33/64.

“Court” means a District Court or any judge thereof and the Supreme Court in the case provided for in sub-paragraph (iii) of paragraph (a) of clause (1).

Examination. **5.**  
4 of 42/61.

- (1) The examination shall be carried out under the supervision and management of the Legal Council by examiners appointed by the Legal Council. Any member of the Legal Council may be appointed as such examiner.

4(a) of 117(l) of  
2003.

(2) The examination shall be carried out in writing on subjects set by the Legal Council.

(3) The examination shall be carried out three times a year, approximately every four months, on such date or dates as the Legal Council shall determine, and a relevant notice shall be published in the Official Gazette of the Republic at least three months prior to the date of the examination:

4(b) of 117(l) of  
2003.

Provided that the first period of examinations of the Legal Council of every calendar year shall be an examining period only for those who have completely or partly failed in previous examining periods, in accordance with the General Rules on the method of conducting the examinations of Trainee Advocates.

(4) The subjects of the examination shall be set by the Legal Council from time to time with a publication in the Official Gazette of the Republic:

Provided that the first subjects shall be set within two months from the coming into operation of this Law, shall apply as from the publication and shall remain in force for a period of not less than one year; provided further that any subsequent setting of subjects shall be stated at the time of publication to apply as from the date set in the publication, which shall be no less than one year from the date of the publication.

(5) The examination shall be carried out in the official languages of the Republic and in English and each candidate shall be free to select the language or languages in which he wishes to carry out the examination:

Provided that no candidate shall be free to select the

English language for the subject of the Constitution of the Republic, and for any other subject as from 16<sup>th</sup> August 1965.

5 of 40/75. (6) The persons participating in the examination shall pay such fee as fixed from time to time. The amount of this fee shall be used as determined by the Legal Council.

Enrollment of advocates. 4 of 42/61. 4 of 71/81. 2 of 264(l) of 2004. 4 of 92/83. 2 of 264(l) of 2004. 2 of 65(l) of 2005. **6.** - (1) Any person who has obtained a certificate by the Legal Council which states that he is entitled to be enrolled as advocate, shall upon payment of a fee of thirty pounds, have his name enrolled in a book kept by the Chief Registrar and to be called "the Register of Advocates".

A percentage of fifty percent of the advocate enrollment fee paid shall be paid to the Bar Council.

The Chief Registrar shall inform the Bar Council of any new enrollment under this clause.

(2) The Chief Registrar shall, on the application of any person whose name appears on the Register of Advocates, issue him a certificate of enrollment under the seal of the Supreme Court.

2 of 31(l) of 2001. Enrollment of practising advocates. 3(a) of 65(l) of 2005. 3(b) of 65(l) of 2005. **6A.** - (1) Any practising advocate shall have his name enrolled in a book kept by the Bar Council to be called "Register of Practising Advocates". The Bar Council shall inform the Chief Registrar of any enrollment under this clause.

(2) The Bar Council shall, on the application of any person whose name appears on the Register of Practising Advocates, issue him a certificate of enrollment under the seal of the Bar Council.

3(c) of 65(l) of 2005. Appendix. 3(c) of 65(l) of 2005. (3) The practising advocate, at the time of issue of his annual licence, shall submit to the Bar Council a certificate, in the form attached in the Appendix, with a relevant confirmation from his local bar association, stating that his principal profession is the exercise of the legal profession and that he is ready to exercise it:

Provided that his local bar association shall, before confirming that the advocate has as his principal profession the exercise of the legal profession and that he is ready to exercise it, establish, *inter alia*, through the Department of Social Insurance, that the advocate

is registered as an advocate-contributor to the Social Insurance Fund.

3(d) of 65(l) of  
2005.

(4) The Bar Council shall, ex-officio or upon application of a Committee of the Local Bar Association, have the power to remove an advocate from the Register of Practising Advocates in cases where the relevant enrollment was made under false pretences, without the real or legal conditions being met:

3(d) of 65(l) of  
2005.

Provided that the Bar Council shall issue its decision on the application upon hearing the interested parties.

(5) No provision included in this Article shall apply to –

(a) any Law Officer;

(b) any officer of the Government authorised by the Attorney-General of the Republic to appear, plead and act in any proceedings in which the Republic, the Government or any officer of the Government in his official capacity, is a party.

4 of 180(l) of  
2002.  
4(a)(b) of 65(l)  
of 2005.  
Issue of  
evidence to an  
advocate for the  
provision of  
services in  
another Member  
State.

**6B.** The Bar Council is the competent body for the issue of the necessary documents which prove the capacity of advocate, to a person enrolled in the Register of Practising Advocates, in order to be able to provide services as an advocate in another Member State.

4 of 117(l) of  
2007.  
Lawyers'  
Company.  
Cap. 113.  
19 of 1963  
21 of 1967  
27 of 1967  
9 of 1968  
76 of 1977  
17 of 1979  
105 of 1985  
198 of 1986  
19 of 1990  
46(l) of 1992  
96(l) of 1992  
41(l) of 1994  
15(l) of 1995  
21(l) of 1997  
82(l) of 1999  
149(l) of 1999

**6C.** (1) Irrespective of the provisions of the Companies Law, the Legal Council approves, upon relevant application, the incorporation of a company as a Lawyers' Company and such approval is a necessary prerequisite for its registration as a company, under the Companies Law, if:



2(l) of 2000  
135(l) of 2000  
151(l) of 2000  
76(l) of 2001  
70(l) of 2003  
167(l) of 2003  
92(l) of 2004  
24(l) of 2005  
129(l) of 2005  
130(l) of 2005  
98(l) of 2006  
124(l) of 2004  
70(l) of 2007  
71(l) of 2007.

Cap. 116.  
77 of 1977

(a) a general or limited partnership all of whose intended partners are advocates enrolled in the Register of Practising Advocates, is proposed to be registered in the Republic, under the Partnerships and Business Names Law; or

(b) a private limited liability company all of whose intended shareholders and members of the board of directors are advocates enrolled in the Register of Practising Advocates, is proposed to be registered in the Republic under the Companies Law:

Provided that a general or limited partnership whose partners are advocates enrolled in the Register of Practising Advocates may be shareholders of the private limited liability company;

(c) a general or limited partnership or private limited liability company whose name consists exclusively of:

(i) the name or names of one or more practising advocates, or

(ii) the name or names of advocates who, in the past, practised the profession in the Republic as partners in a general or limited partnership which existed on the date of entry into force of the Advocates (Amendment) Law of 2007; or

117(l) of 2007.

117(l) of 2007.

(iii) the name of a general or limited partnership which existed on the date of entry into force of the Advocates (Amendment) Law and contains the name or names of advocates who are, or were in the past, enrolled in the Register of Advocates

is proposed to be registered.

(2) Irrespective of the other relevant provisions of the

Companies Law, any acquisition or transfer of shares in a private limited liability company registered as a Lawyers' Company shall be deemed lawful and filed with the Registrar of Companies only upon the prior approval of the Legal Council.

(3) The Legal Council informs the Cyprus Bar Council on all Lawyers' Companies that it approves by virtue of this article.

(4) Every Lawyers' Company, whose registration with the Registrar of Companies has been approved by the Legal Council, is recorded by the Bar Council in a special register kept for this purpose, called "Register of Lawyers' Companies".

(5) The Bar Council immediately informs the Chief Registrar of every recording in the Register of Lawyers' Companies under clause (4).

(6) A Lawyers' Company, which is registered as a private limited liability company is filed with the acronym "LLC" (Lawyers' Limited Company) instead of the abbreviation "limited":

Provided that the name of the Lawyers' Company which is registered in accordance with this Law may appear and be used both in Greek and Latin letters, irrespective of whether it has been registered in Greek or Latin letters with the Registrar of Companies.

(7) Subject to the provisions of clause (8), the Legal Council decides on the striking off of a Lawyers' Company from the Register of Lawyers' Companies, if the company ceases to fulfill the requirements provided for in paragraphs (a) or (b), as the case may be, of clause (1).

(8) The Legal Council does not decide on the striking off of any Lawyers' Company from the Register of Lawyers' Companies if the reason for which it ceases to fulfill the requirements provided for in paragraphs (a) or (b), as the case may be, is due to the following:

(a) acquisition of interest for the cases referred to in paragraph (a) of clause (1) and, for the cases referred to in paragraph (b) of the same clause, acquisition of shares, as a result of succession, from a person who is not a practising lawyer, or

(b) loss, in any manner, by a partner or member of a company or member of its board of directors, as the case may be, of the capacity of practising advocate,

and provided that the above reasons cease to exist within a period of twelve months from the date on which they arose, in such a manner as to ensure that the Lawyers' Company continues to fulfill the requirements of paragraphs (a) or (b) of clause (1), as the case may be.

(9) The dissolution of a Lawyers' Company entails *de jure* its striking off from the Register of Lawyers' Companies.

(10) An advocate who is enrolled in the Register of Practising Advocates and who participates in or is employed by a Lawyers' Company appears before the Court on behalf of or for the account of the Lawyers' Company.

(11) An appointment of an advocate in the name of the Lawyers' Company shall be deemed, in every respect, as appointment of all and each one of the advocates who make up or participate in the Lawyers' Company or are employed by it, without the need for each one of them to be separately appointed in order to have the right to represent before the Court the person who makes such appointment.

(12) An advocate in respect of whom the provisions of Part IIIB of this Law apply, may act on behalf of and for the account of the grouping to which it belongs.

4 of 117(l) of  
2007. Liability of  
members of a  
Lawyers' Limited  
Company

**6D.** (1) Irrespective of any provisions of any other law, an advocate who is a shareholder in a Lawyer's Limited Company shall not have, either directly or indirectly, any personal liability or liability of contribution for any debt, liability or obligations of the Lawyers' Limited Company on the sole grounds of being a shareholder thereof.

(2) Clause (1) hereinabove does not prejudice any liability of a member of the board of directors of the Lawyers' Limited Company due to his own negligence, nor does it prejudice the disposal of the assets of the Lawyers' Limited Company to cover its debts, liabilities and/or obligations.

Special licence **7.** - (1) Irrespective of any provision included in this Law,

to established  
advocates from  
abroad.  
4 of 42/61.

the Legal Council may, at its discretion, upon application by an established advocate from abroad, grant a special licence to such advocate to appear before any Court of the Republic in order to practise law in the Republic in relation to any specific proceedings or any specific case or matter. The fee for the granting of such special licence shall be fixed from time to time.

Provided that no such advocate may appear before any Court unless he appears along with an advocate practising in the Republic.

Saving.  
4 of 42/61.

**8.** No provision included in this Law shall alter, influence, prejudice or intervene with regard to the enrollment or rights of any advocate, who at the date of coming into operation of this Law, was enrolled as an advocate.

Regulations.  
4 of 42/61.

**9.** Subject to the provisions of this Law, the Legal Council may make regulations which are published in the Official Gazette of the Republic for all or some of the following purposes, that is: -

(a) the regulation of the Legal Council's operation and procedure, including quorum.

(b) the filling of any vacancies in the Legal Council.

(c) the settlement or regulation of any matter pertaining to the examination and its conduct, the fixing of the number of examiners and the fees that must be paid to them.

(d) the fixing of any fees under this Part.

4 of 20/63.

(e) the regulation of the shortening of the period under paragraph (iv) of the saving referred to in Article (4), or the regulation or fixing of any matter pertaining to such shortening or the regulation or fixing of any matter pertaining to the exercise or enrollment or the appearance of trainee advocates before a Court.

2 of 46/70.

(g) the settlement or regulation of any matter pertaining to an advocate at the office of whom a trainee advocate does his training.

2 of 46/70.

(h) the determination of any matter, which under the provisions of this Part, is required, permitted or for which an authorisation is provided in order to be determined.

2 of 46/70.

(i) generally the execution or facilitation of the purposes of this Part.

### PART III PRACTICE

Queen's  
Counsel. 5 of  
42/61.

**10.** No advocate who has the rank of a Queen's Counsel shall perform any of the functions which, in England, are performed by a solicitor and are not performed by a barrister; but an advocate who has the rank of Queen's Counsel shall not be precluded from continuing or engaging in partnership with another advocate by reason only that such last-mentioned advocate performs any functions as aforesaid.

Conditions of  
practice.

**11.** - (1) No person shall practise as an advocate unless –

(a) he is enrolled as such under this Law or under any other Law previously in force; and

5(a) of 65(l) of  
2005.  
3 of 42/61.

(b) he shall have taken out an annual licence in such form as the Bar Council may from time to time prescribe (hereinafter called the "annual licence"); and

6(a) of 40/75.

(c) has paid to the Advocates Pension Fund all amounts due by him:

Provided that nothing in this clause shall apply to –

(a) any Law Officer;

3 of 42/61.  
2 of 9/89.

(b) any officer of the Government authorised by the Attorney-General of the Republic to appear, plead and act in any proceedings to which the Republic, the Government or any officer of the Government in his official capacity is a party, who holds all the qualifications required under Article 4 for enrollment in the Register, except that referred to in paragraph (e) of the said Article.

6(b) of 40/75.  
5 of 92/83.  
3(a) of 31(l) of  
2001.  
3 of 264(l) of  
2004.  
5(b)(i) of 65(l) of  
2005.  
5(b)(ii) of 65(l) of  
2005.  
5(b)(iii) of 65(l)

(2) The annual licence shall expire on the thirty-first day of December next following the date of issue and a fee shall be payable to the Bar Council the amount of which shall be fixed with regulations issued by the Bar Council and approved by the General Meeting of the Cyprus Bar Association. For the time period up to the issue of regulations, as set out hereinabove, any advocate who practises as an advocate for a period up to ten years shall pay the fee for the issue of the

of 2005.

annual licence of forty pounds, out of which an amount of five pounds shall be paid to the fund of the local bar association and any other advocate shall pay a fee for the issue of the annual licence of one-hundred pounds out of which an amount of ten pounds shall be paid to the fund of the local bar association:

Provided that –

2(a) of 79(l) of  
2000.

(a) no such fee shall be paid by any advocate for the year of his first year of enrollment in the Register of Advocates and for the following year;

(b) no annual licence is issued to an advocate if he does not settle up to the date of issue of this licence all amounts due to the Advocates Pension Fund and his annual subscription under clause (8) of Article 19:

2(b) of 79(l) of  
2000.

(c) in case any enrolled advocate fails to pay the fee for the issue of an annual licence within three months from the expiry of his annual licence, a fine shall be payable equal to the amount for the time being of the fee for obtaining the annual licence.

The first annual licence issued to a new advocate shall expire on the thirty-first day of December of its year of issue;

5(b)(iv) of 65(l)  
of 2005.  
3(b) of 31(l) of  
2001.

(d) a fine payable under paragraph (c) of this saving, shall be collected by the Bar Council.

6(c) of 40/75.

(3) Any person who practises as an advocate without being enrolled or without being the holder of an annual licence in force at the time shall be guilty of an offence and shall be liable to imprisonment not exceeding three months or to fine not exceeding five-hundred pounds or to both such imprisonment and fine.

No prosecution shall be brought under this clause without the consent of the Attorney-General of the Republic.

(4) Any person who practises as an advocate without being enrolled or without being the holder of an annual licence in force at the time of practice or without having paid by that time all amounts due by him to the Advocates Pension Fund shall –

(a) be incapable of maintaining any action for the

recovery of any fee, costs or disbursement on account of or in relation to any act or proceedings done or taken by him in such capacity;

(b) refund any such fee, reward, costs or disbursement collected by him to the person from whom he has so collected.

5 of 71/81.

(5)(a) The drafting of a Memorandum or Articles of Association of a company of any form constitutes the exclusive work of the person practising as an advocate who confirms the drafting of these by signing on the Memorandum and Articles of Association and placing, next to his signature, the seal with his full name and exact address of his office or by writing these in a legible form.

(b) Notwithstanding the provisions of any other Law, any Memorandum or Articles of Association of a company drafted in violation of the above shall be deemed as void and shall have no legal effect.

(c) Any practising advocate shall be obliged not to sign any such documents not drafted by him.

(d) Any person drafting a Memorandum or Articles of Association of a company without having the capacity of a practising advocate is guilty of an offence and shall be subject to the penalties set out in Article 11(3), which increase in the case of a second or subsequent conviction to a fine not exceeding seven-hundred and fifty pounds or to imprisonment not exceeding six months or to both such fine and imprisonment.

(e) Any person who undertakes or appears or advertises as having accepted the drafting of a Memorandum or Articles of Association of a company shall be prosecuted and punished with imprisonment not exceeding three months or a fine not exceeding five-hundred pounds or both such imprisonment and fine. In the case of a legal entity, the persons amongst its officers who have approved or passed such actions or activities shall have the same legal liability.

2 of 41(l) of  
2002.  
Appearance of  
advocates.  
Schedule.

**11A.** No enrolled advocate shall appear before any Court referred to in the first column of the Schedule, if he has not completed the training period for the legal profession referred to in the second column of the Schedule, which is provided for, respectively, for every such Court, unless he appears with an advocate who

has completed such period.

Judicial officers  
practising the  
profession after  
retirement.  
6 of 42/61.

**12.** Irrespective of any provision included in Article 8, no person who holds a judicial office, who leaves or retires from the service of the Republic, shall not be entitled to appear as an advocate before any Court for a period of one year after leaving or retiring from this service.

Table of fees  
and Procedure  
Rules to be  
exhibited.  
3 of 42/61.  
3 of 52/85.

**13.** - (1) Every advocate shall exhibit in a conspicuous place in his office such tables of fees or Procedure Rules as the Supreme Court may direct to be exhibited.

(2) Every advocate shall also exhibit in a conspicuous place in his office such tables of fees for out-of-Court cases as the Bar Council may direct to be exhibit.

Liability to pay  
costs.

**14.** - (1) Where a party represented by an advocate in any proceedings before a Court is ordered to pay the costs thereof but fails to do so, the Court may order the advocate of such party to pay the costs or make such other order as the justice of the case may require in either of the following cases:-

(a) where it appears to the Court that the proceedings have begun or carried on maliciously or without reasonable or probable grounds; or

(b) where it appears to the Court that the advocate has by any sort of deceit induced his client to enter into or continue the proceedings:

Provided that, before any order is made under this Article, the advocate shall be called upon by the Court to show cause why such order should not be made.

3 of 42/61.

(2) Any order made under this Article by a Court other than a Court constituted by one or more judges of the Supreme Court shall be subject to review by the Supreme Court, whose decision thereon shall be final.

(3) This Article shall not be construed so as to restrict the liability of any advocate in respect of the above-mentioned conduct or any other misconduct for which he would otherwise be punishable.

5 of 180(I) of 2002.

PART IIIA



PROVISION OF SERVICES BY MEMBER STATE  
ADVOCATES

- 5 of 180(l) of 2002.  
Advocates, nationals of the Member States who provide services.  
3(a) of 130(l) of 2003.  
3(b) of 130(l) of 2003.  
3(c) of 130(l) of 2003.
- 14A.** - (1) Irrespective of the provisions of the basic law, an advocate who is a national of a Member State, residing and practising as an advocate in a Member State other than the Republic, may provide, as the case may be and for a specific case or matter, services in the Republic, in accordance with the provisions of this Part.
- (2) An advocate, under clause (1), means any person who may pursue his professional activities in the home Member State under one of the following professional titles:
- Austria: Rechtsanwalt
- Belgium: Avocat/Advocaat/ Rechtsanwalt
- France: Avocat
- Germany: Rechtsanwalt
- Denmark: Advokat
- Switzerland: Avocat/Advokat, Rechtsanwalt, Anwalt, Fürsprecher, Fürsprech, Avvocato
- Greece: Δικηγόρος
- Estonia: Vandeadvokaat
- United Kingdom: Advocate, Barrister, Solicitor
- Ireland: Barrister/Solicitor
- 2 of 199(l) of 2004.
- Iceland: Lögmaður
- Spain: Abogado
- Italy: Avvocato
- Netherlands: Advocaat
- Latvia: Zverinats advokats
- Lithuania: Advokatas

2 of 199(I) of  
2004.

Lichtenstein: Rechtsanwalt

Luxemburg: Avocat

Malta: Avukat/Prokuratur Legali

2 of 199(I) of  
2004.

Norway: Advokat

Hungary: Ugyved

Poland: Adwokat/Radca prawny

Portugal: Advogado

Slovakia: Advokat/Komerчны pravnik

Slovenia: Odvetnik/Odvetnica

Sweden: Advokat

Czech Republic: Advokat

Finland: Asianajaja/Advokat

5 of 180(I) of  
2002.  
Professional  
title.

**14B.** Any person referred to in Article 14A shall use in the Republic his professional title, in the language or in one of the languages of his home Member State, with an indication of the professional organisation in which he belongs or the Court before which he practises his profession in accordance with the legislation of this State.

5 of 180(I) of  
2002.  
Activities of an  
advocate who is  
a national of a  
Member State  
before the  
judicial and  
public authorities  
of the Republic.

**14C.** - (1) The activities of an advocate who is a national of a Member State when representing and defending a client before the judicial or public authorities in the Republic, shall be pursued, in accordance with the terms, conditions and obligations of any kind, provided for by the legislation for persons practising as advocates in the Republic.

(2) In the pursue of the activities referred to in clause (1), the existence of a residence of this advocate in the Republic or his enrollment, under the provisions of the basic law, in the Register of Practising Advocates, shall not be a requirement.

(3) In the pursue of the activities referred to in clause (1), an advocate who is a national of a Member State shall adhere to the provisions of the basic law and of the Regulations or Procedure Rules issued under this

Law or any other law, which govern the legal profession, with the exception of the regulations pertaining to the Advocates Pension Fund, in parallel with the obligations imposed on him in the home Member State, as long as these are not contrary to the legislation in force in the Republic.

(4) In the pursue in the Republic of activities other than those referred to in clause (1), an advocate who is a national of a Member State shall continue to be subject to the terms and provisions governing the practice of the legal profession in the home Member State, subject to abidance by the provisions of the basic law and of the regulations and Procedure Rules issued under this law governing the practice of the legal profession in the Republic, and, in particular, of those provisions which refer to the incompatibility of the pursue of the advocate's activities and of the pursue of other activities which are foreign to him, to the rule of confidentiality, to professional ethics, to the restriction to represent parties with adverse interests and to advertising:

Provided that the provisions of this clause shall apply only as long as they may be observed by an advocate not residing in the Republic and to the extent permitted by ensuring the proper practice of the legal profession, professional dignity, and observance of the provisions on incompatibility.

5 of 180(l) of  
2002.  
Appearance of  
an advocate  
who is a national  
of a Member  
State before the  
Court.

**14D.** - (1) An advocate who is a national of a Member State and provides his services to the Republic, under the provisions of this Part, for representing and defending a client before a Court, shall act, following an agreement, in conjunction with an advocate practising in the Republic who is entitled to appear before the Court handling the case.

(2) For the purposes of clause (1), the following shall be produced to the Legal Council either by the advocate who is a national of a Member State or by the advocate with whom he acts:

- (i) documents stating his capacity, at least ten days prior to the provision of his specific service;
- (ii) information with regard to the services he shall provide in the Republic, their possible duration, his address, the Bar Association of

the home Member State, the name and address of the advocate with whom he shall collaborate; and

- (iii) a statement of non-incompatibility or disciplinary penalties against him.

(3) For the purposes of clause (1), an advocate who is a national of a Member State shall be obliged to produce to the President of the Court before whom he shall appear, a statement that he has observed the obligations provided for in clause (2).

5 of 180(l) of 2002.  
Obligation to produce declaratory information also for the provision of services before public authorities.

**14E.** The obligation to produce the information referred to in clause (2) of Article 14D, shall apply also to the case of provision of services before any public authority or other public body.

5 of 180(l) of 2002.  
Keeping of a special Register.

**14F.** - (1) The Chief Registrar shall keep a special book-register on which the names of the advocates who are Member State nationals and provide services in the Republic under this Part shall appear, which shall be called "the Register of Member State Advocates who Provide Services".

(2) If from the information in the Register referred to in clause (1), there shall be, within the same year, a systematic provision of services in the Republic, a statement shall be communicated to the interested advocate under which his case shall be subject to the regulation of his right of establishment.

5 of 180(l) of 2002. Discipline.

**14G.** - (1) Non-compliance on behalf of an advocate who is a Member State national with the obligations provided for under this Part, shall be subject to the provisions of Part IV of the basic law and of the Advocates (Appeals in Disciplinary Cases) Procedure Rule:

Official Gazette  
Appendix II:  
14.11.1980

Provided that the disciplinary penalties of the striking off of the name of the advocate from the Register of Advocates or the suspension of the licence to practise the legal profession, provided for in Article 17 of the basic law, shall be accounted for and taken as penalties of temporary or final restriction to provide services of an advocate who is a national of a Member State in the Republic.

(2) The Disciplinary Board under Article 16 of the basic law may request any useful information with regard to the advocate who is a national of a Member State and provides services in the Republic, by the corresponding competent authority of the home Member State and informs this authority for any decision made without affecting the confidential character of the information provided.

## PART IIIB

### PERMANENT PRACTICE BY MEMBER STATE ADVOCATES

- 5 of 180(l) of 2002.  
Scope of application.
- 14H.** This Part shall apply to advocates who are nationals of a Member State and practise as freelance professionals or as salaried persons in a law firm in the home Member State.
- 5 of 180(l) of 2002.  
Interpretation.
- 14I.** For the purposes of this Part –
- “advocate” means any person who may pursue his professional activities under one of the following professional titles:
- Austria: Rechtsanwalt
- Belgium: Avocat/Advocaat/ Rechtsanwalt
- France: Avocat
- Germany: Rechtsanwalt
- Denmark: Advokat
- 3 of 199(l) of 2004.
- Switzerland: Avocat/Advokat, Rechtsanwalt, Anwalt, Fürsprecher, Fürsprech, Avvocato
- Greece: Δικηγόρος
- Estonia: Vandeadvokaat
- United Kingdom: Advocate, Barrister, Solicitor
- Ireland: Barrister/Solicitor
- 3 of 199(l) of 2004.
- Iceland: Lögmaður
- Spain: Abogado

	Italy:	Avvocato
	Netherlands:	Advocaat
	Latvia:	Zverinats advokats
	Lithuania:	Advokatas
3 of 199(I) of 2004.	Lichtenstein:	Rechtsanwalt
	Luxemburg:	Avocat
	Malta:	Avukat/Prokuratur Legali
3 of 199(I) of 2004.	Norway:	Advokat
	Hungary:	Ugyved
	Poland:	Adwokat/Radca prawny
	Portugal:	Advogato
	Slovakia:	Advokat/Komerчны pravnik
	Slovenia:	Odvetnik/Odvetnica
	Sweden:	Advokat
	Czech Republic:	Advokat
	Finland:	Asianajaja/Advokat

“home-country professional title” means the professional title used in the Member State in which an advocate acquired the right to use that title before practising the profession of advocate in the Republic.

“home Member State” means the Member State in which an advocate acquired the right to use one of the professional titles referred to in the term “advocate” before practising the profession of advocate in the Republic or in another Member State.

“grouping” means any entity, with or without legal personality, formed under the law of a Member State, within which advocates pursue their professional activities jointly under a joint name.

5 of 180(I) of **14J.** Irrespective of the provisions of the basic law, an

2002.  
Practice under  
the home-  
country  
professional title.

advocate who is a Member State national, shall be entitled to pursue the activities of advocate on a permanent basis in the Republic under his home-country professional title, in accordance with the provisions of this Part.

5 of 180(l) of  
2002.  
Enrollment in the  
Register of  
Practising  
Advocates.

**14K.** - (1) A condition to pursue the activities of advocate in the Republic shall be his enrollment in a special part of the Register of Practising Advocates under Article 6A of the basic law.

(2) For this enrollment, the Legal Council shall require the production of the following certificates:

(a) a certificate proving Member State citizenship,

(b) deleted.

(c) a certificate of enrollment in a register of the competent authority of the home Member State as well as a certificate that the advocate continues to pursue his activities and that his licence has not been suspended or cancelled for any reason:

Provided that any such certificate must not have been issued more than three months prior to its production.

(3) The decision of the Legal Council, under which the request for enrollment is rejected or the enrollment is cancelled, must be sufficiently justified.

(4) For any decision under this Article, the Legal Council must inform the competent authority of the home Member State.

5 of 130(l) of  
2003.

5 of 180(l) of  
2002.  
Terms of  
practice under  
the home-  
country  
professional title.

**14L.** - (1) An advocate practising in the Republic under his home-country professional title shall do so under that title, which must be expressed in the official language or in one of the official languages of the home Member State, in an intelligible manner.

(2) For the purpose of applying clause (1), the Legal Council shall require of an advocate to indicate the professional body of which he is a member in his home Member State or the judicial authority before which he is entitled to practise pursuant to the laws of his Member State, as well as a reference to his enrollment with the competent authority in the home Member State.

5 of 180(l) of  
2002.  
Conditions of  
practice under  
the home-  
country  
professional title.

**14M.** - (1) Subject to the following clauses, an advocate who is a Member State national practising in the Republic under his home-country professional title carries on the same professional activities as an advocate practising under the relevant professional title used in the Republic, and may, in particular, give advice on Cypriot law, on Community law, on international law and on the law of his home Member State, as well as execute the works and acts provided for in the relevant provisions.

(2) For the representation and defence of a client before a Court, the advocate who is a Member State national and practises under his home-country professional title, shall work, upon agreement, in conjunction with an advocate who practises in the Republic and who is entitled to appear before the Court handling the case.

(3) In case some specific activities in the home Member State are not practised by advocates but by another professional category, the advocate practising under the home-country professional title of the said Member State shall be excluded from the practice of such activities in the Republic, even if this is permitted for advocates practising under the professional title of the Republic.

5 of 180(l) of  
2002.  
Keeping of rules  
of professional  
conduct and  
ethics.

**14N.** - (1) Irrespective of the rules of professional conduct and ethics to which he is subject in his home Member State, the advocate shall be subject to the provisions of the basic law and of the regulations or procedure rules issued under this or any other law which govern the legal profession, in particular, to those provisions referred to the incompatibility of other activities foreign to him, the rule of confidentiality, professional ethics, the prohibition to represent parties with adverse interests and advertising.

(2) From his enrollment in the Register of Practising Advocates, the advocate shall become member of the Cyprus Bar Association as well as of the local bar association and shall participate in their meetings with a voting right in the election of the various bodies.

(3) The advocate shall be subject to the regulations issued at the time pertaining to pensions, allowances and fees.

5 of 180(l) of

**14O.** - (1) The failure by an advocate practising under his



2002.  
Discipline.

home-country professional title to fulfill the obligations of the basic law and of the regulations or procedure rules issued under this or other laws, shall form a disciplinary offence.

(2) A competent body for the trial of offences shall be the Disciplinary Board established under Article 16 of the basic law.

(3) Before initiating disciplinary proceedings against an advocate practising under the home-country professional title, the Disciplinary Board shall inform the competent authority in the home Member State accordingly as soon as possible, furnishing it with all the relevant details:

Provided that the competent authority in the home Member State shall inform accordingly the Disciplinary Board in case disciplinary proceedings are initiated against an advocate practising under his home-country professional title.

(4) Without prejudice to the decision-making powers of the Disciplinary Board under the basic law, this Board shall cooperate throughout the disciplinary proceedings with the competent authority in the home Member State and shall take the necessary measures to ensure that the competent authority in the home Member State can present its arguments before the Disciplinary Board.

(5) Although not a prerequisite for the decision of the Disciplinary Board, the temporary or permanent withdrawal by the competent authority in the home Member State of the licence to practise the profession shall automatically result in the advocate concerned being temporarily or permanently prohibited from practising under his home-country professional title in the Republic.

(6) The decision of the Disciplinary Board to impose sanctions must be sufficiently justified and is subject to an appeal under the provisions of Article 17 of the basic law.

5 of 180(l) of  
2002.  
Like treatment  
as a Cypriot  
advocate.

**14P.** - (1) An advocate practising under his home-country title who has effectively and regularly pursued for a period of at least three years an activity in the Republic in Cyprus law, including Community law shall gain full admission to the profession of advocate in the

Republic. To that end, he shall submit a relevant application to the Legal Council, along with proof of such professional activity for a period of three-years in Cyprus law.

(2) The Legal Council shall decide on the application, which may verify the effective and regular nature of the activity pursued and may, if need be, request the advocate to provide, orally or in writing, further clarification or details on the information and documentation submitted.

(3) In case an advocate proves that he has effectively and regularly pursued a professional activity in the Republic for a period of at least three years, but for a lesser period in Cyprus law, he may obtain from the Legal Council admission to the profession of advocate in the Republic as long as he has successfully attended special courses or seminars on Cyprus law, which also include the rules of professional conduct and ethics, and any knowledge and professional experience in the above.

(4) The assessment of the information referred to in the previous clause and of the interested advocate's capacity to continue in the Republic the activity he has pursued shall be made by the Legal Council by means of an interview in order to verify the regular and effective nature of the activity pursued.

179(I) of 2002.

(5) The Legal Council's decision which recognises the advocate's aptitude and the licence to gain admission to the profession of advocate releases him from the aptitude test which is regulated by the provisions of the General System for the Recognition of Higher Education Law of 2002.

179(I) of 2002.

(6) An advocate practising under the home-country professional title in the Republic may at any time and irrespective of this Article, apply to have his diploma recognised in view of gaining admission to the profession of advocate in the Republic in accordance with the General System for the Recognition of Higher Education Law of 2002 in order to gain admission to the profession of advocate in the Republic and practise it under the professional title of the Republic.

(7) The Legal Council's decision under which a licence to gain admission to the profession of advocate is not granted in accordance with all referred to in this

Article, must be justified.

(8) The Legal Council may reject an application to grant an admission licence under the provisions of this Article, if it deems, from the information before it, that the public order is offended, particularly due to disciplinary prosecutions, charges or facts of any other nature in which the advocate concerned has been involved.

(9) During the assessment of the application by the Legal Council, the confidentiality of the information at its disposal shall be preserved.

(10) The advocate gaining admission to the profession of advocate under the provisions of this Article, may use along with his professional title in the Republic, his home-country professional title.

6 of 130(I) of  
2003.

(11) For the purposes of this Article, effective and regular professional activity means the actual exercise of this activity without any interruption other than the ones resulting from the events of everyday life.

5 of 180(I) of  
2002.  
Joint practice.

**14Q.** - (1) An advocate who is a Member State national may practise in the Republic under his home-country professional title jointly -

(a) in the same manner as the profession is jointly practised by Cypriot advocates with -

(i) a Cypriot advocate

(ii) an advocate who is a Member State national and practises the profession under this Part

(b) an advocate who is a Member State national and practises the legal profession permanently in that State under the professional title of the said State.

(2) An advocate who is a Member State national and practises under clause (1) of this Article shall inform the Chief Registrar of the names and addresses of the advocates with whom he jointly practises the profession.

4 of 199(I) of  
2004.

(3) Irrespective of the conditions under which an advocate who is a Member State national practises in the Republic under his home-country professional title, the advocate may employ the name of the grouping to

which he belongs in his home Member State.

- 5 of 180(l) of 2002.  
Cooperation between the competent authorities.
- 14R.** For the application of this Part, the competent authority in the Republic and the corresponding competent authority in the home Member State shall collaborate and exchange information and documents by preserving confidentiality in their communication and/or correspondence.

#### PART IV

#### DISCIPLINE

- Disciplinary liability of advocate, etc.  
7 of 40/75.
- 15.** Every advocate shall be deemed to be an officer of justice and shall be liable to disciplinary proceedings as in this Part provided.

- Disciplinary Board.
- 16.** - (1) There shall be established a Disciplinary Board to exercise, subject to the provisions of this Law, control and disciplinary jurisdiction over every advocate.

(2) The Disciplinary Board shall consist of the Attorney-General of the Republic, or in his absence or incapacity by the Deputy Attorney-General of the Republic, as Chairman, the elected Chairman of the Bar Council, as ex officio member, and three advocates, out of whom two shall have not less than fifteen years practice, elected every three years by an ordinary general meeting of the Bar Association, to hold office, until another election takes place, as elected members:

Provided that any elected member whose period of office has expired shall continue to hold office for the purpose of completing any enquiry commenced at the time he was a member:

Provided further that in case of absence or incapacity of the Attorney-General of the Republic or the Deputy Attorney-General of the Republic, the elected Chairman of the Bar Association shall act as Chairman of the Board and in case of absence or incapacity of the latter, the senior elected member of the Disciplinary Board in the practice of the profession.

6 of 65(l) of 2005.

- Disciplinary offences and proceedings.  
7(a) of 65(l) of 2005.
- 17.** - (1) If any advocate is convicted by any Court of any offence which, in the opinion of the Disciplinary Board, involves moral turpitude or if such advocate is, in the opinion of the Disciplinary Board, guilty of disgraceful,

Official Gazette,  
Appendix 3 (I):  
17.5.2002.

fraudulent or unprofessional conduct towards the profession or if he has acted or behaved in a manner contravening or conflicting with the provisions of the Advocates' Code of Conduct Regulations, the Disciplinary Board may –

(a) order the name of the advocate to be struck off the Register of Advocates;

(b) suspend the advocate from practising for such period as the Disciplinary Board may think fit;

4(a) of 31(I) of  
2001.

(c) order the advocate to pay, by way of fine, any sum not exceeding one thousand pounds:

8(a) of 40/75.

Provided that any amount paid under this paragraph shall be deposited to the Bar Council's Fund and for its objects.

(d) warn or reprimand the advocate;

(e) make such order as to the payment of the costs of the proceedings before the Disciplinary Board as the Disciplinary Board may think fit.

(2) Proceedings to enforce any of the penalties provided by clause (1) may be commenced –

(a) by the Disciplinary Board of its own motion;

(b) by the Attorney-General of the Republic;

4(b) of 31(I) of  
2001.

(c) on a report made to the Disciplinary Board by any Court or the Bar Council or a Local Bar Committee;

(d) by an application, with the leave of the Disciplinary Board, of any person aggrieved by the conduct of the advocate.

8(b) of 40/75.

(3) The Disciplinary Board shall send to the Chief Registrar a copy of its decision in the enquiry and the Chief Registrar shall, after lapse of the legal appeal deadline if such appeal has not been made or subject to any decision by the Supreme Court with regard to the appeal made or under clause (5), make the necessary entries in the Register of Advocates.

(4) The Attorney-General of the Republic, the convicted advocate or the complainant may, within two months from the making of the decision by the

Disciplinary Board, appeal to the Supreme Court in accordance with the procedure provided for this by a Procedure Rule issued by the Supreme Court, which, by virtue of the aforementioned Procedure Rule, proceeds to a hearing of the appeal and shall have the power either to confirm or amend the decision of the Disciplinary Board or make such other order as it may think fit.

(5) Notwithstanding the provisions of clause (4), the Supreme Court shall have the power to review of its own motion, in accordance with the procedure provided for this by any Procedure Rule, any decision of the Disciplinary Board for a disciplinary offence made within the Court building or which pertains to a member of any Court and shall have the power either to confirm or amend the decision of the Disciplinary Board or make such other order as it may think fit.

(6) The Disciplinary Board may, if it thinks fit, at any time after the expiration of five years from the date of an order striking the name of an advocate off the Register of Advocates, order the restoration of the name of such advocate to the Register and the Chief Registrar shall take care without delay for the restoration of this name to the Register and the publication of a relevant notice to the Official Gazette of the Republic.

7(b) of 65(I) of  
2005.

(7)(a) In case of commencement of proceedings under clause (2), the Disciplinary Board shall immediately see to, if so justified, the conduct of an enquiry in accordance with the procedure set by Regulations issued by the Council of Ministers and inform the advocate under investigation accordingly.

(b) When, from the enquiry conducted under paragraph (1) of this clause, it derives that the advocate under investigation may be guilty of disgraceful, fraudulent or unprofessional conduct or has acted or behaved in a manner contravening or conflicting with the provisions of the Advocates' Code of Conduct Regulations, this advocate shall be informed in writing for the case against him and shall be given the opportunity to be heard.

(c) The hearing of the case shall be carried out in accordance with the procedure set by Regulations issued by the Council of Ministers.

(d) Any natural person including an advocate who, provided he has been evidently summoned before the Board, fails to appear at the time and place mentioned in the summons or during the hearing of the case, shall be guilty of a criminal offence and, in case he is convicted, shall be subject to a fine not exceeding three hundred pounds.

(8) Any decision of the Disciplinary Board shall be deemed to be an order of a Court of summary jurisdiction and shall be enforced in the same manner as an order of such Court is enforced.

4 of 52/85.

(9) For the purposes of this Article, the receipt of a fee lower than the minimum fee fixed by the Regulations in force at the time shall constitute a disciplinary offence.

5 of 117(l) of 2007.

(10) The participation of an advocate in a Lawyers' Company under any capacity or the existence of an employer-employee relationship between an advocate and a Lawyers' Company does not release the advocate from any personal disciplinary liability nor does it prejudice any disciplinary proceedings under this Law.

5 of 117(l) of 2007.

(11) In the case of commencement of proceedings under clause (2) against a Lawyers' Company, the latter is represented by the members of its board of directors.

5 of 117(l) of 2007.

(12) The provisions of this Part apply *mutatis mutandis* also to a Lawyers' Company.

#### PART V – LOCAL BARS, COMMITTEES, CYPRUS BAR ASSOCIATION AND BAR COUNCIL

Interpretation. **18.** - (1) In this Part –

“Cyprus Bar Association” includes all the practising advocates in the Republic;

“Local Bar” includes all the practising advocates in a district.

(2) For the purposes of this Part, an advocate shall be deemed to be practising in a district if he or any advocate with whom he is associated in partnership practises and maintains an office in such district.

Ordinary general **19.** - (1) After the expiration of one month and not later

meeting of Local  
Bars.

than three months from the coming into operation of this Law as regards the year 1955 and as regards each ensuing third year, on or after the 10<sup>th</sup> day and not later than the 31<sup>st</sup> day of January in each subsequent third year, the senior member of the Local Bar for the year 1955 and the Chairman of the Local Bar Committee for each ensuing period of three years shall summon all members of such Bar to an ordinary general meeting at a place to be fixed by him and a time to be fixed by the Bar Council for the carrying on of the ordinary general meetings of all Local Bars.

(2) At such meeting the senior member in precedence of the Local Bar present shall preside and a quorum shall be the number nearest to one-quarter of the members summoned:

5 of 31(l) of  
2001.

Provided that if within half an hour from the time appointed a quorum shall not be present, the meeting shall stand adjourned to the same day in the next week and at the same time and place when ten advocates who are present shall constitute a quorum.

4(b) of 98/84.

Candidacies for any election carried out by the general meeting shall be submitted to the Local Bar Committee no later than noon of the same day of the week preceding the elections.

7(a) of 71/81.  
4(c) of 98/84.

(3) The general meeting shall proceed to the election, from among the members of the Local Bar, of a Chairman and four members, in the case of a Local Bar with a number of members not greater than fifty; of a Chairman and six members, in the case of a Local Bar with a number of members greater than fifty but not greater than one hundred and fifty; of a Chairman and eight members, in the case of a Local Bar with a number of members greater than one hundred and fifty but not greater than three hundred; of a Chairman and ten members, in the case of a Local Bar with a number of members greater than three hundred for the setting up of the Local Bar Committee, which shall be the Local Bar Committee and shall serve until the next election of the Local Bar Committee.

7(b) of 71/81.  
6(a) of 92/83.

(4) The Local Bar Committee shall appoint amongst its members its Vice-Chairman, Secretary and Treasury. The Vice-Chairman of the Local Bar Committee shall act for its Chairman in the absence or incapacity of the latter.



- 7(c) of 71/81. (5) After the election of the Local Bar Committee the meeting shall proceed to elect from among the members of the Local Bar but not necessarily from among the members of the Local Bar Committee, one practising advocate as member of the Bar Council who shall have at least ten years practice.
- (6) The Attorney-General of the Republic and the Chief Registrar shall be informed by the Chairman of the Local Bar of the persons so elected and appointed.
- 7(d) of 71/81.  
4(d) of 98/84. (7) Three, four, five and six members of the Local Bar Committee shall constitute a quorum in a Local Bar Committee with a total number of five, seven, nine and eleven members respectively. Questions arising at any meeting of the Committee shall be decided by a majority of votes and in case of an equality of them, the Chairman shall have a second or casting vote.
- 2 of 24/56. (8) Subject to the provisions of this Article and of paragraph (h) of clause (1) of Article 24, a Local Bar Committee may regulate its own functions and procedure, including the manner in which elections under clause (3) may be conducted, and may levy on the advocates practising in the district of which it is the Local Bar Committee, an annual subscription not exceeding the sum of five pounds.
- 6(b) of 92/83.  
7(e) of 71/81. (9) Every Local Bar Committee shall contribute each year to the Bar Council one pound in respect of every advocate who has paid a subscription under clause (8).
- 2 of 27/56. (10) Any subscription payable under clause (8) may be sued for and recovered as a debt due to the Local Bar Committee, and without prejudice to his liability to pay such subscription, no advocate shall be admitted to any meeting held under the provisions of this Law, or shall be eligible for election to any Committee, Council or other body under this Law, unless he has first paid the subscription payable by him under this Law.
- 7(f) of 71/81. (11) A decision in writing which has been signed or approved by letter, telegraph or telex by each one of the members of the Local Bar Committee shall be as valid and effective as if it had been made in a meeting of the Local Committee duly convened and held, and once signed, it may consist of more than one similar documents, each of which shall bear the signature of one or more of the aforementioned persons.

Extraordinary  
general meeting  
of Local Bars.

**20.** - (1) A Local Bar Committee may, and upon the request in writing of at least one-fourth of the total number of the members of such Bar shall, summon an extraordinary general meeting of the Local Bar to discuss and decide on any subject included in the summons.

(2) The provisions of clause (2) of Article 19 with regard to quorum shall apply to any such meeting, and all questions shall be decided by a majority of the votes of the advocates present and in the event of an equality of votes the president of the meeting shall have a casting vote.

7 of 92/83.

(3) The Chairman of the Bar and, in his absence or incapacity, the Vice-Chairman of the Local Bar shall preside at the Extraordinary general meeting of a Local Bar.

Ordinary general  
meeting of the  
Cyprus Bar  
Association.

**21.** - (1) The Attorney-General of the Republic or, in his absence or incapacity, the Deputy Attorney-General of the Republic shall, no later than four months after the coming into operation of this Law as regards the year 1955 and in each third ensuing year not later than the 28<sup>th</sup> day of February, summon an ordinary general meeting of all advocates practising in the Republic to take place in Nicosia at a place and on a day to be fixed by the Attorney-General of the Republic, or in his absence or incapacity, by the Deputy Attorney-General of the Republic, but in any event not later than twenty-one days from the day of the summons.

5(a) of 98/84.

Candidacies for any elections carried out by the general meeting shall be submitted to the Bar Council no later than noon of the same day of the week preceding the elections.

5(b) of 98/84.

(2) Not less than fourteen days' notice of such meeting shall be given to all persons entitled to attend and vote at such meeting. Such notice shall specify the place and time of the meeting:

Provided that the accidental omission to give notice of meeting to or the non-receipt of such notice by any member shall not invalidate the proceedings of such meeting.

(3) The Attorney-General of the Republic or, in his absence or incapacity, the Deputy Attorney-General of

the Republic, and if they are both absent or incapacitated at the time appointed for holding the meeting, the elected Chairman of the Bar Council shall preside at such meeting and forty practising advocates personally present shall form a quorum.

8(a) of 71/81.

(4) All questions shall be decided by a majority of the votes of the advocates present and, in the event of an equality of votes, the Attorney-General of the Republic, or in his absence or incapacity, the Deputy Attorney-General of the Republic, or in the absence or incapacity of both, the elected Chairman of the Bar Council shall have a casting vote:

Provided that if within half an hour from the time appointed a quorum shall not be present, the meeting shall stand adjourned to the same day in the next week and at the same time and place when ten advocates who are present shall constitute a quorum.

8(b) of 71/81.

(5) The ordinary general meeting of the Bar Association shall proceed, amongst other things, to the election of the elected Chairman of the Cyprus Bar Association with a separate voting, who shall have at least twelve years practice, and four practising advocates, of whom the one shall have at least ten years practice, to be members of the Council of the Cyprus Bar Association (hereinafter called "the Bar Council") and of three practising advocates of whom the two shall have at least fifteen years practice to be members of the Disciplinary Board to hold office until another election takes place.

Extraordinary  
general meeting  
of the Cyprus  
Bar Association.  
6 of 98/84.

**22.**

- (1) The Bar Council may, whenever it thinks fit, and it shall upon request made in writing to the Secretary by not less than seventy five practising advocates deposited at the office of the Council, summon an extraordinary general meeting of the Cyprus Bar Association.

(2) If the Bar Council does not within forty days after the deposit of such request proceed duly to convene such meeting, any fifteen practising advocates of those making the request may themselves convene an extraordinary general meeting.

(3) The request shall state the object of the meeting and shall be signed by those making it.

(4) The provisions of clauses (3) and (4) of Article 21,

8 of 92/83.

shall apply, *mutatis mutandis*, to any general meeting convened under this Article and the elected Chairman of the Cyprus Bar Association shall preside at the Extraordinary general meetings and, in his absence or incapacity, the Vice-Chairman of the Cyprus Bar Association:

Provided that if within fifteen minutes from the time appointed no quorum is present, the meeting shall be dissolved.

Bar Council. **23.**

9 of 71/81.

- (1) The Bar Council shall consist of the Attorney-General of the Republic and, in his absence or incapacity, the Deputy Attorney-General of the Republic, as *ex officio* members, subject to the provisions of clause (4) of this Article, and of the elected Chairman, the Chairmen of Local Bars, the advocates elected as members of the Cyprus Bar Association under the provisions of clause (5) of Article 19 and of four members elected by the ordinary general meeting of the Cyprus Bar Association under the provisions of clause (5) of Article 21 (in this Law referred to as "the elected members").

(2) The elected members of the Bar Council shall hold office until the next election and shall be eligible for re-election.

9(a) of 92/83.

(3) The Bar Council shall elect amongst its members its own Vice-Chairman, the Secretary and the Treasury. The Vice-Chairman of the Cyprus Bar Association shall act for the Chairman in his absence or incapacity.

(4) The Attorney-General of the Republic, as the head of the Bar in Cyprus, shall be the Honorary Chairman of the Cyprus Bar Association and shall be entitled to participate in all its meetings as well as in those of the Cyprus Bar Association. The Deputy Attorney-General of the Republic shall act for the Attorney-General in his absence or incapacity.

(5) The elected Chairman of the Bar Council shall convene all the meetings of the Council and shall do so upon request made in writing by at least five members of the Council, which shall state the objects of this meeting, and shall preside at all meetings of the Bar Council at which he shall be present and, in his absence or incapacity, the Vice-Chairman presides thereat, and in his absence or incapacity, the members

present shall choose one of their number to preside.

(6) Seven members of the Council shall constitute a quorum and questions arising thereat shall be decided by a majority of the votes of the members present having the right to vote and in case of an equality of vote, the Chairman of the meeting shall have a second or casting vote.

9(b) of 92/83.

(7) A decision in writing which has been signed or approved by letter, telegraph or telex by each one of the members of the Bar Council shall be as valid and effective as if it had been made in a meeting of the Bar Council duly convened and held, and once signed, it may consist of more than one similar documents each of which shall bear the signature of one or more of the aforementioned persons.

Powers of the  
Bar Council.

**24.**

- (1) The Bar Council shall consider all matters affecting the profession and take such action thereon as it may deem expedient and, without prejudice to the generality of the foregoing provision or to any other powers conferred upon it by this Law, shall have the following powers:

(a) to maintain the honour and independence of the Bar and its defence in relation to the judiciary and the executive powers;

(b) to regulate the practice and etiquette of the profession;

(c) to answer questions and give rulings affecting professional etiquette and practice;

(d) to examine and, if it thinks fit, to report upon current legislation and any other legal matters submitted to it or to make recommendations to the Government as to the desirability of introducing any legislation;

(e) to represent the body of practising advocates in any matter in which it may be necessary or expedient;

(f) to further good relations and understanding between the Bar and the public;

(g) to protect the public right of access to the Courts and of representation by counsel before any Court;

(g) to prescribe the powers and functions of Local Bar

Committees additional to those conferred by this Law;

- 5 of 52/84. (h) to see to the continuing legal training of advocates.
- 2 of 55/78. (i) to negotiate with Advocate's clerks or their trade unions on behalf of all advocates and to make collective agreements regulating the wages and other terms of employment pertaining to Advocate's clerks.
- 7(a) of 98/84. (j) to fix the advocates' fees for out-of-Court cases;
- 4 of 264(l) of 2004. (k) to fix the amount of the fee payable for the issue of the annual licence;
- 5 of 52/85. (l) to make rules regulating and prescribing any of the above matters, subject to such rules being approved by the majority of a general meeting of the advocates;
- 6 of 31(l) of 2001. (m) to establish, operate and manage medical care funds, provident funds, insurance funds and, to this end, make agreements with any person, organisation or company and regulate the matters pertaining to the establishment, operation, management, practice and procedures as it deems fit;
- (n) to establish, operate and manage a scheme, system or fund providing legal information, including electronic information and, to this end, make agreements with any person, organisation or company levying on its members a fee, contribution or dues necessary for the establishment, operation and management of any such scheme, system or fund;
- (o) to proceed with the drawing, issue, publication and circulation of any printed material, as it deems fit or expedient, and to sell and levy any fee, contribution or subscription fee or dues as it deems fit:

Provided that with a Bar Council Circular or with the making of Rules, the Chief Registrars of the Supreme Court, the District Courts, the Family Court, the Rent Control Court, the Labour Court and any other legally established Courts may be required not to accept the filing of any action, or other originated summons or appeal or appearance or defence or objection or of any document or pleading, unless a special stamp, determined for the time being by the Bar Council with circulars or Rules, is attached thereon.

(2) Any Rules made by the Bar Council under clause

7(b) of 98/84.

(1) shall be sent by its Chairman and published in the Official Gazette of the Republic, and thereupon shall be binding on all practising advocates.

(3) Any advocate who contravenes or fails to observe any Rules made under clause (2) shall be deemed to be guilty of unprofessional conduct and shall be liable to be dealt with for such conduct under the provisions of Article 17.

(4) The Bar Council may appear before any Court by any of its members or by any other practising advocate.

(5) The Bar Council may regulate its own functions, practice and procedure in such manner as it shall think fit.

Sub-committees. **25.**

- (1) The Bar Council shall, as soon as may be after its election, constitute the following sub-committees, in addition to any other sub-committee which may be considered desirable:

(a) a Legislation Sub-committee which shall examine and, if he thinks fit, report upon current legislation of the Republic and any other legal matters submitted to it, and may make recommendations for submission to the Government as to the desirability of introducing any legislation;

(b) a Practice and Etiquette Sub-committee to draft rules regulating the practice and etiquette of the profession in the Republic and to co-ordinate and advise upon matters of professional conduct;

(c) an Executive Sub-committee which shall be a standing committee empowered to make and execute decisions on behalf of the Bar Council in matters which are considered by the Executive Sub-committee to be too unimportant to require reference to a meeting of the Bar Council or where it is considered by the Executive Sub-committee that despatch is essential.

(2) Action taken by Sub-committees shall, at the first convenient opportunity, be submitted for approval by the Bar Council.

## PART VI

### PENSIONS AND ALLOWANCES

Rules to provide for pensions and allowances.

3(a) of 21(l) of 2005.

3(b) of 21(l) of 2005.

3(c) of 21(l) of 2005.

**26.** - (1) The Bar Council shall, with the approval of the Council of Ministers, make Rules under this Part, to be published in the Official Gazette of the Republic, to provide for the establishment of a Fund to be called as the "Advocates' Pension Fund" (in this Law referred to as "the Fund") for granting pensions and allowances to retiring advocates contributing to the Fund and in case of their death to their widows and orphans.

(2) Any Rules made under this Part shall make provision for-

(a) the constitution of a board of management (in this Law referred to as "the Board") of the Fund and for the regulation of the proceedings, including quorum of the Board;

(b) the powers and duties of the Board;

(c) the investment of money belonging to the Fund, for the periodical audit and valuation of the Fund, and where any valuation of the Fund shows that it –

(i) is or is likely to become insufficient to discharge its liabilities; or

(ii) is or is likely to continue to be more than reasonably sufficient to discharge its liabilities,

for making such modifications of the Rules as appear to be required in order to make the Fund as the case may be, sufficient, or no more than reasonably sufficient, to discharge its liabilities;

(d) the payment of contributions to the Fund by practising advocates who contribute to the Fund and for the amount and manner of collection of such contributions and the sanctions for failure to pay such contributions;

(e) the conditions of the grant of pensions and allowances to contributors or their widows and orphans and the manner of calculation of such pension and allowances based on contributions made within a fixed deadline approved by the Council;

(f) the information to be furnished by contributors and their widows and orphans;



(g) prohibiting the assignment of, or any charge or execution on, a pension or gratuity;

(h) the circumstances under which a pension granted under these Rules shall cease or lapse;

(i) the keeping of proper accounts of the Fund and the manner of their audit;

(j) the conditions of, and the procedure to be followed in case of, dissolution of the Fund and for the manner of disposal of the Fund in such case;

(k) such incidental and supplementary matters as may be necessary or expedient for the purposes of the Fund.

Regulations of the Council of Ministers to provide for dues.

**27.** - (1) On the establishment of the Fund under clause (1) of Article 26, the Council of Ministers shall make Regulations to provide –

(a) for the payment of such dues, as may be prescribed, by every practising advocate who appears before any Court or Judge or other officer of the Court, or who is doing any other act as an advocate as may be prescribed, or who files with, or produces before any Court or Judge or other officer of the Court any prescribed document, or on whose behalf any such document is so filed or produced;

(b) for the manner of collection of such dues.

(2) No advocate shall be permitted to appear before any Court or Judge or other officer of the Court or to do any prescribed act and no prescribed document shall be filed with, or produced before any Court or Judge or other officer of the Court unless the dues, prescribed under clause (1), are paid, or in the case of a Law Officer.

4 of 21(l) of 2005.

Submission of Regulations to the House of Representatives. 18 of 92/83. 8 of 98/84. 6 of 52/85.

**27A.** Regulations made under this Part shall be submitted to the House of Representatives. If within thirty days from this submission, the House of Representatives by its decision does not amend or cancel the Regulations submitted in this manner, in whole or in part, then these shall be published immediately after the expiry of the above deadline in the Official Gazette of the Republic and shall come into operation on this publication. In case of amendment of these Regulations, in whole or in part, by the House of

Representatives, these shall be published in the Official Gazette of the Republic as may be amended by the House in this manner and shall come into operation on this publication.

Payment of dues into the Fund. **28.** All moneys collected from dues imposed under clause (1) of Article 27 shall be paid into the Fund, but, subject to that payment, no other payment shall be made into the Fund from the general revenue of the Republic.

Restriction on advocates to charge clients for contributions or dues. **29.** - (1) No advocate shall charge or collect from any of his clients any amount paid by him by way of contribution to the Fund or dues imposed under clause (1) of Article 27.

(2) Any advocate who acts in contravention of clause (1) shall be guilty of unprofessional conduct and shall be liable to be proceeded against by disciplinary action under this Law.

## PART VII

### MISCELLANEOUS

Parties to proceedings. **30.** Notwithstanding anything in this Law contained, any party to any civil or criminal proceedings may appear in person and conduct his own case; and where there are several parties to a civil proceeding having common interests, any one of such parties may be authorised in writing by the other or others to appear on his or their behalf and conduct the case; and the Court dealing with a civil proceeding may, where it shall so think proper, upon the personal application of any party, allow any person who is a near relative of such party to appear on his behalf and to conduct his case for him.

Filling of vacancies 4 of 24/56. **31.** If any vacancy occurs among the members of a Local Bar Committee or among the elected members of the Bar Council, such vacancy shall be filled by the election of a qualified member by the remaining members of the Local Bar Committee or the Bar Council, as the case may be, and any member so elected shall hold office for the remainder of the term for which the previous member was elected:

Provided that if by reason of vacancies occurring among the members of a Local Bar Committee or among the elected members of the Bar Council, the

number of such members falls below one-third, then such vacancies shall be filled by the election of new qualified members at a general meeting of the Local Bar, or of the Cyprus Bar Association, as the case may be, held for this purpose.

Power to make Rules.  
3 of 42/61.  
7 of 42/61.  
9(a) of 98/84.  
7 of 52/85.

**32.** - (1) The Council of Ministers, with the advice and assistance of the Supreme Court, and after having heard the views of the Bar Council, may make Rules to be published in the Official Gazette of the Republic, for the better carrying into effect the purposes of Parts III and IV, and, without prejudice to the generality of the powers hereinbefore conferred in this Article, for prescribing the maximum fees which may be taken by advocates in respect of any business transacted at the District Lands Office, as well as for prescribing the fee paid by every person submitting an application to the Disciplinary Board against an advocate under paragraph (d) of clause (2) of Article 17:

8 of 65(l) of 2005.

Provided that until the making of Rules, the amount of the fee payable shall be fixed at CYP 25.00 per application.

9(b) of 98/84.

(2) Rules made under this Article shall be submitted to the House of Representatives. If within thirty days from this submission, the House of Representatives by its decision does not amend or cancel the Rules submitted in this manner, in whole or in part, then these shall be published immediately after the expiry of the above deadline in the Official Gazette of the Republic and shall come into operation on this publication. In case of amendment of these Rules, in whole or in part, by the House of Representatives, these shall be published in the Official Gazette of the Republic as may be amended by the House in this manner and shall come into operation on this publication.

Saving.  
1949 Cap.3.

**33.** Any advocate enrolled under the Advocates Law and any annual licence granted thereunder shall be deemed to have been enrolled or granted under this Law.

Date of coming into operation of the Law.

**34.** This Law shall come into operation on its publication in the Official Gazette of the Republic except Part VI, which shall come into operation on a date to be fixed by the Council of Ministers by a notice in the Official Gazette of the Republic.

3 of 56 (l) of 1993.	The date of coming into operation of this Law (56(l) of 1993) shall be December 6 <sup>th</sup> 1993.
4 of 103(l) of 1996.	The date of coming into operation of this Law (103(l) of 1996) shall be January 1 <sup>st</sup> 1997.
6 of 180(l) of 2002.	This Law (180(l) of 2002) shall come into operation by a decision of the Council of Ministers, which shall be published in the Official Gazette of the Republic.
7 of 130(l) of 2003.	This Law (130(l) of 2003) shall come into operation by a decision of the Council of Ministers, which shall be published in the Official Gazette of the Republic.
9 of 65(l) of 2005. Special provision.	9. The Chief Registrar, from the date of coming into operation of this Law, shall deliver to the Bar Council a copy of the Register of Practising Advocates.

SCHEDULE  
(Article 11A)

Court	Period of practice as an advocate
(1) Supreme Court during the hearing of a case in the exercise of its second degree jurisdiction.	Two years.
(2) Assizes Court during the hearing of any case.	Two years.

APPENDIX  
(Article 6A(3))

(Form)

STATEMENT/DECLARATION OF ADVOCATE  
(For the issue of the annual licence)

I, the undersigned ..... advocate of .....,  
holder of Identity Card no....., Social Insurance  
no....., state and declare the following:

1. I am enrolled in the Register of Advocates under serial number  
..... and a member of the Bar Association of .....

2. I state that my principal profession is the practice of the legal profession,  
that I practise and I am ready to practise such profession.

3. I practise the profession of advocate (complete as applicable) alone and I  
maintain, for this purpose, a law office at .....  
..... or

4. I practise the profession of advocate in a partnership at:  
..... or as an associate of colleague  
..... or in the partnership of advocates  
..... at: .....

5. I have settled all my financial dues to the Advocates' Pension Fund and the  
Local Bar Association to which I belong.

6. I confirm and state all the above to be true in cognizance of the  
consequences of the False Declaration Law.

Date:.....

The Declarant

(Sgt.)

.....

NAME: .....

Declaration of Bar Association.....

It is hereby confirmed that all mentioned in the statement of  
colleague..... is true.

Sgt. and  
seal

1. ....

Chairman

2. ....

Secretary