

## Legal professions – Introduction

### Other related professions

There are no related professions in Cyprus, such as the profession of notary public. Anything relating to legal affairs is legal material and only members of the Cyprus Bar Association (*Pankýprios Dikigorikós Sýllogos*) are allowed to practise under the relevant laws. Naturally, retired lawyers may continue to work as internal legal consultants both in existing law firms and in other organisations.

One profession which might be said to be a related profession is that of paralegals (*dikigorikoí ypálliloí*), for which there is separate legislation. Persons wishing to become a paralegal must have completed secondary school education, must have worked for at least 6 consecutive months in a law firm, must be of impeccable character and must apply to the Registrar (*Protokollitis*) of the District Court (*Eparchiakó Dikastírio*) in whose district the law firm in which the candidate works is located.

### Prosecutors (*Dimósioi Katígōroi*)

#### Organisation

##### General

In addition to their capacity as legal advisor to the state, the Attorney General (*Genikós Eisangeléas*) of the Republic also heads the Law Office (*Nomikí Ypiresía*) and acts as the Director of Public Prosecutions (*Ypéthynos tis Ypiresías Diacheírisis Poinikón Ypothéseon*).

The Law Office of the Republic, which is headed by the Attorney General, is staffed by lawyers, some of whom specialise in criminal law and handle cases tried by the Assize Courts (*Kakourgiodikeía*). In all cases, the Attorney General is informed and issues the relevant guidelines.

In addition to the members of the Law Office, members of the Cyprus Police Force (*Astynomikí Dýnami Kýprou*) with a law degree and the qualifications to practise law also act as public prosecutors. Although they are police officers, these persons report and answer to the Attorney General while acting as public prosecutors. The Attorney General has the same powers in relation to work carried out by these persons as he does to the work carried out by the lawyers of the Law Office.

In exceptional cases, the Attorney General has the authority to delegate specific cases to reputable practising lawyers.

### Role and duties of public prosecutors

The prosecution service (*Katigoroúsa Archí*) before the district criminal courts is directed by the advocates (lawyers) working in the police prosecution departments, although, of course, this does not preclude the possibility in specific cases of a member of the Law Office being instructed to carry out this work. The prosecution service before the Assize Courts is directed by lawyers working in the Law Office. Regardless of who directs the prosecution service, they all come under the jurisdiction of the Attorney General, who may intervene at any given moment and may occasionally suspend criminal proceedings. The Law Office is headed by the Attorney General, assisted by the Deputy Attorney General (*Voithós Genikós Eisangeléas*), followed by the Attorneys of the Republic (*Eisangeleís tis Dimokratías*), Senior Counsels of the Republic (*Anóteroi Dikigóroi tis Dimokratías*) and Counsels of the Republic (*Dikigóroi tis Dimokratías*). One of the Attorneys of the Republic heads the Criminal Law Section (*Poinikó Tmíma*), again reporting to the Attorney General.

The hearing system is adversarial in nature. The prosecution service presents its evidence and the witnesses called by it undergo examination, cross-examination and re-examination. Once all witnesses have been called by the prosecution, the court is required to rule on whether the prosecution service has established a *prima facie* case. If it has, the accused is called to enter a plea and the court advises them that they can call their own witnesses and testify under oath, in which case both the accused's witnesses and the accused are cross-examined by the prosecution service. Otherwise, they may give an unsworn statement from the dock, in which case there is no cross-examination.

The court hands down its judgment at the end of the hearing. In the case of an acquittal, the accused is acquitted and released. In the case of a conviction, the defence is given the opportunity to plead for a reduced sentence and, once the proceedings have been completed, the court hands down the appropriate sentence.

### Judges

#### Organisation

The structure of the courts in Cyprus is very straightforward.

### Supreme Court (*Anótato Dikastírio*)

The Supreme Court was created on the basis of the provisions of the Administration of Justice (Miscellaneous Provisions) Law of 1964 (*O perí Aponómis tis Dikaioínis (Poikílai Diátaxeis) Nómos tou 1964*) [Law 33/1964] after the Presidents of both the Supreme Court and the Supreme Constitutional Court (*Anótato Syntagmatikó Dikastírio*) had resigned, thereby essentially dissolving the two courts in question, as the representatives of the Turkish Community in the various state bodies failed to attend and consent to the necessary decisions.

The members of the Supreme Court are appointed by the President of the Republic of Cyprus. There are currently 13 members, one of whom is appointed as President. Persons of impeccable character with at least 12 years' dedicated service as a member of the legal profession can be appointed as members of the Supreme Court.

### Assize Courts (*Kakourgiodikeía*)

The Assize Court is the supreme criminal court of first instance of the Republic and comprises three judges (the President (*Próedros*), a Senior District Judge (*Anóteros Eparchiakós Dikastís*) and a District Judge (*Eparchiakós Dikastís*). The members of the Assize Court are appointed by the Supreme Court for a two-year term of office, from the ranks of the Presidents of the District Court, the Senior District Judges and the District Judges respectively).

### District Courts (*Eparchiaká Dikastíria*)

There is a District Court in every district of the Republic of Cyprus with unlimited jurisdiction, except, of course, in matters that fall within the jurisdiction of the Supreme Court and the specialised courts referred to below. District Court Judges are divided into Presidents of the District Courts, Senior District Judges and District Judges. District Court Judges are appointed, transferred and promoted by the Supreme Court.

### Family Courts (*Oikogeneiaká Dikastíria*)

The Family Courts, which were set up on the basis of the Family Courts Law (*O perí Oikogeneiakón Dikastiríon Nómos*) [Law 23/90], are composed of three members (a president and two associate judges), all of whom have a legal background and must have successfully practised law prior to their appointment.

#### **Rent Control Tribunal (*Dikastírio Elénchou Enoikiáseon*)**

This specialised court is composed of three members: a president and two associate judges. The president of the court must be a lawyer who has successfully practised law for at least the same number of years as that required for appointment to the bench of the District Court.

#### **Industrial Disputes Tribunal (*Dikastírio Ergatikón Diaforón*)**

As with the Rent Control Tribunal, the Industrial Disputes Tribunal is composed of three members (a president and two associate judges). The president must be a lawyer who has practised for 5 years prior to their appointment to the bench of the court.

#### **Military Court (*Stratiotikó Poinikó Dikastírio*)**

The final specialised court is the Military Court, which is presided by a reputable lawyer who, when appointed, held the qualifications required for appointment to the bench of a District Court. The president of the Military Court must be a commissioned military officer of at least the rank of colonel. The associate judges of the Military Court must be professional military personnel serving in the army.

#### **Directory (*Evretírio*)**

There is a directory on the Supreme Court website containing some general information on the courts in Cyprus.

#### **Roles and duties**

##### **Supreme Court (*Anótato Dikastírio*)**

The Supreme Court acts as a court of appeal against judgments by all the lower courts in the Republic of Cyprus and as a court of first instance on various matters such as administrative law and admiralty issues. It also issues *certiorari*, *mandamus* and other orders, supervises all other courts in the Republic of Cyprus to ensure that they operate smoothly and exercises disciplinary control over the members of the judiciary.

##### **Assize Courts (*Kakourgiodikela*)**

With the exception of certain very serious offences, each Assize Court has the jurisdiction to try at first instance all offences punishable under the Criminal Code (*Poinikós Kódikas*) or any other law committed within the borders of the Republic or in the Sovereign Base Areas and involving Cypriots either as offender or victim, or in any other country while the accused was in the service of the Republic, or on a ship or aeroplane in the Republic, or in such other places and under such circumstances as may be provided for by law.

##### **District Courts (*Eparchiaká Dikastíria*)**

District Courts composed of a president have the jurisdiction to hear and rule at first instance on any action which falls within their local jurisdiction.

Every Senior District Judge or District Judge has jurisdiction (subject to certain exceptions) to rule on any action in which the sum contested or the value of the dispute at issue does not exceed EUR 500 000.00 for a Senior District Judge and EUR 100 000.00 for a District Judge.

The criminal jurisdiction of the District Courts extends to all offences committed within the limits of the district of the court and for which the punishment provided for by law does not exceed 5 years' imprisonment or a fine of EUR 50 000.00 and/or both and which for which the court may order compensation of up to EUR 6 000.00 to be paid to the victim.

All judgments handed down by the District Courts, in both criminal and civil cases, are open to appeal before the Supreme Court without restriction.

#### **Specialised courts**

The jurisdiction of the Family Courts extends to almost all marital disputes. The jurisdiction of the Rent Control Tribunal is limited to disputes involving buildings subject to rent control. The jurisdiction of the Industrial Disputes Tribunal only extends to employer/employee relations, especially in cases of alleged unfair dismissal. The Military Court has jurisdiction to try criminal cases involving members of the National Guard (*Ethnikí Frouá*) or where National Guard regulations have been infringed.

All judgments handed down by the above courts can be appealed before the Supreme Court.

#### **Organisation of legal professions: Lawyers (*Dikigóroi*)**

There is a standard system for the provision of legal services in the Republic of Cyprus and all those involved in offering such services are referred to as lawyers, regardless of the country where they studied and the university degree which they acquired during their legal studies.

There is a directory of lawyers on the internet to which lawyers and judges have free access and which the public can access on payment of a subscription fee.

#### **Legal databases**

There is no official website where judgments are published. Some selected recent judgments are published on the website of the [Supreme Court](#).

There are a number of private websites offering access to case-law, either for payment or free of charge. The [leginetcy](#) website contains legislation, case-law and regulatory administrative acts and is free for lawyers, judges and government departments. Anyone else wishing to access this website must pay a subscription. The [cylaw](#) website contains court judgments and is free for everyone wishing to access it.

#### **Lawyers/Legal Advisors (*Nomikoí Símvouloi*)**

As mentioned above, Cyprus has a standard system under which lawyers/legal advisors practise.

#### **Notaries public (*Symvolaioγράφοι*)**

The profession of notary public is unknown in Cyprus. Work usually carried out by a notary public is carried out by a lawyer.

#### **Other legal professions**

The following professions in the Republic of Cyprus are related to the legal profession.

##### **Registrars (*Protokollítés*)**

Registrars are appointed by the Supreme Court. They are court officers who are usually lawyers with a strong legal background. Registrars have specific duties, as provided for under the relevant law. The most senior registrar is the head of the court staff responsible for their general supervision. A registrar can also be appointed for this purpose by the Supreme Court.

##### **Bailiffs (*Epidótes*)**

There are two types of bailiff: private-sector bailiffs whose activity is limited to the service of various court documents and bailiffs on the court payroll who are involved mainly in enforcing court judgments.

##### **Paralegals (*Dikigorikoí Ypálliloí*)**

The title of paralegal (*dikigorikós ypállilos*) is acquired on completion of 6 months' work in a law firm and after submitting an application to the registrar of the District Court in whose district the law firm in which the candidate works is located.

#### **Relevant links**

[Attorney General's Office](#)

[Supreme Court](#)

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