

SECOND SCHEDULE.

Fees of Court.

1. On filing Notice of Appeal £1.
2. On filing Notice of Intention to appear as Respondent .. 5s.

THIRD SCHEDULE.

Fees as between advocate and client and party and party.

	Where the annual value			
	does not exceed £50	exceeds £50 but not £100	exceeds £100 but not £200	exceeds £200
Preparing Notice of Appeal and grounds thereof ..	10s.	15s.	20s.	25s.
Preparing Notice of Intention to appear as Respondent and grounds of opposition	10s.	15s.	20s.	25s.

Given under the hand and official seal of the Governor and the hand of the Chief Justice at Nicosia this 18th day of May, 1946.

(M.P. 678/45.)

E. ST. J. JACKSON,
Chief Justice.

No. 178.THE CYPRUS COURTS OF JUSTICE ORDERS AND LAWS,
1927 TO 1945.

RULES OF COURT, 1946.

C. C. WOOLLEY,
Governor.

In exercise of the powers vested in the Governor by the Cyprus Courts of Justice Orders and Laws, 1927 to 1945, and of every other power him enabling in this behalf, and with the advice and assistance of the Chief Justice, His Excellency the Governor has been pleased to make and hereby makes the following rules :—

1. These rules may be cited as the Rules of Court, 1946, and shall be read as one with the Rules of Court, 1938 to 1945, (hereinafter referred to as “the principal Rules”), and the principal Rules and these rules may be cited together as the Rules of Court, 1938 to 1946.

2.—(1) Rule 6 in Order 12 of the principal Rules is hereby amended by the insertion of the word “made” between the word “order” and the words “under Rule 4” in the first line thereof.

(2) Rule 7 in Order 12 of the principal Rules is hereby amended by the deletion of the words “under Rule 5” in the first line thereof and the substitution therefor of the words “made under Rule 4”.

3. Order 17 of the principal Rules is hereby amended by the addition of the following rule :

"14.—(1) The registrar shall, once a month or at such times as he may be required by the Court or a Judge, furnish the Court or Judge with a list of actions in which there has been default of appearance within the time limited by the writ and in which the plaintiff has failed to proceed upon such default under the preceding rules of this Order for one month after the expiration of the time so limited, and the Court or Judge may thereupon direct the registrar to give notice to the plaintiff requiring him so to proceed within fourteen days after the giving of the notice, and informing him that upon failure so to proceed within the fourteen days aforesaid the action shall stand dismissed for want of prosecution.

(2) Upon failure so to proceed within the fourteen days aforesaid, or within such extended time as may be allowed, the action shall stand dismissed for want of prosecution but without prejudice to the institution of a fresh action, and the registrar shall forthwith lay the file of the action before a Judge, who shall endorse it with a note to that effect.

(3) The notice from the registrar mentioned in paragraph (1) of this rule shall be served at the plaintiff's address for service, and a copy thereof sent by post to the plaintiff if in Cyprus; and the fourteen days mentioned in the notice shall be reckoned as from the day of service or posting, whichever be the later. An affidavit of service and posting shall be filed."

4. Order 21 of the principal Rules is hereby amended as follows :—

- (a) by the insertion of the words " file and " in rule 1 (1), immediately after the words " he shall " in the first line thereof ;
- (b) by the insertion of the words " file and " in rule 1 (2), immediately after the words " he shall " in the second line thereof ;
- (c) by the insertion of the words " file and " in rule 9 (2), immediately after the word " may " in the second line thereof ; and
- (d) by the insertion of the words " filed and " in rule 14 immediately after the words " shall be " in the third line thereof.

5. Order 26 of the principal Rules is hereby amended by the insertion of the following rule immediately after rule 3 thereof :—

"3A.—(1) The registrar shall, once a month or at such times as he may be required by the Court or a Judge, furnish the Court or Judge with a list of actions in which there has been default of pleading within the time allowed for that purpose, and the Court or Judge may thereupon direct the registrar to give notice to the party in default requiring him to file and deliver his pleading within fourteen days after the giving of the notice, and informing him, as may seem fit in the circumstances of the case, that upon failure so to do within the fourteen days aforesaid the action may be dismissed for want of prosecution, or that judgment in certain terms may be given in favour of a specified party.

(2) Upon failure to file and deliver the pleading within the fourteen days aforesaid, or within such extended time as may be allowed, the registrar shall forthwith lay the file of the action before the Court or a Judge, and the Court or Judge may, as may seem fit in the circumstances of the case, dismiss the action for want of prosecution or give judgment in the terms specified in the notice or in terms not being more onerous than those so specified on the party affected thereby.

(3) Where an action is dismissed under this rule, such dismissal shall not prejudice the institution of a fresh action.

(4) The provisions of Rule 14 (3) in Order 17 shall apply, *mutatis mutandis*, to a notice under this rule."

6.—(1) Rule 1 (*d*) in Order 30 of the principal Rules is hereby amended as follows :—

- (a) by the deletion of the word “fourteen” in the second line thereof and the substitution therefor of the word “ten”; and
- (b) by the deletion of the words “after appearance” in the second line thereof and the substitution therefor of the words “from the time when the pleadings shall be deemed to be closed”.

(2) Rule 7 in Order 30 is hereby amended by the deletion of the word “fourteen” in the second line thereof and the substitution therefor of the word “ten”.

7. Rule 10 in Order 31 of the principal Rules is hereby amended as follows :—

- (a) by the deletion of the word “service” in the eighth line of paragraph (1) and the substitution therefor of the words “the giving”; and
- (b) by the deletion of paragraph (3) and the substitution therefor of the following :—
 “(3) The provisions of Rule 14 (3) in Order 17 shall apply, *mutatis mutandis*, to a notice under this rule.”

8. Rule 8 (1) in Order 48 of the principal Rules is hereby amended as follows :—

- (a) by the deletion of the letter “(a)” in the second line thereof and the substitution therefor of the letter and number “(a.1)”;
- (b) by the deletion of the letters “(aa)” in the fourth line thereof and the substitution therefor of the letter and number “(a.2)”;
- (c) by the deletion of the word “eight” in sub-paragraph (aa) (being the sub-paragraph immediately following sub-paragraph (z)) and the substitution therefor of the word “ten”; and
- (d) by the deletion of the number “16” in sub-paragraph (mm) and the substitution therefor of the number “15”.

Given under the hand and official seal of the Governor and the hand of the Chief Justice at Nicosia, this 18th day of May, 1946.

E. ST. J. JACKSON,
Chief Justice.

(M.P. 593/37/5.)

No. 179.

THE TREE PLANTING VILLAGE AREAS LAWS, 1930 TO 1936.

ORDER MADE UNDER SECTION 13 (2).

C. C. WOOLLEY,
Governor.

I, the Governor, in exercise of the powers conferred on me by section 13 (2) of the Tree Planting Village Areas Laws, 1930 to 1936, do hereby order that the Order relating to the Tree Planting Area of the village of Peristerona (Paphos District) published in the *Gazette* of the 3rd July, 1936, under Notification No. 636, shall be extended for a further period of five years from the date of the expiration thereof.

Made at Nicosia, this 16th day of May, 1946.

(M.P. 903/36.)