

Amended by
Law 7/1934
20/1937
4/1940

NO. 20 OF 1933.

A.D. 1933. A LAW TO CONSOLIDATE AND AMEND THE LAW RELATING
 20 of 1933. TO ADVOCATES.

R. E. STUBBS,
 Governor.

[8th June, 1933.]

BE it enacted:—

Short title.

1. This Law may be cited as the Advocates Law, 1933.

Definitions.

2. In this Law, unless the context otherwise requires—
 “advocate” means a person enrolled as such under
 this Law or any Law previously in force in that behalf.

Deleted

“advocate’s clerk” means ~~any person registered as
 such under any law in force in that behalf.~~

“practising as an advocate” means doing any of
 the following things namely: appearing before any court,
 judge or court officer to take or conduct any proceeding
 on behalf of any other person; preparing or perusing
 for reward any document intended to be used in
 connection with any proceeding before any court. In
 this definition the word “court” shall not include the
 Mussulman Religious Tribunals known as Mehkeme-
 i-Sheriè and the word “judge” shall not include any
 judge of such tribunal.

Admission of
 advocates.

3. The Chief Justice may approve and admit to practise
 as an advocate—

(a) any person who is entitled to practise as a
 barrister-at-law in England, Northern Ireland
 or as an advocate in Scotland or who immediately
 prior to the first day of October, 1921, was a
 member of the Bar of Ireland and who satisfies
 the Chief Justice that he is a person of good
 character;

(b) any person who has been admitted to practise as
 a solicitor in England, Northern Ireland or as
 a Law Agent in Scotland or who immediately
 prior to the first day of October, 1921, was a
 Solicitor of the Supreme Court of Judicature in
 Ireland and who satisfies the Chief Justice that
 he is a person of good character and is not by
 reason of professional misconduct incapacitated
 from so practising.

4. Any person who desires to be enrolled as an advocate shall produce in the office of the chief registrar for the inspection of the Chief Justice his certificate of call to the Bar or of his admission as a solicitor or law agent or a certified copy thereof, and shall file in the office of the chief registrar an affidavit of identity in such form as may be approved by the Chief Justice :

Documents to be produced for the inspection of the Chief Justice.

Provided that the Chief Justice may on special grounds and upon such terms as he may think fit, exempt any such person from complying with any of the formalities prescribed by this section either absolutely or for any specified period.

5.—(1) Any person approved and admitted to practise as an advocate shall, upon the direction of the Chief Justice and upon payment of a fee of ten pounds, have his name enrolled in a book to be kept by the chief registrar and to be called "the Roll of Advocates."

Enrolment of advocates.

(2) The chief registrar shall, on the application of any person whose name appears on the Roll of Advocates, issue to him a certificate of enrolment under the seal of the Supreme Court.

6.—(1) Notwithstanding anything in this Law contained the Chief Justice may approve and admit to practise as an advocate any person who possesses qualifications which but for this Law would entitle him to enrolment under any law hereby repealed :

Saving.

Provided that—

- (a) such person shall have passed such examination, ^{if any,} in the English language as the Chief Justice may prescribe ;
- (b) such person shall have passed any examination which he would have had to pass under the provisions of any law hereby repealed ;
- (c) such person shall satisfy the Chief Justice that he entered upon and commenced his course of legal studies before the first day of January, 1932 ;
- (d) notwithstanding anything in section 4 (4) of the Advocates Laws, 1894 and 1926, contained, such person will not be required to pass any time in the office of an advocate ;
- (e) no enrolment under this section shall be made after the thirty-first day of December, 1936.

(2) All powers and duties vested in and exercised by the Legal Board under any law hereby repealed shall, for the purposes of this section, vest in and be exercised by the Chief Justice.

(3) The provisions of section 5 of this Law shall apply to enrolments under this section.

(4) *added by 7/1934* 40/33
7. Every advocate shall be deemed to be an officer of the Supreme Court.

8. Every advocate shall exhibit in a conspicuous place in his office such tables of fees or rules of court as the Chief Justice may direct to be exhibited.

9. No advocate who has the rank of a King's Counsel shall practise as an advocate otherwise than as a barrister in manner corresponding to the practice in England, either alone or in partnership with any other advocate.

10.—(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 been 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 always that before any order is made under this section the advocate shall be called upon by the court to show cause why such order should not be made.

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

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

11.—(1) The Supreme Court shall have power to order the name of any advocate to be struck off the Roll of Advocates or to order any advocate to be suspended from practising during such period as it may think fit; and

New sect. 6A added

Advocates deemed officers of Court.

Table of fees and rules of court to be exhibited.

King's Counsel.

Liability to pay costs.

Suspension, etc., of advocates.

any court shall have power to suspend any advocate temporarily from practising before it pending a reference to the Supreme Court which may confirm, disallow or extend the period of such suspension or may order such advocate to be suspended from practising in any court in Cyprus during the period of his suspension or may order his name to be struck off the Roll.

(2) Where by any such order as aforesaid the name of any advocate is ordered to be struck off the Roll or any advocate is suspended from practice the chief registrar shall forthwith upon the filing of the order cause a notice stating the effect of the operative part thereof to be published in the *Cyprus Gazette*.

(3) The Supreme Court 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 Roll of Advocates, order the chief registrar to replace on the Roll the name of such advocate.

- 12.—(1) No person shall practise as an advocate unless—
- (a) he shall have been enrolled as such under this Law or under any other law previously in force; and
 - (b) he shall have taken out an annual licence in such form as the Chief Justice may from time to time prescribe (hereinafter called the “annual licence”):

No person to practise as an advocate without enrolment and annual licence.

Provided that the provisions of this section shall not apply to—

- (a) any Law Officer;
- (b) any officer of the Government authorized by the Attorney-General to appear, plead and act in any proceeding to which the Crown, the Government of Cyprus or any officer of the Government in his official capacity is a party.

(2) An annual licence shall expire on the thirty-first day of December next following the date of issue and a fee of one pound shall be payable in respect thereof to the chief registrar, and any fees so paid shall be expended for the formation or expansion of law libraries for the use of advocates in the various districts in such proportion as to the Chief Justice may seem fit:

Provided that no such fee shall be payable by any advocate until his name shall have been on the Roll of Advocates for a period of two years.

(3) Any person who practises as an advocate without having been enrolled or without being the holder of an annual licence in force at the time shall forfeit the sum of fifty pounds and shall be incapable of maintaining any action for the recovery of any fee, reward, costs or disbursement on account of or in relation to any act or proceeding done or taken by him in such capacity.

(4) The sum of fifty pounds forfeited under this section may together with the costs of the proceedings be recovered by action at the suit of the Attorney-General.

Parties to
proceedings
and
advocates'
clerks.

13. Notwithstanding anything in this Law contained—

- (a) any party to any civil or criminal proceeding 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 authorized 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;
- (b) an advocate's clerk may do any act on behalf of his employer arising out of and in the course of his duties as such (except appearance before a court or judge).

Rules of
Court.

14.—(1) The Governor with the advice and assistance of the Chief Justice may, from time to time, by writing under the hand and the official seal of the Governor and the hand of the Chief Justice, make rules of court—

- (a) for regulating any matters relating to the duties of advocates;
- (b) with respect to agreements between advocates and clients and the conditions of retainer and employment of advocates;
- (c) generally for the better carrying out of the provisions of this Law.

(2) Any such rules of court may provide for the imposition of penalties not exceeding fifty pounds for any breach of such rules.

Repeal and
saving.

15. The enactments in the Schedule hereto are hereby repealed without prejudice to anything done thereunder.

SCHEDULE.

(SECTION 15.)

1. The Advocates Law, 1894, Part I.
2. The Advocates (Amendment, No. 3) Law, 1923.
3. The Advocates (Amendment) Law, 1926.
4. The Advocates (Amendment) Law, 1928.
5. The Advocates Law, 1931.
6. The Cyprus Courts of Justice Order, 1927, Chapter XXV.

This Law came into operation on 9th June, 1933.

No. 21 OF 1933.

A LAW TO AMEND THE NICOSIA WATER SUPPLY (ARAB AHMET AND SILIKDAR VAKFS) MANAGEMENT LAW, 1919. A.D. 1933.
21 of 1933.

R. E. STUBBS,]

[14th June, 1933.

Governor.

BE it enacted:—

1. This Law may be cited as the Nicosia Water Supply (Arab Ahmet and Silikdar Vakfs) Management (Amendment) Law, 1933, and shall be read as one with the Nicosia Water Supply (Arab Ahmet and Silikdar Vakfs) Management Law, 1919, (hereinafter called "the Principal Law"), and the Principal Law and this Law may together be cited as the Nicosia Water Supply (Arab Ahmet and Silikdar Vakfs) Management Laws, 1919 and 1933. Short title.
22 of 1919.

2. The Principal Law is hereby amended by the insertion immediately after section 17 of the following section:— Insertion
of new
section 17A
in Law 22
of 1919.

"Borrowing
powers.

17A.—(1) The Water Commission may, with the consent and under the authority of an Order of the Governor in Council and subject to such terms and conditions as may be imposed by such Order, borrow moneys for any of the purposes of this Law and may secure the repayment of the principal and interest by mortgaging any rate, rent, immovable property or waterworks or any part thereof.