

CHAPTER 59.
CHARITIES.
CHARITIES RULES.

RULES OF COURT MADE UNDER SECTION 16.

1. These Rules of Court may be cited as the Charities Rules.
2. In these rules the expression “the Court” means the Supreme Court of Cyprus.
3. Every proceeding before the Court under the provisions of the Charities Law, Cap. 59, shall be by application to be made by summons which shall be returnable not less than ten days from the date of its issue. Such summons shall be in the form No. 1 in the Appendix hereto with such modifications as the circumstances of the case may require and shall be supported by an affidavit or affidavits stating the facts upon which the application is based.
4. Every such summons shall be intituled in the matter of the particular charity and in the matter of the Charities Law, Cap. 59, and shall state with precision the object of the application.
5. When the summons is at the suit of the Attorney-General the trustees of the charity shall be made parties and served with a sealed copy of the summons and of the affidavit or affidavits to be used in support thereof.
6. Where the summons is at the suit of the trustees of a charity the Attorney-General shall be named as a party to the proceeding and shall be served with the documents mentioned in rule 5.
7. Where any person served with a summons under these rules intends to show cause against the application he shall not later than four days before the day fixed for the hearing file with the Registrar of the Court a notice stating the grounds of his intended opposition supported by an affidavit verifying the facts and serve a copy of such notice and affidavit on the person at whose suit the summons has been issued or his advocate, if any.
8. If at the hearing of any application under these rules it appears to the Court desirable that any person whose interests will be affected by the order sought to be obtained should be added as a party to the proceedings and served with the summons the Court may so direct and may adjourn the hearing to enable this to be done.
9. If at the hearing of any application under these rules it appears to the Court that the questions involved are such as to render it advisable that they should be tried in the form of an action the Court may direct that pleadings be filed and may give all such directions both as to the times for pleading and as to the procedure subsequent thereto as may seem to it requisite.
10. The Court at the hearing of any application under these rules may require the production of additional evidence and may adjourn the application to enable such evidence to be adduced.
11. Where the application is for the appointment of a new trustee or trustees the summons shall state the name, description and residence of every trustee proposed to be appointed and in addition to the affidavit referred to in rule 3 hereof shall be supported by an affidavit of the fitness of every such trustee together with his signed consent to act in the trust.. Such consent shall be in the form No. 2 in the Appendix hereto and the signature thereto shall be

certified either by a Registrar of the Supreme Court or District Court or by a certifying officer.

12. The Court shall have power to extend or abridge the time specified in rules 3 and 7 hereof.

13. In proceedings under these rules the scale of costs shall, save where the Court otherwise directs, be the same as in actions where the value of the subject matter exceeds £50 but does not exceed £100 ; and the fees of Court prescribed in Appendix A to the Court Fees Order, shall be payable in such proceedings and on the certification of copies of the deed, will or other instrument enrolled in the office of the Court. A fee of 10s, shall be charged for the enrolment of any deed, will or other instrument.

14. The Rules of Court governing civil proceedings shall, in so far as they are not repugnant to these rules, apply to any matter not provided for by these rules.

APPENDIX.

CHARITIES LAW, FORM NO. I.

(Rule 3.)

In the Supreme Court Application No.

In the matter of (name or description of the charity)

and

In the matter of the Charities Law, Cap. 59.

Between A.B. Plaintiff

And

C.D. Defendant.

Let all parties concerned attend the Supreme Court on day the day of ,19 , at o'clock in the forenoon on the hearing of an application by that *(state precisely the nature of the application)*.

The facts on which the foregoing application is founded are stated in the affidavits of E.F. and G.H. this day filed , copies of which are served upon you herewith.

Dated the day of , 19 .

This summons was taken out by of , advocate for the above-named A.B.

To

C.D. of

CHARITIES LAW, FORM NO. 2.

(Rule II.)

Consent to Act.

I, A.B. *(description)* of hereby consent to act as a trustee of the charitable trust created by *(describe the instrument)*

Dated the day of ,19 .

(Signed) A.B.

I, C.D., hereby certify that the above-written signature is the signature of A.B. the person mentioned in the above-written consent.

(Signed.) C.D.
(Registrar of the Supreme Court
or of the District Court of X
or Certifying Officer for Y.)