

## CHAPTER 14.

## CRIMINAL PROCEDURE.

## CRIMINAL PROCEDURE RULES.

## RULES OF COURT MADE UNDER SECTION 173.

*Division of Rules.*

	<i>Rules.</i>
PART I.—Criminal Forms, Service of Process, etc. . . . .	3 to 10.
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1. These Rules of Court may be cited as the Criminal Procedure Rules.\*

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321.

2. In these Rules, unless the context otherwise requires—

“Registrar” means the Registrar of the District Court wherefrom the process is issued or before which the case is or has been tried, and includes an Assistant Registrar attached to such Court; and in the case of a registry established in a place other than the principal town of a District, the clerk in charge of such registry;

“the trial Court” means the District Court which gave the decision in regard to which it is desired to have a case stated pursuant to section 146 of the Law.

PART I.—CRIMINAL FORMS, SERVICE  
OF PROCESS, ETC.

3. The forms in Appendix A shall be used in connection with the criminal procedure laid down in the Law, with such modifications as the circumstances of each case may require. Appendix A.

4. The Registrar shall keep a Criminal Case Book in the form shown in Appendix B. Appendix B.

5. Every warrant directing or authorizing the detention in prison of any person shall bear the signature of the Judge under whose judgment such warrant is issued, and in case the judgment was issued by a Court consisting of more than one Judge by any Judge thereof.

6. Every other warrant, and every writ issuing out of a Court for giving effect to any judgment or under the authority of any judgment, shall bear the signature of one of the Judges or of the Registrar of the Court out of which the same is issued.

7. Nothing in these Rules shall be taken as an authority for dispensing with any formality by any Law or Rule of Court rendered necessary to be observed on the issuing of any summons, warrant or writ.

\* Amended on the 26th August, 1954: See *Gazette* 1954, Volume II, page 474.

8. The prescribed fees shall be paid by the persons chargeable with the payment thereof before the issue of the summonses in respect of which the same are respectively payable and shall be collected, taken, and paid in the same manner as fees of Court are directed to be collected, taken and paid by any Rules of Court for regulating the collection, taking, and payment of fees generally.

9. Unless otherwise directed by the Court, all service of criminal process shall be effected by a police officer through the Registrar. Where a private prosecutor or an accused person desires service of any document to be effected he shall apply to the Registrar for such service at the same time as he files or applies for the issue of the document of which, or a copy whereof, service is required, and shall thereupon pay to the Registrar in respect of the intended service a fee equivalent to that chargeable under the Rules of Court in respect of service of civil process involving claims exceeding twenty-five pounds.

10. Where an advocate is assigned to an accused or an appellant under section 62A of the Law, copies of any depositions, notes of proceedings and exhibits which he may request the Registrar or the Chief Registrar to supply shall without charge be supplied unless the Court thinks that they are not necessary for the purpose of the trial or appeal.

## PART II.—CASES STATED.

Appendix C, Form 1. 11. An application to the trial Court to state a case shall be in form 1 in Appendix C and shall be left with the Registrar within the time prescribed by the Law. If the applicant desires to have a certificate of refusal in the event of the trial Court refusing to state a case, the application shall contain a request to that effect.

Appendix C, Form 2.  
Appendix C, Form 3. 12. Every case stated shall be divided into paragraphs, and each paragraph shall, as nearly as may be, be confined to a distinct portion of the subject, and shall be numbered consecutively. The case shall state the facts as found by the trial Court upon the evidence, and not the evidence itself. A case stated shall be in the form 2 in Appendix C. A certificate of refusal shall be in the form 3 in Appendix C. The Registrar shall mark on the case (or certificate) the date on which it was received by the applicant.

13. Notice of an intended application for a rule *nisi* under sub-section (3) of section 146 of the Law shall be given to the Chief Registrar in writing within seven days after the expiration of the period mentioned in sub-section (4) of section 146 of the Law, and with the notice there shall be left the affidavit of facts on which the application will be based. The application shall be made *ex parte*.

14. An office copy of the rule *nisi*, together with an office copy of the affidavit upon which the rule nisi was obtained, shall be served upon the trial Court and the respondent not less than four days before the day fixed for showing cause. The trial Court may shew cause by affidavit (which shall be free of charge) filed, with three copies thereof, with the Chief Registrar before the hearing on the day fixed for showing cause.

15. An office copy of the rule absolute shall be served upon the trial Court.

16. The applicant shall when transmitting the case stated to the Chief Registrar, accompany it with two typewritten copies thereof for the use of the Judges of the Supreme Court.

17. The notice of the respondent under sub-section (5) of section 146 of the Law shall be in form 4, in Appendix C.

Appendix C,  
Form 4.

18. The applicant shall, not less than seven days before the day fixed for consideration by the Supreme Court of the case stated, give the respondent notice of such day.

19. The times prescribed in this Part may be abridged or enlarged by a Judge of the Supreme Court, and any document affected may be marked by the Chief Registrar accordingly.

### PART III.—COSTS OF PROSECUTION.

20. Subject to any special directions by the Court, the costs of every witness called to give evidence in every public prosecution shall, in the case of witnesses who are not government officials, consist of an allowance for attendance (including the time necessarily occupied in travelling to and from the Court) and of an allowance for transport according to the rates laid down in Appendix D to these Rules :

Appendix D.

Provided that no allowance for attendance shall be paid to any witness who resides or carries on his occupation within a radius of one mile from the Court unless the Court makes a special direction for the payment of such allowance. The Court shall not make any such direction save where it is satisfied that the witness has suffered monetary loss :

Provided also that no allowance for transport shall be paid to any witness who resides within a radius of three miles from the Court unless the Court specially directs the payment of such allowance.

21.—(1) In the case of witnesses who are government officials, their costs shall be determined as follows :—

- (a) if they are officials who are entitled to transport and subsistence allowances under the travelling regulations for the time being in force, they may be paid their costs as witnesses in accordance with such regulations ;
- (b) if they are officials who are not so entitled, they may, when attending a Court as witnesses outside their beat or division, be allowed costs at the rates for transport

and subsistence laid down for officers in receipt of corresponding salaries. Medical officers entitled to private practice may in addition be allowed half a day's salary in respect of each night's absence from their beat or division.

(2) Every government official attending to give evidence shall be furnished by the Registrar of the Court with a certificate of attendance on such form as the Accountant-General may direct and be paid his costs on the ordinary form for a travelling claim, to which the Registrar's certificate should be attached.

22. It shall be the duty of the prosecuting officer to submit to the Registrar of the Court a form and counterfoil as approved by the Accountant-General setting forth the required particulars in regard to every witness whose costs are to be paid out of the public treasury. The Registrar shall, as far as possible, check the particulars and (in cases other than those coming within rule 21) direct payment of such amount as in his view is properly payable.

23.—(1) The foregoing provisions shall also apply to witnesses for the defence in trials on information whose costs are directed by the Court pursuant to section 164 of the Law to be paid out of the public revenue.

(2) Such provisions may also be applied in determining the costs payable to an accused person in cases coming under section 166 of the Law where such costs are directed to be paid by the person by whom in the opinion of the Court the charge was preferred, or whom it may consider responsible for having procured the same.

#### PART IV.—APPEALS.

24.—(1) Where a notice of appeal has been filed, the appellant may, before the date of hearing of the appeal, amend the grounds stated in such notice by filing such amended grounds of appeal with the Chief Registrar and delivering a copy thereof to the respondent.

(2) Where an application for leave to appeal has been filed, the applicant—

(a) at any time before such application has been dealt with under sub-section (2) of section 137 ; or

(b) after a Judge of the Supreme Court has granted leave to appeal, by leave of the Judge, may amend the grounds stated in such application by filing such amended grounds of appeal with the Chief Registrar and, where leave to appeal has been granted, delivering a copy thereof to the respondent.

(3) In this rule the respondent in the case of a private prosecution means the prosecutor or his advocate and in every other case the Attorney-General.

INDEX TO FORMS UNDER CRIMINAL PROCEDURE  
RULES, 1953.

APPENDIX A.

(Rule 3.)

Form	Section by which provided	Description
1	7	Warrant by Governor for production of telegrams.
2	17	Recognizance at police station (without sureties).
3	17	Recognizance at police station (with sureties).
4	18 & 43	Warrant for arrest of Accused.
5	24	Application for remand in police custody.
6	26	Search Warrant.
7	37	Charge.
8	42	Certificate of Refusal to direct filing of charge.
9	44	Summons to Accused.
10	44	Summons to Accused (Summary trial).
11	45 & 48	Affidavit of Service.
12	47	Warrant to commit or detain for trial.
13	48	Summons of Witness.
14	49	Warrant for Arrest of a Witness.
15	52	Order to bring up a prisoner.
16	57	Commitment of Witness.
17	60	Letter of Request to take evidence abroad.
18	60	Order for Appointment of British Consul as Special Examiner.
19	77 & 84	Motion before plea or in arrest of Judgment.
20	95	Notice of intention to take deposition of Witness ill.
21	95	Order to convey Accused.
22	95	Caption for deposition of Witness dangerously ill.
23	97	Notice to Witness of change of time, etc., of trial.
24	97 & 98	Recognizance to give evidence.
25	97 & 98	Notice to Witness that Accused has been discharged.
26	98	Notice to Witness treated as bound over to attend conditionally.
27	98	Notice to Witness requiring his attendance.
28	98	Statement of Witnesses bound over, etc., conditionally.
29	106	Information.
30	106	Forms of Information (13 forms).
31	118	Warrant of execution on movables.
32	121 & 122	Warrant of commitment for penalty.
33	131A	Application for extension of time of notice of appeal or application for leave to appeal.
34	134	Notice of Appeal by Attorney-General.
35	135	Notice of Appeal on question of law.
36	135	Application for leave to appeal from Assize Court or District Court.

Form	Section by which provided	Description
37	137 (2) (b)	Notice to show cause why leave to appeal should be granted.
38	137 (5)	Notice of refusal of leave to appeal.
39	138	Notice of hearing of Appeal.
40	139	Notice of Abandonment of Appeal.
41	155 & 162	Recognizance/Bail Bond (with sureties).
42	155 & 162	Recognizance/Bail Bond (without sureties).
43	155	Recognizance of Bail of Appellant.
44	155	Recognizance of Appellant's sureties.
45	158	Warrant of Deliverance.
46	161 & 162	Indorsement on Recognizance/Bail Bond.
47	161 & 162	Notice of forfeiture of Recognizance/Bail Bond.
48	162	Information for breach of Recognizance.
49	162	Summons for breach of Recognizance.
50	—	Warrant of commitment to prison on conviction.

## APPENDIX B.

## FORM OF CRIMINAL CASE BOOK.

(Rule 4.)

## APPENDIX C.

(Section 146.)

CASE STATED.

Form	Rule by which provided	Description
1	11	Application for Statement of Case.
2	12	Case Stated.
3	12	Judge's Certificate of refusal to state a case.
4	17	Notice to Respondent.

## APPENDIX D.

## WITNESSES' ALLOWANCES.

(Rule 20.)

## APPENDIX A.

## CRIMINAL FORM No. 1.

## WARRANT BY GOVERNOR FOR PRODUCTION OF TELEGRAMS—(Section 7).

*Governor.*

To C.D., of.....

Whereas an investigation is carried out into the commission of an offence by.....and whereas it has been made to appear to me that it is expedient in the public interest that the undermentioned telegrams should be produced to me (or to E.F.);

Now, therefore, in exercise of the powers vested in me by section 7 of the Criminal Procedure Law, Cap. 14, I, the Governor, do hereby require you to produce to me (or to E.F.) the originals and transcripts of the under-mentioned telegrams, and all other papers relating to such telegrams as aforesaid.

*Description of telegrams.*

*(Here state telegrams required to be produced, e.g. all telegrams, or telegrams of any specified class or description, or telegrams sent from or addressed to any specified person or place, sent or received to or from any place either within or out of the Colony by means of any telegraphic cable or wire, or any apparatus for wireless telegraphy.)*

Made this.....day of....., 19.....

CRIMINAL FORM No. 2.

RECOGNIZANCE AT POLICE STATION (WITHOUT SURETIES)—(Section 17).  
.....Police Station.

The undermentioned person acknowledges himself to owe to Her Majesty Queen Elizabeth II, Her Heirs and Successors, the sum of £..... to be levied on his/her movable and immovable properties if he/she fail in (any of) the condition(s) hereon endorsed.

(Signature) .....

Taken before me, this.....day of....., 19.....

*Police Officer in charge  
of Police Station.*

CONDITION(S) :

The condition(s) of the above recognizance is (are) such that if the above-bounden,.....shall appear before the District Court of....., on.....day, the.....day of....., 19....., at the hour of.....in the.....noon to answer to the charge made against him/her by....., and to be dealt with according to law,

(or shall appear at.....Police Station on.....day, the.....day of....., 19....., at the hour of.....in the.....noon, unless he shall have previously received notice in writing from the officer of police in charge of the aforesaid police station that his attendance is not required),

then the said recognizance shall be void, but otherwise shall remain in full force.

CRIMINAL FORM No. 3.

RECOGNIZANCE AT POLICE STATION (WITH SURETIES)—(Section 17).  
.....Police Station.

The undermentioned persons severally acknowledge themselves to owe to Her Majesty Queen Elizabeth II, Her Heirs and Successors, the several sums following, namely :

.....of....., as principal, the sum of £....., and.....of....., as suret, the sum of £..... (each) to be levied on their several movable and immovable properties if the said principal fail in (any of) the condition(s) hereon endorsed.

(Signed) A.B.,  
G.H.  
J.K.

Taken before me, this.....day of....., 19.....

*Police Officer in charge of Police Station.*

## CONDITION(s):

The condition(s) of the above recognizance is (are) such that if the above-bounden principal shall appear before the District Court of..... on..... day, the..... day of....., 19..... at the hour of..... in the..... noon to answer to the charge made against him/her by....., and to be dealt with according to law,

(or shall appear at..... Police Station on..... day, the..... day of....., 19....., at the hour of..... in the..... noon, unless he shall have previously received notice in writing from the officer of police in charge of the aforesaid police station that his attendance is not required),

then the said recognizance shall be void, but otherwise shall remain in full force.

## CRIMINAL FORM No. 4.

## WARRANT FOR ARREST OF ACCUSED—(Sections 18 and 43).

In the..... Court of.....

Before :

To..... Police Officer and all other Police Officers in Cyprus.

You are hereby commanded to apprehend..... of..... who has been charged that..... and to bring him before this Court forthwith (or on..... the..... day of....., 19....., at the hour of..... in the..... noon), to answer the said charge and to be further dealt with according to law.

Given under my hand, this..... day of....., 19.....

(L.S.)

(Signed)

Judge.

## (INDORSEMENT)—(Section 23):—

It is directed that the above-named..... on arrest be released on bail on his/her entering into a recognizance in the sum of £..... with suret..... in the sum of £..... (each), for his/her appearance before the..... Court within mentioned at the hour of..... in the..... noon of the next day upon which such Court is open (or....., 19.....), and at any subsequent time as may be directed by the said Court.

(Signed)

Judge.

## CRIMINAL FORM No. 5.

## APPLICATION FOR REMAND IN POLICE CUSTODY—(Section 24).

I,..... (Inspector) of Police, hereby make report to the Court that on the..... day of....., 19....., at..... in the District of..... the following offence was committed :

And whereas the investigation into the commission of this offence has not been completed ;

I hereby make application under section 24 of the Criminal Procedure Law, Cap. 14, for the remand in police custody for..... days of....., of.....

(Signed)

Date :

(Inspector) of Police.



ORDER : Remand in police custody for.....days granted this.....day  
of....., 19.....

(Signed) (L.S.)

Judge.  
District Court of

CRIMINAL FORM No. 6.  
SEARCH WARRANT—(Section 26).

In the District Court of .....  
Before :

To..... Police Officer and all other Police  
Officers in Cyprus.

Whereas it appears on the oath of.....that there is  
reasonable ground for believing that.....

This is therefore to authorize and require you forthwith, with proper  
assistance, to enter the said premises of the said.....  
between the hours of.....and.....(\*), and there diligently  
search for the said things; and if the same, or any part thereof, shall be  
found upon such search, that you bring the things so found, (and also to  
apprehend and bring the said.....,) before me,  
or some other Judge of the District Court of....., to be  
disposed of and dealt with according to law.

Given under my hand this.....day of....., 19.....  
(Signed) (L.S.)

Judge.

(\*) See section 28 of Cap. 14.

CRIMINAL FORM No. 7.

CHARGE—(Section 37).

In the District Court of .....

Charge preferred by : C.D., of.....  
against

A.B. of ..... (address and occupation) ..... Accused.

The accused is charged with the following offence (offences) :—

STATEMENT OF OFFENCE.

FIRST COUNT.

(Common Assault), contrary to section.....of.....Law, Cap.....

PARTICULARS OF OFFENCE.

The accused on the.....day of....., 19....., at  
.....in the District of.....did (here  
set out the particulars of the offence in ordinary language, in which the use of  
technical terms is unnecessary).

(Signed)

C.D.

DIRECTION :—

Let charge be filed.

or

Filing of charge refused.

Date :

Filed on the.....day of....., 19....., Judge.

Fixed for hearing on the.....day of....., 19.....

Registrar.

## CRIMINAL FORM No. 8.

CERTIFICATE OF REFUSAL TO DIRECT FILING OF CHARGE—(Section 42).

In the District Court of.....  
Before :

Whereas on the.....day of....., 19....., a charge preferred by C.D. against A.B. of....., for that (etc., as in the charge) was presented to me and I refused to direct that the said charge be filed :

And whereas the said C.D. has applied to me, pursuant to sub-section (2) of section 42 of the Criminal Procedure Law, Cap. 14, for a certificate of such refusal :

Now, therefore, pursuant to the aforesaid section, I do hereby certify that I have refused to direct the filing of the said charge.

Dated the.....day of....., 19.....  
(Signed) Judge.

## CRIMINAL FORM No. 9.

SUMMONS TO ACCUSED—(Section 44).

In the District Court of.....

Before :

To A.B., of.....

You are hereby summoned to appear before this Court sitting at....., on.....day the.....day of....., 19....., at the hour of..... in the.....noon, on the hearing of a charge preferred against you that (state shortly the offence or offences).

Dated the.....day of....., 19.....

(L.S.) (Signed) Judge/Officer of the Court.

## CRIMINAL FORM No. 10.

SUMMONS TO ACCUSED (SUMMARY TRIAL)—(Section 44 (1)—proviso).

In the District Court of.....

Before :

To A.B. of.....

You are hereby summoned to appear before this Court sitting at..... on.....day the.....day of....., 19....., at the hour of..... in the forenoon, on the hearing of a charge preferred against you that (state shortly the offence or offences).

You are hereby notified that you are not obliged to attend in person : you are permitted—

- (a) to appear and plead by an advocate ;
- (b) if you desire to plead guilty, to send to this Court such plea duly certified and sealed by a mukhtar together with this summons, in which case such plea shall be treated as a plea of guilty for the purposes of these proceedings :

Provided that the Judge, notwithstanding the above direction, may, at any stage of the proceedings, order your personal attendance.

Dated the.....day of....., 19.....

(L.S.) (Signed) Judge/Registrar.

## CRIMINAL FORM No. 11.

## AFFIDAVIT OF SERVICE—(Sections 45 and 48).

I, (\*), of \_\_\_\_\_, hereby take oath and say that I did on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, serve A.B. of \_\_\_\_\_ with a summons to accused (Form 9/ Form 10) (or summons of witness) in Criminal Case No. \_\_\_\_\_/19, by delivering it to him/her personally (or by leaving it with X.Y., an adult person living with him/her, or being in charge of the place in which he/she resides or of the place of his/her business or occupation).

(Signed)

Sworn before me at \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

(Signed)

Registrar.  
(or other description).

(\*) Here insert name and description.

## CRIMINAL FORM No. 12.

## WARRANT TO COMMIT OR DETAIN FOR TRIAL—(Section 47).

In the \_\_\_\_\_ Court of \_\_\_\_\_  
Before :

To \_\_\_\_\_ Police Officer, and all other Police Officers in Cyprus.

This is to command you to lodge A.B., of \_\_\_\_\_, in the prison at \_\_\_\_\_ there to be detained by the Officer in charge of the said prison as an unconvicted prisoner charged with (*state offence shortly*) until (*date*) unless he shall in the meantime be discharged by the order of this Court or otherwise in due course of law.

And for this the present warrant shall be a sufficient authority to all whom it may concern.

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

(Signed)

(L.S.)

Judge.

## CRIMINAL FORM No. 13.

## SUMMONS OF WITNESS—(Section 48).

In the \_\_\_\_\_ Court of \_\_\_\_\_  
Before :

To E.F. of \_\_\_\_\_.

You are hereby summoned to appear before this Court sitting at \_\_\_\_\_, on \_\_\_\_\_ day the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ in the \_\_\_\_\_ noon, to testify what you know concerning a charge preferred against A.B. of \_\_\_\_\_ for that (*state shortly the offence(s)*), (or/and to produce to the Court books, plans, papers, documents, articles, goods and things likely to be material evidence on the hearing of the said charge, and especially \_\_\_\_\_).

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

(Signed)

(L.S.)

Judge/Officer of the Court.

## CRIMINAL FORM No. 14.

## WARRANT FOR ARREST OF A WITNESS—(Section 49).

In the..... Court of.....

Before :

To....., Police Officer, and all other Police Officers in Cyprus.

You are hereby commanded to apprehend E.F. of....., and to bring him before this Court forthwith (or on.....day the.....day of....., 19....., at the hour of..... in the.....noon), to testify what he/she knows concerning a charge preferred against A.B. of..... (or/and to produce books, plans, papers, documents, articles, goods and things likely to be material evidence on the hearing of the charge against the said A.B. (and especially .....)).

Given under my hand this.....day of....., 19.....

(Signed)

(L.S.)

*Judge.*

(INDORSEMENT) :

It is directed that the said E.F. on arrest be released on bail on his/her entering a recognizance in the sum of £..... with suret..... in the sum of £..... (each for his/her appearance before the Court within-mentioned at the hour of..... in the.....noon of the next day upon which such Court is open (or on the.....day of....., 19.....), and at any subsequent time as may be directed by the said Court.

(Signed)

*Judge.*

## CRIMINAL FORM No. 15.

## ORDER TO BRING UP A PRISONER—(Section 52).

In the..... Court of.....

Before :

To the Officer in charge of the Prison at.....  
(or to the Police Officer in charge of.....)

You are hereby ordered to bring A.B., now in your custody, before this Court sitting at..... on.....day the.....day of....., 19....., at the hour of..... in the.....noon, that he/she may testify what he/she knows concerning a charge preferred against A.B., of.....

Given under my hand this.....day of....., 19.....

(Signed)

(L.S.)

*Judge.*

## CRIMINAL FORM No. 16.

## COMMITMENT OF WITNESS—(Section 57).

In the..... Court of.....

Before :

To....., Police Officer and all other Police Officers in Cyprus, and to the Officer in charge of the prison at.....  
(or to the Police Officer in charge of.....).

E.F. of....., having appeared (or being brought) before this Court on..... day the..... day of....., 19....., as a witness in a certain matter against A.B., refused to take an oath (or affirmation) (or having taken an oath or affirmation) refused to answer any (or a certain) question put to him/her concerning the premises, (or refused or neglected to produce documents and things which he/she was required to produce), (or refused in a preliminary inquiry to sign his/her deposition), and did not offer any just excuse of his/her refusal (or neglect) :

You the said Police Officers are therefore hereby commanded to convey the said E.F. safely to the said prison (or.....), and there deliver him/her to the Officer in charge thereof (or Police Officer in charge), together with this warrant ; and you, the Officer in charge of the said prison (or Police Officer in charge of the said.....) to receive him/her into your custody, and keep him/her for the space of....., unless he/she in the meantime consents to do what is required of him/her.

Given under my hand this..... day of....., 19.....

(Signed)

(L.S.)

Judge.

#### CRIMINAL FORM No. 17.

##### LETTER OF REQUEST TO TAKE EVIDENCE ABROAD—(Section 60).

(To the competent Judicial Authority of....., or district (or as the case may be).)

Whereas a criminal case is now pending in the..... Court of..... in Cyprus in which A.B. (full name and description) is charged with (state shortly the offence(s)) :

And whereas it has been represented to the said Court that it is necessary for the purposes of justice that E.F. and G.H. (full names, addresses and descriptions) should be examined as witnesses upon oath touching such matters :

And it appearing that such witnesses are resident within your jurisdiction :

Now, I, X.Y. (Judge) of the..... Court of....., Cyprus, have the honour to request that for the reasons aforesaid and for the assistance of the said Court you will be pleased to summon the said witness(es) to attend at such time and place as you shall appoint before you or such other person as according to your procedure is competent to take the examination of witnesses, and that you will cause such witness(es), to be examined (upon the interrogatories which accompany this letter of request) *viva voce* touching the said matters in question in the presence of the agents of the prosecution and the defence or such of them as shall, on due notice given, attend such examination.

And I further have the honour to request that you will be pleased to cause (the answers of the said witness(es) and all additional *viva voce* questions whether on examination, cross-examination, or re-examination) the evidence of such witness(es) to be reduced into writing and all books, letters, papers and documents produced upon such examination to be duly marked for identification, and that you will be further pleased to authenticate such examination by the seal of your tribunal or in such other way as is in accordance with your procedure and to return the same together with (the interrogatories and the cross-interrogatories, and) a note of the charges and expenses payable in respect of the execution of this request, through the British Consul from whom the same was received for transmission to the Court of.....

And I further beg to request that you will cause the said British Consul to be informed of the date and place where the examination is to take place.

Dated the..... day of....., 19.....

(Signed)

(L.S.)

Judge.

*Note* : For procedure to be followed as regards the channel by which this Letter of Request should reach the competent authorities of the foreign country concerned see circular despatches dated the 5th April, 1932, and 23rd September, 1938, from the Secretary of State for the Colonies (C.S.M.P. No. 659/32).

#### CRIMINAL FORM No. 18.

#### ORDER FOR APPOINTMENT OF BRITISH CONSUL AS SPECIAL EXAMINER— (Section 60).

In the..... Court of.....

Before :

The Queen (The Police)

v.

A.B.

Upon hearing counsel on both sides, and it appearing to this Court that it is necessary for the purposes of justice to do so,

It is ordered that Her Majesty's Consul (*or* Consul-General) at..... or his deputy be appointed as Special Examiner for the purpose of taking the examination, cross-examination, and re-examination, *viva voce*, on oath or affirmation of E.F. and G.H., witnesses on the part of the..... at..... aforesaid. The Examiner shall be at liberty to invite the attendance of the said witnesses and the production of documents, but shall not exercise any compulsory powers. Otherwise such examination shall be taken in accordance with the English procedure. The..... advocate to give to the..... advocate..... days' notice in writing of the date on which he proposes to send out this order to..... for execution and that..... days after the service of such notice the advocates on both sides do exchange the names of their agents at..... to whom notice relating to the examination of the said witnesses may be sent. And that..... days (exclusive of Sunday) prior to the examination of any witness hereunder notice of such examination shall be given by the agent of the party on whose behalf such witness is to be examined to the agent of the other party (unless such notice be dispensed with). And that the depositions when so taken, together with any documents referred to therein, or certified copies of such documents, or of extracts therefrom, be transmitted by the Examiner, under seal, to the Registrar of the..... Court of....., Cyprus, on or before the..... day of....., 19....., next, or such further or other day as may be ordered. And that either party be at liberty to read and give such depositions in evidence of the trial of this action, saving all just exceptions. (And that the costs of and incident to this application and such examination be borne by.....).

Dated the..... day of....., 19.....

(Signed)

(L.S.)

Judge.

*Note* : For procedure to be followed as regards the channel by which this Order should reach the British Consular Officers see circular despatches dated the 5th April, 1932, and 23rd September, 1938, from the Secretary of State for the Colonies (C.S.M.P. No. 659/32).

## CRIMINAL FORM No. 19.

MOTION BEFORE PLEA OR IN ARREST OF JUDGMENT—(Sections 77  
and 84.)

In the..... Court of.....

Before :

The Queen (The Police)

v.

A.B.

A.B. says that the charge (information) does not state, and cannot by any alteration authorized by the Criminal Procedure Law, Cap. 14, be made to state, any offence which\* the Court has power to try/\* was within the reasonable contemplation of the said A.B.

And the said A.B. therefore prays that \*he (she) may be discharged from the said charge (information)/\*the said charge (information) and all proceedings thereon may be quashed.

Dated the..... day of....., 19.....  
(Signed) A.B. or his advocate.

\* Strike out whichever is inapplicable.

## CRIMINAL FORM No. 20.

NOTICE OF INTENTION TO TAKE DEPOSITION OF WITNESS ILL—(Section 95).

In the District Court of.....

Before :

To E.F., of .....

Whereas it has been made to appear to a Judge of the District Court of..... by G.H., a Medical Officer, that A.B. of....., is dangerously ill and not likely to recover (or unable to travel), and that the said A.B. is able and willing to give material evidence relating to an offence of..... (of which you have been charged) ;

Now, I hereby give you notice, that a Judge of the District Court of....., will attend at....., on the..... day of....., 19....., at..... o'clock in the..... noon, to take the deposition on oath of the said A.B. pursuant to section 95 of the Criminal Procedure Law, Cap. 14, and that such deposition may be received and read in evidence on your trial, and that you can if you choose be present when such deposition is taken, and by yourself or your advocate cross-examine the said A.B. on h..... making the same.

Dated this..... day of....., 19.....

Registrar.

## CRIMINAL FORM No. 21.

ORDER TO CONVEY THE ACCUSED TO PLACE OF TAKING DEPOSITION OF A  
WITNESS ILL—(Section 95.)

In the District Court of.....

Before :

To the Officer in charge of the prison at.....

Whereas it appears to me that E.F., now in your custody, has been duly served with a notice under section 95 of the Criminal Procedure Law, Cap. 14 ;

Now, I do hereby by virtue of the aforesaid section direct you to convey the said E.F. to....., for the purpose of being present at the taking of the deposition of A.B., who is dangerously ill.

Given under my hand this.....day of....., 19.....

(Signed)

(L.S.)

Judge.

### CRIMINAL FORM No. 22.

CAPTION FOR DEPOSITION OF WITNESS DANGEROUSLY ILL—(Section 95).

The deposition of A.B., of....., taken on oath this.....day of....., 19....., at....., before the undersigned C.D. a District Judge/Magistrate in the District Court of....., pursuant to section 95 of the Criminal Procedure Law, Cap. 14, in the presence and hearing of E.F. (the accused), it having been made to appear to the undersigned C.D. by G.H., a Medical Officer, that the said A.B. is dangerously ill and not likely to recover (or unable to travel) and it having been further made to appear that the said A.B. is able and willing to give material evidence relating to the offence of..... (state the offence shortly) with which E.F. has been charged before the District Court of.....; this deponent A.B., on his oath says as follows :—

(Then follows the deposition with cross-examination and re-examination, if any).

(Signed)

A.B.

The above deposition of A.B. was read over to and signed by him before me at..... on the day and year first above mentioned in the presence of E.F. (the accused), being all present together at the time of such reading, signing and attesting (or as the case may be—see section 94 and proviso to paragraph (b) of section 91.)

(Signed)

C.D.

District Judge/Magistrate.

### CRIMINAL FORM No. 23.

NOTICE TO WITNESS OF CHANGE OF TIME OR PLACE OF TRIAL—(Section 97).

In the..... Court of.....

R. v. A.B.

To C.D., of.....:

Whereas you were on the.....day of....., 19....., bound over in the sum of £.....to appear at the next sitting of the Assize Court to be held at.....;

This is to give you notice that you are no longer required to attend the above-mentioned Court on the.....day of....., 19....., but you are hereby directed and required to appear at..... on the.....day of....., 19.....; and that unless you so appear and then and there give evidence, the said recognizance entered into by you will be forthwith levied on you.

Dated this.....day of....., 19.....

Registrar.



## CRIMINAL FORM No. 24.

RECOGNIZANCE TO GIVE EVIDENCE—(Sections 97 and 98).

In the District Court of.....

Before :

Be it remembered, that on the..... day of....., 19....., C.D. of....., farmer (or C.D., of No. 2,..... Street,....., engineer), personally came before me,..... (Judge or officer of the Court), and acknowledged himself/herself to owe to Her Majesty Queen Elizabeth II the sum of £....., to be levied on his/her movable and immovable properties, to the use of Her Majesty the Queen, Her heirs and successors, if he/she the said C.D. shall fail in the condition hereon endorsed.

Taken and acknowledged, the day and year first above-mentioned, at....., before me,..... (*Judge or officer of the Court*).

*Condition to give evidence :* The condition of the within-written recognizance is such, that whereas A.B. (hereinafter called the accused) was this day charged before the above mentioned Court, for that (*here state shortly the offence charged*); if therefore the said C.D. shall appear at the next sitting of the Assize Court to be held at..... on the..... day of....., 19....., and so from day to day until the trial is concluded, and there give such evidence as he/she knows upon the trial of any information against the accused; and if the said C.D. shall in all respects comply with the requirements of any notice which he/she may subsequently receive relating to the within written recognizance, then the said recognizance to be void, or else to stand in full force and virtue.

*Condition to give evidence conditionally upon notice being received :* The condition of the within-written recognizance is such, that whereas A.B. (hereinafter called the accused) was this day charged before the above-mentioned Court, for that (*here state shortly the offence charged*); if therefore the said C.D. shall receive notice to appear at the next sitting of the Assize Court to be held at..... on..... day of....., 19....., or at such other Court he/she may be directed, and if he/she shall duly appear thereat and shall there give such evidence as he/she knows upon the trial of any information against the accused, then the said recognizance to be void, or else to stand in full force and virtue.

## CRIMINAL FORM No. 25.

NOTICE TO BE GIVEN TO A WITNESS BOUND OVER TO GIVE EVIDENCE, CONDITIONALLY OR OTHERWISE, THAT THE ACCUSED HAS BEEN DISCHARGED—(Sections 97 and 98).

In the..... Court of.....

R. v. A.B.

To C.D. of..... :

Whereas you were on the..... day of....., 19....., bound over in the sum of £..... to appear (upon notice being given to you) at the next sitting of the Assize Court to be held at..... on the..... day of....., 19....., to give evidence against A.B.;

This is to give you notice that the said A.B. has been discharged, and that consequently you are NOT required to appear at the said Court for the purpose aforesaid.

Dated this..... day of....., 19.....

*Registrar.*

## CRIMINAL FORM No. 26.

NOTICE TO WITNESS THAT HE SHALL BE TREATED AS HAVING BEEN BOUND  
OVER TO ATTEND CONDITIONALLY—(*Section 98*).

In the..... Court of.....

R. v. A.B.

To C.D. of..... :

Whereas you were on the..... day of....., 19.....,  
bound over in the sum of £..... to appear at the next sitting  
of the Assize Court to be held at....., then and there  
to give evidence against A.B. ;

And whereas the Committing Judge has directed that you are to be treated  
as having been bound over to attend the trial conditionally upon notice being  
given to you ;

This is to give you notice that you are NOT required to attend the Assize  
Court unless you should subsequently receive notice directing you to appear  
thereat.

Dated this.....day of....., 19.....

*Registrar.*

## CRIMINAL FORM No. 27.

NOTICE TO WITNESS BOUND OVER TO GIVE EVIDENCE CONDITIONALLY,  
REQUIRING HIS ATTENDANCE—(*Section 98*).

In the..... Court of.....

R. v. A.B.

To C.D., of..... :

Whereas you were on the.....day of....., 19.....,  
bound over in the sum of £..... to appear at the next sitting  
of the Assize Court to be held at....., to give evidence  
against A.B. ;

\* (And whereas notice was subsequently given to you that you would not  
be required to attend the trial unless you received notice) ;

This is to give you notice that you are required to appear at the next  
sitting of the Assize Court to be held at..... on the.....day  
of....., 19....., and to give evidence accordingly,  
and that unless you then appear there and give evidence, the said recogni-  
zance entered into by you will be forthwith levied on you.

Dated this.....day of....., 19.....

*Registrar.*

\* Only applicable where witness served with Form 26.

## CRIMINAL FORM No. 28.

STATEMENT OF WITNESSES BOUND OVER, OR TREATED AS HAVING BEEN BOUND  
OVER, CONDITIONALLY—(*Section 98*).

In the..... Court of.....

R. v. A.B.

Committed for trial by the Assize Court..... sitting at.....

List of Witnesses whose attendance at the trial is stated by me, the  
undersigned Judge, to be unnecessary and who have accordingly been bound  
over to attend the trial conditionally or have been treated as having been so  
bound over.

Name	Address	Occupation	If notice to attend has subsequently been issued by the Registrar, the date of issue should be stated.

Dated this ..... day of ....., 19.....

*District Judge/Magistrate.*

Notice to attend the trial has been issued by me on the dates above-mentioned to those witnesses against whose names a date is inserted in the last column above.

Dated this ..... day of ....., 19.....

*Registrar.*

### CRIMINAL FORM No. 29.

#### INFORMATION—(Section 106).

An information filed by the Attorney-General.

In the Assize Court of .....

The Queen

*v.*

A.B., *Accused.*

(Name and description).

Committed for trial on the ..... day of ....., 19.....,  
by C.D. (*name of Judge*), District Judge /Magistrate.

Depositions taken at ..... on the ..... (*dates of taking of depositions*).

The accused is charged with the following offence(s) :—

#### STATEMENT OF OFFENCE.

##### *First Count.*

(*Murder*), contrary to section ..... of the ..... Law, Cap. ....

#### PARTICULARS OF OFFENCE :

The accused on the ..... day of ....., 19.....,  
at ....., in the District of ..... did  
(*here set out the particulars of the offence in ordinary language, in which the use of technical terms is unnecessary*).

(*Signed*)

*Attorney-General.*

*N.B.*—The names of the witnesses who gave evidence at the preliminary inquiry should be endorsed hereon.

The Registrar should also endorse the date of trial hereon and subscribe his signature.

### CRIMINAL FORM No. 30.

#### FORMS OF INFORMATION—(Section 106).

##### (1) STATEMENT OF OFFENCE.

*Murder*, contrary to sections 198 and 199 of the Criminal Code Law,  
Cap. 13.

##### *Particulars of Offence.*

The accused on the ..... day of ....., in the District  
of ....., murdered C.D.

## (2) STATEMENT OF OFFENCE.

*Manslaughter*, contrary to sections 197 and 200 of the Criminal Code Law, Cap. 13.

*Particulars of Offence.*

The accused on the.....day of....., in the District of....., unlawfully killed C.D.

## (3) STATEMENT OF OFFENCE.

*Rape*, contrary to sections 139 and 140 of the Criminal Code Law, Cap. 13.

*Particulars of Offence.*

The accused on the.....day of....., in the District of....., had carnal knowledge of C.D. without her consent.

## (4) STATEMENT OF OFFENCE.

*First Count.*

*Wounding with intent*, contrary to section 222 of the Criminal Code Law, Cap. 13.

*Particulars of Offence.*

The accused on the.....day of....., in the District of....., wounded C.D., with intent to maim, disfigure or disable him, or to do him grievous harm, or to resist or prevent the lawful arrest or detention of him the said accused.

## STATEMENT OF OFFENCE.

*Second Count.*

*Wounding*, contrary to section 228 of the Criminal Code Law, Cap. 13.

*Particulars of Offence.*

The accused on the.....day of....., in the District of....., unlawfully wounded C.D.

## (5) STATEMENT OF OFFENCE.

*Theft*, contrary to section 262 of the Criminal Code Law, Cap. 13.

*Particulars of Offence.*

The accused on the.....day of....., in the District of....., being clerk or servant to C.D., stole from the said C.D. a camera.

## (6) STATEMENT OF OFFENCE.

*Robbery with violence*, contrary to sections 276 and 277 of the Criminal Code Law, Cap. 13.

*Particulars of Offence.*

The accused on the.....day of....., in the District of....., robbed C.D. of a watch, and at the time of or immediately before or immediately after such robbery did use actual violence to the said C.D.

## (7) STATEMENT OF OFFENCE.

*Burglary and theft*, contrary to section 286 of the Criminal Code Law, Cap. 13.

*Particulars of Offence.*

The accused in the night of the.....day of....., in the District of....., did break and enter the dwelling-house of C.D. with intent to steal therein, and did steal therein one watch, the property of C.D., the said watch being of the value of.....pounds.

## (8) STATEMENT OF OFFENCE.

*Sending threatening letter*, contrary to section 282 (c) of the Criminal Code Law, Cap. 13.

*Particulars of Offence.*

The accused on the ..... day of ....., in the District of ....., sent, delivered or caused to be received by C.D. a letter accusing or threatening to accuse the said C.D. of a felony, to wit ....., with intent to extort money from the said C.D.

## (9) STATEMENT OF OFFENCE.

*Arson*, contrary to section 309 of the Criminal Code Law, Cap. 13.

*Particulars of Offence.*

The accused on the ..... day of ....., in the District of ....., wilfully set fire to a building.

## (10) STATEMENT OF OFFENCE.

A.B., *arson*, contrary to section 309 of the Criminal Code Law, Cap. 13.  
C.D., accessory before the fact to same offence (Sections 20 and 22 of the Criminal Code Law, Cap. 13).

*Particulars of Offence.*

A.B. on the ..... day of ....., in the District of ....., wilfully set fire to a building.

C.D. on the same day, in the District of ..... did counsel and procure the said A.B. to commit the said offence.

## (11) STATEMENT OF OFFENCE.

*Damaging trees*, contrary to section 318 (2) of the Criminal Code Law, Cap. 13.

*Particulars of Offence.*

The accused, on the ..... day of ....., in the District of ....., wilfully damaged a standing olive tree.

## (12) STATEMENT OF OFFENCE.

*First Count.*

*Forgery*, contrary to sections 325, 326, 327, 328 and 330 of the Criminal Code Law, Cap. 13.

*Particulars of Offence.*

The accused on the ..... day of ....., in the District of ....., forged a certain will purporting to be the will of C.D.

## STATEMENT OF OFFENCE.

*Second Count.*

*Uttering forged document*, contrary to section 333 of the Criminal Code Law, Cap. 13.

*Particulars of Offence.*

The accused on the ..... day of ....., in the District of ....., knowingly and fraudulently uttered a certain forged will purporting to be the will of C.D.

## (13) STATEMENT OF OFFENCE.

*Perjury*, contrary to sections 107 (1) and 108 of the Criminal Code Law, Cap. 13.

*Particulars of Offence.*

The accused on the ..... day of ....., in the District of ....., being a witness upon the trial of an action in the District Court of Nicosia, in which one C.D., was plaintiff, and one, E.F., was defendant, knowingly falsely swore that he saw one, X.Y., in Ledra Street, Nicosia, on the ..... day of .....

## CRIMINAL FORM No. 31.

## WARRANT OF EXECUTION ON MOVABLES—(Section 118).

In the..... Court of.....

Before :

To..... Police Officer, and all other Police Officers in Cyprus.

A.B. of....., hereinafter called the accused, was on the..... day of....., 19....., convicted and adjudged to pay a fine of £..... and £..... for compensation, and £..... for costs :

\*And it was ordered that in default of payment the accused should be imprisoned for..... months (days) :

And the accused has made default in payment :

And it appearing to this Court expedient to issue a warrant of execution on movables instead of issuing a warrant of commitment :

You are hereby commanded that you forthwith seize the movable property of the accused, or so much thereof as will be sufficient to satisfy the sum of £..... and if within the space of..... days next after such seizure the said sum together with the reasonable charges of the taking and keeping of the said movable property be not then paid then that you sell the property by you seized, and pay the money arising thereby into the Court, in order that it may be applied according to law. And in what manner you have executed this warrant you shall make to appear to this Court immediately after the execution thereof.

This warrant is issued under the judgment of this Court numbered.....

Given under my hand this..... day of....., 19.....

(L.S.)

(Signed)

(Where applicable) : Let it be executed in this District.

District Court of.....

Date :

*Judge.*

\* Strike out if no such order made.

*Note :—*Under section 119 of the Criminal Procedure Law, Cap. 14, the provisions relating to the execution of judgment debts in civil proceedings under any enactment in force for the time being shall apply to the execution of the present warrant.

## CRIMINAL FORM No. 32.

## WARRANT OF COMMITMENT FOR PENALTY—(Sections 121 and 122.)

In the..... Court of.....

Before :

To....., Police Officer, and all other Police Officers in Cyprus.

You are hereby commanded to take A.B. and convey him to the prison at..... and there deliver him to the Officer in charge thereof together with this warrant there to be imprisoned by the Officer in charge of the said prison for the space of..... unless the sum of £..... be sooner paid.

And for this the present warrant shall be a sufficient authority to all whom it may concern.

This warrant is issued under the judgment of this Court, numbered..... and dated the..... day of....., 19.....

Given under my hand this..... day of....., 19.....

(L.S.)

(Signed)

## CRIMINAL FORM No. 33.

APPLICATION FOR EXTENSION OF TIME OF NOTICE OF APPEAL OR APPLICATION FOR LEAVE TO APPEAL—(Section 131A).

To the Chief Registrar of the Supreme Court.

I, A.B., having been convicted of the offence of (here state the offence : e.g. Forgery, etc.) by the ..... Court of ..... on the ..... day of ....., 19....., and being now a prisoner in the ..... prison at ..... (or now living at .....), give you Notice that I hereby apply to the Supreme Court for an extension of the time within which I may give Notice of Appeal (or Notice of Application for leave to appeal), on the grounds following :—

I attach a form of Notice of Appeal (or Notice of Application for leave to appeal) duly completed.

Dated this ..... day of ....., 19.....

(Signature of appellant or his advocate.)

## CRIMINAL FORM No. 34.

FORM OF NOTICE OF APPEAL BY ATTORNEY-GENERAL—(Section 134).

To the Chief Registrar of the Supreme Court.

Criminal Case No. :

Name of Appellant :

Name of Accused :

Acquitted (or convicted) by the District Court of Offence :

Sentence and when commencing :

Date of acquittal (or conviction) :

Date of sentence :

Grounds in full on which the appeal is founded :

Address for service :

I, the above-named appellant, hereby give you Notice of Appeal against the acquittal (or sentence) of the District Court of ..... aforesaid to the Supreme Court on the grounds hereinbefore set out.

Dated the ..... day of ....., 19.....

(Signature of Attorney-General  
or person authorized by him.)

## CRIMINAL FORM No. 35.

FORM OF NOTICE OF APPEAL ON QUESTION OF LAW—(Section 135).

To the Chief Registrar of the Supreme Court.

I, A.B., of ....., having been convicted of the offence of ....., (here state the offence, e.g. Murder, Forgery, etc.) and being now a prisoner in the ..... Prison at ..... (or now living at .....), do hereby give you Notice of Appeal against my conviction (particulars of which hereinafter appear) to the Supreme Court on questions of law, that is to say—

(Here set out in full the question or questions of law on which you desire to appeal.)

(Signed)

Appellant or his Advocate.

(or Mark)

Signature and address of witness  
attesting Mark.

Dated this ..... day of ....., 19.....

*Particulars of trial and conviction, etc.*

1. Date of Trial :
2. In what Court tried :
3. Sentence :
4. Whether above questions of law were raised at Trial ?
5. Address for service :
6. Do you desire to be present on the hearing of your appeal ?

## CRIMINAL FORM No. 36.

FORM OF APPLICATION FOR LEAVE TO APPEAL FROM ASSIZE COURT OR  
DISTRICT COURT—(Section 135).

To the Chief Registrar of the Supreme Court.

Criminal Case No. :

Name of Applicant :

Convicted by the..... Court of..... :

Offence :

Sentence and when commencing :

Date of conviction :

Date of sentence :

Grounds in full on which the application is founded :

Address for service :

State whether applicant wishes to be present at the hearing of the appeal,  
if leave to appeal is granted :

I, the above-named applicant, hereby apply for leave to appeal to the  
Supreme Court from the conviction and/or sentence of the.....  
Court of..... aforesaid on the grounds herein-  
before set out.

Dated the..... day of....., 19.....

(Signature of applicant or his advocate.)

Date received in District Court :

*Registrar.*

Criminal Application No...../19.....

Date received in Supreme Court :

*Chief Registrar.*

Order of Supreme Court :

Date :

*Chief Justice/Puisne Judge.*

## CRIMINAL FORM No. 37.

NOTICE TO SHOW CAUSE WHY LEAVE TO APPEAL SHOULD BE GRANTED.

(Section 137 (2) (b).)

In the Supreme Court of Cyprus.

The Queen (The Police)

*v.*

A.B.

To A.B., Applicant :

This is to give you notice that Mr. Justice.....,  
having considered the matter of your application for leave to appeal, has  
fixed..... day, the..... day of....., 19.....,  
at..... o'clock in the..... noon, as the day on which you  
or your advocate should appear before him and show cause why leave to  
appeal should be granted.

Dated the..... day of....., 19.....

(Signed)

*Chief Registrar.*



## CRIMINAL FORM No. 38.

NOTICE OF REFUSAL OF LEAVE TO APPEAL—(Section 137 (4)).

In the Supreme Court of Cyprus.

The Queen (The Police),

v.

A.B.

To A.B. (through the Officer-in-charge of the prison at.....).

This is to give you notice that your application for leave to appeal against your conviction/sentence by the..... Court of..... dated the..... day of....., 19....., in case No..... has been refused.

Dated this..... day of....., 19.....

Chief Registrar.

## CRIMINAL FORM No. 39.

NOTICE OF HEARING OF APPEAL—(Section 138).

In the Supreme Court of Cyprus.

The Queen (The Police)

v.

A.B.

To :

This is to give you notice that (your application for leave to appeal has been granted and that) the hearing of the appeal made against the conviction and/or sentence of the..... Court of..... dated the..... day of....., 19....., in the above-mentioned matter will be heard before this Court on..... day the..... day of....., 19....., at..... o'clock in the..... noon.

Dated this..... day of....., 19.....

Chief Registrar.

## CRIMINAL FORM No. 40.

NOTICE OF ABANDONMENT OF APPEAL—(Section 139).

In the Supreme Court of Cyprus.

The Queen (The Police)

v.

A.B.

To the Chief Registrar of the Supreme Court :

I, A.B., of....., having been convicted of..... by the..... Court of....., and having appealed (or applied for leave to appeal) to the Supreme Court against my said conviction (or the sentence of..... passed upon me on my said conviction) do hereby give you notice that I do not intend further to prosecute my appeal, but that I hereby abandon all further proceedings in regard thereto as from the date hereof.

Dated this..... day of....., 19.....

(Signed)  
(Witness)

## CRIMINAL FORM No. 41.

## RECOGNIZANCE/BAIL BOND (WITH SURETIES)—(Section 155).

In the..... Court of.....  
Before :

The undermentioned persons severally acknowledge themselves to owe to Her Majesty Queen Elizabeth II, Her Heirs and Successors, the several sums following, namely : A.B., of....., as principal, the sum of £....., and G.H., of....., as suret..... the sum of £..... (each) to be levied on their several movable and immovable properties if the said principal fail in (any of) the condition(s) hereon endorsed.

(Signed) A.B.  
G.H.  
J.K.

Taken before me this..... day of....., 19.....  
Registrar.

## CONDITION(S).

The condition(s) of the above recognizance is (are) such that if the above-bounden principal—

shall appear before the..... Court of..... sitting at..... on..... day, the..... day of....., 19....., at the hour of..... in the..... noon (or shall appear at every time and place to which during the course of the proceedings against the said principal (or A.B.) the hearing may be from time to time adjourned (unless the Court shall order otherwise in the meantime)), to answer to the charge made against him/her and to be dealt with according to law,

(or shall keep the peace and be of good behaviour for the term of..... or come up for judgment when called upon at any time within the next..... years), then the said recognizance shall be void, but otherwise shall remain in full force.

## CRIMINAL FORM No. 42.

## RECOGNIZANCE/BAIL BOND (WITHOUT SURETIES)—(Section 155).

In the..... Court of.....  
Before :

The undermentioned person acknowledges himself to owe to Her Majesty Queen Elizabeth II, Her Heirs and Successors the sum of £..... to be levied on his/her movable and immovable properties if he/she fail in (any of) the condition(s) hereon endorsed.

(Signed) A.B.  
Taken before me this..... day of....., 19.....  
Registrar.

## CONDITION(S) :

The condition(s) of the above recognizance is (are) such that if the above-bounden A.B.—

shall appear before the..... Court of..... sitting at..... on..... day, the..... day of....., 19....., at the hour of..... in the..... noon (or shall appear at every time and place to which during the course of the proceedings against the said principal (or A.B.) the hearing may be from time to time adjourned (unless the Court shall order otherwise in the meantime)), to answer to the charge made against him/her and to be dealt with according to law,

(or shall keep the peace and be of good behaviour for the term of..... or come up for judgment when called upon at any time within the next..... years), then the said recognizance shall be void, but otherwise shall remain in full force.

## CRIMINAL FORM No. 43.

## RECOGNIZANCE OF BAIL OF APPELLANT—(Section 155).

Be it remembered that whereas A.B. was convicted of.....on the.....day of....., 19....., and was thereupon sentenced to....., and now is in lawful custody in the.....prison at.....and has been granted leave to appeal (or has duly appealed to the Supreme Court) against his conviction (and sentence), and has been granted bail pending the determination of his appeal on entering into his own recognizances in the sum of £.....(and with.....sureties each in the sum of £.....), the said A.B. personally cometh before me the undersigned Registrar (or Officer in charge of the said prison) at....., and acknowledges himself to owe to our Lady the Queen the said sum of £....., to be levied on his movable and immovable property to the use of our said Lady the Queen, Her Heirs and Successors, if he the said A.B. fail in the condition endorsed.

(Signed)

A.B.

Taken and acknowledged this day of....., 19....., at.....

Registrar.

## CONDITION :

The condition of the within written recognizance is such that if he the said A.B. shall personally appear and surrender himself at and before the Supreme Court at each and every hearing of his appeal to such Court and at the final determination thereof and then and there abide by the Judgment of the said Court and not depart or be absent from such Court at any such hearing without the leave of the said Court, and in the meantime not depart out of Cyprus, then this recognizance to be void or else to stand in full force and effect.

The following to be filled up by the appellant and signed by him :—

When released on bail my address in Nicosia, to which any notices, etc., are to be left, will be as follows :—

(Signed)

Appellant.

## CRIMINAL FORM No. 44.

## RECOGNIZANCE OF APPELLANT'S SURETIES—(Section 155).

Be it remembered that on this.....day of....., 19....., C.D., of....., (occupation) and E.F. of....., (occupation) personally came before me the undersigned Registrar at.....and severally acknowledged themselves to owe to our Lady the Queen the several sums following, that is to say, the said C.D. the sum of £....., and the said E.F. the sum of £....., to be levied on their movable and immovable properties, respectively, to the use of our said Lady the Queen, Her Heirs and Successors, if A.B. now in lawful custody in the.....prison at....., fail in the condition hereon endorsed.

(Signed)

Taken and acknowledged before me the undersigned, the day and year first above mentioned.

Registrar.

## CONDITION.

The condition of the within written Recognizance is such that whereas the said A.B. having been convicted of.....and now in such lawful custody as before-mentioned (under a sentence of..... for

such offence), has been granted leave to appeal (or has duly appealed to the Supreme Court) against his conviction (and sentence), and has been granted bail pending the determination of his appeal on entering into recognizance in the sum of £....., with sureties each in the sum of £....., if the said A.B. shall personally appear and surrender himself at and before the said Court at each and every hearing of his said appeal to such Court and at the final determination thereof, and there and then abide by the Judgment of the said Court and not depart or be absent from the said Court at any such hearing without the leave of the Court, and in the meantime not depart out of Cyprus, then this recognizance to be void or else to stand in full force and effect.

---

CRIMINAL FORM No. 45.

WARRANT OF DELIVERANCE—(Section 158).

In the Supreme Court of Cyprus.

The Queen (The Police)

v.

A.B.

To the Officer in charge of the prison at..... :

Whereas A.B. of....., has been duly granted leave to appeal (or has duly appealed to the Supreme Court) against his conviction for..... (and sentence of.....), and has been granted bail pending the determination of his appeal on entering into recognizances himself in the sum of £....., (and with..... sureties each in the sum of £.....), in the forms provided under the Criminal Procedure Law, Cap. 14; And whereas the said A.B. is now in your lawful custody in the said prison under the said conviction and sentence; And whereas I have received a recognizance of the said A.B. from you, (and recognizances from..... sureties for the said A.B.), and the said recognizances are in due form and in compliance with the order admitting the said A.B. to bail; And whereas the said A.B. has named an address within the municipal limits of Nicosia where all notices, summonses, orders and other written communications may be left for him;

This is to authorize and require you on receipt of this Warrant to suffer the said A.B. to go at large if he do remain in your custody under the said conviction (and sentence) and for no other cause. And this warrant shall be your authority in that behalf.

Given under my hand this.....day of....., 19.....

(L.S.) (Signed)  
Judge of the Supreme Court.

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CRIMINAL FORM No. 46.

INDORSEMENT ON RECOGNIZANCE/BAIL BOND—(Section 161).

In the.....Court of.....

Before :

The within-mentioned principal has not performed the said condition.

Dated the.....day of....., 19.....

(L.S.) (Signed)  
Judge.

## CRIMINAL FORM No. 47.

NOTICE TO PRINCIPAL OF FORFEITURE OF RECOGNIZANCE/BAIL BOND—  
(Section 161).

In the..... Court of.....  
To A.B., of.....,

Take notice that you having failed to perform the condition contained in your undertaking entered into the..... day of....., it is hereby adjudged that you pay into the Court the sum of £..... within six days unless within that time you show the Court sufficient cause for your failure to perform the condition contained in the said Bond.

Dated the..... day of....., 19.....  
Judge.

## CRIMINAL FORM No. 48.

INFORMATION FOR BREACH OF RECOGNIZANCE—(Section 162).

In the..... Court of.....  
The..... day of....., 19.....

The information of....., who upon oath (or affirmation) states :

A.B., of....., on the..... day of....., 19....., by a recognizance entered into by him (with..... and..... as suret.....), was bound to appear before this Court for judgment when called on at any time during the period of..... years, and was further bound by the said recognizance (*here state one condition which is broken*) ;

And the said A.B. did fail on the..... day of....., 19....., to observe the said last-named condition (and several other conditions) of his recognizance, inasmuch as.....

(Signed)

Signed and sworn (or affirmed) before me at....., this..... day of....., 19.....

Registrar.

## CRIMINAL FORM No. 49.

SUMMONS FOR BREACH OF RECOGNIZANCE—(Section 162).

In the..... Court of.....  
Before :  
To A.B., of.....

Information on oath (or affirmation) has been laid this day by C.D., for that you on the..... day of....., 19....., before this Court, were bound by a recognizance entered into by you to appear before this Court for judgment when called on at any time during the period of..... years, and were further bound by the said recognizance and that you did fail on the..... day of....., 19....., to observe the last-named condition (and several other conditions) of your said recognizance.

You are therefore hereby summoned to appear before this Court on..... day, the..... day of....., 19....., at the hour of..... in the..... noon, to answer the said information.

Dated the..... day of....., 19.....  
(L.S.) Registrar.



## APPENDIX C.

## CASE STATED FORM No. 1.

APPLICATION FOR STATEMENT OF CASE (Rule 11)—(Section 146).

In the District Court of....., No.....

C.D.

Appellant.

v.

A.B.

Respondent.

Application under section 146 of the Criminal Procedure Law, (Cap. 14) by C.D. of....., accused (or prosecutor, as the case may be) in the above-numbered proceedings instituted by (or against, as the case may be) A.B. of..... To X.Y., President (or as the case may be) of the above-named Court.

Whereas I, the undersigned, a party to the above-described summary criminal proceedings, heard and determined by you on the.....day of....., 19....., am dissatisfied with your decision therein as being erroneous on a point of law (or as being in excess of your jurisdiction or powers):

Now, therefore, I apply to you to state and sign a case setting forth the facts and grounds of such decision, for the opinion of the Supreme Court. The points of law which I should like to raise are—

(set out points of law)

(Add, if desired: I wish to have a certificate of refusal if you refuse to state a case).

Dated .....

(Signed)

C.D.

## CASE STATED FORM No. 2.

CASE STATED (RULE 12)—(Section 146).

In the Supreme Court.

C.D.

Appellant,

v.

A.B.

Respondent.

Statement of case by X.Y., President (or as the case may be) of the District Court of..... relative to his decision on the.....day of....., 19....., in summary criminal proceedings instituted by A.B. of..... against C.D. of..... (No.....), an application for such case having been made on the.....day of....., 19.....

1. The charge was as follows: (set out charge)

2. The case was determined as follows: (set out result of trial)

Case.

3. The facts found by me were: (set out facts so far as may be necessary to raise any point of law involved).

4.—(a) It was thereupon contended on the part of the applicant that: (set out legal objections taken).

(b) In support of these objections my attention was directed to: (set out authorities cited on applicant's behalf).

5.—(a) On behalf of the respondent it was contended that: (set out the contentions).

(b) My attention was directed to: (set out authorities cited on respondent's behalf.)

*Opinion.*

6. I, being of opinion that : (state the ground on which the case was decided), held that : (state the decision).

*Question.*

7. The question upon which the opinion of the Supreme Court is desired is whether, upon the above statement of facts, I came to a correct determination and decision in point of law, and if not, the Supreme Court is respectfully requested to set aside or amend my determination, or remit the matter to me with the opinion of the Supreme Court thereon, or make any other order under the provisions of sub-section (6) of section 146 of the Criminal Procedure Law (Cap. 14).

Dated.....

(Signed) X.Y.

## CASE STATED FORM No. 3.

JUDGE'S CERTIFICATE OF REFUSAL TO STATE A CASE (RULE 12)—(Section 146).

In the District Court of.....

No.....

C.D. Appellant,

v.

A.B. Respondent.

*Certificate of refusal under section 146 (2) of the Criminal Procedure Law (Cap. 14).*

Whereas C.D. being dissatisfied with my decision in the above numbered proceedings instituted by (or against, as the case may be) A.B. of....., as being erroneous on a point of law (or as being in excess of my jurisdiction or powers), has applied to me, pursuant to sub-section (1) of section 146 of the Criminal Procedure Law (Cap. 14) to state and sign a case setting forth the facts and grounds of such decision for the opinion of the Supreme Court ; but I being of opinion that the application of the said C.D. is frivolous, have refused to state such case, of which refusal the said C.D. has requested me to sign and deliver to him a certificate :

Now, therefore, pursuant to sub-section (2) of section 146 of the above-mentioned Law, I do hereby certify that I am of opinion that the application of the said C.D. as aforesaid is frivolous, and I have refused to state a case accordingly for the opinion of the said Court.

Dated the.....day of....., 19.....  
(Signed) Judge.

## CASE STATED FORM No. 4.

NOTICE TO THE RESPONDENT (RULE 17)—(Section 146).

In the Supreme Court.

C.D. Appellant,

v.

A.B. Respondent.

To A.B. of.....

Take notice that I, the undersigned C.D., of....., a party to the summary criminal proceedings A.B. v. C.D., before the District Court of....., (No.....), have applied for and obtained a statement of a case for the opinion of the Supreme Court, a copy of which is annexed hereto.

Dated.....

(Signed) C.D.



## APPENDIX D.

(Rule 20)

### PART I.—ALLOWANCES FOR ATTENDANCE.

PER DIEM.

*Class 1.*—Professional persons, bankers and wholesale merchants :—

For men : An allowance not exceeding £3 for the first day  
and not exceeding 30s. thereafter.

For women :      An allowance not exceeding 30s.

*Class 2.*—Artisans, café-keepers, peasant proprietors who employ labourers, tradesmen, shopkeepers and clerks :—

For men :            An allowance not exceeding 22s.

For women :      An allowance not exceeding 15s.

**Class 3.**—Servants, labourers and ordinary peasants :—

For men :            An allowance not exceeding 14s.

For women :      An allowance not exceeding 11s.

*Class 4.*—Children under 12 :—

An allowance not exceeding 4s., plus an allowance to an escort, if necessary, at the rate appropriate to the class of witness to which the escort belongs :

Provided that no allowance shall be paid to a child under twelve years of age unless such child is actually in employment and such employment is not contrary to the provisions of section 7 (1) of the Employment of Children and Young Persons Law, Cap. 211.

*Class 5.*—Unclassified persons may, according to their station in life, be allowed up to £1 a day :

Provided that if the time during which a witness in any of the aforementioned classes is necessarily away from his place of residence or of business, or employment for the purpose of giving evidence does not exceed four hours, the maximum allowance payable shall be reduced by one-half unless the registrar may think otherwise.

## PART II.—ALLOWANCES FOR TRANSPORT.

**All persons :—**Single fare in public conveyance both ways at current rates ;  
claims to be supported by voucher when the registrar deems it necessary :

Provided that the registrar may allow a person travelling by private conveyance for the purpose of attending to give evidence such a sum per mile each way as to the registrar may seem fit :

Provided further that there may be allowed—

(a) in respect of travelling expenses to a person attending to give evidence who, in the opinion of the registrar, is suffering from a serious illness, or

(b) for the carriage of heavy exhibits,

such sums in excess of the sums allowable under the foregoing paragraphs of this rule, as appear to the registrar to have been reasonably incurred.

## CHAPTER 16.

FOREIGN JUDGMENTS (RECIPROCAL  
ENFORCEMENT).

## ORDER IN COUNCIL MADE UNDER SECTION 3.

35 *Gaz.* 659. The Governor has by Order in Council directed as follows :—

1. Part I of the Foreign Judgments (Reciprocal Enforcement) Law shall extend to the United Kingdom.

2. The Courts specified in the Schedule hereto shall be deemed Superior Courts of the United Kingdom for the purposes of Part I of the Foreign Judgments (Reciprocal Enforcement) Law.

## SCHEDULE.

The House of Lords.

The Supreme Court of Judicature (Court of Appeal and High Court of Justice) for England and Wales.

The Courts of Chancery of the Counties Palatine of Lancaster and Durham.

The Court of Session for Scotland.

The Supreme Court of Judicature for Northern Ireland.

FOREIGN JUDGMENTS (RECIPROCAL ENFORCEMENT)  
RULES.

35 *Gaz.* 905  
E. 41B

## RULES OF COURT MADE UNDER SECTION 5.

1. These Rules of Court may be cited as the Foreign Judgments (Reciprocal Enforcement) Rules.

E. 41B, 1

2. An application under section 4 of the Law to have a foreign judgment to which Part I of the Law applies registered in the District Court may be made *ex parte* to the Court.

E. 41B, 2

3.—(1) An application for registration shall be supported by an affidavit of the facts—

(a) exhibiting a certified copy of the judgment issued by the original court and authenticated by its seal and an English translation of the judgment authenticated by affidavit ;

(b) stating to the best of the information and belief of the deponent—

(i) that the applicant is entitled to enforce the judgment ;

(ii) as the case may require, either that at the date of the application the judgment has not been satisfied, or, if the judgment has been satisfied in part, what the amount is in respect of which it remains unsatisfied ;

- (iii) that at the date of the application the judgment can be enforced by execution in the country of the original court ;
- (iv) that if the judgment were registered the registration would not be, or be liable to be, set aside under section 6 of the Law.
- (c) specifying the amount of the interest, if any, which under the law of the country of the original court has become due under the judgment up to the time of registration ;

and shall be accompanied by such other evidence with respect to the matters referred to in sub-paragraph (iii) of paragraph (b) or paragraph (c) above as may be required having regard to the provisions of the Order in Council extending the Law to the country of the original court.

(2) Where the sum payable under the judgment is expressed in a currency other than the currency of Cyprus, the affidavit shall also state the amount which that sum represents in the currency of Cyprus calculated at the rate of exchange prevailing at the date of the judgment.

(3) The affidavit shall also state the full name, title, trade or business and the usual or last known place of abode or of business of the judgment creditor and the judgment debtor respectively, so far as known to the deponent.

(4) Where a judgment is in respect of different matters, and some, but not all of the provisions of the judgment are such that if those provisions had been contained in separate judgments, those judgments could properly have been registered, the affidavit shall state the provisions in respect of which it is sought to register the judgment.

4. Save as otherwise provided by any relevant Order in Council E. 41B, 3  
the Court may, in respect to an application for registration, order the judgment creditor to find security for the costs of the application and of any proceedings which may thereafter be brought to set aside the registration.

5. The affidavit shall be intituled—

E. 41B, 4

“ In the matter of the Foreign Judgments (Reciprocal Enforcement) Law, Cap. 16, and in the matter of a judgment of the *(describing the Court)*  
obtained in *(describing the cause or matter)*  
and dated the       day of       , 19       .”

6.—(1) An order giving leave to register a judgment shall E. 41B, 5  
be drawn up on behalf of the judgment creditor.

(2) No such order shall require to be served on the judgment debtor.

(3) Every such order shall state the period within which an application may be made to set aside the registration and shall contain a notification that execution on the judgment will not issue until after the expiration of that period.

(4) The Court may, on an application made at any time while it remains competent for any party to apply to have the registration set aside, grant an extension of the period (either as originally fixed or as subsequently extended) during which an application to have the judgment set aside may be made.

E. 41B, 6

7. There shall be kept in the registry of each District Court by, or under the direction of, the Registrar of the Court a register of the judgments ordered to be registered under the Law.

E. 41B, 7

8.—(1) Notice in writing of the registration of a judgment must be served on the judgment debtor—

- (a) if within Cyprus by service as in the case of a writ of summons, unless some other mode of service is ordered by the Court or a Judge;
- (b) if out of Cyprus, in accordance with the rules applicable to the service of a writ of summons out of Cyprus, save that special leave to serve out of Cyprus shall not be required.

(2) The notice of registration shall state—

- (a) full particulars of the judgment registered and the order for registration; and
- (b) the name and address of the judgment creditor or of his advocate or agent on whom, and at which, any summons issued by the judgment debtor may be served; and
- (c) the right of the judgment debtor to apply on the grounds provided in the Law to have the registration set aside; and
- (d) in accordance with the terms of the order giving leave to register, within what time from the date of service of the notice an application to set aside may be made.

E. 41B, 8

9.—(1) Within three days from the day of service or within such extended period as may, in special circumstances, be allowed by order of a judge, the notice or a copy or duplicate thereof shall be endorsed by the person serving the same with the day of the month and of the week on which service was effected, and, if the notice (or copy or duplicate) is not so endorsed, the judgment creditor shall not be at liberty to issue execution on the judgment without the leave of the Court or a judge.

(2) Every affidavit of service of any such notice shall state on what day such endorsement was made.

E. 41B, 9

10.—(1) An application to set aside the registration of a judgment shall be made by summons to the Court supported by affidavit.

(2) A summons for the purpose of this rule shall be entitled in the same manner as the affidavit referred to in rule 5 of these rules. It shall be in the form in the Appendix to these rules, with such variations as circumstances may require, and shall be addressed to all the persons on whom it is to be served.

(3) On any such application the Court or a judge may direct that an issue between the judgment creditor and the judgment debtor shall be stated and tried and may give such directions in relation to the trial of such issue as may be necessary.

11.—(1) Execution shall not issue on a registered judgment until after the expiration of the period which, in accordance with the provisions of rule 6 (3) of these rules, is specified in the order giving leave to register as the period within which an application may be made to set aside the registration, or, if an order is made extending the period so specified, until after the expiration of the extended period. E. 41B, 10

(2) If an application is made to set aside the registration of a judgment, execution shall not issue until such application has been disposed of.

(3) The party desirous of issuing an execution upon a registered judgment shall produce to the proper officer an affidavit of the service of the notice of registration and of any order made by the Court in relation to the judgment registered.

12. In the case of a registered judgment the form of a writ of execution shall be varied as follows:— E. 41B, 11

For the words “being the amount due under the judgment of this Court dated the       day of       , 19       , to the above-named”, etc., there shall be substituted the words “being the amount due under the judgment of

(describing the court in which judgment was obtained)”, etc., “which judgment was on the       day of       , 19       , duly registered in the District Court of       in Cyprus pursuant to Part I of ‘The Foreign Judgments (Reciprocal Enforcement) Law, Cap. 16’”.

13. If, whether under the Law or under these rules, any question arises whether a foreign judgment can be enforced by execution in the country of the original court, or what interest is payable under the foreign judgment under the law of that country, that question shall be determined in accordance with such provisions, if any, in that behalf, as are contained in the Order in Council extending the Law to that country. E. 41B, 12

14.—(1) An application under section 12 of the Law for a certified copy of a judgment obtained in a District Court shall be made *ex parte* to the Court in which it was obtained on an affidavit made by the judgment creditor or his advocate. E. 41B, 13

(2) An affidavit for the purposes of this rule shall—

(a) give particulars of the proceedings in which the judgment was obtained; and

(b) have annexed to it a copy of the writ of summons or the originating summons, petition, or application, by which the proceedings were instituted, the evidence of service thereof upon, or appearance by, the defendant, copies of the statements made at the settlement of issues or copies of the pleadings, if any, in the

proceedings, and a statement of the grounds on which the judgment was based ;

- (c) state whether the defendant did or did not object to the jurisdiction, and, if so, on what grounds ;
- (d) show that the judgment is not subject to any stay of execution and that no notice of appeal against it has been entered, and whether the time for appealing has expired ;
- (e) state the rate at which the judgment carries interest.

(3) Where an application for a certified copy of a judgment is duly made under this rule, there shall be issued an office copy of the judgment sealed with the seal of the District Court and certified by the President of the District Court as follows :—

“ I certify that the above copy judgment is a true copy of a judgment obtained in the District Court of in Cyprus and this copy is issued in accordance with section 12 of the Foreign Judgments (Reciprocal Enforcement) Law, Cap. 16.

*Signed* .....

*President of the District Court of*  
..... *in Cyprus.*”

together with the following further certificates also under the seal of the District Court and certified by the President of the District Court :—

- (a) a certificate giving particulars of the proceedings in which the judgment was obtained and having annexed to it copies of the writ of summons or originating summons, petition, or application, by which the proceedings were instituted showing the manner in which the writ of summons, originating summons, petition, or application, was served on the defendant, or that the defendant appeared thereto, and the objections made to the jurisdiction, if any, the statements made at the settlement of issues or the pleadings, if any, in the proceedings, a statement of the grounds on which the judgment was based and such other particulars as it may be necessary to give to the foreign tribunal in which it is sought to obtain execution of the judgment.
- (b) a certificate stating the rate at which the judgment carries interest.

E. 41B, 14

15. These rules shall, in relation to any judgment, have effect subject to any such provisions contained in the Order in Council extending the Law to the country of the original court as are declared by the Order in Council to be necessary for giving effect to the agreement made between His Majesty and that country in relation to matters for which provision is made by these rules.

16.—(1) A fee of ten shillings shall be charged on every application under section 4 or 12 of the Law ; and in other proceedings or matters under the Law or these rules the same fees shall be taken as are payable in civil proceedings.

(2) The Rules of Court governing civil proceedings shall have effect subject to the provisions of these rules.

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## APPENDIX.

### SUMMONS.

(Rule 10 (2).)

In the District Court of..... No.....

In the matter of the Foreign Judgments (Reciprocal Enforcement) Law, Cap. 16, and in the matter of a judgment of the.....  
(describing the Court) obtained in..... (describing  
the cause or matter) and dated the..... day of ....., 19.....

Let all parties concerned attend the Court on..... day the..... day  
of....., 19....., at ..... o'clock in the..... noon,  
on the hearing of the application set out below.

Dated the..... day of....., 19.....

This summons was taken out by.....  
of..... advocate for.....

To (a).....

X.Y. (b) applies.....

(a) On the form filed with the Registrar set out all the names of those  
summoned and their residences.

(b) The applicant or his advocate must sign at the end.

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## CHAPTER 17.

## FOREIGN TRIBUNAL (CITATION).

## FOREIGN TRIBUNAL CITATION RULES.

23 Revision  
Vol. II 980.

## RULES OF COURT MADE UNDER SECTION 6.

1. These Rules of Court may be cited as the Foreign Tribunal Citation Rules.

2. In the event of its having been found not possible to effect the service of any process or citation under the Foreign Tribunal Citation Law, Cap. 17, the certificate of the Registrar shall be in the form in the Appendix.

## APPENDIX.

## CERTIFICATE OF FAILURE TO EFFECT SERVICE ON FOREIGN PROCESS.

I, ....., Registrar of the Supreme Court of Cyprus hereby certify that the documents annexed hereto are as follows :—

- (1) The original letter of request for service of process received from the Court or Tribunal at..... in the..... of..... in the matter of....., versus ....., and .....
- (2) The process received with such letter of request, and.....
- (3) An affidavit of the process server showing that it was found not to be possible to effect service upon..... the person named in such letter of request, owing to (state the reasons)....., as shown in the said affidavit.

And I certify that the proof of the failure to effect such service is such as is required by the law and practice regulating the service of legal process in Cyprus.

And I certify that the cost of attempting to effect such service, as duly certified by me, amounts to the sum of.....

Dated this..... day of....., 19.....

*Signed*.....  
*Registrar of the Supreme Court of Cyprus.*



## CHAPTER 18.

## FOREIGN TRIBUNAL (EVIDENCE).

## CONVENTIONS CONCLUDED AND PUBLISHED UNDER SECTION 11.

The following Conventions regarding legal proceedings in civil and commercial matters have been concluded and applied to Cyprus under section 11 of this Law :—

<i>Foreign State</i>	<i>Gazette : year/page</i>
<b>Austria :</b>	
Convention published .. .. .	1934/433
Convention lapsed .. .. .	1938/457
Convention revived as from 28th June, 1951 ..	1952/34
<b>Belgium :</b>	
Convention extended to Cyprus .. ..	1925/453
Convention published .. .. .	1934/401
Supplementary Convention extended to Cyprus as from 27th June, 1935 .. .. .	1935/540
<b>Czechoslovakia :</b>	
Convention extended to Cyprus as from 17.2.27	1931/922
Convention published .. .. .	1934/307
<b>Denmark :</b>	
Convention published .. .. .	1934/454
<b>Estonia :</b>	
Convention extended to Cyprus as from 11.10.33	1933/778
Convention published .. .. .	1934/444
<b>Finland :</b>	
Convention published .. .. .	1935/575
<b>France :</b>	
Convention extended to Cyprus .. ..	1924/59
Convention published .. .. .	1934/399
Convention extended to French Colonies and territories under French mandate ..	1933/83
Convention extended to French Guiana ..	1933/550
Convention extended to the French Settle- ment in Oceania .. .. .	1934/501
<b>Germany :</b>	
Convention extended to Cyprus from 25.11.29	1931/922
Convention published .. .. .	1934/403
<b>Greece :</b>	
Convention published .. .. .	1939/244
<b>Hungary :</b> .. .. .	1937/516
<b>Iraq :</b>	
Convention published .. .. .	1939/452
<b>Italy :</b>	
Convention extended to Cyprus as from 25.8.32	1933/61
Convention published .. .. .	1934/409

<i>Foreign State</i>	<i>Gazette : year/page</i>
Lithuania :	
Convention published .. .. .	1937/459
Netherlands :	
Convention published .. .. .	1934/451
Convention extended to the Colony of Curacao as from 29.6.34 .. .. .	1934/509
Convention extended to the Netherlands East Indies as from 21.3.35 .. .. .	1935/99
Convention extended to the Netherlands West Indies as from 5.5.35 .. .. .	1935/234
Norway :	
Convention extended to Cyprus as from 14.11.31	1932/2
Convention published .. .. .	1934/415
Poland :	
Convention extended to Cyprus as from 3.5.33	1933/409
Convention published .. .. .	1934/440
Portugal :	
Convention extended to Cyprus as from 30.4.33	1933/435
Convention published .. .. .	1934/436
Spain :	
Convention extended to Cyprus as from 23.2.31	1931/922
Convention published .. .. .	1934/406
Convention extended to the Spanish Colonies in West Africa as from 1.9.34 .. .. .	1934/642
Sweden :	
Convention extended to Cyprus as from 3.9.31	1931/1029
Convention published .. .. .	1934/412
Switzerland :	
Convention published .. .. .	1940/449
Turkey :	
Convention published .. .. .	1934/447
Yugoslavia :	
Convention published .. .. .	1938/642

#### NOTE ON CONVENTIONS.

As a result of the war, the conventions with Esthonia, Lithuania and Germany are not effective. Conventions with Esthonia and Lithuania have never formally lapsed, but have ceased to operate owing to *de facto* incorporation of these States in the Soviet Union. With regard to Germany (Western Zone), informal assistance is given through the diplomatic channel. The position as to certain other countries is obscure.

Conventions with the other countries are effective, those with Italy, Finland and Hungary being revived by the peace treaties.