

Strasbourg, 10 September 2006

CEPEJ (2006)  
**Version finale**

**Answer to the  
REVISED SCHEME  
FOR  
EVALUATING JUDICIAL SYSTEMS  
2004 Data**

**Réponse à la  
GRILLE REVISEE  
POUR  
L'ÉVALUATION DES SYSTÈMES JUDICIAIRES  
Données 2004**

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**CYPRUS/CHYPRE**

Version 1

Strasbourg, 15 September 2005 **CEPEJ (2005) 2 REV 2**

**EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE  
(CEPEJ)**

**REVISED SCHEME FOR EVALUATING JUDICIAL SYSTEMS**

**adopted by the CEPEJ at its 5<sup>th</sup> Plenary Meeting (Strasbourg, 15  
– 17 June 2005) and  
approved by the Committee of Ministers on 7 September 2005  
(936<sup>th</sup> meeting of the Ministers' Deputies)**

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### REVISED SCHEME FOR EVALUATING JUDICIAL SYSTEMS

COUNTRY:	
National correspondent	

First Name – Name: Savvas Raspopoulos

Position : Chief Registrar

Organisation : Supreme Court of Cyprus

E-mail : chief.reg@sc.judicial.gov.cy

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I. Demographic and economic data
I. A. General information

**1. Number of inhabitants** : 689,565

*Source* : Statistical Service of the Republic

**2. Total of annual State public expenditure / where appropriate, public expenditure at regional or federal entity level**

State level €3, 313,706,975  
Regional / entity level €

*Source* Annual Budget

**3. Per capita GDP** € 7,216,03,00  
(billions)

*Source*: Statistical Service

**4. Average gross annual salary** € 11,700

*Source*: Statistical Service

I. B. Budgetary data concerning judicial system

**5. Total annual budget allocated to all courts** € 17,997,698  
(millions)

Source: Accounting Department of the Supreme Court

**Please specify:**

**6. Within this budget, can you isolate the following budgets and specify, if appropriate, their amount:**

	Yes	Amount
§ Salaries?	√	€7,731.809
§ IT?		€ N/A
Justice expenses borne by the State?	√	€ 452,054

Source : Accounting Department of the Supreme Court

**7. Annual public budget spent on legal aid** € N/A

Source : XXXXXXXXXXXXXXXX

**8. If possible, please specify:**

§ the annual public budget spent on legal aid in criminal cases	€ N/A
§ the annual public budget spent on legal aid in other court cases	€ N/A

Source XXXXXXXXXXXXXXXX

**9. Annual public budget spent on prosecution system** € N/A

Source XXXXXXXXXXXXXXXX

**10. Bodies formally responsible for budgets allocated to the courts:**

	Preparation of the budget (Yes/No)	Adoption of the budget (Yes/No)	Management and allocation of the budget among courts (Yes/No)	Evaluation of the use of the budget (Yes/No)
Ministry of Justice	No	No	No	No

Other ministry. Please specify	No	No	No	No
Parliament	No	Yes	No	No
Supreme Court	Yes	No	Yes	Yes
Judicial Council	No	No	No	No
Courts	No	No	No	No
Inspection body. Please specify.	No	No	No	No
Other. Please specify				

\*\*\*

***You can indicate below:***

- ***any useful comments for interpreting the data mentioned above***
- ***the characteristics of your budgetary system***

## II. Access to Justice and to all courts

### II. A. Legal aid

#### 11. Does legal aid concern:

	<b>Criminal cases</b>	<b>Other than criminal cases</b>
Representation in court (Yes/No)	Yes	1. Family Court Cases 2. Civil Actions against the Republic for violation of Human Rights 3. Civil cases raised by investors involving the purchase or sale of shares in the stock exchange
Legal advice (Yes/No)	Yes	Yes
Other (Yes/No). Please specify		

**12. Number of legal aid cases:**

<b>§ total</b>	1161
<b>§ criminal cases</b>	820
<b>§ other than criminal cases</b>	341

*Source* Supreme Court Records

**13. In a criminal case, can any individual who does not have sufficient financial means be assisted by a free of charge (or financed by public budget) lawyer?**

Yes  No

**14. Does your country have an income and asset test for granting legal aid:**

	No	Yes/Amount
<b>§ for criminal cases?</b>		<input checked="" type="checkbox"/>
<b>§ for other than criminal cases?</b>		<input checked="" type="checkbox"/>

*Source* Supreme Court

**15. In other than criminal cases, is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action)?**

Yes  No

**16. If yes, is the decision taken by:**

	Yes
<b>§ the court?</b>	<input checked="" type="checkbox"/>
<b>§ a body external to the court?</b>	
<b>§ a mixed decision-making body (court and external)?</b>	

**17. In general are litigants required to pay a court tax or fee to start a proceeding at a court of general jurisdiction:**

	Yes	No
<b>§ for criminal cases?</b>	<input checked="" type="checkbox"/>	
<b>§ for other than criminal cases?</b>	<input checked="" type="checkbox"/>	

**If yes, are there exceptions? Please specify:**

**18. Is there a private system of legal expense insurance for individuals in order to finance legal proceedings to court?**

No   
Yes



**23. Are there special arrangements to be applied, during judicial proceedings, to the following categories of vulnerable persons:**

	<b>Information mechanism (Yes/No)</b>	<b>Hearing modalities (Yes/No)</b>	<b>Procedural rights (Yes/No)</b>	<b>Other (Yes/No). Please specify</b>
Victims of rape	Yes	Yes	Yes	
Victims of terrorism	Yes	Yes	Yes	
Child/Witness/Victim	Yes	Yes	Yes	
Victims of domestic violence	Yes	Yes	Yes	
Ethnic minorities	Yes	Yes	Yes	
Disabled persons	Yes	Yes	Yes	
Juvenile offenders	Yes	Yes	Yes	
Other				

**24. Does your country have compensation procedure for victims of crimes?**

Yes

No

**25. If yes, does this compensation procedure consist in:**

Yes

§ a public fund?

§ a court order?

private fund?

**26. If yes, which kind of cases does this procedure concern?**

1. Civil actions may be brought by victims of crimes claiming compensation.

2.. Compensation is awarded by the State to victims of violent crimes ( Law 51(1)/97).



27. For victims, are there studies to evaluate the recovery rate of the compensation awarded by courts?

No ✓

Yes Please specify:

**II. B.2. Confidence of citizens in their justice system**

28. Is there a system for compensating users in the following circumstances:

	Yes	No
§ excessive length of proceedings?		✓
wrongful arrest?	✓	
§ wrongful condemnation?	✓	

If yes, please specify (fund, daily tariff): According to the Civil Wrong Law, cap 148, actions may be filed by individuals claiming compensation for wrongful arrest or wrongful condemnation.

29. Does your country have surveys on users or legal professionals (judges, lawyers, officials, etc.) to measure public trust and satisfaction with the services delivered by the judiciary system?

Yes No ✓

If possible, please specify their titles, how to find these surveys, etc:  
XXXXXXXXXX

30. If yes, please specify: N/A

	Trough systematic surveys (Yes/No)	Through ad hoc surveys (Yes/No)
Surveys at national level	XXXXXXXXXX	XXXXXXXXXX
Surveys at court level	XXXXXXXXXX	XXXXXXXXXX

31. Is there a national or local procedure for making complaints about the performance of the judicial system?

Yes ✓ No

**32. If yes, please specify:** Supreme Court Rules provide for the filing of such complaints.

	<b>Time limit to respond (Yes/No)</b>	<b>Time limit for dealing with the complaint (Yes/No)</b>
Court concerned	Yes	Yes
Higher court	Yes	Yes
Ministry of Justice	No	No
High Council of Justice	No	No
Other external organisations (e.g. Ombudsman)	No	No

**Can you give information elements concerning the efficiency of this complaint procedure?** XXXXXXXXXXXXXXXXXXXX

<b>III. Organisation of the court system</b>
III. A. Functioning

**33. Total number of courts (administrative structure):**

**§ first instance courts of general jurisdiction**

1. Supreme Court (appellate court, administrative, admiralty, electoral, constitutional, prerogative orders)

4 District Courts (Civil and Criminal jurisdiction)

*Source:* Courts of Justice Law (14/60) and Administration of Justice Law (33/64)

**§ specialised first instance courts**

*3 Assize CourtS*

*2 Family Courts*

*1 Military Court*

*3 Rent Control Tribunals*

*1 Industrial Dispute Tribunal*

*Source:* Supreme Court

**Please specify the different areas of specialisation (and, if possible, the number of courts concerned):**

See question 33 above

**34. Total number of courts (geographic locations)**

See question 33 above

**35. Number of first instance courts competent for a case concerning:**

§ a debt collection for small claims *District Courts ( one in each district)*

**Please specify what is meant by small claims in your country:**

A claim up to £50,000.

§ a dismissal *Industrial Dispute Tribunal*

§ a robbery *District Court ( criminal jurisdiction) and Assize Court*

**36. Number of professional judges sitting in courts 96**

*(present the information in full time equivalent and for permanent posts)*

*Source Supreme Court*

**37. Number of professional judges sitting in courts on an occasional basis and who are paid as such: N/A**

§ gross figure *XXXXXXXXXXXXXXXXXX*

§ if possible, in full time equivalent *XXXXXXXXXXXXXXXXXX*

*Source XXXXXXXXXXXXXXXXXXXX*

**Please specify: XXXXXXXXXXXXXXXXXXXX**

**38. Number of non-professional judges (including lay judges) who are not remunerated but who can possibly receive a simple defrayal of costs**

*N/A*

*Source XXXXXXXXXXXXXXXXXXXX*

**Please specify: XXXXXXXXXXXXXXXXXXXX**

**39. Does your judicial system include trial by jury with the participation of citizens?**

No ✓

Yes For which type of case(s)? XXXXXXXXXXXXXXXXXXXX

If possible, number of citizens who were involved in such juries for the year 2004? N/A

**40. Number of non-judge staff who are working in courts**  
(present the information in full time equivalent and for permanent posts)

**Number :** 425

*Source : Supreme Court*

**41. If possible, could you distribute this staff according to the 3 following categories:**

§ non-judge staff whose task is to assist the judges (case file preparation, assistance during the hearing, keeping the minutes of the meetings, helping to prepare the decisions) such as registrars:

**Number:** 137

§ staff in charge of different administrative tasks as well as of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management):

**Number :** 46

§ technical staff:

**Number:** 125

**42. In courts, do you have non-judge staff entrusted with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal (such as German and Austrian Rechtspfleger):**

No ✓

Yes Number of staff

**43. Number of public prosecutors**  
(present the information in full time equivalent and for permanent posts)

**Number:** 107

*Source Office of the Attorney General*

**44. Do you have persons who have similar duties as public prosecutors?**

No ✓

Yes **Please specify:**

**45. Is the status of prosecutors:**

Yes

§ independent within the judiciary?

§ independent from the judiciary ?

✓

§ under the authority of the Ministry of Justice?

**46. Number of staff (non prosecutors) attached to the public prosecution service**

*(present the information in full time equivalent and for permanent posts)*

**Number:** 190

*Source: Office of the Attorney General*

**47. Who is entrusted with the individual court budget?**

	<b>Preparation of the budget (Yes/No)</b>	<b>Arbitration and allocation (Yes/No)</b>	<b>Day to day management of the budget (Yes/No)</b>	<b>Evaluation and control of the use of the budget (Yes/No)</b>
Management Board	No	No	No	No
Court President	No	No	No	No
Court administrative director	No	No	No	No
Head of the court clerk office	No	No	No	No
Other. Please	Yes	Yes	Yes	Yes

specify				
Chief Registrar with Accounting Department				

**48. In general, do the courts in your country have computer facilities?**

Yes

No

**49. What are the computer facilities used within the courts?**

Functions	Facilities	100% of courts	+50% of courts	-50% of courts	- 10 % of courts
Direct assistance to the judge/court clerk	Word processing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Electronic data base of jurisprudence	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Electronic files	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	E-mail	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Internet connection	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Administration and management	Case registration system	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Court management information system	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Financial information system	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Communication between the court and the	Electronic forms	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Special Website	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

parties	Other electronic communication facilities				√
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Source: Supreme Court

**50. Is there a centralised institution which is responsible for collecting statistical data regarding the functioning of the courts and judiciary?**

No

Yes √

**Please specify the name and the address of this institution:** Supreme Court.

\*\*\*

*You can indicate below:*

- any useful comments for interpreting the data mentioned above
- the characteristics of your judicial system

### III. B. Monitoring and evaluation

**51. Are the courts required to prepare an annual activity report?**

Yes √

No

**52. Do you have a regular monitoring system of court activities concerning the:**

Yes

No

§ number of incoming cases?

√

§ number of decisions?

√

§ number of postponed cases?

√

§ length of proceedings?

√

§ other?

**Please specify:** monthly reports are sent from all courts to the Supreme Court.

**53. Do you have a regular evaluation system of the performance of the court?**

No  
Yes ✓

**Please specify:** Reports are sent from all Courts to the Chief Registrar

**54. Concerning court activities, have you defined:**

**§ performance indicators?** Yes ✓ No

**Please specify the 4 main indicators for a proper functioning of justice:**

Fair trial

Reasonable time

Reasoned Judgment

Impartiality

**§ targets?** Yes ✓ No

**Please specify who is responsible for setting the targets:**

Yes

- executive power?

- legislative power?

- judicial power? ✓

- other? Please specify:

**Please specify the main objectives applied:**

Source XXXXXXXXXXXXXXXXXXXXXXXX

**55. Which authority is responsible for the evaluation of the performances of the courts:**

Yes

**§ the High Council of judiciary?**

**§ the Ministry of justice?**

**§ an Inspection body?**

**§ the Supreme Court? ✓**

**§ an external audit body?**

**§ other? Please specify:**

**56. Does the evaluation system include quality standards concerning judicial decisions?**



No  
Yes ✓

**Please specify:** Judgments should be fully reasoned and delivered within a reasonable time.

*Source :* Cyprus Constitution, Supreme Court Rules

**57. Is there a system enabling to measure the backlogs and to detect the cases which are not processed within an acceptable timeframe for:**

	Yes	No
§ civil cases?	✓	
§ criminal cases?	✓	
§ administrative cases?	✓	

**58. Do you have a way of analysing queuing time during court procedures?**

No  
Yes ✓

**Please specify:** Procedure set by the Supreme Court Rules and the Civil Procedure Rules

**59. Do you monitor and evaluate the performance of the prosecution services?**

No ✓  
Yes **Please specify:**

\*\*\*

**You can indicate below:**

- any useful comments for interpreting the data mentioned above
- the characteristics of your court monitoring and evaluation system

#### IV. Fair trial

##### IV. A. Fundamental principles

**60. Is there in your judicial system:**

§ a right for an interpreter for all those within your jurisdiction who cannot understand or speak the language used in court?

Yes ✓ No

§ the right to have reasons given for all prisons sentences?

Yes ✓ No



	Article 6§3c										
	Article 6§3d										
	Article 6§3e										
Civil proceedings	Article 6§1 (equity)								1	0	
	Article 6§1 (duration)								1	0	
	Article 6§1 (non execution only)										

Source Cyprus Law Reports

<b>IV.B. Timeframes of proceedings</b>
<b>IV. B. 1. General</b>

**64. Are there specific procedures for urgent matters in:**

Yes No

§ civil cases?

√

§ criminal cases?

√

§ administrative cases?

√

**65. Are there simplified procedures for:**

Yes No

§ civil cases (small claims)?

√

§ criminal cases (petty offences)?

√

§ administrative cases?

√

**66. Is it possible for a second instance court to send back a case to a first instance court for a new examination?**

Yes

No

**67. Do courts and lawyers have the possibility to conclude agreements on modalities for processing cases (presentation of files, binding timeframes for lawyers to submit their conclusions and dates of hearings)?**

No

Yes

**Please specify:** Civil Procedure Rules set time limits for each procedural stage

**IV. B. 2. Civil and administrative cases**

**68. Total number of civil cases in courts (litigious and not litigious):**  
338,159 (1994 until today)

**Please specify the main types of cases:** N/A

*Source* Supreme Court data.

**69. Litigious administrative and civil cases in courts – please complete this table concerning the number of cases/length of proceedings/pending cases and specify definitions of incoming cases, starting and ending point of length and pending cases:**

		Civil cases	Administrative cases	Divorce	Employment dismissal
Total number (1st instance)	Incoming cases	29043	1409	4941	1179
	Decisions on the merits	31220	1475	4725	1618
	Percentage of decisions subject to appeal in a higher court	1%	13%	8.2%	0%

	Pending cases by 1 January 2005	32679	2720	2497	1306
	Percentage of pending cases of more than 3 years	20%	N/A	N/A	N/A
Average length (from date of lodging of court proceedings*)	1 <sup>st</sup> instance decisions	2 ½ years	1 Year	1 year	10 months
	2 <sup>nd</sup> instance decisions	2 years	2 1/2 years	1 year	1 year
	Total procedure	4 ½ years	3/12 years	2 years	1 year and 10 months

\* If you cannot calculate the average length from the date of lodging of court proceedings, how do you calculate length of proceedings?

**Where appropriate, please specify the specific procedure as regards divorce:** Petitions are filed to the Family Court and an appeal lies against that decision to the Supreme Court.

Source :Family Law.

#### IV. B. 3. Criminal cases

**70. Please describe the role and powers of the prosecutor in the criminal procedure:**

	Yes	No
§ to conduct or supervise police investigation?		√
§ to conduct investigation?		√
§ when necessary, to demand investigation measures from the judge?		√
§ to charge?	√	
§ to present the case in the court?	√	
§ to propose a sentence to the judge?		√

- § to appeal? ✓
- § to supervise enforcement procedure? ✓
- § to end the case by dropping it without the need for a judicial decision? ✓
- § to end the case by imposing or negotiating a penalty without a judicial decision? ✓
- § other significant powers?  
Please specify:

**71. Does the prosecutor also have a role in civil and/or administrative cases?**

No ✓

Yes **Please specify:** XXXXXXXXXXXXXXXXXXXX

**72. Functions of the public prosecutor in relation to criminal cases— please complete this table:**

		Total number of 1st instance criminal cases
Received by the public prosecutor		N/A
Discontinued by the public prosecutor	In general	N/A
	Because the offender could not be identified	N/A
	Due to the lack of an established offence or a specific legal situation	N/A
Concluded by a penalty, imposed or negotiated by the public prosecutor N/A		N/A
Charged by the public prosecutor before the courts		N/A

Source XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

**73. Criminal cases in courts – please complete this table concerning the number of cases/length of proceedings/pending cases and specify**

**definitions of incoming cases, starting and ending point of length and pending cases:**

		<b>Criminal cases</b>	<b>Robbery cases</b>	<b>Intentional homicides</b>
Total number (1st instance)	Incoming cases	81948	N/A	N/A
	Judicial decisions	80608	N/A	N/A
	Convicted persons	N/A	N/A	N/A
	Acquitted persons	N/A	N/A	N/A
	Percentage of decisions subject to appeal in a higher court	0.33%	N/A	N/A
	Pending cases by 1 January 2005	32058	N/A	N/A
	Percentage of pending cases of more than 3 years	none	none	none
Average length* (from the date of official charging)	1 <sup>st</sup> instance decision	1 year	N/A	N/A
	2 <sup>nd</sup> instance decision	8 months	N/A	N/A
	Total procedure	1 year and 8 months		

\* If you cannot calculate the average length from the date of official charging, how do you calculate length of proceedings?

Source Supreme Court

\*\*\*

***You can indicate below:***

- ***any useful comments for interpreting the data mentioned above***
- ***the characteristics of your system concerning timeframes of proceedings***

**V. Career of judges and prosecutors**  
 V. A. Appointment and training

**74. Are judges initially/at the beginning of their carrier recruited and nominated by:**

- § a body composed of members of the judiciary? Yes  
√
- § a body composed of members external to the judiciary?
- § a body composed of members of the judiciary and external to the judiciary?

**75. Are prosecutors initially/at the beginning of their carrier recruited and nominated by:**

- § a body composed of members of the prosecution system? Yes
- § a body composed of members external to the prosecution system? √
- § a body composed of members of the prosecution system and external to the prosecution system?

**76. Is the mandate given for an undetermined period for:**

- |                | Yes | No |
|----------------|-----|----|
| § judges?      |     | √  |
| § prosecutors? |     | √  |

**Are there exceptions ? Please specify:**

**If no, what is the length of the mandate: Is it renewable?**

- |              | Yes | No |
|--------------|-----|----|
| § of judges? |     | √  |

Judges are appointed until their retirement . Supreme Court judges retire when they attain the age of 68 and all other judges when they attain the age of 63

- |                   |   |
|-------------------|---|
| § of prosecutors? | √ |
|-------------------|---|

prosecutors retire at the age of 63



**You can indicate below:**

- any useful comments for interpreting the data mentioned above
- the characteristics of the selection and nomination procedure of judges and prosecutors

**77. Nature of the training of judges:**

	Compulsion (Yes/No)		Frequency (Yes/No)	
Initial training N/A	Compulsory	No		
	Highly recommended	Yes		
	Optional			
General in-service training	Compulsory	No	Annual	
	Highly recommended	Yes	Regular	√
	Optional		Occasional	
In-service training for specialised functions (e.g. judge for economic or administrative issues)	Compulsory		Annual	
	Highly recommended	Yes	Regular	√
	Optional		Occasional	
In-service training for specific functions (e.g. head of court) N/A	Compulsory		Annual	
	Highly recommended	Yes	Regular	V
	Optional		Occasional	

**78. Nature of the training of prosecutors: N/A**

	Compulsion (Yes/No)		Frequency (Yes/No)	
Initial training	Compulsory			
	Highly recommended			
	Optional			
General in-service training	Compulsory		Annual	
	Highly recommended		Regular	
	Optional		Occasional	

Specialised in-service training	Compulsory	Annual	
	Highly recommended	Regular	
	Optional	Occasional	

\*\*\*

**You can indicate below:**

- any useful comments for interpreting the data mentioned above
- the characteristics of your training system for judges and prosecutors

<b>V. B. Practice of the profession</b>

**79. Gross annual salary of a first instance professional judge at the beginning of his/her career € 30,449**

*Source Accounting Department of the Supreme Court*

**80. Gross annual salary of a judge of the Supreme Court or of the highest appellate court € 54123**

*Source Accounting Department of the Supreme Court*

**81. Gross annual salary of a public prosecutor at the beginning of his/her career**

€ N/A

*Source XXXXXXXXXXXXXXXXXXXX*

**82. Gross annual salary of a public prosecutor of the Supreme Court or of the highest appellate court € N/A**

*Source XXXXXXXXXXXXXXXXXXXXXXXX*

**83. Do judges and public prosecutors have additional benefits?**

	Judges (Yes/No)	Public prosecutors (Yes/No)
Reduced taxation	No	No
Special pension	No	No
Housing	No	No

Other financial benefit (If yes, please specify)	Judges of the Supreme Court are entitled to a duty free car as well as to a monthly allowance for operational expenses	
--	--	--

**84. Can judges or prosecutors combine their work with any of the following other professions?**

	Judges			Prosecutors		
	Yes with remuneration	Yes without remuneration	No	Yes with remuneration	Yes without remuneration	No
Teaching			√			√
Research and publication			√			√
Arbitrator			√			√
Consultant			√			√
Cultural function			√			√
Other function to specify			√			√

**85. Do judges receive bonus based on the fulfilment of quantitative objectives relating to the delivering of judgments?**

No √

Yes Please specify:

**V. C. Disciplinary procedures**

**86. Types of disciplinary proceedings and sanctions against judges and prosecutors:**

		Judges	Prosecutors
Reasons for	Total number		N/A

disciplinary procedures	Breach of professional ethics (Yes/No) If yes, please specify the number	Yes	
	Professional inadequacy (Yes/No) If yes, please specify the number	Yes	
	Criminal offence (Yes/No) If yes, please specify the number	Yes	
	Other (Yes/No) If yes, please specify  Improper conduct	Yes 4	
Types of sanctions	Total number	None	
	Reprimand (Yes/No) If yes, please specify the number	Yes	
	Suspension (Yes/No) If yes, please specify the number	Yes	
	Dismissal (Yes/No) If yes, please specify the number	Yes	
	Fine (Yes/No) If yes, please specify the number	NO	
	Other (Yes/No) If yes, please specify	NO	

\*\*\*

***You can indicate below:***

- ***any useful comments for interpreting the data mentioned above***
- ***the characteristics of your system concerning disciplinary procedures for judges and prosecutors***

VI. Lawyers

**87. Number of lawyers practising in your country 2200**

Source : Supreme Court records

**88. Does this figure include legal advisors (solicitors or in-house counsellor) who cannot represent their clients in court?**

Yes  No

**89. Do lawyers have a monopoly of representation:**

	<b>Monopoly (Yes/No)</b>		<b>If no, possible representation by (Yes/No)</b>	
Civil cases*	Yes		Member of family	<input type="checkbox"/>
			Trade Union	<input type="checkbox"/>
			NGO	<input type="checkbox"/>
			Other	<input type="checkbox"/>
Criminal cases*	Defendant	Yes	Member of family	<input type="checkbox"/>
			Trade Union	<input type="checkbox"/>
			NGO	<input type="checkbox"/>
			Other	<input type="checkbox"/>
	Victim	Yes	Member of family	<input type="checkbox"/>
			Trade Union	<input type="checkbox"/>
			NGO	<input type="checkbox"/>
			Other	<input type="checkbox"/>
Administrative cases*	Yes		Member of family	<input type="checkbox"/>
			Trade Union	<input type="checkbox"/>
			NGO	<input type="checkbox"/>
			Other	<input type="checkbox"/>

\* If appropriate, please specify if it concerns first instance and appeal.

**90. Is the lawyer profession organised through?**

Yes

§ a national bar?

§ a regional bar?

§ a local bar?

**Please specify:**

There is a Cyprus Bar Association (national) and there are District Bar Associations.

**91. Is there a specific initial training or examination to enter the profession of lawyer?**

Yes

No

**92. Is there a mandatory general system for lawyers requiring continuing professional development?**

Yes

No

**93. Is the specialisation in some legal fields tied with a specific level of training/ qualification/ specific diploma or specific authorisations?**

No

Yes **Please specify:**

**94. Can users establish easily what the lawyers' fees will be?**

Yes

No

**95. Are lawyers fees:**

§ regulated by law?

Yes

§ regulated by Bar association?

§ freely negotiated?

**96. Have quality standards been formulated for lawyers?**

Yes

No

**97. If yes, who is responsible for formulating these quality standards:**

§ the bar association?

Yes

§ the legislature?  
 § other? Please specify:

**98. Is it possible to complain about :**

§ the performance of lawyers? No  
 Yes ✓

**Please specify:**

Complaints can be filled to the Disciplinary Board

§ the amount of fees? Yes ✓ No

**99. Disciplinary proceedings and sanctions against lawyers:**

	Yes /No (If yes, please specify the annual number)	
Reasons for disciplinary proceedings  N/A	Breach of professional ethics	yes
	Professional inadequacy	no
	Criminal offence	yes
	Other	
Type of sanctions  N/A	Reprimand	Yes
	Suspension	Yes
	Removal	Yes
	Fine	Yes
	Other	

**100. Who is the authority responsible for the disciplinary procedures:**

§ a professional body? Please specify: Yes ✓

Disciplinary Board

- § the judge?
- § the Ministry of justice?
- § other?

Please specify:

\*\*\*

*You can indicate below:*

- any useful comments for interpreting the data mentioned above
- the characteristics of your system concerning the organisation of the Bar

## VII. Alternative Dispute Resolution

**101. If appropriate, please specify, by type of cases, the organisation of the judicial mediation:**

	Compulsion (Yes/No)	Body providing mediation (Yes/No)
Civil cases N/A	Compulsory stage prior to court proceedings	Private mediator
		Public or authorised by court body
		Court
	Compulsory stage in court proceedings	Judge
	Ordered by judge in certain cases	Prosecutor
Family cases N/A	Compulsory stage prior to court proceedings	Private mediator
		Public or authorised by court body
		Court
	Compulsory stage in court proceedings	Judge
	Ordered by judge in certain cases	Prosecutor
Administrative	Compulsory stage prior	Private mediator



cases N/A	to court proceedings	Public or authorised by court body	
		Court	
	Compulsory stage in court proceedings	Judge	
	Ordered by judge in certain cases	Prosecutor	
Employment dismissals N/A	Compulsory stage prior to court proceedings	Private mediator	
		Public or authorised by court body	
		Court	
	Compulsory stage in court proceedings	Judge	
	Ordered by judge in certain cases	Prosecutor	
Criminal cases N/A	Compulsory stage prior to court proceedings	Private mediator	
		Public or authorised by court body	
		Court	
	Compulsory stage in court proceedings	Judge	
	Ordered by judge in certain cases	Prosecutor	

**102. Can you provide information about accredited mediators?**

N/A
-----

**103. Can you provide information about the total number of mediation procedure concerning: N/A**

- § civil cases?**
- § family cases?**
- § administrative cases?**
- § employment dismissals?**
- § criminal cases?**

Source XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

**104. Can you give information concerning other alternative dispute resolution (e.g. Arbitration)? Please specify:**

Judgment of an arbitrator takes effect as a judgment of a Cypriot Court

\*\*\*

**You can indicate below:**

- any useful comments for interpreting the data mentioned above
- the characteristics of your system concerning ADR

## VIII. Enforcement of court decisions

### VIII. A. Execution of decisions in civil matters

**105. Are enforcement agents:**

Yes

§ judges?

§ bailiff practising as private profession ruled by public authorities?

§ bailiff working in a public institution?

§ other enforcement agents?

√

Please specify their status:

Court Bailiffs

**106. Number of enforcement agents 184**

Source Supreme Court records

**107. Is there a specific initial training or examination to enter the profession of enforcement agent?**

Yes √

No

**108. Is the profession of enforcement agent organised by?**

Yes

§ a national body?

√

§ a regional body?

§ a local body?

**109. Can users establish easily what the fees of the enforcement agents will be?**

Yes √

No

110. Are enforcement fees:

- § regulated by law?
- § freely negotiated?

Yes  
√

111. Is there a body entrusted with the supervision and the control of the enforcement agents?

No  
Yes √

Which authority is responsible for the supervision and the control of enforcement agents:

- § a professional body?
- § the judge?
- § the Ministry of justice?
- § the prosecutor?

Yes

§ other? √  
Please specify: Supreme Court

112. Have quality standards been formulated for enforcement agents?

No √  
Yes Who is responsible for formulating these quality standards?

Source XXXXXXXXXXXXXXXXXXXXXXXXXXXX

113. What are the main complaints of users concerning the enforcement procedure:

- |                             | Yes | No |
|-----------------------------|-----|----|
| § no execution at all?      | √   |    |
| § lack of information?      | √   |    |
| § excessive length?         | √   |    |
| § unlawful practices?       |     |    |
| § insufficient supervision? |     |    |
| § excessive cost?           | √   |    |
| § other?                    |     |    |

Source Supreme Court

**114. Does your country prepared or has established concrete measures to change the situation concerning the enforcement of court decisions?**

No

Yes **Please specify:**

--

**115. Is there a system measuring the timeframes of the enforcement of decisions :**

	Yes	No
§ for civil cases?	<input checked="" type="checkbox"/>	
§ for administrative cases?	<input checked="" type="checkbox"/>	

**116. As regards a decision on debts collection, can you estimate the average timeframe to notify the decision to the parties which live in the city where the court seats:**

	Yes
§ between 1 and 5 days	
§ between 6 and 10 days	<input checked="" type="checkbox"/>
§ between 11 and 30 days	
§ more: please specify	

*Source*

**117. Disciplinary proceedings and sanctions against enforcement agents:**

	<b>Yes /No (If yes, please specify the total number)</b>	
Disciplinary proceedings	Breach of professional ethics	
	Professional inadequacy	<input checked="" type="checkbox"/> 3
	Criminal offence	<input checked="" type="checkbox"/>
	Other	
Sanctions	Reprimand	
	Suspension	

	Dismissal	√
	Fine	√
	Other	

\*\*\*

**You can indicate below:**

- any useful comments for interpreting the data mentioned above
- the characteristics of your enforcement system of decisions in civil matters

### VIII. B. Enforcement of decisions in criminal matters

**118. Is there a judge who has in charge the enforcement of judgments?**

Yes **Please specify his/her functions and activities (e.g. Initiative or control functions):**

No  **Please specify which authority is entrusted with the enforcement of judgments (e.g prosecutor):**

**119. As regards fines decided by a criminal court, are there studies to evaluate the effective recovery rate?**

No

Yes **Please specify:**

\*\*\*

**You can indicate below:**

- any useful comments for interpreting the data mentioned above
- the characteristics of your enforcement system of decisions in criminal matters

**IX. Notaries**

**120. Is the status of notaries:**

Yes

**§ a private one?**

**§ a status of private worker ruled by the public authorities?**

✓

**§ a public one?**

**§ other?**

**Please specify:**

*Source*

**121. Do notaries have duties:**

Yes    No

**§ within the framework of civil procedure?**

✓

**§ in the field of legal advice?**

✓

**§ to authenticate legal deeds?**

✓

**§ other?**

✓

**If yes, please specify:**

To authenticate the signature of a person

**122. Is there a body entrusted with the supervision and the control of the notaries?**

No

Yes ✓ **Which authority is responsible for the supervision and the control of the notaries:**

Yes

**§ a professional body?**

**§ the judge?**

**§ the Ministry of justice?**

**§ the prosecutor?**

**§ other? Please specify:**

✓

Minister of Interior

***You can indicate below:***

- any useful comments for interpreting the data mentioned above***
- the characteristics of your system of notaries***

\*\*\*\*\*

**123. Please indicate main orientations for reform and concrete measures which could improve the quality and the efficiency of your judicial system:**

Amendment of the Civil Procedure Rules is in process which will improve the quality and efficiency of our judicial system.