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CYPRUS

ADMINISTRATION OF ESTATES

CHAPTER 189 OF THE LAWS

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CHAPTER 189.

ADMINISTRATION OF ESTATES.

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A LAW TO CONSOLIDATE AND AMEND THE LAW RELATING
TO THE ADMINISTRATION OF THE ESTATES OF DECEASED
PERSONS.

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PART I.

PRELIMINARY.

1. This Law may be cited as the Administration of Estates Law. Short title.

2. In this Law, unless the context otherwise requires— Interpretation.

“ administration ” includes all letters of administration of the estate of a deceased person, whether with or without a will annexed, and whether granted for general special or limited purposes;

“ administrator ” means a person to whom a Court has granted letters of administration or letters of administration with will annexed;

“ Court ” means the President of the District Court or a District Judge of the District Court of the district in which the deceased had his ordinary or last place of residence in the Colony, or the District Court of Nicosia if such place of residence is not known;

"disposable portion" means that part of the movable property and immovable property of a person which he can dispose of by will;

"estate" means the movable property and immovable property of which a person dies possessed;

"grant" means a grant of probate or of administration;

"grant in common form" means a grant obtained where there is no contention as to the right thereto or where the contest has terminated;

"heir" means a person who by operation of law succeeds to an estate;

"heir under disability" means a person who is an infant or a mental patient or is prohibited by the Court from the management of his affairs or is absent from the Colony;

"immovable property" includes—

(a) land;

(b) buildings and other erections, structures or fixtures affixed to any land or to any building or other erection or structure;

(c) trees, vines, and any other thing whatsoever planted or growing upon any land and any produce thereof before severance;

(d) springs, wells, water and water rights whether held together with, or independently of, any land;

(e) privileges, liberties, easements and any other rights and advantages whatsoever appertaining or reputed to appertain to any land or to any building or other erection or structure;

(f) an undivided share in any property hereinbefore set out;

"infant" means a person who has not attained the age of eighteen years:

Provided that a married woman shall not be deemed to be under disability because she has not attained the age of eighteen years.

"movable property" means all property of every description which is not immovable property;

"non-contentious or common form probate business" means the business of obtaining probate and administration where there is no contention as to the right

thereto, including the passing of probates and administrations through the Court in contentious cases where the contest has been terminated, and all business of a non-contentious nature in matters of testacy and intestacy not being proceedings in any action, and also the business of lodging caveats against the grant of probate or administration;

“personal representative” means an executor or administrator;

“prescribed” means prescribed by Rules;

“property” means movable and immovable property;

“undisposed portion” means the whole or the part, as the case may be, of the disposable portion which has not been disposed of by will;

“Rules” means rules made under this Law;

“statutory portion” means that part of the movable property and immovable property of a person which he cannot dispose of by will;

“Turkish Family Court” means the Turkish Family Court of the district in which the deceased had his ordinary or last place of residence in the Colony, or the Turkish Family Court of Nicosia if such place of residence is not known;

“value” in connection with a property, means the amount which the property if sold in the open market by a willing seller to a willing purchaser might be expected to realize;

“will” means the legal declaration in writing of the intentions of a testator with respect to the disposal of his movable property or immovable property after his death, and includes codicil.

PART II.

PROBATE REGISTRAR AND REGISTRY.

3. (1) The Chief Registrar shall be the principal probate registrar, and the Supreme Court Registry shall be the principal probate registry.

Principal
probate
registrar
and probate
registry.

(2) The powers and duties of the principal probate registrar may be exercised and performed by such officer of the Supreme Court Registry as the Chief Registrar with the approval of the Chief Justice may appoint to act for him.