

ADVOCATES.

12 OF 1894.<sup>(1)</sup>

TO REGULATE THE ENROLMENT OF ADVOCATES AND OTHER MATTERS  
AFFECTING ADVOCATES.

WALTER J. SENDALL.]

[May 29, 1894.

PART I.

1. No person shall be enrolled as an Advocate to practise before the Courts in Cyprus until he has obtained the certificate of the Legal Board as hereinafter provided.

Advocates  
not enrolled  
without  
certificate of  
Legal Board.

2. There shall be hereby constituted a body of persons, hereinafter referred to as the "Legal Board," whose duties shall be to receive and decide upon applications from persons desiring to be enrolled as Advocates, to conduct examinations of such persons from time to time, and, subject to the provisions hereinafter contained, to give to such persons the certificates hereinafter mentioned.

Duties of  
Legal Board

3. The Legal Board shall be constituted of the following persons; that is to say, the persons for the time being filling the offices of Chief Justice, Puisne Judge and Queen's Advocate, and of such Judges of the District Courts and Advocates who have been enrolled under clause 176 of the Cyprus Courts of Justice Order, 1882, or who shall be hereafter enrolled under this Law, as the High Commissioner in each year may appoint: Provided that:—

Constitution  
of Legal  
Board.

The number of persons so to be appointed in any year shall not exceed three, and if any vacancy amongst them occurs by death or resignation, or by reason of any of them becoming incapable of acting as a member of the Legal Board during any part of the period for which he is appointed, the High Commissioner shall appoint another qualified person to fill the vacancy;

The Legal Board shall be deemed to be duly constituted, notwithstanding any such vacancy and notwithstanding that any person appointed by the High Commissioner to act as a member of the Legal Board shall neglect or refuse so to act during any portion of the period for which he was so appointed.

<sup>(1)</sup> Ss. 12—18 were formerly ss. 14—20. For Advocates (Amendment No. 3) Law, 1923, see p. 9.

Qualifications for obtaining certificate of Legal Board.

As amended by 10. 1922, 3.<sup>1</sup>

4. Any person desiring to be enrolled as an Advocate who shall satisfy the Legal Board:-

- (1.) That he has attained the age of twenty-one years;
- (2.) That he is of good character;
- (3.) That he has obtained a legal diploma of any University or Law School of Great Britain or Ireland, France, Italy, Greece, Malta, Constantinople, Russia, Austria, Germany, Switzerland, the United States of America, Sweden or Norway, Belgium, Holland, or Denmark; and
- (4.) That he has passed <sup>two</sup> one year in the office of an Advocate who has been enrolled under clause 176 of the Cyprus Courts of Justice Order, 1882, or who shall have been enrolled under this Law and who has passed an examination in the principles of the Ottoman Law and Cyprus Statute Law as defined by the Cyprus Courts of Justice Order, 1882, and in the Rules regulating the procedure of the Courts in Cyprus, to the satisfaction of the Legal Board;

shall be entitled to receive from the Legal Board a certificate stating that he is qualified to be enrolled as an Advocate.

Enrolment of Advocates.

5. Every person who has been granted a certificate of the Legal Board shall, on presentation thereof to the Registrar of the Supreme Court and on payment of the prescribed fee, be enrolled as an Advocate and be entitled to practise before all the Courts of Cyprus.

Every person so enrolled shall be entitled to receive a certificate under the hand of the Chief Justice and the seal of the Supreme

Sec.6 of Law 12 of 1894 (at p.4) has been amended by the addition thereto of the following proviso:-

Provided that no such admission or permit to practise shall be deemed sufficient unless based upon a legal diploma, obtained otherwise than by correspondence, of a University of Law School in the country in question and that if the Legal Board is not satisfied in this regard it may refuse to grant its certificate.

Vide Law 30 of 1928

countries.

been so enrolled he has passed such examination or undergone such

(<sup>1</sup>) The amendment takes effect from 1st of January, 1923.

Qualifications for obtaining certificate of Legal Board.

As amended by 10. 1922, 3.<sup>1</sup>

4. Any person desiring to be enrolled as an Advocate who shall satisfy the Legal Board:-

- (1.) That he has attained the age of twenty-one years;
- (2.) That he is of good character;
- (3.) That he has obtained a legal diploma of any University or Law School of Great Britain or Ireland, France, Italy, Greece, Malta, Constantinople, Russia, Austria, Germany, Switzerland, the United States of America, Sweden or Norway, Belgium, Holland, or Denmark; and
- (4.) That he has passed <sup>two</sup> one year in the office of an Advocate who has been enrolled under clause 176 of the Cyprus Courts of Justice Order, 1882, or who shall have been enrolled under this Law and who has passed an examination in the principles of the Ottoman Law and Cyprus Statute Law as defined by the Cyprus Courts of Justice Order, 1882, and in the Rules regulating the procedure of the Courts in Cyprus, to the satisfaction of the Legal Board;

shall be entitled to receive from the Legal Board a certificate stating that he is qualified to be enrolled as an Advocate.

Enrolment of Advocates.

5. Every person who has been granted a certificate of the Legal Board shall, on presentation thereof to the Registrar of the Supreme Court and on payment of the prescribed fee, be enrolled as an Advocate and be entitled to practise before all the Courts of Cyprus.

Every person so enrolled shall be entitled to receive a certificate under the hand of the Chief Justice and the seal of the Supreme Court stating that he has been enrolled.

Certificate to Advocates etc., enrolled in certain foreign countries.

As amended by 10. 1922, 3.<sup>1</sup>

6. Every person who has been duly admitted to practise as a barrister-at-law, or solicitor, or advocate, or writer to the Signet in Great Britain or Ireland, or has been duly admitted to practise as an Advocate before the Courts of France, Greece, Italy, or the Mixed Tribunals in Egypt, or has a diploma of the Turkish Law School and a permit to practise from the Ministry of Justice of the Ottoman Empire, and who shall apply to be enrolled as an Advocate in Cyprus, shall be entitled to receive a certificate of the Legal Board if he satisfies the Board that he has attained the age of twenty-one years and is of good character.

Certificates to persons enrolled in other foreign countries.

7. Any person who has been duly enrolled to practise before the Courts of any country other than those specified in the last preceding section and who shall satisfy the Legal Board that in order to have been so enrolled he has passed such examination or undergone such

(<sup>1</sup>) The amendment takes effect from 1st of January, 1923.

*no 12 of 1926*

Sec. 4 of Law 12 of 1894 (at p.4) has been amended

by the addition after the word "diploma" of the words "otherwise than by correspondence" and by the addition after the word "Denmark" of the following proviso:-

Provided always that the Legal Board shall be at liberty to grant a certificate of enrolment to any person who shall satisfy the Legal Board that he had entered his name before the 1st day of November, 1925, at such University or Law School with a view to obtaining a diploma which has been recognized by the Legal Board and who has obtained such a diploma and passed his examination under the Advocates Law within a period of four years from the 1st day of November, 1925.

Vide Law 12 of 1926.

this Law, and every person who, being the holder of a legal diploma, has already practised as an Advocate before any Court in Cyprus for any time whatsoever, shall be entitled on application to receive a certificate from the Legal Board, or shall, if he so desire, continue to be admitted from year to year in the same way and subject to the same conditions as heretofore.

9. Every person who at the date of the passing of this Law was admitted to practise as an Advocate under clause 179 of the Cyprus Courts of Justice Order, 1882, and who had not for a period of eight consecutive years been so admitted, may, if he shall so desire, continue to be admitted from year to year in the same way and subject to the same conditions as heretofore, or shall, on passing the examination mentioned in section 4 hereof, be entitled to receive a certificate from the Legal Board.

As to persons already admitted, but not practising.

10. Any person who shall practise as an Advocate without having been duly enrolled shall be guilty of an offence, and shall for each such offence be liable to a fine not exceeding ten pounds.

Penalty for practising without enrolment.

11. "Practising as an Advocate" means the performance of any of the following acts, that is to say: appearing before any Court or Judge or officer of any Court, or before any Village Judge, and conducting any case or proceeding on behalf of any other person; attending at the offices of any Court for the purpose of taking any proceeding on behalf of any other person; writing or preparing on behalf of any other person for reward any document intended to be

"Practising as an Advocate" defined.

(1) See footnote on previous page. The amendment of section 7 is subject to the following proviso: "Provided that any person enrolled as an advocate to practise before the Courts of the Ottoman Empire otherwise than in accordance with the Law dated Zilhiljé 1301, before the 1st January, 1923, shall, before the Legal Board may grant him a certificate, be required to pass the examination mentioned in section 4 of the Principal Law." (12 of 1894.)