



ΠΑΡΑΡΤΗΜΑ ΠΡΩΤΟ

ΤΗΣ ΕΠΙΣΗΜΗΣ ΕΦΗΜΕΡΙΔΑΣ ΤΗΣ ΔΗΜΟΚΡΑΤΙΑΣ

Αρ. 2185 της 31ης ΟΚΤΩΒΡΙΟΥ 1986

ΝΟΜΟΘΕΣΙΑ

Ο Κυρωτικός της Συμφωνίας Νομικής Συνεργασίας μεταξύ της Κυπριακής Δημοκρατίας και της Συριακής Αραβικής Δημοκρατίας Νόμος του 1986 εκδίδεται με δημοσίευση στην επίσημη εφημερίδα της Κυπριακής Δημοκρατίας σύμφωνα με το Άρθρο 52 του Συντάγματος.

Αριθμός 160 του 1986

ΝΟΜΟΣ ΚΥΡΩΤΙΚΟΣ ΤΗΣ ΣΥΜΦΩΝΙΑΣ ΜΕΤΑΞΥ ΤΗΣ ΚΥΠΡΙΑΚΗΣ ΔΗΜΟΚΡΑΤΙΑΣ ΚΑΙ ΤΗΣ ΣΥΡΙΑΚΗΣ ΑΡΑΒΙΚΗΣ ΔΗΜΟΚΡΑΤΙΑΣ ΓΙΑ ΠΑΡΟΧΗ ΝΟΜΙΚΗΣ ΣΥΝΔΡΟΜΗΣ ΣΕ ΘΕΜΑΤΑ ΑΣΤΙΚΟΥ ΚΑΙ ΠΟΙΝΙΚΟΥ ΔΙΚΑΙΟΥ.

Η Βουλή των Αντιπροσώπων ψηφίζει τα ακόλουθα:—

1. Ο παρών Νόμος θα αναφέρεται ως ο Κυρωτικός της Συμφωνίας Νομικής Συνεργασίας μεταξύ της Κυπριακής Δημοκρατίας και της Συριακής Αραβικής Δημοκρατίας Νόμος του 1986.

Συνοπτικός τίτλος.

2. Στον παρόντα Νόμο—

Ερμηνεία.

«Συμφωνία» σημαίνει τη Συμφωνία μεταξύ της Κυπριακής Δημοκρατίας και της Συριακής Αραβικής Δημοκρατίας για Παροχή Νομικής Συνδρομής σε θέματα Αστικού και Ποινικού Δικαίου της οποίας το κείμενο στην αγγλική εκτίθεται στο Μέρος I του Πίνακα και σε ελληνική μετάφραση στο Μέρος II του Πίνακα:

Πίνακας
Μέρος I
Μέρος II.

Νοείται ότι σε περίπτωση αντίθεσης ανάμεσα στα δύο κείμενα επικρατεί το κείμενο που εκτίθεται στο Μέρος I του Πίνακα.

3. Η Συμφωνία, που υπογράφηκε στις 25 Σεπτέμβρη 1985 κατόπιν Απόφασης του Υπουργικού Συμβουλίου αρ. 25.034 ημερομηνίας 11.10.1984, με τον παρόντα Νόμο κυρώνεται.

Κύρωση της Συμφωνίας.

Π Ι Ν Α Κ Α Σ
Μ Ε Ρ Ο Σ Ι
(Άρθρον 2)

A G R E E M E N T

BETWEEN THE REPUBLIC OF CYPRUS AND THE SYRIAN
ARAB REPUBLIC ON LEGAL ASSISTANCE IN
CIVIL AND CRIMINAL MATTERS

The President of the Republic of Cyprus and the President of the Syrian Arab Republic ,

Animated by their desire to strengthen further the ties of friendship and co-operation between their States and wishing to regulate, on the basis of reciprocity, the legal co-operation in the fields of civil and criminal law,

Have resolved to conclude the present Agreement and to this end they have appointed their plenipotentiaries:-

The President of the Republic of Cyprus:

Mr. Demetrios P. Liveras,
Minister of Justice,

The President of the Syrian Arab Republic:

Mr. Sha'ban Shaheen,
Minister of Justice,

Who, after exchanging their respective Full Powers, which were found to be in good and due form, have agreed as follows:-

Part I

General Provisions

Chapter 1

Legal Protection and Legal Assistance
in Civil and Criminal Matters

Article 1

Legal Protection

/1/ Citizens of one Contracting Party shall enjoy in the territory of the other Contracting Party the same legal protection in respect of their personal and property rights as citizens of the latter Contracting Party.

/2/ Citizens of one Contracting Party shall be entitled to appear before the judicial authorities of the other Contracting Party under the same conditions as citizens of the other Contracting Party.

/3/ The provisions of this Agreement shall apply mutatis mutandis to legal persons constituted or incorporated under the laws of the Contracting Parties.

Article 2

Legal Assistance

/1/ The judicial authorities of the Contracting Parties shall provide each other with legal assistance in matters regulated by the present Agreement.

/2/ For the purpose of the present Agreement "Judicial authority" means any judicial or other organ having competence in matters regulated by the present Agreement.

Article 3

Extent of Legal Assistance

Legal assistance shall include sending and service of documents, supply of information on the law in force, the taking of evidence, as well as other matters which are specifically provided for by the present Agreement.

Article 4

Mode of Communication

/1/ For the purpose of requesting and rendering legal assistance the Contracting Parties shall, unless otherwise provided in this Agreement, communicate through their central authorities.

/2/ The central authorities of the Contracting Parties shall be their respective Ministries of Justice.

Article 5

Request for Legal Assistance

/1/ The request for legal assistance shall contain the following:-

- (a) The designation of the requesting authority;
- (b) the designation of the requested authority, if known;

- (c) the specification of the case;
- (d) the names and surnames, citizenship, and if known the permanent or temporary residence, occupation and place and date of birth of the persons concerned and in the case of legal persons their names and addresses;
- (e) the names and surnames of the legal representatives, if any, of the persons concerned;
- (f) the nature of the request giving all information necessary for the execution of the request;
- (g) in criminal matters, the legal description and particulars of the criminal act.

/2/ The request for legal assistance and any documents attached thereto shall be drawn up in the language of the requested Contracting Party or a translation into this language shall be attached.

/3/ The request for legal assistance shall be signed by the competent authority and the official seal shall be affixed thereto.

Article 6

Execution of the Request for Legal Assistance

/1/ In executing the request for legal assistance the requested authority shall apply the law of its State. However, upon the request of the requesting authority it can apply the method referred to in the request if not in conflict with the law of its State.