

No. 456.
 THE COURTS OF JUSTICE (SUPPLEMENTARY
 PROVISIONS) LAW.

CAP. 12.

RULES OF COURT MADE UNDER SECTION 37.

A. B. WRIGHT,
Governor.

In exercise of the powers vested in me by section 37 of the Courts of Justice (Supplementary Provisions) Law, and of every other power enabling me in this behalf, I, the Governor, with the advice and assistance of the Acting Chief Justice, do hereby make the following Rules of Court:—

1. These rules may be cited as the (Exchange Control) Rules of Court, 1953.

2. If an action is brought by or on behalf of a person resident outside the scheduled territories, as defined by the Exchange Control Law, 1952, the indorsement on the writ of summons shall so state and shall state the residence of such person.

3. Wherever the plaintiff's claim is for a debt or liquidated demand only, and the plaintiff or one of two or more co-plaintiffs is resident outside the scheduled territories, as defined by the Exchange Control Law, 1952, or is acting by order or on behalf of a person so resident, or if the defendant is making the payment by order, or on behalf of a person so resident, the indorsement, besides stating the nature of the claim, shall state the amount claimed for debt, or in respect of such demand, and for costs respectively, and shall further state that the defendant can pay the amount claimed and costs into Court within ten days after service, or in the case of a writ not for service in Cyprus within the time allowed for appearance, and that upon such payment further proceedings will be stayed: Provided that where the defendant pays the amount into Court under this rule he shall give notice of such payment in to the plaintiff or his advocate. The defendant may, notwithstanding such payment, have the costs taxed, and if more than one-sixth shall be disallowed, the plaintiff's advocate shall pay the costs of taxation unless he shows that he overcharged bona fide.

4. In any cause or matter any party may apply for payment out of Court of any money paid into Court pursuant to the Exchange Control Law, 1952, or under any order of the Court made thereunder. The application shall be made by summons in the cause or matter, whatever the amount involved, and shall be served upon all parties interested, and if any person in whose favour an order for payment is sought to be made is resident outside the scheduled territories, as defined by the said Law, or will receive payment by order or on behalf of a person so resident, the summons shall so state, and shall state if the permission of the Financial Secretary authorizing the proposed payment has been given unconditionally or on conditions which have been complied with. The permission of the Financial Secretary in writing shall in such case be attached to the petition or summons.

5.—(1) Where any person is directed by any judgment, order or award, to pay any money to or for the credit of any person who is resident outside the scheduled territories, as defined by the Exchange Control Law, 1952, he shall, unless the permission of the Financial Secretary under the said Law has been given unconditionally, or upon conditions which have been complied with, pay the amount thereof into Court.

(2) Payment into Court under the preceding paragraph shall, to the extent of the payment, be a good discharge to the person making the payment, and thereupon no steps may be taken to enforce the judgment, order, or award to the extent of the amount paid in,