



**SUPPLEMENT No. 2**

TO

THE CYPRUS GAZETTE No. 2861 OF 17TH JULY, 1940.

LEGISLATION.

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**THE STATUTE LAWS OF CYPRUS**

**No. 19 OF 1940.**

**A LAW TO AMEND THE COURTS OF JUSTICE LAWS,  
1935 AND 1938.**

W. D. BATTERSHILL,  
*Governor,*

[16th July, 1940.]

**B**E it enacted by His Excellency the Governor and  
Commander-in-Chief of the Colony of Cyprus as  
follows:—

1. This Law may be cited as the Courts of Justice (Amendment) Law, 1940, and shall be read as one with the Courts of Justice Laws, 1935 and 1938, (hereinafter referred to as "the principal Law"), and the principal Law and this Law may together be cited as the Courts of Justice Laws, 1935 to 1940.

Short title.

38 of 1935  
29 of 1938

2. Sub-sections (2) and (3) of section 34 of the principal Law are hereby repealed.

Repeal of  
sub-sections  
(2) and (3) of  
section 34 of  
the principal  
Law.

Amendment  
of section 35  
of the  
principal  
Law.

**3.** Section 35 of the principal Law is hereby amended by the repeal of sub-sections (1) and (2) thereof and by the substitution therefor of the following sub-sections:—

“(1) Where a person, entitled to appeal as in section 34 (1) provided, desires to appeal to the Supreme Court he shall apply for leave to appeal within ten days of the date upon which sentence was pronounced.

(2) Every application for leave to appeal shall—

(a) be in the form set out in the Second Schedule;

(b) be signed by the applicant or his advocate;

(c) set out in full the grounds on which it is founded;

(d) be delivered to the Registrar of the District Court which has sentenced the applicant within ten days of the date upon which sentence was pronounced.”

Repeal of  
section 49  
of the  
principal  
Law and  
substitution  
of new  
section.

**4.** Section 49 of the principal Law is hereby repealed and the following section is substituted therefor:—

“Law to be  
applied.

49.—(1) Every Court in the exercise of its civil or criminal jurisdiction shall apply—

(a) the Laws of the Colony;

(b) the Ottoman laws set out in the Fourth Schedule to the extent specified therein;

(c) the common law and the rules of equity as in force in England on the 5th day of November, 1914, save in so far as other provision has been or shall be made by any Law of the Colony;

(d) the Statutes of the Imperial Parliament applicable either to the Colonies generally or to the Colony save in so far as the same may validly be modified or other provision made by any Law of the Colony.

(2) The Supreme Court in the exercise of the jurisdiction conferred by paragraph (b) of section 12 shall apply the law relating to matrimonial causes for the time being administered by the High Court of Justice in England.”

Date of  
commence-  
ment.

**5.** This Law shall be deemed to have come into operation on the 1st day of January, 1940.

J. V. W. SHAW,  
Colonial Secretary.

16th July, 1940.