

No. 2 of 1949.

A LAW TO AMEND THE ADVOCATES LAWS, 1933 TO 1940.

R. E. TURNBULL,]

[11th January, 1949.

*Officer Administering the Government.*

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

1. This Law may be cited as the Advocates (Amendment) Law, 1949, and shall be read as one with the Advocates Laws, 1933 to 1940 (hereinafter referred to as "the principal Law"), and the principal Law and this Law may together be cited as the Advocates Laws, 1933 to 1949.
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|--------------|
| Short title. |
| 20 of 1933   |
| 40 of 1933   |
| 7 of 1934    |
| 20 of 1937   |
| 4 of 1940    |

Repeal of section 9 of the principal Law and substitution of new section.

2. Section 9 of the principal Law is hereby repealed and the following section substituted therefor :—

“ King’s Counsel.

9. No advocate who has the rank of a King’s Counsel shall perform any of the functions which, in England, are performed by a solicitor and are not performed by a barrister ; but an advocate who has the rank of King’s Counsel shall not be precluded from continuing or engaging in partnership with another advocate by reason only that such last-mentioned advocate performs any functions as aforesaid.”

Repeal of section 11 of the principal Law and substitution of new section.

3. Section 11 of the principal Law is hereby repealed and the following section substituted therefor :—

“ Enquiry into the conduct of advocates and powers of Supreme Court.

11.—(1) If any advocate is convicted by any Court of any offence which, in the opinion of the Supreme Court, involves moral turpitude or is, in the opinion of the Supreme Court, guilty of disgraceful, fraudulent or unprofessional conduct, the Supreme Court may—

- (a) order the name of the advocate to be struck off the Roll of Advocates ;
- (b) suspend the advocate from practising for such period as the Court may think fit ;
- (c) order the advocate to pay, by way of fine, any sum not exceeding five hundred pounds ;
- (d) warn or reprimand the advocate ;
- (e) make such order as to the payment of the costs of the proceedings before the Supreme Court as the Court may think fit.

(2) Proceedings to enforce any of the penalties provided by sub-section (1) may be commenced by the Supreme Court of its own motion or by an application to a Judge of the Supreme Court in Chambers for a rule to issue to the advocate calling upon him to show cause why he should not be dealt with under the provisions of the said sub-section.

An application under this sub-section may be made by the Attorney-General or, with the leave of the Supreme Court, by any person aggrieved by the conduct of the advocate.

(3). Where by any order made by the Supreme Court under the provisions of sub-section (1) the name of any advocate is ordered to be struck off the Roll or any advocate is suspended from practice, the Chief Registrar shall forthwith cause a notice stating the effect thereof to be published in the *Gazette*.

(4) The Supreme Court may, if it thinks fit, at any time after the expiration of five years from the date of an order striking the name of an advocate off the Roll of Advocates, order the Chief Registrar to replace on the Roll the name of such advocate. The Chief Registrar shall forthwith cause the effect of any such order to be published in the *Gazette*.

(5) For the purposes of compelling payment of any fine or any costs ordered to be paid under the provisions of this section, the Supreme Court shall have power to issue the same process as may be issued to compel payment of a judgment debt."

4. The principal Law is hereby amended by the insertion therein immediately after section 12 of the following section :—

"Judicial officers prohibited from practising after retirement.

12A.—(1) Without the prior consent of the Secretary of State, no person shall be enrolled as an advocate or shall practise as an advocate who, having been permanently appointed to a judicial office after the 18th day of November, 1948, leaves the public service of Cyprus from such office; and no annual licence shall be issued to any such person.

(2) For the purposes of this section—

'judicial office' means the office of the Chief Justice, of a Judge of the Supreme Court, of a President of a District Court or of a District Judge."

5. Section 14 of the principal Law is hereby repealed and the following section substituted therefor :—

"Rules of Court.

14.—(1) The Governor with the advice and assistance of the Chief Justice may, from time to time, by writing under the hand and the official seal of the Governor and the hand of the Chief Justice, make Rules of Court—

(a) for regulating any matters relating to the duties and professional conduct of advocates;

Insertion of new section 12A in the principal Law.

Repeal of section 14 of the principal Law and substitution of new section.

(b) with respect to agreements between advocates and clients and the conditions of retainer and employment of advocates;

(c) generally for the better carrying out of the provisions of this Law.

(2) Any advocate who contravenes or fails to observe any rules made under sub-section (1) shall be deemed to be guilty of unprofessional conduct and shall be liable to be dealt with for such conduct under the provisions of section 11 of this Law.

(3) Order XXXVI (Section B) of the Rules published under No. 812 in the *Gazette* of the 21st November, 1927 (relating to advocates) with the exception of rule 25 thereof shall, until revoked or substituted, be deemed to have been made under the provisions of this section and to be incorporated for all purposes in any rules made thereunder."

11th January, 1949.

H. G. RICHARDS,  
*Acting Colonial Secretary.*

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No. 3 OF 1949.

A LAW TO MAKE PROVISION FOR RAISING A LOAN TO PRODUCE AN AMOUNT NOT EXCEEDING THE SUM OF ONE HUNDRED AND TEN THOUSAND POUNDS STERLING FOR THE PURPOSE OF MAKING ADVANCES TO THE LOAN COMMISSIONERS.

R. E. TURNBULL,]

[11th January, 1949.

*Officer Administering the Government.*

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

Short title.

1. This Law may be cited as the Loan Law, 1949.