



CYPRUS BAR ASSOCIATION

REPORT FOR 2014

11 Florinis Street, Office 101, 1st Floor 1065 – Nicosia Cyprus

Tel. No.: 22873300 Fax. No.: 22873013 www.cyprusbarassociation.org

Florinis 11, off.101, 1stFloor, 1065 Nicosia, P.O.Box. 21446, 1508 Nicosia – Cyprus

TEL: +357 22873300, FAX: +357 22873013

E-mail: cybar@cytanet.com.cy – Website: cyprusbarassociation.org

E-mail: cybar2@cytanet.com.cy – Website: cyprusbarassociation.org



44th EUROPEAN PRESIDENTS'

CONFERENCE 2016

VIENNA

INTRODUCTION – HISTORY

The Cyprus Bar Association is the professional body for over 3000 advocates' members. Cyprus Bar Association was established under the Advocate's Law Cap.2 in 1960 and it has been operating since then.

It regulates all the registered members.

In Cyprus we do not have specializations and all registered lawyers can deal with any legal matter. In - house lawyers are not members of the CBA i.e if they work in audit firm then they are not considered practicing lawyers.

Florinis 11, off.101, 1stFloor, 1065 Nicosia, P.O.Box. 21446, 1508 Nicosia – Cyprus

TEL: +357 22873300, FAX: +357 22873013

E-mail: cybar@cytanet.com.cy – Website: cyprusbarassociation.org

E-mail: cybar2@cytanet.com.cy – Website: cyprusbarassociation.org



The Cyprus Bar Council consists of:

The President, who is elected by the General Meeting of the Bar Association, taking place every three years.

The Chairmen of the District Bar Associations and one member from each District elected as representative to the Bar Council.

Four members elected by the General Meeting of the Bar Association.

The Attorney General is considered as the honor President of the Bar Council.

They meet once a month.

Elections took place in October 2014 and a new council has been constituted.

The services provided by the Cyprus Bar Association on a daily basis are:

- ▶ On line services i.e registration payment of fees etc
- ▶ Renewal of Advocates' annual License
- ▶ Registration of European Lawyers
- ▶ Supervisory Authority for AML purposes
- ▶ Extra judicial Committee
- ▶ Organization of seminars and conferences

Florinis 11, off.101, 1stFloor, 1065 Nicosia, P.O.Box. 21446, 1508 Nicosia – Cyprus

TEL: +357 22873300, FAX: +357 22873013

E-mail: cybar@cytanet.com.cy – Website: cyprusbarassociation.org

E-mail: cybar2@cytanet.com.cy – Website: cyprusbarassociation.org



We have restructured the departments and we have created a new structure as follows:

1. Administration – Renewals- Certificates
2. Pension Fund
3. AML supervision
4. Cylaw
5. ExtraJudicial committee

The official registries kept by the CBA are:

- ▶ Lawyers Registry (approx. 3000 up to now)
- ▶ LLC Registry (700 up to now)
- ▶ Trusts Registry (923 up to now)
- ▶ ASPs Registry (995 up to now) (Administrative Service Providers)

All work needed to be done, including administrative matters, was done voluntarily by the members of the Board and the President's office. In 1992 the Board decided to employ a full time employee to do the work and in nowadays the CBA is employing 16 persons. This enabled the CBA to cope with new demands that have appeared since Cyprus became a full member of the European Union. We hope

Florinis 11, off.101, 1stFloor, 1065 Nicosia, P.O.Box. 21446, 1508 Nicosia – Cyprus

TEL: +357 22873300, FAX: +357 22873013

E-mail: cybar@cytanet.com.cy – Website: cyprusbarassociation.org

E-mail: cybar2@cytanet.com.cy – Website: cyprusbarassociation.org



that every year we become more active within Europe.

WEBSITES

www.cyprusbarassociation.org

- ▶ Registries
- ▶ Announcements – News – Circulars
- ▶ Seminars – Conferences
- ▶ Job Vacancies
- ▶ Links

www.cylaw.org

- ▶ Legislation
- ▶ Cases – Supreme & District Courts
- ▶ Open to public

We have designed a website with all the needed information for Lawyers and clients. We have also provided to all our registered lawyers an online legal database where there can search for all Cyprus laws and cases. (www.cylaw.org , www.cyprusbarassociation.org)

This service is also public and no fees are paid for subscription.

CONTINUOUS TRAINING

The continuous training is not compulsory but it is under discussion before a special committee.

Florinis 11, off.101, 1stFloor, 1065 Nicosia, P.O.Box. 21446, 1508 Nicosia – Cyprus

TEL: +357 22873300, FAX: +357 22873013

E-mail: cybar@cytanet.com.cy – Website: cyprusbarassociation.org

E-mail: cybar2@cytanet.com.cy – Website: cyprusbarassociation.org



We have been organizing conferences/seminars on European Law and all the important matters which concern the profession i.e Anti money laundering, civil procedures European directives, mediation.

Our concern is that our lawyers get more information on how European law works and keep them updated on recent developments.

One of our aims is to provide to our Lawyers better service and to feel that their organization supports them in any query they have.

The conferences who are organised by the Bar association are always free of charge of the participation fees.

3. Pension Fund Computerisation Project

The Pension Fund records of members, their details, annual fees, retirement and other benefits were kept in manual books. In addition, the accounting was also kept in manual ledgers. All member records have now been transferred into a database, and the various processes of the Pension Fund have been automated, according to the relevant legislation. The new system can issue automated receipts for the annual subscription fees, as well as new member registration fees. It now provides details to members about their status, their subscription fees (statement of account), and can handle 'what-if' scenarios relating to retirement possibilities. The system is continuously maintained with

Florinis 11, off.101, 1stFloor, 1065 Nicosia, P.O.Box. 21446, 1508 Nicosia – Cyprus

TEL: +357 22873300, FAX: +357 22873013

E-mail: cybar@cytanet.com.cy – Website: cyprusbarassociation.org

E-mail: cybar2@cytanet.com.cy – Website: cyprusbarassociation.org



legislation updates. Shortly the system will be linked to electronic banking facilities so that beneficiaries are paid electronically and annual fees are collected in the same way. The Pension Fund system is also linked to a new accounting system which has the capability of producing periodic management accounts.

EUROPEAN UNION MEMBERSHIP

Our membership in European Union safeguards and guarantees a peaceful future for Cyprus within a safe and prosperous environment. And it promises the Union's unity and strengthens the stability safety and cooperation within the EU.

Our membership requires a continuous legislative reform for the harmonization with the European acquis and the protection of the basic principles of the European Union and the protection of the basic principles of human rights within the European law.

Lawyers have always been considered as the defenders of the human rights. Having faced a continuing facing human rights violation from Turkey since Turkish invasion in 1974, Cyprus and its legal profession are specifically committed to promote and protect human rights within European Union.

Florinis 11, off.101, 1stFloor, 1065 Nicosia, P.O.Box. 21446, 1508 Nicosia – Cyprus

TEL: +357 22873300, FAX: +357 22873013

E-mail: cybar@cytanet.com.cy – Website: cyprusbarassociation.org

E-mail: cybar2@cytanet.com.cy – Website: cyprusbarassociation.org



Nevertheless, all these give rise to the need for the exchange of views, for closer cooperation between the States and their legal systems and the need for new laws and methods of enforcement.

The creation of a common competitive market the free movement and establishment of services within the European Union is one of the main principles in Europe.

Inevitably, this influence the Legal Profession in Cyprus and on one hand challenges it to upgrade the services of the Legal Profession and on the other hand it entails obligations to change attitude and adoption of new methods.

The new requirements demand high level of knowledge and continuous training and above all seriousness and responsibility on behalf of the lawyers in combination with the protection of the ethics and human rights.

The protection of interests and rights, both as between individuals themselves as well as between individuals and Governments is the basic principle of any legal system. The obligations to find ways of enforcing these interests and rights have been entrusted to members of the legal profession.

Cyprus has enacted harmonizing legislation to implement the directives of the European Union to facilitate practice of the profession

Florinis 11, off.101, 1stFloor, 1065 Nicosia, P.O.Box. 21446, 1508 Nicosia – Cyprus

TEL: +357 22873300, FAX: +357 22873013

E-mail: cybar@cytanet.com.cy – Website: cyprusbarassociation.org

E-mail: cybar2@cytanet.com.cy – Website: cyprusbarassociation.org



of lawyer on a permanent basis in a member state other than that the qualification was obtained (Directive 98/5/EC) and to facilitate the effective exercise by lawyers of freedom to provide services (Directive 77/249/EEC).

STATISTICS

The table below shows the number of registered lawyers during the years 2004-2015

Year	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Women	617	660	670	716	812	836	909	1012	1151	1347	1527	1666
Men	962	930	1006	1053	1114	1131	1179	1276	1291	1400	1467	1519
Total	1579	1650	1676	1769	1926	1967	2088	2288	2442	2747	2994	3185

Due to the local colleges now offering a law degree a lot of children decided to study law. Therefore more people finish a law degree.



We try to urge our members to employ more and more young people in their law firms in order to keep the young lawyers in Cyprus and not force them due to unemployment to move to another member state.

Supervisory Authority for Money Laundering

In 2001 the Council of Ministers has appointed the Council of the Cyprus Bar Association as the supervisory authority for lawyers in accordance with section 59(4) of the Prevention and Suppression of Money Laundering Activities Law No. 188(I)/2007. The Cyprus Bar Association is the regulatory and competent authority for over 3000 registered practising advocates in Cyprus (1350- Law firms) and was firstly established in 1960 under Advocates' Law Cap. 2. Its major objective is the representation of the interests and the assistance of its members.

Cyprus' AML regime, in overall has received a positive evaluation in the 2011 Moneyval report. The Cyprus Bar Association has efficiently established the legal framework and succeeded in ensuring adequate procedures to protect Lawyers from being used by money launderers and terrorist financiers. Since the appointment of the Council of the Cyprus Bar Association as the supervisory authority for lawyer, steps have been taken to exercise its authority in practice either by organizing seminars and informing its members on the AML Law and

Florinis 11, off.101, 1stFloor, 1065 Nicosia, P.O.Box. 21446, 1508 Nicosia – Cyprus

TEL: +357 22873300, FAX: +357 22873013

E-mail: cybar@cytanet.com.cy – Website: cyprusbarassociation.org

E-mail: cybar2@cytanet.com.cy – Website: cyprusbarassociation.org



developments, while it has appointed educated staff to conduct on-site inspections on all law firms in Cyprus (LLC & sole practitioners).

Due now to the economic crisis in our island and after being evaluated by troika we have created new amendments in our directives to accommodate more obligations on our members and to implement the law more strictly.

Cyprus' AML regime, in overall has received over the years positive evaluations (2011 Moneyval report).

The Competent authorities have efficiently established the legal framework and succeeded in ensuring adequate procedures to protect professionals from being used by money launderers and terrorist financiers.

We have created the risk based approached systems and training on specific topics of money laundering.

It is obvious that some foreign countries are putting the squeeze on Cyprus now that the island is in a tight spot, with the ultimate purpose of slandering Cyprus and damaging its status as an international business center.

Florinis 11, off.101, 1stFloor, 1065 Nicosia, P.O.Box. 21446, 1508 Nicosia – Cyprus

TEL: +357 22873300, FAX: +357 22873013

E-mail: cybar@cytanet.com.cy – Website: cyprusbarassociation.org

E-mail: cybar2@cytanet.com.cy – Website: cyprusbarassociation.org



But we are very optimistic that the measures we have taken together with the close cooperation with all the competent authorities will put Cyprus back to the map as one of the best international business center.

MEDIATION LAW

We have adopted the Directive 2008/52/EC on certain aspects of “mediation in civil and commercial matters” and the national law provides that if a lawyer wishes to get registered as a mediator then he/she can apply to the Ministry of Justice but they have to provide to the Ministry a certificate that they are trained in civil matters together with their license and a fee of 30 euro. There is only exception in commercial matters where the certificate is not needed.

We have contacted mediation centers for training and 100 members of us have already trained as mediators by accredited companies (i.e ADR group, Toolkit etc)

E –justice

The Minister of Justice who has been appointed after the elections in February 2014 promised and he is in close cooperation with the CBA and the Supreme Court that he will proceed and create the e - justice

Florinis 11, off.101, 1stFloor, 1065 Nicosia, P.O.Box. 21446, 1508 Nicosia – Cyprus

TEL: +357 22873300, FAX: +357 22873013

E-mail: cybar@cytanet.com.cy – Website: cyprusbarassociation.org

E-mail: cybar2@cytanet.com.cy – Website: cyprusbarassociation.org



within the courts and other authorities. In professional practice all the communications is done through tons of paper. This is the promise to change in the near future.

INSOLVENCY NEW REGIME

Due to the new established insolvency regime created and the new legislation enacted the insolvency practitioner is the new regulated profession where registered practicing lawyers can register if they comply with the requirements provided by the Law (8 years of practice where 5 of them have been dealing with liquidation (voluntary or non-voluntary, insolvency cases etc)

(The Insolvency Framework comprises of a package of six legislative texts which entered into force on the 07/05/2015, the date of their publication in the Official Journal of the Republic (five laws and a set of regulations).)

<http://www.mof.gov.cy/mof/mof.nsf/All/846873EA6C29E0DAC2257E28003671C7>

THEODOROS IOANNINDES
PRESIDENT
CYPRUS BAR ASSOCIATION

Florinis 11, off.101, 1stFloor, 1065 Nicosia, P.O.Box. 21446, 1508 Nicosia – Cyprus

TEL: +357 22873300, FAX: +357 22873013

E-mail: cybar@cytanet.com.cy – Website: cyprusbarassociation.org

E-mail: cybar2@cytanet.com.cy – Website: cyprusbarassociation.org