

**GENERAL INFORMATION ON MEASURES TAKEN BY THE SUPREME COURT OF CYPRUS TO
PREVENT THE SPREAD OF COVID-19**

Country: CYPRUS

1. THE MOST CRITICAL PHASE OF THE CRISIS

As long as measures to prevent the spread of Covid-19 restrict freedom of movement: What are the effects of the Covid-19 crisis on civil justice?

The Supreme Court of Cyprus issued an announcement on the 16th of March 2020, introducing a number of measures to be taken by the Courts in order to prevent the spread of Covid-19. Even though the announcement of the Supreme Court underlines that justice should continue, the measures taken, inevitably, have an effect on the operation of the Courts.

As announced by the Supreme Court, the gathering of people at Courts and the hearing of most cases, excluding cases of urgency, should be restricted. In particular the Supreme Court decided the following in so far as civil cases:

(A) The hearing or any proceedings concerning cases before all Courts, of every scale and jurisdiction, are postponed from 16/03/2020 until 30/04/2020, except from the below cases:

The hearing of following civil cases will be taking place:

- (i) Applications for interim orders concerning extremely urgent matters. The urgency is determined by the competent judge, who may provide permission for the case to proceed;
- (ii) Appeals concerning auction proceedings of immovable property;
- (iii) Applications for the issuance of Habeas Corpus orders;
- (iv) Proceedings regarding extradition or wanted persons;
- (v) Certiorari applications of urgent nature, as per Court's judgment;
- (vi) Proceedings concerning political asylum cases of urgent nature, as per the Court's judgment; and
- (vii) Appeals of an urgent nature, as per the Court's judgement.

Certain similar measures have been taken for the hearings of criminal cases (which are not listed herein).

(B) The Registrar of Courts will only accept the filing of the following cases:

- (i) Legal actions, general applications or other proceedings which are accompanied by applications for the issuance of interim orders of urgency nature. The urgency is determined by the competent Court;
- (ii) Appeals in relation to auction of immovable property;
- (iii) Appeals and certioraris of urgent nature, as per Court's judgment;
- (iv) Application in relation to extradition or wanted persons; and
- (v) Certain other criminal cases.

Additionally, the filing of cases as per deadlines and/or statutory time bar set in the Constitution or Law is allowed.

A person may take oath before the Registrar of Courts only in extremely urgent cases, as determined by the competent Registrar.

(C) The Supreme Court has also suspended all deadlines stipulated under the Civil Procedures Rules until the 30th of April 2020.

(D) Any matters regarding the operation of the Courts which may arise by virtue of the said announcement will be determined by appropriate decisions of the President of each relevant Court. The Supreme Court retains the power to amend the current directions at any time.

All cases affected by the above measures shall be re-scheduled to a new date which will be communicated by the Court.

What are the consequences of the Covid 19 pandemic once the pandemic has abated, in the gradual return to a new normality and what are the long-term effects?

Further to the aforementioned measures taken by the Supreme Court of Cyprus, the Government has implemented a number of measures to prevent the spread of the virus which include a partial lockdown regime. These measures include compulsory quarantine for certain people, closing down schools and certain types of businesses (e.g. cafeterias, bars, gyms and retail shops), as well as restricting flights from abroad. Restrictive measures have been implemented on the movement of persons, requiring authorization for movement and prohibiting late night movement. On the 9th

of April 2020, the Government has announced the extension of these measures until the 30th of April 2020.

It is emphasized that the relevant Decree does allow as an exception the movement of persons for the purpose of going to work and essential business purposes.

The banks remain operational even though each bank is taking its own steps to minimize the spread of the virus. Furthermore, there are limitations as to the number of persons (including employees) that can be present at the same place where the public is served.

It should further be noted that the Government is constantly issuing new Decrees in relation to the matter (overall 18 Decrees have been issued so far by the Ministers of Health, Transport and Employment – for further information see webpage of the Press and Information Office of the Republic of Cyprus at <https://www.pio.gov.cy/coronavirus/>).

As a final remark it is noted that Cyprus Courts have in their armory the tools necessary to fight corruption and fraud such as freezing orders and disclosure orders. As noted above, urgent applications for interim orders can be heard by the Courts even while the current Government measures for the prevention of the spread of the virus are in force.

Dated 10 April 2020

Contact details:

Costas Stamatiou

Advocate/Partner

Elias Neocleous & Co LLC

Email: costas.stamatiou@neo.law

This guide contains general information and is not exhaustive. It should not be relied and/or applied on specific facts without further legal advice.