

**1. Could you give the main dates in the evolution of the review of decisions and acts of Administrative authorities?**

Cyprus was established as an independent state on 16<sup>th</sup> of August 1960. The judicial system of Cyprus is based on the Constitution which was signed on the same day.

Article 146 of the Constitution is the principal provision creating competence in administrative law. Under this Article the Supreme Constitutional Court (now the supreme Court) *“shall have exclusive jurisdiction to adjudicate finally on a recourse made to it on a complaint that a decision, act or omission of any organ, authority, or person exercising any executive or administrative authority is contrary to any of the provisions of this Constitution or of any law or is made in excess or in abuse of powers vested in such organ or authority or person”*.

Because of the necessitous circumstances that arose in 1963, entailing paralysis of the judicial authorities, the Supreme Court of Cyprus was established by the **Administration of Justice (Miscellaneous Provisions) Law (33/64)**. The jurisdiction and powers of the Supreme Constitutional Court were vested in the Supreme Court. This law also introduced a two tier administrative jurisdiction of the Supreme Court.

In 1999 the **Law Codifying the General Principles of Administrative Law that Must Govern the Actions of the Administration** was enacted. This law had codified the case law of the Supreme Court.

**2. Does the review by the courts of administrative acts and actions aim to submit administrative authorities to law and protect individual rights, in other words to the rule of law? Alternatively, is it only a review of the good functioning of the administration?**

The jurisdiction of the Supreme Court as the only administrative court covers the whole area of executive and administrative action in the public sphere, to the exclusion of matters falling within the domain of private law.

The legality of the acts or omissions of any organ, authority or person exercising any executive or administrative authority is reviewed and, they are either annulled (in part or wholly) or confirmed.

Any such decision of the Supreme Court binds any court, organ or authority in the Republic and, accordingly any of them is bound to give effect to and act upon it.

The Supreme Court cannot go into the merits of the decision under review and resolve the matter with a decision, on the substance, of its own.

**3. What is the definition of an administrative authority in your country? Does this definition include all public legal entities and private legal entities exercising public authority?**

No definition is given by the Constitution. Administrative authority should be contradistinguished with legislative or judicial authority.

Administrative authorities include public legal entities, local government authorities, statutory bodies performing public functions.

**4. Is there a classification of administrative acts in your country?**

An administrative act should be a unilateral authoritative one, it should emanate from an authority of public administration and be within the public domain. It must directly and adversely affect the interests of a person, it must not be an act of legislation or act of government and be distinguished from a judicial decision.

**5. Is the review of administrative acts undertaken by general bodies related to the administrative authorities and similar to courts?**

Legislative provisions specify procedures for administrative review of executive acts by higher administrative authorities (Hierarchical control). Such procedure however is not final or conclusive and does not bar the filing of a recourse to the Supreme Court.

**6. Could you describe the organization of the Court system in your country, indicating which courts or tribunals are competent to hear disputes concerning acts of the administration?**

The Cyprus judicial system entails two levels in the court structure.

a) First instance courts include the District Courts, the Assize Courts, the Rent Control Tribunal, the Industrial Tribunal, the Military Court and the Family Court.

**District Court**

The District Court has First instance civil and criminal jurisdiction.

The criminal jurisdiction is limited to offences carrying a maximum sentence of five years or a fine not exceeding £50.000 or both. It must be noted that a Judge with the consent of the Attorney-General can assume jurisdiction and try summarily any offence. In such a case the punishment to be imposed cannot exceed the punishment and compensation which he is otherwise empowered to impose.

The District Court has jurisdiction to hear and determine all civil actions,

(a) Where the cause of action has arisen wholly or in part within the limits of the district where the Court is established, or

- (b) Where the defendant at the time of the filing of the action resides or carries business within the limits of the Court.

**Assize Court**

The Assize Court has jurisdiction to try all the criminal offences which are punishable by the Criminal Code or any other law and has the power to impose the maximum sentence provided by the relevant law.

**Rent Control Tribunal**

The Rent Control Tribunal has jurisdiction to try all the disputes which arise from the application of the Rent Control Laws, which include amongst other matters, the payment of rent and recovery of possession.

**Industrial Tribunal**

The Industrial Tribunal has jurisdiction to entertain applications by employees for unjustified dismissal and redundancy payments.

**Military Court**

The Military Court has jurisdiction to try military offences under the Criminal Code and any other law committed by members of the armed forces.

**Family Court**

The Family Court has jurisdiction to take up petitions concerning the dissolution of marriage as well as matters which relate to parental support, maintenance, adoption and property relations between spouses provided that the parties are residing in the Republic.

b) **The Supreme Court**

**(i) Appellate Court**

The Supreme Court has jurisdiction to hear and determine all appeals from all judgments of inferior courts in civil and criminal matters. The Court can uphold, vary, set aside any such judgment or order the retrial of the case as it may think fit. The Court can draw its own inferences from the facts drawn by the trial Court and in certain exceptional cases may receive further evidence.

**(ii) Administrative matters**

The Supreme Court as the only administrative court in the country, has exclusive jurisdiction to adjudicate on any recourse filed against a decision, act or omission of any organ, authority or person exercising any executive or administrative authority on the ground that it violates the provisions of the Constitution or any law or it is in excess or in abuse of any power vested in such organ, authority or person.

**(iii) Prerogative Orders**

The Supreme Court has exclusive jurisdiction to issue the prerogative orders of habeas corpus, mandamus, prohibition, quo warranto and certiorari.

**(iv) Admiralty**

The Supreme Court has jurisdiction to hear and determine admiralty cases. The original jurisdiction is exercised by a single judge and an appeal against his decision lies to a Bench of at least five.

**(v) Elections**

The Supreme Court as the Electoral Court has the power to hear and determine petitions concerning the interpretation and application of the Electoral Laws.

**(vi) Constitutional matters**

The Supreme Court has jurisdiction to adjudicate as to whether a law is compatible with the provisions of the Constitution or any conflict of power or competence which arises between any organs or authorities of the Republic. In addition the Supreme Court has jurisdiction to hear a recourse by the President of the Republic as to whether a law passed by the House of Representatives is repugnant or inconsistent with any provision of the Constitution.

- 7. If the review of administrative acts and action lies within the competence of the ordinary courts, is that competence delimited by texts (such as a constitution, or parliamentary legislation) or by case law ?**

The Supreme Court has exclusive jurisdiction to review administrative acts.

- 8. If the review of administrative acts is carried out by administrative courts or tribunals, are the existence, competence and duties of those courts or tribunals governed by specific rules? Are such rules set out in texts or in the case – law?**

As set out in question 1 the Constitution confers exclusive jurisdiction to the Supreme Court to exercise control over administrative acts.

According to Article 146.4 the Supreme Court may confirm the decision, act or omission, in whole or in part, declare, either in whole or in part, such decision or act to be null and void and of no effect whatsoever or declare that such omission, either in whole or in part, ought not to have been made and whatever has been omitted should have been performed.

Furthermore the Supreme Court is vested under Article 135 of the Constitution, with the competence to regulate its practice and procedure by Rules of Court.

- 9. If judicial review is assumed by ordinary courts, describe their internal organization and specify if they comprise specialized chambers, and how these are composed.**

The Supreme Court is the only competent organ to exercise judicial review.

- 10. If judicial review is assumed by administrative courts, present their internal organization. Distinguish between the highest and the lower courts. Could you provide a chart or a diagram?**

The Supreme Court exercises both original and appellate jurisdiction.

The Supreme Court is composed of thirteen judges, one of which is the president.

At first instance, cases are heard by one judge and following an appeal by a bench of at least five. Where the case involves issues of particular importance, it is heard by all of the Supreme Court judges. Among such cases are those in which the Supreme Court is called upon to decide on constitutional matters (See diagram attached herewith).

- 11. Do the Judges who review administrative acts belong to a specific category? Specify whether different categories of judges exist according to the various kinds of control of administrative authorities.**

No, there are no specialized administrative courts. Judicial review of administrative acts is exercised by all Supreme Court Judges.

- 12. How are Judges in charge of judicial review of administrative authorities recruited?**

The Supreme Court Judges are appointed by the President of the Republic and they hold office until they attain the age of sixty eight. They are as a rule, selected from among the most senior of the judges serving in the lower courts, following a recommendation from the Supreme Court, but the President may appoint anyone who is a lawyer of high moral standard and with at least 12 years practice.

**13. What is the professional training of judges in general?**

In order to qualify for appointment as a District Judge, one has to be a registered advocate with, at least, six years practice in the legal profession and of high moral standard.

- 14. How is their career structure organized?**

They are appointed as district judges, then promoted to senior district judges and finally to presidents of district courts.

**15. How is their professional mobility organized?**

First instance judges are appointed, transferred and promoted by the Supreme Council of Judicature, which is composed of the members of the Supreme Court.

The Supreme Court Judges serve in the Supreme Court until their retirement.

For a judge to take up any other position in the public administration, he has to resign from his post.

**16. What are the different kinds of recourse against administrative acts and action in your country?**

The application for annulment may assert lack of competence, infringement of an essential procedural requirement, substantive violation of the law, contravention of the Constitution, excess or abuse of discretionary power.

As already mentioned the Supreme Court may confirm the decision, act or omission, in whole or in part, declare either in whole or in part, such decision or act to be null and void and of no effect whatsoever or declare that such omission either in whole or in part ought not to have been made and whatever has been omitted should have been performed.

The Supreme Court has no jurisdiction to award damages to any person aggrieved by any decision or act declared to be void. This jurisdiction rests on the District Court.

**17. Do mechanisms exist for the delivery of a preliminary ruling?**

There are no mechanisms at the moment for the delivery of a preliminary ruling as far as judicial review is concerned. There is such procedure in criminal jurisdiction.

**18. Does a competent body have only judicial functions or does it also have an advisory role vis-a vis the executive or the legislature?**

The Supreme has no advisory role.

The Supreme Court is given jurisdiction, under Article 140 of the Constitution, to hear a recourse by the President of the Republic, made prior to its promulgation, as to whether a law or decision passed by the House of Representatives is repugnant or inconsistent with any provisions of the Constitution. If in the opinion of the Supreme Court such law or decision is indeed repugnant, the law or decision is not promulgated and has no effect.

**19. Where the body plays both a judicial and an advisory role, how are its respective duties organized?**

Not applicable.

**20. Do the highest appeal courts have an instrument or a procedure to ensure the harmonized and uniform application and interpretation of law?**

The Judgments of the Supreme Court are binding on all inferior Courts. Therefore any interpretation of law, provided in a judgment, by the Supreme Court, must be followed.

**21. How significant are the pre-conditions for access to the courts in your system of control of administrative authorities?**

There are no pre-conditions.

**22. Who may bring a case before a court (natural persons, legal entities such as associations, companies etc, local authorities or other administrative bodies or authorities)?**

Under Article 146.2 of the Constitution a recourse may be made by *“a person whose any existing legitimate interest, which he has either as a person, or by virtue of being a member of a community, is adversely and directly affected by such decision or act or omission”*.

Article 186 provides that the term person includes any company, partnership, association, society, institution or body of persons, corporate or unincorporate.

**23. For every situation, specify the conditions that must be satisfied in order for an application for judicial review to be admissible?**

The first prerequisite is that there must be an act or decision taken by an organ or authority, or person exercising executive or administrative authority in the field of public and not private law.

The executory nature of such act or decision is considered to be another prerequisite. The main characteristic of an executory act is the creation of a legal result by which a legal situation is created, varied or abolished which can be defined as a right or an obligation of an administrative nature.

A third prerequisite for a person to file recourse is that he must have an existing legitimate interest which is adversely and directly affected. A legitimate interest of a person must be prejudicially affected directly by the act or omission. The concept of “interest” is not similar to the concept as applied in civil law. It must be concrete of a financial or moral nature. In this respect a person’s interest must be distinguished from the interests of the general public. No *actio populari* is allowed. The interest must exist at the time of the

filing and the hearing of the recourse. Whether the interest is directly affected is a question of fact to be decided on the circumstances of each case.

**24. Is recourse to the courts subject to time limits?**

Article 146.3 of the Constitution provides that recourse must be filed within 75 days from the date of the publication of the act or decision or, if not published and in the case of an omission, from the day when it comes to the knowledge of the applicant. If there is doubt or uncertainty as to the commencement of the period, such doubt has to be resolved in favour of the applicant.

The provisions of Article 146.3 are mandatory and should be given effect in all cases. However the period of limitation does not run where the person is prevented in filing a recourse by reasons of *force majeure*.

**25. Are there certain administrative acts or actions that are not open to review by the courts?**

The administrative jurisdiction of the Supreme Court covers the area of executive administrative acts or decisions within to the domain of public law. Excluded from the jurisdiction of the court are acts, decisions or omissions of public authorities within the domain of private law. Internal acts of the administration, preparatory acts, confirmatory acts, and acts of government are not subject to the revisional jurisdiction of the Court.

**26. Are applications for review by the courts subject to screening procedures?**

Proceedings before the Administrative Court are not filtered, permission of a judge is not required. However under Article 134.2 of the Constitution when a recourse appears to be prima facie frivolous the court may, after hearing arguments by or on behalf of the parties concerned, dismiss such recourse without a public hearing if satisfied that such a recourse is prima facie frivolous.

**27. How must the application be presented? Are there specific forms or is the applicant free to choose the format?**

The Supreme Constitutional Court Rules of 1962 provide that a specific form must be filed. This form must contain the name of the court, the year in which the application is instituted, the Article(s) under which it is made, the name and address in full of the applicant, the administrative organ that issued the decision, name and address in full of the applicant's advocate, if any, and an address for service in Nicosia.

It must also contain a statement of the case of the applicant setting out in a summary form all the material facts relied upon, the requested remedy and the legal grounds of the application. The application must be accompanied by copies of all the documents, referred in the application, which are in the possession or power of the applicant .

Non compliance to any of the above formalities is not fatal and can be remedied.

- 28. Has the possibility of bringing proceedings via the Internet been envisaged in your country or is it already possible? Are their reflections or plans for the introduction of tele-procedures or e-procedures (e- registry office)**

At present it is not possible to file a recourse through the internet. However e - procedures may be introduced after the construction of the website of the Court.

- 29. Is there a pecuniary charge for lodging an application for judicial review?**

According to Article 163.2 of the Cyprus Constitution the Supreme Court may make Rules for prescribing forms and fees in respect of proceedings in the courts and regulating the costs of, and incidental to, any such proceedings.

The Court Fees Order provides that the fees of the Courts are to be taken by means of revenue stamps. Stamp duty for filing an application for annulment is currently CyP 52.25 (approximately 85€).

- 30. Is recourse to a solicitor/lawyer or counsel compulsory?**

Legal representation is not compulsory at all the levels of the judicial system.

- 31. As regard the costs of the proceedings, can they be paid through legal aid?**

Legal aid is not available for administrative cases.

- 32. Is there a fine for abusive or unjustified applications?**

No, but the unsuccessful applicant may be ordered to pay all the costs of the proceedings.

- 33. Which fundamental principles govern the main trial hearing? The right to inter partes proceedings, the rights of the defence/the right to a fair hearing, the balance of written and oral elements in the proceedings. Do these principles derive from national law (legislation or/and case-law) or European Law (Convention for the Protection of Human Rights and Fundamental Freedoms) or both?**

Although the Cyprus legal system is adversarial, the Supreme Court in the exercise of its revisional jurisdiction follows the inquisitorial system.

The right to a fair hearing is safeguarded in our Constitution and by the European Convention of Human Rights which has been ratified. Furthermore our jurisprudence also protects this right.

Observance to the attributes of a fair trial is a prerequisite for a valid judicial determination.

**34. How is the judicial impartiality ensured in your country?**

Judicial independence is strongly maintained in Cyprus and is secured by our Constitution.

The Constitution separates the three powers of the State and there can be no intervention in the administration of justice.

Entrusting judicial appointments (first instance judges) to the judicial power of the state is an institutional safeguard for both the independence and impartiality of the judiciary.

The security of tenure afforded to the judges strongly supports the independence of the judiciary.

**35. After the application has been lodged, can the applicant rely on legal arguments raised for the first time in the course of proceedings?**

Only legal arguments that have been outlined in the application form can be the subject of review by the court. There is however, jurisdiction to amend, on proper application, so as to include additional or other arguments.

**36. Which other persons can intervene during the main hearing?**

All applications for review are served on all interested parties.

Any interested party can intervene in the proceedings provided he has a legal interest in the non- annulment of the decision and stands to lose as a result of the annulment of the administrative act. The interested party can not intervene to support the annulment of the action.

**37. Is there a representative of the State (ministère public) who may submit pleadings in cases concerning administrative law?**

No. The State is usually, represented through the office of the Attorney General who acts for the respondent administrative organ. Administrative organs, such as municipalities or statutory bodies functioning under special legislative provisions are represented by lawyers of their choice.

- 38 Is there, in your legal system, an institution or a person who plays a role analogous to that of role played by the French “commissaire du gouvernement” before the Conseil d’État, that is to say, who is completely independent and impartial and who delivers an opinion in open court, analyzing the legal arguments and suggesting how the case ought properly to be disposed of in a case?**

No. Under certain circumstances the Attorney General may be allowed to appear as *amicus curiae*

- 39. How can proceedings come to an end before a decision is reached by the Court?**

If the act of the administration had been revoked or the omission is rectified and the applicant is satisfied, the proceedings are abolished.

Furthermore, if before the case is concluded, the applicant dies then, as it is explained in question 23 the legal interest ceases to exist. Provided a legitimate interest is not vested in his/hers heirs, the recourse is abated.

In any case an applicant may withdraw his recourse.

- 40. Does the court registry forward the various written applications and pleadings to the parties?**

The applicant serves the application to the respondent and to the interested parties. As for the pleadings, each party forward theirs to the other party.

- 41. Who is responsible for providing the evidence? The parties or the courts?**

Although the Cyprus legal system is adversarial, the Supreme Court in the exercise of its revisional jurisdiction follows the inquisitorial system. Therefore it reviews the administrative actions independently of the participation of the litigants. The Court has the power and responsibility to regulate the production of evidence in accordance with the requirements of the due discharge of its competence under Article 146.

Furthermore under Rule 11 of the Supreme Constitutional Rules 1962, the Court has power to summon any person to give evidence or produce documents for the purpose of enabling the court to come to a just decision in the case.

- 42. How is the hearing conducted? Is it public? Can it take place in camera and in which circumstances? Who can take part in the hearing and how?**

The hearing is conducted in public. Each party submits in writing its case and

may, with the leave of the Court, call witnesses or produce evidence (if necessary) in support of its case. The applicant, the respondent and the interested parties are the only ones that have a right to participate in the hearing. In administrative jurisdiction the hearing is not conducted in camera.

**43. When and how is judicial deliberation conducted? Who can take part in it?**

At the end of the hearing the judge or judges, if the case is heard by more than one judge, deliberate in private and they deliver their decision. No other person is allowed to take part in these deliberations.

**44. How are the grounds of the decision given? In details or more briefly?**

A detailed and proper reasoning for the deliberations of the Court is mandatory and warranted by the Constitution and constitutes at the same time a fundamental element of the judicial process. The evidence must be analyzed in the light of the issues arising. There must be a clear pronouncement indicating the outcome of the case.

**45. What are the reference norms {International norms, European norms (convention for the Protection of Human Rights, Community Law) Constitution, law, jurisprudence, personal conviction}?**

Usually in a case, reference may be made to the European Convention of Human Rights, to Community law i.e directives, regulations and Cyprus case law.

Furthermore judicial precedents of other European Countries with similar to ours, administrative law may also be cited (i.e. Greek Council of State)

**46. Which criteria and methods of review are used by the court?**

See Question 2 above

**47. How are legal costs apportioned?**

The Judge has discretion in the apportionment of the costs. Usually the costs follow the outcome of the case. The party that loses the case has to bear the legal costs. However under special circumstances, the court may order that each party bear its own costs.

**48. Is it more usual for the case to be decided by a single judge or by a number of judges?**

Revisional jurisdiction is usually exercised by a single judge of the Court, subject to appeal before a division of the Supreme Court composed of five judges, provided always that the plenum of the Supreme Court, composed of

seven or more judges, may deal directly with a recourse under Article 146, in which case there is no appeal.

**49. Where the case is heard by several judges, is the expression of individual judicial opinions allowed?**

Yes. Judgments may be unanimous or there may be dissenting judgments as well.

**50. Is the decision delivered in writing or orally?**

Judgments are both pronounced in public and given in writing to the parties.

**51. What is the authority of the decision? *Res Judicata, stare decisis***

All judgments of the Supreme Court have the force of *res judicata*.

An annulling decision of the Court binds both the applicant and the administration. Following an annulment of an act, the administration is bound to re-examine the matter and is estopped from issuing an identical act on the same grounds and the same reasoning which were declared invalid.

Annulment of the act or decision operates *erga omnes*. Dismissal of the application does not preclude other persons from filing a recourse against the same act or decision.

A single judge exercising administrative jurisdiction under Article 146 is bound by any decision of the plenum or of any decision given on appeal, with regard to any matters relevant to the case at hand. The Supreme Court is likewise bound; unless it considers that on the basis of certain criteria there should be departure and restatement of any principle.

**52. Can the Court limit the effects of the judgments in time?**

No. The matter was examined by the Supreme Court and the majority of the Court was of the opinion that no such limit can be imposed by the Court

**53. Is the right to the execution of judicial decision guaranteed in your country? Specify if it is unformally guaranteed, or through a specific judicial procedure. Indicate if there is a distinction between implementation of the judgment by administrative authorities and implementation of the judgment by private persons. Specify if the court has the power of injunction, possibly completed by coercive fine, in order to secure compliance with the judicial decision?**

Article 146.5 of the Constitution makes all decisions of the court binding on all courts and all organs and authorities in the Republic whom it requires to give effect to the court's decision. The administrative authorities are obliged to take

the measures called for by the judgment or to refrain from any action declared to be unlawful.

Consequently if a respondent organ or authority fails to give effect to and act upon the decision, the citizen concerned is entitled to compensation.

The Court has no power to issue an injunction apart from an interlocutory one.

**54. Is there a policy in your country to reduce the length of time needed for the proper disposal of cases before the Courts? If so, how is that policy implemented**

Article 30 of the Constitution provides that: “...*every person is entitled to a fair and public hearing within a reasonable time...*”. This Article corresponds to Article 6.1 of the European Convention on Human Rights.

Furthermore Rules of Procedure of 1986, issued by the Supreme Court provide that no judgment shall be reserved for a period exceeding 6 months. On the application of any party, after the elapse of the above period or ex proprio motu, after the elapse of 9 months, the Supreme Court may:

- (i) order the retrial of the case by a different court,
- (ii) make an order for the issue of judgment within a time limit,
- (iii) issue any other necessary order.

**55. How are the various functions or/and competencies shared out between the lower courts and the supreme courts?**

The Supreme Court is the only judicial body entrusted with revisional jurisdiction.

**56. Are there remedies to challenge a judgment before a higher court? Describe these remedies and their functioning?**

There is an appeal as of right, under the proviso to Section 11(2) of the Administration of Justice (Miscellaneous Provision) Law, from the decision of a single judge of the Supreme Court in the exercise of revisional jurisdiction at first instance. It proceeds before a panel of five or more judges.

**57. Are there emergency and summary jurisdiction proceedings?**

There are no summary jurisdiction proceedings in the revisional jurisdiction of the Supreme Court. However under Article 134.2 of the Constitution when a recourse appears to be prima facie frivolous the court may, after hearing arguments by or on behalf of the parties concerned, dismiss such recourse without a public hearing if satisfied that such a recourse is prima facie frivolous.

In emergency situations an application for a provisional order may be filed under Rule 13 of the Supreme Constitutional Court Rules which continue in

force under Section 17 of the Administration of Justice (miscellaneous provisions) Law (33/64).

It is a cardinal principle of administrative law that a provisional order is granted only if the applicant shows manifest illegality or the likelihood of irreparable damage.

**58. What type of requests can be made to the emergency and summary jurisdictions? Ascertainment of a situation? The obligation for administrative authorities to communicate a document? The suspension of the execution of an administrative act? The payment of a provision?**

See question 57 above.

**59. Are there different kinds of summary jurisdiction? General or specific to certain litigants?**

Not applicable.

**60. Can disputes be settled by administrative authorities themselves? How?**

The administrative organs may satisfy the claim of the applicant and in such a case, the subject matter of the recourse ceases to exist. They may act on their omission to act or they may revoke the contested act or decision.

The existence in certain situations, of hierarchical control may lead to the settlement of disputes.

**61. Can administrative disputes be settled by independent bodies (offices, agencies, ombudsman, mediators, regulation authorities?)**

The institution of the ombudsman affords a method of non judicial control of the administration. He reports on complaints submitted to him and he suggests ways of redressing the injustice. In the event of non compliance he may submit a report to the Council of Ministers and to the House of Representatives.

**62. Can administrative disputes be resolved by means other than recourse to the Courts?**

See questions 60 and 61 above

**63. On average, what proportion of the State budget is allocated to the administration of Justice? Specify for administrative justice when it exists is distinguished from ordinary justice.**

The proportion of the State budget allocated to the Courts for 2003 and 2004 is approximately 0.5%.

**64. Specify the total number of magistrates and judges working within the legal system concerned**

There are no magistrates in our court system. The total number of judges is 96.

**65. What percentage of judges is assigned to the review of administrative authorities?**

All the 13 Judges of the Supreme Court exercise administrative jurisdiction.

**66. Apart from registry staff, are judges helped by assistants in their research and decisions? Specify the number of assistants (overall and per judge) and their professional training (university, the Bar etc)**

There are thirteen legal assistants one for each judge of the Supreme Court. The help of the legal assistants is mainly concentrated on the revisional jurisdiction of the Supreme Court. Their task is research, i.e finding the case law on the issues and preparing a summary of the facts of the case. They must possess a law degree.

**67. Do you have a library and what kind of works and documentary resources can be found there?**

The library of the Supreme Court keeps the Cyprus law reports, Legal books, Case law of the European Court of Human Rights as well as the jurisprudence of the European Court of Justice and the jurisprudence of many European and non European countries.

**68. Do you have access to information technology? In which proportion? And for which kind of task ?**

There is an extensively great use of the information technology in our Court.

**69. Do competent bodies and courts have a website to publicise themselves and to communicate with the public?**

The website of the Supreme Court is still under construction.

**70. How many new applications are registered every year with the court registry or the authority in charge of registering them?**

**71. How many cases are heard every year by the court or other competent bodies?**

**72. Could you provide figures concerning cases currently lodged with courts or competent bodies which have not yet been disposed?**

**73. What is the average time taken between the lodging of a claim and judgment?**

<b>Reference year</b>	<b>Cases lodged</b>	<b>Cases disposed of</b>	<b>Cases pending</b>	<b>Average time to judgment</b>
<b>2003</b>	1263 first instant cases 182 appeals	1235 first instance cases 125 appeals	2332 first instant cases 455 appeals	1 year 2 1/2 years
<b>2004</b>	1230 first instant cases 180 appeals	1305 first instance cases 170 appeals	2256 first instant cases 466 appeals	1 year 2 1/2 years

**75 Could you indicate the volume of litigation per field (asylum, foreigners, tax, urban planning etc?)**

Since there are no specialized administrative courts for specific categories, it is extremely difficult to provide information on the volume of litigation for each category.