

**CYPRUS**

**FOREIGN JUDGMENTS  
(RECIPROCAL ENFORCEMENT)**

**CHAPTER 10 OF THE LAWS**

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1959



## CHAPTER 10.

## FOREIGN JUDGMENTS.

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A LAW TO MAKE PROVISION FOR THE ENFORCEMENT IN THE COLONY OF JUDGMENTS GIVEN IN FOREIGN COUNTRIES WHICH ACCORD RECIPROCAL TREATMENT TO JUDGMENTS GIVEN IN THE COLONY FOR FACILITATING THE ENFORCEMENT IN FOREIGN COUNTRIES OF JUDGMENTS GIVEN IN THE COLONY, AND FOR OTHER PURPOSES IN CONNECTION WITH THE MATTERS AFORESAID.

[2nd August, 1935.] 1949 Cap. 16.

1. This Law may be cited as the Foreign Judgments (Reciprocal Enforcement) Law. Short title.

2. (1) In this Law—

“appeal” includes any proceeding by way of discharging or setting aside a judgment or an application for a new trial or a stay of execution ;

“country of original Court” means the country in which the original Court is situated ;

“District Court” means the District Court in the

Interpretation.

district in which the judgment debtor or any of the judgment debtors resides or in which any property to which a judgment relates is situate ;

“ judgment ” means a judgment or order given or made by a Court in any civil proceedings, or a judgment or order given or made by a Court in any criminal proceedings for the payment of a sum of money in respect of compensation or damages to any injured party ;

“ judgment creditor ” means the person in whose favour the judgment was given and includes any person in whom the rights under the judgment have become vested by succession or assignment or otherwise ;

“ judgment debtor ” means the person against whom the judgment was given, and includes any person against whom the judgment is enforceable under the law of the original Court ;

“ judgment given in the superior Courts of the Colony ” means judgments given in the Supreme Court or in a District Court in the Colony and includes judgments given in any Courts on appeals against any judgments so given ;

“ original Court ” in relation to any judgment means the Court by which the judgment was given ;

“ prescribed ” means prescribed by Rules of Court ;

“ registration ” means registration under Part I of this Law, and the expressions “ register ” and “ registered ” shall be construed accordingly ;

“ registering court ” in relation to any judgment means the Court to which an application to register the judgment is made.

(2) For the purposes of this Law, the expression “ action *in personam* ” shall not be deemed to include any matrimonial cause or any proceedings in connection with any of the following matters, that is to say, matrimonial matters, administration of the estates of deceased persons, bankruptcy, winding up of companies, lunacy, or guardianship of infants.

## PART I.

### REGISTRATION OF FOREIGN JUDGMENTS.

3. (1) The Governor, if he is satisfied that, in the event of the benefit conferred by this Part of this Law being extended to judgments given in the superior Courts of any

foreign country, substantial reciprocity of treatment will be assured as respects the enforcement in that foreign country of judgments given in the superior Courts of the Colony, may by Order in Council direct—

- (a) that this Part of this Law shall extend to that foreign country ; and
- (b) that such Courts of that foreign country as are specified in the Order shall be deemed superior Courts of that country for the purposes of this Part of this Law.

(2) Any judgment of a superior Court of a foreign country to which this Part of this Law extends, other than a judgment of such a Court given on appeal from a Court which is not a superior Court, shall be a judgment to which this Part of this Law applies, if—

- (a) it is final and conclusive as between the parties thereto ; and
- (b) there is payable thereunder a sum of money, not being a sum payable in respect of taxes or other charges of a like nature or in respect of a fine or other penalty ; and
- (c) it is given after the coming into operation of the Order in Council directing that this Part of this Law shall extend to that foreign country.

(3) For the purposes of this section, a judgment shall be deemed to be final and conclusive notwithstanding that an appeal may be pending against it, or that it may still be subject to appeal, in the Courts of the country of the original Court.

(4) The Governor may by a subsequent Order in Council vary or revoke any Order previously made under this section.

4. (1) A person, being a judgment creditor under a judgment to which this Part of this Law applies, may apply to the District Court at any time within six years after the date of the judgment, or, where there have been proceedings by way of appeal against the judgment, after the date of the last judgment given in those proceedings, to have the judgment registered in the District Court, and on any such application the Court shall, subject to proof of the prescribed matters and to the other provisions of this Law, order the judgment to be registered;

Application  
for, and  
effect of,  
registration  
of foreign  
judgment.