

Amendment of Judicial Practice Code



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Litigation, Cyprus

On 15 February 2019 a notice was published in the *Official Gazette* regarding amendments to the Judicial Practice Code of 17 March 1988.

The amendments to the Judicial Practice Code provide that a judge, whether sitting alone or as a member of a panel of judges of an adjudicating court, cannot hear a case in which a party is represented by a lawyer who is:

- a "family member of the judge"; or
- in the same firm or office with a "family member of the judge".

The term "same firm or office" does not include the Cyprus Law Office.

The amendment to the Judicial Practice Code has no retrospective effect on:

- cases where the hearing has commenced; and/or
- cases in which the issuance of a judgment is pending.

Further, the amendment to the Judicial Practice Code does not apply to cases before the full bench of the Supreme Court or for procedural appearances (not concerning substantial matters) before any other court.

In issuing the amendment to the Judicial Practice Code, the Supreme Court confirmed the importance that it places on Article 28(1) of the Constitution, which provides all citizens with the right to be treated equally before the law, as well as the practical experience that the court has derived over the years.

In addition, the recent media focus in Cyprus on the alleged impartiality of certain judges was the impetus behind these changes, which are seen in legal circles as an effort by the judiciary to address these concerns.

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