

CAP. 39.

CYPRUS

CERTIFYING OFFICERS

CHAPTER 39 OF THE LAWS

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1959

CHAPTER 39.

CERTIFYING OFFICERS.

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TO PROVIDE FOR THE APPOINTMENT OF PERSONS TO CERTIFY
SIGNATURES AND SEALS.

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(2nd May, 1888.)

Short title.

1. This Law may be cited as the Certifying Officers Law.

Interpreta-
tion.

2. In this Law—

“signature” includes “mark” in the case of persons unable to write.

Governor
may appoint
certifying
officer.

3. The Governor may from time to time appoint such persons as he shall think fit to issue certificates that the signatures subscribed or seals affixed to documents are the signatures or seals of the persons whose signatures or seals they purport to be ; they shall be styled “certifying officers” and shall be appointed by an instrument in writing under the hand of the Administrative Secretary. Every such appointment may be revoked by the Governor in like manner ; and every such appointment and revocation shall be notified in the Gazette.

4. Every certifying officer shall on his appointment be furnished with a seal of a pattern to be approved by the Governor and shall pay to the Government a fee of two hundred and fifty mils to defray the cost of the seal.

Each certifying officer to have a seal and furnish specimens of his signature.

He shall also furnish copies or specimens of his signature as follows :—

- one to each District Commissioner ;
- one to the Administrative Secretary ;
- one to the Registrar of each District Court ;
- one to the Accountant-General ; and
- one to the Registrar of the Supreme Court.

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Such copies or specimens shall be kept by the officers to whom they are entrusted and shall be produced by them when thereto lawfully required in any proceeding before any Court of Justice in Cyprus.

5. Each certifying officer shall be appointed for a particular place or area to be named in his appointment and shall perform the duties of his office at the place or within the area so named and no other.

Appointment to be local.

6. Subject to the provisions of this Law it shall be the duty of every certifying officer appointed under the provisions of this Law, when thereto required, to certify that the signature or seal subscribed or affixed to any document is the signature or seal of the person whose signature or seal it purports to be. Such certification shall be effected by inscribing upon the document a certificate in one of the forms in the Schedule, or to the like effect ; and by affixing thereto the seal of the certifying officer.

Duty of certifying officer to certify signatures and seals.

Schedule.

7. No certifying officer shall certify any signature or seal unless—

When signature or seal may be certified.

- (a) the signature or seal is affixed to the document in his presence ; and
- (b) the person signing or sealing the document is personally known to the certifying officer, or his identity is attested by two persons personally known to the certifying officer, who shall sign the document as witnesses to the seal or signature of the principal party.

Requisites
of document
for certi-
fication.

8. No certifying officer shall certify any signature or seal under this Law to any document unless the document is written legibly, continuously, and without erasure, interlineation, blank, or interval.

Certificate to
be evidence
of facts
certified.

9. Certificates purporting to be made by a certifying officer in accordance with the provisions of this Law shall be receivable as evidence of the facts thereby certified in all Courts of Justice in Cyprus.

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10. A fee not exceeding one hundred mils shall be payable to a certifying officer in respect of every signature or seal certified by him under the provisions of this Law.

Seals of
officer dying
or ceasing to
act to be
delivered up.

11. When any certifying officer shall cease to hold office or shall die, his seal as certifying officer shall be delivered up by him or his legal representative, as the case may be, to the Commissioner of the District, who shall forward it at once to the Administrative Secretary ; and any person who shall without reasonable cause on demand by the Commissioner of the District refuse or fail to deliver up any seal under the provisions of this section shall be liable to a fine not exceeding five pounds.

Penalty for
taking
excessive
fees.

12. Every certifying officer shall inscribe on every document the signature or seal to which is certified by him the amount received by him in respect of the document ; and any certifying officer who shall take or demand in respect of any certificate any greater fee than the fee prescribed by this Law shall be guilty of an offence, and shall be liable to a penalty not exceeding four pounds.

Penalty for
contraven-
tion of
section 8.

13. Any certifying officer who shall act in contravention of section 8 of this Law shall be guilty of an offence, and for each such offence shall be liable to a penalty not exceeding two pounds.

Penalty
for false
declaration,
personifica-
tion, etc.

14. Any person who shall before a certifying officer make a false declaration as to the identity of any person, or personate any other person, or subscribe to any document any false or fictitious name, shall be guilty of an offence, and for each such offence shall be liable to imprisonment for any term not exceeding five years.

SCHEDULE.

(Section 6.)

FORM A.

Signed [*or sealed*] this day in my presence by *A. B.*, who is personally known to me. In testimony whereof I have hereto set my hand and official seal this day of 19 .

(L.S.)

C. D.

Certifying Officer.

FORM B.

Signed [*or sealed*] this day by *A. B.* in my presence and in the presence of *I. S.* and *X. Y.*, who are respectively personally known to me and who have declared in my presence that the person sealing (*or signing*) is *A. B.*, and that he the said *A. B.* is personally known to them.

In testimony whereof I have hereto set my hand and official seal this day of 19 .

(L.S.)

C. D.

Certifying Officer.

