

Cyprus's Constitution

Part IV: THE HOUSE OF REPRESENTATIVES

Article 61

The legislative power of the Republic shall be exercised by the House of Representatives in all matters except those expressly reserved to the Communal Chambers under this Constitution.

Article 62

1. The number of Representatives shall be fifty:
Provided that such number may be altered by a resolution of the House of Representatives carried by a majority comprising two-thirds of the Representatives elected by the Greek Community and two-thirds of the Representatives elected by the Turkish Community.
2. Out of the number of Representatives provided in paragraph 1 of this Article seventy per centum shall be elected by the Greek Community and thirty per centum by the Turkish Community separately from amongst their members respectively, and in the case of a contested election, by universal suffrage and by direct and secret ballot held on the same day.
The proportion of Representatives stated in this paragraph shall be independent of any statistical data.

Article 63

1. Subject to paragraph 2 of this Article every citizen of the Republic who has attained the age of eighteen years and has such residential qualifications as may be prescribed by the Electoral Law shall have the right to be registered as an elector in either the Greek or the Turkish electoral list:
Provided that the members of the Greek Community shall only be registered in the Greek electoral list and the members of the Turkish Community shall only be registered in the Turkish electoral list.
2. No person shall be qualified to be registered as an elector who is disqualified for such registration by virtue of the Electoral Law.

Article 64

A person shall be qualified to be a candidate for election as a Representative if at the time of the election that person

- a. is a citizen of the Republic;
- b. has attained the age of twenty-five years;
- c. has not been, on or after the date of the coming into operation of this Constitution, convicted of an offence involving dishonesty or moral turpitude or is not under any disqualification imposed by a competent court for any electoral offence;
- d. is not suffering from a mental disease incapacitating such person from acting as a Representative.

Article 65

1. The term of office of the House of Representatives shall be for a period of five years.
The term of office of the first House of Representatives shall commence on the date of the coming into operation of this Constitution.
2. The outgoing House shall continue in office until the newly-elected House assumes office under paragraph 1 of this Article.

Article 66

1. A general election for the House of Representatives shall be held on the second Sunday of the month immediately preceding the month in which the term of office of the outgoing House expires.
2. When a vacancy occurs in the seat of a Representative such vacancy shall be filled within a period not exceeding forty-five days of its occurrence, in such manner as a Law may provide.
3. If an election under paragraph 1 or 2 of this Article cannot take place on the date fixed by or under this Constitution owing to extraordinary and unforeseen circumstances such as earthquake, floods, general epidemic and the like, then such election shall take place on the corresponding day of the week next following.

Article 67

1. The House of Representatives may dissolve itself only by its own decision carried by an absolute majority including at least one third of the Representatives elected by the Turkish Community.
2. Any such decision shall, notwithstanding anything contained in paragraph 1 of Article 65 and paragraph 1 of Article 66, provide for the date of the holding of the general election, which shall not be less than thirty days and not more than forty days from the date of such decision, and also for the date of the first meeting of the newly elected House which shall not be later than fifteen days after such general election and until such date the outgoing House shall continue to be in office.
3. Notwithstanding anything in paragraph 1 of Article 65 contained, the term of office of the House of Representatives to be elected after dissolution shall be for the unexpired period of the term of office of the dissolved House. In case of dissolution within the last year of the five years' term of office, a general election for the House of Representatives shall take place both for the unexpired part of the term of office of the dissolved House, during which any session of the newly elected House shall be considered to be an extraordinary session, and for the subsequent five years' term of office.

Article 68

Whenever a House of Representatives continues to be in office until the assumption of office by a newly elected House under either paragraph 2 of Article 65 or paragraph 2 of Article 67, such House shall not have power to make any laws or to take any decisions on any matter except only in case of urgent and exceptional unforeseen circumstances to be specifically stated in the relevant law or decision.

Article 69

A Representative before assuming duties as such in the House of Representatives and at a public meeting thereof shall make the following affirmation:

"I do solemnly affirm faith to, and respect for, the Constitution and the laws made thereunder, the preservation of the independence and the territorial integrity, of the Republic of Cyprus".

Article 70

The office of a Representative shall be incompatible with that of a Minister or of a member of a Communal Chamber or of a member of any municipal council including a Mayor or of a member of the armed or security forces of the Republic or with a public or municipal office or, in the case of a Representative elected by the Turkish Community, of a religious functionary (din adami).

For the purposes of this Article "public office" means any office of profit in the service of the Republic or of a Communal Chamber the emoluments of which are under the control either of the Republic or of a Communal Chamber, and includes any office in any public corporation or public utility body.

Article 71

The seat of a Representative shall become vacant-

- a. upon his death;
- b. upon his written resignation;
- c. upon the occurrence of any of the circumstances referred to in paragraph (c) or (d) of Article 64 or if he ceases to be a citizen of the Republic;
- d. upon his becoming the holder of an office mentioned in Article 70.

Article 72

1. The President of the House of Representatives shall be a Greek, and shall be elected by the Representatives elected by the Greek Community, and the Vice-President shall be a Turk and shall be elected by the Representatives elected by the Turkish Community. Each shall be elected separately as above at the same meeting at the beginning and for the whole period of the term of office of the House of Representatives.
2. In case of any vacancy in either of the offices provided in paragraph 1 of this Article, an election as provided in such paragraph shall take place with all due speed and at an extraordinary session if necessary in order to fill such vacancy.
3. In case of temporary absence or pending the filling of a vacancy as provided in paragraph 2 of this Article in either of the offices of the President or the Vice-President of the House, their functions shall be performed by the eldest Representative of the respective Community unless the Representatives of such Community should otherwise decide.

4. In addition to the President and the Vice-President of the House there shall be appointed from amongst the Representatives and by the President and the Vice-President of the House respectively two Greek and one Turkish Clerks of the House and two Greek and one Turkish Administrative Clerks of the House who shall be attached respectively to the office of the President and the Vice-President of the House.

Article 73

1. Subject to the ensuing provisions of this Article, the House of Representatives by its Standing Orders regulates any matter of parliamentary procedure and of functions of its offices.
2. There shall be a Committee to be known as the Committee of Selection consisting of the President of the House as Chairman, the Vice-President of the House as Vice-Chairman and eight other members elected by the House of Representatives at its meeting after the election of the President and the Vice-President of the House, six from amongst the Representatives elected by the Greek Community and two from amongst the Representatives elected by the Turkish Community.
3. The Committee of Selection shall set up the Standing Committees and any other temporary, ad hoc or special Committee of the House of Representatives and shall appoint Representatives to be members thereof and in so doing due regard should be had to the proposals made by the Greek and the Turkish Communal groups or political party groups in the House for such setting up and appointments. The appointments to such Committees shall be subject to the provisions of the paragraph next following.
4. The Greek and the Turkish Communal groups and political party groups in the House of Representatives shall be adequately represented on each of the Standing, and of any other temporary, ad hoc or special, Committee of the House:
Provided that the total number of the seats on such Committees distributed respectively to the Representatives elected by the Greek and the Turkish Communities shall be in the same proportion as that in which the seats in the House are distributed to the Representatives elected by the Greek and the Turkish Communities respectively.
5. Every Bill on being introduced in the House of Representatives shall be referred for debate in the first instance before the appropriate Committee.
With the exception of those which are considered to be of an urgent nature, no Bill shall be debated by a Committee before the lapse of forty-eight hours after its being distributed to the Representatives constituting such a Committee.
With the exception of those which are considered to be of an urgent nature, no Bill which has passed the Committee stage shall be debated in the House of Representatives before the lapse of forty-eight hours after it has been distributed to the Representatives together with the report of the Committee.
6. The agenda of the meetings of the House of Representatives, which shall include any additional subject proposed by the Vice-President of the House, shall be drawn up and presented to the House of Representatives by the President of the House.
After the presentation of the agenda to the House of Representatives, any Representative may move any addition or amendment to such agenda, and such motion shall be decided upon by the House of Representatives.

7. No Representative can speak at any meeting of the House of Representatives unless he registers his name in the proper Register or unless he obtains the permission of the person presiding at such meeting.

Every Representative who has complied with such formality is entitled to be given reasonably sufficient time, having regard to the particular subject, to speak and to be heard at the relevant meeting.

The speeches shall be made in order of the registration or of oral request, as the case may be, of those who desire to speak:

Provided that where there are opposite views held, a speaker shall, as far as practicable, follow another one who supports the opposite view. But Representatives speaking on behalf of the Committees or of the political party groups of the House of Representatives shall not be subject to such order of precedence.

Representatives desiring to speak in connexion with motions with regard to any matter relating to the agenda, the application of the Standing Orders or the closure of the debate shall be given precedence in time over the Representatives desiring to speak in connexion with the subject of the debate. and in such a case two Representatives, one in favour and one against the motion, shall be allowed fifteen minutes each for their respective speeches.

8. All speeches in the House of Representatives shall be made from the rostrum of the House and addressed to the House of Representatives. All speeches and other proceedings in the House and at all the Committee meetings shall, simultaneously as they are being made or taking place, be translated from the official language in which they are being made or taking place into the other official language.
9. Save as otherwise provided in the Standing Orders, interruptions of the speech of a Representative or personal attacks against any Representative unconnected with the subject under debate, both in the House and at the Committee meetings, are prohibited.
10. The votes in the House of Representatives shall be jointly counted and recorded by one Greek and the Turkish Clerk of the House.
11. The minutes of the debates in the House of Representatives shall comprise all proceedings fully.
The minutes of the proceedings of the Committees shall be kept in a summary form. Upon objection to the minutes of a meeting of the House of Representatives through the oral submission of a Representative at the first following meeting or by a written objection sent to the President of the relevant meeting, the House of Representatives may decide to correct such minutes accordingly.
12. Any political party which is represented at least by twelve per centum of the total number of the Representatives in the House of Representatives can form and shall be entitled to be recognised as a political party group.

Article 74

1. The House of Representatives shall meet on the fifteenth day next following a general election and thereafter in each year on the corresponding day in such year without summons for its ordinary session.
2. The ordinary session of the House of Representatives shall last for a period of three to six months in each year, as the House of Representatives may determine.
3. The House of Representatives shall be summoned to an extraordinary session by the President or the Vice-President of the House on the request of ten Representatives addressed to both the President and the Vice-President of the House.

Article 75

1. The meetings of the House of Representatives shall be open to the public and the minutes of its debates shall be published.
2. The House of Representatives may, if it thinks necessary, hold secret sessions on a resolution carried by a three-quarters majority vote of the total number of Representatives.

Article 76

1. The President of the House shall declare the commencement and the end of every meeting.
2. The President of the House in declaring the end of a meeting shall at the same time announce the date and time fixed, with the consent of the House of Representatives, of the meeting next following and shall present to the House of Representatives the agenda of such meeting and thereupon the provisions of paragraph 6 of Article 73 shall apply.
3. Any agenda shall be printed and distributed to the Representatives at least twenty-four hours prior to the meeting, but if such agenda relates to the topic already under debate such distribution may be made at any time prior to the meeting.

Article 77

1. The quorum of the House of Representatives shall consist of at least one-third of the total number of its members.
2. The debate relating to any particular topic shall be adjourned once for twenty-four hours at the request of the majority of the Representatives of either Community who are present at a meeting.

Article 78

1. The laws and the decisions of the House of Representatives shall be passed by a simple majority vote of the Representatives present and voting.
2. Any modification of the Electoral Law and the adoption of any law relating to the municipalities and of any law imposing duties or taxes shall require a separate simple majority of the Representatives elected by the Greek and the Turkish Communities respectively taking part in the vote.

Article 79

1. The President or the Vice-President of the Republic may address the House of Representatives by message, or transmit to the House of Representatives their views through the Ministers.
2. The Ministers may follow the proceedings of the House of Representatives or any Committee thereof, and make a statement to, or inform, the House of Representatives or any Committee thereof, on any subject within their competence.

Article 80

1. The right to introduce Bills belongs to the Representatives and to the Ministers.
2. No Bill relating to an increase in budgetary expenditure can be introduced by any Representative.

Article 81

1. The Budget is introduced to the House of Representatives at least three months before the day fixed by law for the commencement of the financial year and is voted by it not later than the day so fixed.
2. Within three months from the end of the financial year the final accounts shall be submitted to the House of Representatives for approval.

Article 82

A law or decision of the House of Representatives shall come into operation on its publication in the official Gazette of the Republic unless another date is provided by such law or decision.

Article 83

1. Representatives shall not be liable to civil or criminal proceedings in respect of any statement made or vote given by them in the House of Representatives.
2. A Representative cannot, without the leave of the High Court, be prosecuted, arrested or imprisoned so long as he continues to be a Representative. Such leave is not required in the case of an offence punishable with death or imprisonment for five years or more in case the offender is taken in the act. In such a case the High Court being notified forthwith by the competent authority decides whether it should grant or refuse leave for the continuation of the prosecution or detention so long as he continues to be a Representative.
3. If the High Court refuses to grant leave for the prosecution of a Representative, the period during which the Representative cannot thus be prosecuted shall not be reckoned for the purposes of any period of prescription for the offence in question.
4. If the High Court refuses to grant leave for the enforcement of a sentence of imprisonment imposed on a Representative by a competent court, the enforcement of such sentence shall be postponed until he ceases to be a Representative.

Article 84

1. Representatives receive from the Public Revenue remuneration defined by law.
2. Any increase of such remuneration shall not become operative during the term of office of the House of Representatives in which such increase has been made.

Article 85

Any question with regard to the qualifications of candidates for election and election petitions shall be finally adjudicated by the Supreme Constitutional Court.

