

REPUBLIC



OF CYPRUS

68(I) of 2008

**THE PARENTS AND CHILDREN RELATIONS
(AMENDMENT) LAW, 2008**

(English translation)

**Office of the Law Commissioner
Nicosia,
January, 2010**

**ΓΕΝ (Α) – Λ.96
21-4**

ISBN 978-9963-664-

NICOSIA

PRINTED AT THE PRINTING OFFICE OF THE REPUBLIC OF CYPRUS

Price:

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NOTE FOR THE READER

This publication of the Office of the Law Commissioner is an English translation of Law No. 68(I) of 2008 enacted in Greek.

However useful the English translation of the Law is in practice, it does not replace the original text of the Law since only the Greek text of the Law published in the Official Gazette of the Republic of Cyprus is authentic.

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No. 68(I) of 2008

**A LAW TO AMEND THE PARENTS AND
CHILDREN RELATIONS LAW**

The House of Representatives enacts as follows:

- Short title. **1.** This Law may be cited as the Parents and Children Relations (Amendment) Law, 2008 and shall be read as one with the Parents and Children Relations Laws, 1990 to 2004 (hereinafter referred to as the "principal law") and the principal law and this Law may together be cited as the Parents and Children Relations Laws 1990 to 2008.
- 216 of 1990
60(I) of 1995
95(I) of 1995
30(I) of 1997
60(I) of 1997
21(I) of 1998
190(I) of 2002
203(I) of 2004.
- Amendment of section 37 of the principal law. **2.** Section 37 of the principal law is amended by the addition of the following new subsection (3):
- "(3) Where the parent against whom a maintenance order has been issued receives a 13th or and 14th salary or the Court deems just, the maintenance order may include a corresponding additional 13th or and 14th payment, as the Court may determine.".
- Amendment of section 38 of the principal law. **3.** Section 38 of the principal law is amended as follows:
- (a) By renumbering the existing part thereof as subsection (1); and
- (b) by the addition of the following new subsection (2):
- "(2) Notwithstanding the provisions of subsection (1), the amount of maintenance shall increase automatically by ten per centum (10%) every twenty-four months:
- Provided that, the Court may, on the application of the parent liable for maintenance, order that the automatic increase shall not become operative and/or that the amount thereof be reduced. In case of submission of such an application the payment of any increase shall be suspended:
- Provided further that, the judgment of the Court by virtue of this subsection shall be given within three months from the filing of the application and may have retrospective effect as from the date on which the automatic increase would have become operative by virtue of this subsection.".

Amendment of
the principal law
by the addition
of new section
38A.

4. The principal law is amended by the addition of the following new section:

"Order for
deduction
from
earnings /
for
withdrawal
from a bank
account.

Cap. 6.
11 of 1965
161 of 1989
228 of 1989
51(I) of 1999
134(I) of
1999
58(I) of 2003
66(I) of 2004
138(I) of
2006.

38A.-(1) (a) The Court may, at issuing a maintenance order or at any time subsequently, on the application of the parent or the beneficiary or the Director, issue in addition a deduction from earnings order in accordance with the provisions of the Civil Procedure Law.

(b) The order referred to in paragraph (a) shall be addressed and served personally on the parent liable for maintenance and also on his employer.

(c) For the purposes of this subsection the term <employer> includes an employer of the public and also of the private sector.

(2) (a) The Court may, at issuing a maintenance order or at any time subsequently, on the application of the parent or the beneficiary or the Director, issue in addition an order for an automatic monthly withdrawal from the liable parent's bank account for the benefit of the beneficiary:

Provided that, for the purposes of this subsection, Parts VIII and IX of the Civil Procedure Law shall apply, *mutatis mutandis*.

(b) The order referred to in paragraph (a) shall be addressed to the parent liable for maintenance and to the banking institution mentioned in the order.

(c) For the purposes of this subsection the term <banking institution> also includes a co-operative credit society.".

Transitional
provisions.

5. The provisions of this Law shall apply as from the date of the entry into force of this Law* and in relation to orders made prior to the date of the entry into force of this Law.

*Law 68(I) / 2008 entered into force on the date of its publication, that is, on 25.7.2008