

**No. 21892**

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**CYPRUS  
and  
CZECHOSLOVAKIA**

**Agreement on legal assistance in civil and criminal matters.  
Signed at Nicosia on 23 April 1982**

*Authentic text: English.*

*Registered by Cyprus on 19 May 1983.*

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**CHYPRE  
et  
TCHÉCOSLOVAQUIE**

**Accord d'entraide judiciaire en matières civile et pénale.  
Signé à Nicosie le 23 avril 1982**

*Texte authentique : anglais.*

*Enregistré par Chypre le 19 mai 1983.*

## AGREEMENT<sup>1</sup> BETWEEN THE REPUBLIC OF CYPRUS AND THE CZECHOSLOVAK SOCIALIST REPUBLIC ON LEGAL ASSISTANCE IN CIVIL AND CRIMINAL MATTERS

The President of the Republic of Cyprus and the President of the Czechoslovak Socialist Republic,

Animated by their desire further to strengthen the ties of friendship and cooperation between their two States in accordance with the Final Act of the Conference on Security and Cooperation in Europe<sup>2</sup> and wishing to regulate, on the basis of reciprocity, the legal assistance in the field of civil and criminal law,

Have resolved to conclude the present Agreement and to this end they have appointed as their Plenipotentiaries:

The President of the Republic of Cyprus: Mr. Nicos A. Rolandis, Minister of Foreign Affairs,

The President of the Czechoslovak Socialist Republic: Mr. Bohuslav Chnoupek, Minister of Foreign Affairs,

who, after exchanging their respective full powers, found to be in good and due form, have agreed as follows:

### PART I. GENERAL PROVISIONS

#### Chapter I. LEGAL PROTECTION AND LEGAL ASSISTANCE IN CIVIL AND CRIMINAL MATTERS

##### *Article 1.* LEGAL PROTECTION

1. Citizens of one Contracting Party shall enjoy in the territory of the other Contracting Party equal legal protection in personal and property matters as citizens of the other Contracting Party.

2. Citizens of one Contracting Party may appear and act before the judicial authorities of the other Contracting Party under the same conditions as citizens of the other Contracting Party.

3. The provisions of this Convention shall apply *mutatis mutandis* to legal persons which have their seat in the territory of either of the Contracting Parties and which have been established in accordance with its laws.

##### *Article 2.* LEGAL ASSISTANCE

1. The judicial authorities of the Contracting Parties shall provide each other with mutual legal assistance in matters regulated by the present Agreement.

2. For the purpose of the present Agreement the term "judicial authority" represents any judicial or other appropriate organ having competence in matters regulated by the present Agreement according to the law of its State.

3. For the purpose of the present Agreement the term "civil matters" shall be deemed to include also commercial, family and labour matters.

<sup>1</sup> Came into force on 18 May 1983, i.e., the thirtieth day after the exchange of the instruments of ratification, which took place at Nicosia on 18 April 1983, in accordance with article 48 (2).

<sup>2</sup> *International Legal Materials*, vol. 14 (1975), p. 1292 (American Society of International Law).

*Article 3.* EXTENT OF LEGAL ASSISTANCE

The Contracting Parties shall grant each other legal assistance through the execution of individual acts, namely the sending and service of documents and the taking of evidence.

*Article 4.* MODE OF COMMUNICATION

1. In executing the present Agreement the judicial authorities of the Contracting Parties shall maintain contacts through their competent central authorities unless otherwise provided in the present Agreement.

2. For the purpose of the present Agreement the central authorities shall be the following:

- (a) On behalf of the Republic of Cyprus: the Ministry of Justice of the Republic of Cyprus.
- (b) On behalf of the Czechoslovak Socialist Republic:
  - The Office of the Prosecutor General of the Czechoslovak Socialist Republic,
  - The Ministry of Justice of the Czech Socialist Republic,
  - The Ministry of Justice of the Slovak Socialist Republic.

3. In executing the present Agreement, the central authorities of the Contracting Parties shall use their official languages in their communication accompanied by an English translation.

*Article 5.* REQUEST FOR LEGAL ASSISTANCE

1. The request for legal assistance shall contain the following:

- (a) The designation of the requesting authority;
- (b) The designation of the requested authority;
- (c) The specification of the case in which the legal assistance is requested;
- (d) The names and surnames of parties, accused or convicted persons, the place of their permanent or temporary residence, their citizenship and occupation. in criminal matters, if possible, their place and date of birth and the names and surnames of parents and in case of legal persons their name and seat;
- (e) The names and surnames of their legal representatives, if any;
- (f) The nature of the request giving all information necessary for the execution of the request;
- (g) In criminal matters also the description and specification of the criminal act.

2. The request for legal assistance and enclosed documents shall be drawn up in the language of the requested Contracting Party or a translation into this language or into the English language shall be attached. Each translation attached to the request shall be certified as correct by a competent translator or the diplomatic mission or consular office of one of the Contracting Parties.

3. The signature and official seal of the competent authority shall be affixed to the request.

*Article 6. EXECUTION OF THE REQUEST FOR LEGAL ASSISTANCE*

1. In executing the request for legal assistance the requested authority shall apply the law of its State. However, upon the request of the requesting authority it can apply the method referred to in the request if not in conflict with the law of its State.

2. If the requested authority is not competent to execute the request it shall forthwith pass it on to the competent authority and shall so advise the requesting authority.

3. If the address given in the request for legal assistance is not exact or if the person referred to in the request does not reside at the given address, the requested authority shall take necessary measures to ascertain the correct address.

4. The requested authority shall, upon request, in due time notify directly the requesting authority of the place and time of the execution of the request for legal assistance.

5. After executing the request for legal assistance the requested authority shall, upon request, return the documents to the requesting authority. If the request for legal assistance cannot be complied with, the requested authority shall return the documents to the requesting authority and at the same time shall give the reasons preventing the execution of the request.

*Article 7. SERVICE OF DOCUMENTS*

The requested authority shall effect service of documents according to the law of its State if they are drawn up in the language of the requested Contracting Party or if a translation certified as correct into this language is attached. Otherwise the requested authority shall serve the document to an addressee only if he is willing to accept it voluntarily.

*Article 8. CERTIFICATE OF SERVICE*

1. The service of documents shall be proved by a certificate signed by the person served and provided with an official seal, date and signature of the authority which has effected the service or by a certificate issued by this authority stating the manner, place and date of such service. If the document to be served is sent in two copies the certificate of acceptance and service can be effected on the other copy.

2. The certificate of service shall be sent immediately to the requesting Party. If service cannot be effected, the reasons shall be communicated immediately by the requested Party to the requesting Party.

*Article 9. SERVICE OF DOCUMENTS ON OWN CITIZENS*

The Contracting Parties shall be free to effect service of documents on their own citizens also through their diplomatic missions or consular offices. In such case no compulsion shall be used.

*Article 10. PROTECTION OF WITNESSES AND EXPERTS*

1. A citizen who is to be examined as a witness or expert before the authority of one of the Contracting Parties and who resides in the territory of the other Contracting Party is not obliged to appear before that authority on the basis of summons; therefore the summons shall not contain the threat of penalty

in case he fails to appear. If the requesting Party considers the personal appearance of a witness or expert before its judicial authorities especially necessary, it shall so mention in the summons, and the requested Party shall invite the witness or expert to appear.

2. A witness or expert, whatever his nationality, appearing on the basis of summons of the authority of the other Contracting Party shall not be prosecuted or detained nor shall any sentence or penalty be carried out by the court in respect of a criminal act or conviction anterior to crossing of the border of the requesting Contracting Party. In the same way he shall not be prosecuted in connection with the giving of his testimony or expert evidence.

3. A witness or expert shall be deprived of the protection provided for in paragraph 2 of the present article if he does not leave the territory of the requesting Contracting Party within the period of 7 days from the day on which he was informed by the authority which summoned him that his presence is no longer required. The time during which the witness or expert was unable to leave the territory of such Contracting Party for reasons not dependent on his will shall not be reckoned in the above period.

4. The summoned citizen is entitled to compensation for the costs of his journey and sojourn, as well as for loss of earnings and, in addition, the expert witness is entitled to survey fees for expert evidence. The kind of compensation to which the summoned person is entitled shall be stated in the summons and upon request he shall be provided with an advance to cover such expenses.

#### *Article 11. COSTS OF LEGAL ASSISTANCE*

1. The Contracting Parties shall not require the reimbursement of costs for the execution of the requested procedures of legal assistance with the exception of survey fees and other expenses arising in connection with the execution of expert evidence.

2. Compliance with the request for expert evidence can be made conditional upon the deposit of an advance.

3. Upon request, the requested authority shall advise the requesting authority about the amount of costs occasioned by the compliance with the request for legal assistance.

#### *Article 12. REFUSAL OF LEGAL ASSISTANCE*

Compliance with the request for legal assistance may be refused if the requested Contracting Party is of the opinion that it would be in conflict with its law or that its sovereignty, security or public order or public policy would be prejudiced or endangered thereby.

#### *Article 13. LEGAL INFORMATION*

1. Upon request, the Contracting Parties shall supply each other with information on their law which is or was in force in their territories as well as with the text of such law.

2. A request for information shall state the authority from which it emanates as well as the nature of the case in connection with which the information is requested. Copies of documents may be attached where necessary to clarify the object of the request.

*Article 14.* VALIDITY OF DOCUMENTS

1. Documents issued or certified in the prescribed form and provided with an official seal of the competent State authority or official person (translator, expert) of one of the Contracting Parties shall not require any form of authentication in the territory of the other Contracting Party. The same applies to signatures on documents and to signatures verified according to the regulations of one of the Contracting Parties.

2. Documents considered as public in the territory of one of the Contracting Parties shall have the evidential force of public documents also in the territory of the other Contracting Party.

*Article 15.* ASCERTAINING OF ADDRESSES AND OTHER DATA

1. The central authorities of the Contracting Parties shall, upon request, provide each other with assistance in ascertaining the addresses of persons residing in their territories in case it is necessary for the furtherance of the rights of their citizens.

2. If a maintenance claim is made before a judicial authority of one Contracting Party against a person residing in the territory of the other Contracting Party, the latter shall, upon request, provide its assistance in ascertaining the source and amount of the incomes of that person.

3. Should any doubts arise in implementing the present Agreement concerning the nationality of a person, one Contracting Party shall advise the other Contracting Party upon the latter's request whether the person concerned is its own citizen.

Chapter 2. SERVICE OF PERSONAL STATUS DOCUMENTS AND OTHER DOCUMENTS

*Article 16*

1. The Contracting Parties shall provide each other with extracts from their official records concerning birth, marriage and death of citizens of the other Contracting Party as well as information of any alteration of such entries.

2. The appropriate authority of one Contracting Party shall of its own motion and free of charge provide such extracts or information through the diplomatic channels to the other Contracting Party.

*Article 17*

The competent authorities of the Contracting Parties shall send each other copies of final judgments or orders concerning the civil status of the citizens of the other Contracting Party.

Chapter 3. COSTS OF PROCEEDINGS

*Article 18.* WAIVING OF SECURITY FOR COSTS

Citizens of one of the Contracting Parties who appear before the authorities of the other Contracting Party, provided they reside in the territory of one of the Contracting Parties, may not be ordered to give security for the costs of pro-

ceeding solely by reason of the fact that they are foreigners or do not have their residence in the territory of the other Contracting Party.

#### WAIVING OF THE PAYMENT OF FEES AND SECURITIES

##### *Article 19*

Citizens of one of the Contracting Parties are entitled in the territory of the other Contracting Party to exemption from the payment of judicial, notarial and administrative fees and securities as well as other costs of proceedings and to other advantages regarding fees under the same condition as citizens of the other Contracting Party. The same applies also to the appointment of a free legal representative.

##### *Article 20*

1. The exemption provided by article 19 of the present Agreement shall be granted on the basis of a certificate on the personal and property situation of the applicant. The certificate shall be drawn up by the competent authority of the Contracting Party in the territory of which the applicant has his residence.

2. The authority deciding about the application for exemption can require additional data or necessary details from the authority which drew up the certificate.

##### *Article 21*

If the competent authority grants the exemption provided by article 19 of the present Agreement to the citizen of the other Contracting Party, such exemption shall apply also to the entire proceedings, including the proceedings for the enforcement of the judgment or order.

##### *Article 22*

A citizen of one of the Contracting Parties applying for exemption under article 19 of the present Agreement to the competent authority of the other Contracting Party may submit the application to the competent authority of the place of his residence. This authority shall transmit the application together with the certificate drawn up under article 20 of the present Agreement to the competent authority of the other Contracting Party.

## PART II. RECOGNITION AND ENFORCEMENT OF JUDGMENTS

##### *Article 23*

1. The Contracting Parties shall recognize and enforce in their territories the following judgments rendered in the territory of the other Contracting Party:

- (a) Judgments of courts in civil matters, as well as settlements concluded in these matters and approved by the court,
- (b) Judgments of courts in criminal matters concerning payment of damage and other civil law claims,
- (c) Awards by arbitration tribunals as well as settlements reached by such tribunals.

2. As judgment of courts in the above-mentioned sense are considered also judgments or orders in any matter of succession rendered by the authorities of the Contracting Party which, according to the law of this Contracting Party, are competent to deal with succession matters.

#### *Article 24*

The judgments referred to in article 23 of the present Agreement shall be recognized and enforced provided that:

- (a) The judgment is final and enforceable according to the law of the Contracting Party in the territory of which it was rendered;
- (b) The recognition and enforcement of the judgment would not be in conflict with the exclusive competence of the authorities of the Contracting Party in the territory of which the recognition and enforcement of the judgment is requested;
- (c) The party against which the judgment was given, although the summons was duly served on him in accordance with the law of the Contracting Party in the territory of which the judgment was given and in sufficient time to enable him to appear and defend the proceedings, failed to appear and take part in those proceedings, and in case of incapacity to plead, was properly represented;
- (d) The judgment is not in contradiction with a final judgment rendered earlier between the same parties on the same subject-matter by the court of the Contracting Party in the territory of which the enforcement of the judgment is sought;
- (e) Proceedings between the same parties on the same subject-matter are not pending before a judicial authority of the requested Contracting Party and those proceedings were the first to be instituted;
- (f) The Contracting Party in the territory of which the recognition or the enforcement of the judgment is requested considers that its sovereignty or security is not prejudiced by the recognition or the enforcement of the judgment;
- (g) The enforcement of the judgment would not be contrary to public policy in the country of the court applied to;
- (h) The judgment was not obtained by fraud.

#### *Article 25*

Awards by Arbitration Tribunals shall be recognized and enforced under the conditions provided for in article 24 of the present Agreement provided that:

- (a) The award is based on an agreement in written form concerning the competence of the Arbitration Tribunal and it was made by the Arbitration Tribunal referred to in the agreement within the scope of the competence given by that agreement; and
- (b) The agreement on the competence of the Arbitration Tribunal is valid in accordance with the law of the Contracting Party in the territory of which the recognition or enforcement is sought.

*Article 26*

1. Application for the recognition or enforcement of the judgment may be submitted directly by the judgment creditor or in the manner provided for in article 4 of the present Agreement to the competent judicial authority of the Contracting Party in the territory of which the judgment is to be recognized or enforced.

2. An application for the recognition and enforcement of a judgment shall be made within such period as is provided for in the relevant legislation of the country where recognition and enforcement is sought.

3. The application shall be accompanied by:

- (a) The judgment of the court or a copy of the judgment certified as correct containing a finality and enforceability clause, unless this is evident from the judgment itself;
- (b) A document certifying that the party against which the judgment was given and who failed to attend the proceedings was duly summoned and in sufficient time to take part in the proceedings according to the law of the Contracting Party in the territory of which the judgment was given and, in case of incapacity to plead, was properly represented;
- (c) A certified translation of the application and documents mentioned under letters (a) and (b) of the present paragraph into the language of the requested Contracting Party or into English.

*Article 27*

1. The judicial authority deciding on the application for the recognition and enforcement of the judgment shall confine itself to ascertaining whether the conditions referred to in articles 24, 25 and 26 of the present Agreement have been fulfilled. The decision on the recognition and enforcement of the judgment shall be given by the competent judicial authority of the Contracting Party in the territory of which the judgment is to be recognized and enforced.

2. The judicial authority of the Contracting Party in the territory of which the judgment is recognized or enforced shall proceed in accordance with the law of its State.

*Article 28*

1. If a party exempted from the payment of security for the costs of proceedings according to article 18 of the present Agreement is required, by a final judgment or order of the judicial authority of one Contracting Party, to pay the costs of proceedings, this decision shall upon the request of an interested person be enforced free of charge in the territory of the other Contracting Party.

2. The application and its enclosures shall be drawn up in conformity with article 26 of the present Agreement.

3. The judicial authority deciding on the enforcement of the decision according to paragraph 1 of the present article shall confine itself to ascertaining whether the decision on the costs of proceedings is final and enforceable.

*Article 29*

The authority of the Contracting Party in the territory of which the costs of proceedings which resulted in a judgment which is enforceable were advanced by

the State shall request the competent judicial authority of the other Contracting Party to collect the costs and fees of the proceedings. The judicial authority shall remit the collected sum to the Contracting Party the authority of which requested the collection.

### PART III. CRIMINAL MATTERS

#### Chapter 1

##### *Article 30. TAKING OVER OF CRIMINAL PROCEEDINGS*

1. The Contracting Parties undertake to institute, in accordance with and subject to the provisions of their own law, criminal proceedings on the request of the other Contracting Party against their citizens who have committed an act punishable by the courts in the territory of the other Contracting Party.

2. The aforesaid request shall be accompanied by all necessary documents; in case these documents are not sufficient, additional information shall be sent at the request of the Contracting Party which instituted the criminal proceedings.

3. The Contracting Party instituting the criminal proceedings shall notify the other Contracting Party of the result of the proceedings as soon as possible. If a final sentence has been passed a copy shall be sent upon request.

#### Chapter 2. EXTRADITION

##### *Article 31. OBLIGATION OF EXTRADITION*

1. The Contracting Parties undertake, under the conditions stipulated in the present Agreement, to extradite, if requested, to each other persons who stay in their territories and against whom criminal proceedings are to be instituted or a sentence carried out.

2. Extradition for the purpose of instituting criminal proceedings applies only to such acts which, under the laws of both Contracting Parties, are punishable with imprisonment for a period of more than 12 months.

3. Extradition for the purpose of carrying out of a sentence applies only to such acts which are punishable under the laws of both Contracting Parties and if the person concerned has been sentenced for such acts to imprisonment for a period of 12 months or more.

4. Without prejudice to the provisions of article 32 letters (a) and (c), there may not be refused the extradition of persons who committed unlawful acts against the safety of civil aviation in the sense of the provisions of the Convention for the Suppression of Unlawful Seizure of Aircraft, signed in The Hague on 16 December 1970<sup>1</sup> and of the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed in Montreal on 23 September 1971<sup>2</sup> as well as of persons who committed unlawful acts in the sense of the provisions of other international Conventions against terrorism of which both the Republic of Cyprus and the Czechoslovak Socialist Republic are or will be Contracting Parties.

<sup>1</sup> United Nations, *Treaty Series*, vol. 860, p. 105.

<sup>2</sup> *Ibid.*, vol. 974, p. 177, and vol. 1217, p. 404 (corrigendum to vol. 974).

*Article 32. REFUSAL OF EXTRADITION*

Extradition shall be refused if:

- (a) At the time when the request for extradition is received the person whose extradition is requested is a citizen of the requested Contracting Party;
- (b) The criminal act was committed in the territory of the requested Contracting Party;
- (c) According to the law of the requested Contracting Party criminal proceedings cannot be instituted or the sentence cannot be carried out because an exemption from the punishment has been acquired by the lapse of time or any other legal reason;
- (d) Extradition is inadmissible according to the law of one of the Contracting Parties;
- (e) A final sentence relating to the same criminal act has already been pronounced against the person whose extradition is requested in the territory of the requested Contracting Party or if criminal proceedings have been concluded by a final sentence;
- (f) According to the law of one of the Contracting Parties the criminal proceedings are instituted on the proposal of the injured person.

*Article 33. REQUEST FOR EXTRADITION*

1. The request for extradition shall contain the name and surname of the person whose extradition is requested, date and place of his birth, his citizenship, data on his residence, data on the criminal act and if material damage had resulted from the criminal act, the amount is to be indicated.

2. A certified copy of the warrant of arrest or other document having the same validity, a description of the criminal act, as well as the text of the provisions of law relating to the criminal act committed by the person whose extradition is requested shall be attached to the request for extradition for instituting criminal proceedings. If a criminal act against property has been committed the amount of material damage which had or could have resulted from the criminal act is to be indicated.

3. A certified copy of the final sentence as well as the text of the laws applicable to the criminal act shall be attached to the request for the extradition for carrying out a sentence. If the convicted person has already served a part of his sentence this shall be indicated.

4. The requesting Contracting Party is not obliged to attach to the request the evidence of guilt of a person whose extradition is sought.

*Article 34. ARREST FOR THE PURPOSE OF EXTRADITION*

In case the request for extradition is sufficiently justified under the present Agreement the requested Contracting Party shall, in accordance with its law, take immediate measures for the arrest of the person whose extradition is requested.

*Article 35. SUPPLEMENT TO THE REQUEST FOR EXTRADITION*

1. If the request for extradition lacks the necessary data the requested Contracting Party is entitled to require that these data be forwarded within a

period not exceeding two months within which the additional data are to be provided. This period may be extended upon request on serious grounds.

2. If the requesting Contracting Party fails to provide the requested additional data within the period stated in the request, the requested Contracting Party is entitled to release the arrested person.

#### *Article 36. PROVISIONAL ARREST*

1. The arrest may take place even prior to the receipt of the request for extradition if the requesting Contracting Party explicitly requires the arrest and announces that a warrant of arrest or another document having the same validity was issued or a sentence was passed on the basis of which the request for extradition shall be sent. The request for provisional arrest may be communicated by post or by cable.

2. The other Contracting Party shall be immediately notified of the arrest under the provisions of the previous paragraph.

#### *Article 37. RELEASE OF THE PERSON ARRESTED PROVISIONALLY*

A person arrested under the provisions of article 36 of the present Agreement may be released if the request for extradition has not been received within a period specified by the requested Party not exceeding one month from the day on which the requesting Contracting Party was notified on the provisional arrest.

#### *Article 38. POSTPONEMENT OF EXTRADITION*

If criminal proceedings are pending against a person whose extradition is requested or if that person has to serve or is serving a sentence of imprisonment for another criminal act committed in the territory of the requested Contracting Party, the extradition may be postponed until the termination of the criminal proceedings or until the sentence has been served or until waiver or remission of the punishment.

#### *Article 39. REQUEST FOR EXTRADITION BY SEVERAL STATES*

If a request for extradition of the same person is made by several States the requested Contracting Party shall decide which of the requests should be granted. It will take into consideration the citizenship of the requested person, the seriousness of the criminal act and the place where it was committed, as well as the date on which each request was made.

#### *Article 40. LIMITATION OF PROSECUTION OF EXTRADITED PERSONS*

1. Without the consent of the requested Contracting Party an extradited person may not be prosecuted or forced to serve a sentence for a criminal act committed before his extradition other than the one in respect of which the extradition was granted.

2. Without the consent of the requested Contracting Party the extradited person may not be extradited to a third State.

3. The consent of the requested Contracting Party is not necessary if:

(a) The extradited person does not leave its territory prior to the expiry of one month after the termination of the criminal proceedings or execution of the penalty; this period of time shall not include the time for which the extradited

person, for reasons beyond his will, could not leave the territory of the requesting Contracting Party;

- (b) The extradited person has left the territory of the requesting Contracting Party and again voluntarily returned to that territory.

*Article 41. SURRENDER OF PERSON TO BE EXTRADITED*

The requested Contracting Party shall notify the requesting Contracting Party of the place and date of surrender. If the requesting Contracting Party does not take over the person within 7 days of the appointed date, the requested person may be released. Upon the request of one of the Contracting Parties the period may be extended for a further period of 7 days.

*Article 42. REPEATED EXTRADITION*

If an extradited person in any way avoids the criminal proceedings or serving of a sentence and if he again returns to the territory of the requested Contracting Party, he shall be extradited upon a new request without the service of the documents referred to in article 33 of the present Agreement.

*Article 43. NOTIFICATION OF THE RESULTS OF CRIMINAL PROCEEDINGS*

The requesting Contracting Party shall notify the requested Contracting Party of the result of the criminal proceedings against the extradited person. If a sentence has been passed against the extradited person a copy of the court sentence shall be sent as soon as it is final.

*Article 44. COSTS OF EXTRADITION*

The costs incurred by the extradition shall be paid by the Contracting Party in the territory of which they have arisen. The costs of transport shall be borne by the requesting Contracting Party.

*Article 45. HANDING OVER OF PROPERTY*

1. Any objects used by the person charged with having committed the criminal act for which the extradition is admissible according to the present Agreement, as well as any property acquired by him as a result of the criminal act, as well as any other objects which can be used as evidence, shall be handed over to the requesting Contracting Party; these objects shall be handed over even if the person charged is not extradited.

2. The requested Contracting Party may temporarily postpone the handing over of the requested objects if they are required for other criminal proceedings.

3. The rights of third persons regarding objects handed over shall not be affected. After the termination of the criminal proceedings the requesting Contracting Party shall return the objects to the requested Contracting Party for the purpose of their delivery to the persons entitled. Where it is reasonably justified and with the consent of the requested Contracting Party the objects may be delivered directly to the persons entitled.

## Chapter 3. SPECIAL PROVISIONS ON LEGAL ASSISTANCE IN CRIMINAL MATTERS

*Article 46.* NOTIFICATION OF CRIMINAL CONVICTIONS

1. The Contracting Parties shall notify each other of all criminal convictions and subsequent measures by the courts of one Contracting Party in respect of the citizens of the other Contracting Party.

2. On the basis of a justified request the Contracting Parties shall inform each other of the sentences passed against persons who are not citizens of the requesting Contracting Party.

3. The Contracting Parties shall, where practicable, send to each other, upon request, the finger-prints of the persons mentioned in paragraphs 1 and 2 of the present article.

*Article 47.* EXTRACTS FROM CRIMINAL RECORDS

The authorities of one Contracting Party shall communicate, upon request, extracts from criminal records to the judicial authorities of the other Contracting Party.

## PART V. FINAL PROVISIONS

*Article 48*

1. The present Agreement shall be ratified. The instruments of ratification shall be exchanged in Nicosia.

2. The present Agreement shall enter into force on the 30th day after the exchange of the instruments of ratification.

*Article 49*

The present Agreement is concluded for an unlimited period. Each of the Contracting Parties can denounce the Agreement in writing through diplomatic channels. The denunciation shall take effect six months after it has been received.

IN WITNESS WHEREOF the Plenipotentiaries of both Parties have signed<sup>1</sup> the present Agreement and attached their seals thereto.

GIVEN in Nicosia on April the 23rd, 1982, in two original copies in the English language.

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<sup>1</sup> Signed by Mr. Nicos A. Rolandis on behalf of the Government of Cyprus and by Mr. Bohuslav Chnoupek on behalf of the Government of Czechoslovakia.