



*Cyprus: implementation of the Representative Actions Directive*

**Title:** The Law on the Issuance of Court Orders and Registration of Representative Actions for the Protection of Consumers' Collective Interests of 2023 (N 91(I)/2023)

Official publication of this Law in the Official Gazette was on 13 October 2023 (No 4959). The implementing text is now consolidated, and incorporated in the national regime. The draft was prepared by the Consumer Protection Service of the Ministry of Energy, Commerce and Industry, with the aim of modernising the country's framework on injunctions, as well as incorporating the new remedial measures. The existing legislative framework incorporated the previous Directives (L.101( I)/2007).

There was previously no 'class action' as such, but where several persons have same interest in one cause/matter, one or more of them could gain the court's permission to sue or defend on their behalf. There was no comprehensive 'horizontal' collective protection.

The Cypriot text applies to representative actions brought against traders, who violate the provisions of Union law that provide protection to the consumer (any natural person acting for purposes not falling within the scope of his trade, business, craft or professional activity), as defined in the Annex, resulting in or likely to result in collective damage to consumer interests. This includes domestic and cross-border violations, even where violations that ceased before the representative action was initiated or completed.

Standing is granted to authorities charged with supervising the implementation of EU law under the text's Annex, private organisations which meet the criteria of provisions and authorised bodies designated by another Member State. A Cypriot Qualified Entity is any organisation or public body representing the interests of consumers, which has been designated by the Republic.

The Court assesses the admissibility of a specific representative action in accordance with the provisions of the implementing Law, the Courts Law, Civil Procedure Law, and Civil Procedure Rules and order restitution measures.

With the exception non-residents, this Member State has favoured the opt-in mechanism for joining class actions. The position changed during drafting. It permits third-party funding and the court may check whether there is a conflict of interest between the third party and the object of the representative action.

For official texts: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=NIM:202305419>;  
[http://www.cylaw.org/nomoi/enop/non-ind/2023\\_1\\_91/](http://www.cylaw.org/nomoi/enop/non-ind/2023_1_91/)

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