The Great Britain-Cyprus Business Gazette



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Investment fund assets in Cyprus reached €8.3 billion in the first quarter of the year

Investment funds' assets increased by more than half a billion in March 2023 compared to December 2022.

According to data released by the Central Bank of Cyprus (CBC), the number of investment funds in March 2023 increased to 290 from 286 in December 2022. (Page 14)

U.K. - Inflation drops below 10% for the first time in eight months

The rate of inflation fell sharply in April bringing hope that the worst of the cost-of-living crisis may soon start to ease.

The Consumer Price Index (CPI) - the headline measure of inflation - dropped to 8.7 percent in April from 10.1 percent in March.

It was the first time the CPI has been below 10 percent in eight months. (Page 8)





Eurobank Cyprus cuts interest rates for Consistent Mortgage Customers

After a long period of very low or even negative interest rates, the sharp increase in inflationary pressures recorded in recent months has forced the European Central Bank to sharply raise its key interest rate in order to contain these pressures.

The increase in interest rates, due solely to the change in monetary policy, automatically burdened floating-rate loans, including housing loans. (Page 20)

Three out of ten households in Cyprus report falling incomes, according to a survey

Three out of ten households report a decrease in incomes, according to the data of the large market survey, conducted for the Pancyprian Association of Consumers & Quality of Life by the company CMRC CYPRONETWORK LTD of the CYPRONETWORK group.

Presenting the survey results in Nicosia, the Executive Chairman of CMRC CYPRONETWORK LTD, Christos Michaelides, said that almost four out of ten households expect their financial situation to be worse in the next ten months, while one in two expect Cyprus' course in the next six months to be downward. (Page 17)



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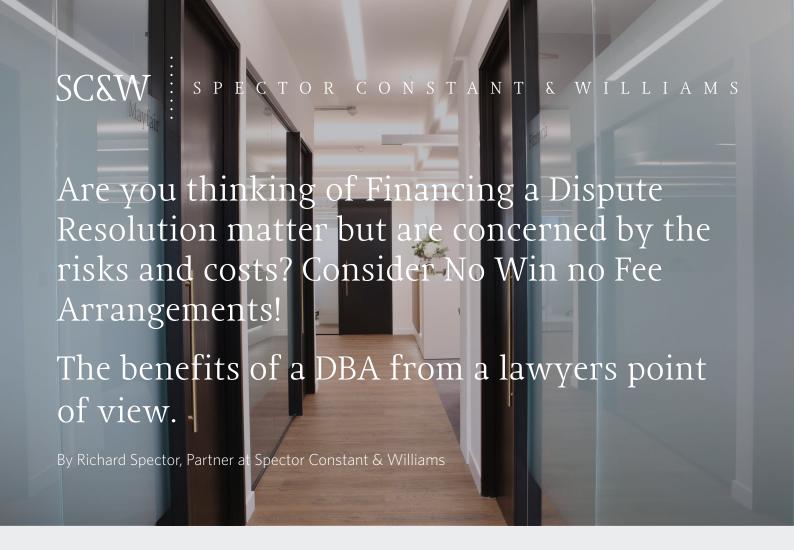
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I have always thought of myself as one of the few solicitors who is a loading proponent of Damages Based Agreements or DBA's as they are most commonly known. DBA's are a form of fee agreement whereby the solicitor acts on a no-win no-fee and if they win they are entitled to a percentage of the damages that the client recovers.

DBA's were introduced by the Damages Based Agreements Regulations 2013 and have not proved overly popular with solicitors. Solicitor's have been slow to want to take the additional risk of a DBA that not only does the solicitor not get paid if they lose but even if they win then their fees are determined by the damages recovered. Damages are always strongly contested and the assessment of damages at the outset of the case when the DBA is entered in to can be vastly different to the assessment of damages nearer to trial. There are other "negatives" that deter solicitors from acting

under a DBA such as that the DBA requires the solicitors to lay out for counsel's fees and that the solicitors get their payment initially from the costs awarded (if costs are awarded) meaning that a solicitor may have to wait years for costs assessment before they become entitled to their fees. Most concerning for solicitors is that if the DBA breaches the regulations (and the regulations are confusing in how they are drafted) then a successful challenge to the DBA will mean that the solicitor is paid zero even after years of hard work and a successful outcome for the client. This encourages satellite litigation.

I have been on the end of such satellite litigation. My firm (actually my ex-firm) entered in to a DBA in the summer of 2013 to act for the Claimant in a large case in the High Court. Our two leading counsel were also party to the DBA and I think it was probably the first large scale DBA in England. I also do not know

of any other DBA's where counsel have been party to the same DBA as the solicitors. The case went to a seven week trial in the summer of 2016. Judgement was handed down in September 2016 and we achieved a successful result for our client. Our client was awarded approximately £10,000,000 including interest. Despite this success, our client, which was an offshore company, had debts of more than what it was awarded and the creditors pulled the plug. They appointed KPMG as trustees in bankruptcy. KPMG challenged the DBA which in turn led the Defendants to support that challenge because they realised that if the challenge was successful then their liability for adverse costs would be zero. This was a real problem because I think that KPMG took their stance to try and force us to negotiate down the sum due under the DBA but once the Defendants realised the benefit to them it was impossible to do a deal as the Defendants saw that, on a cost

risk analysis, it was financially worth it to them to challenge the DBA in court. Initially KPMG said that they would pay the solicitors but not the barristers. They then changed their stance and challenged both solicitors and barristers. We instructed Herbert Smith to act for us on what I understand understand was their first DBA. On the second day of a three day trial the Defendants with us. Although we achieved a successful outcome the result was that we had to pay Herbert Smith, so we ended up with much less than we should have received under the DBA with the Defendants.

Despite that experience I have continued to act on DBA's and have found them to be a very positive be a financial advantage if you pick case has good quantum and it settles early then the fees can be very good logic meaning that cases that should settle early end up at trial where quantum comes under great scrutiny. The key driver for me on DBA's is the with the client experience that you have with a DBA. The other no win no fee structure is a Conditional Fee Agreement known as a CFA which is an agreement where the client is only liable to pay the solicitor if the claim is successful. Under a CFA the client will pay the solicitor its costs (i.e. the costs incurred on an hourly rate basis) plus fee. This means that the fees charged by the solicitor are based on time plus the success fee are due regardless of whether the claim is successful to the tune of £1 of £1,000,000. Other fees and those are payable by the

The DBA is genuinely like a joint venture between solicitor and client. If

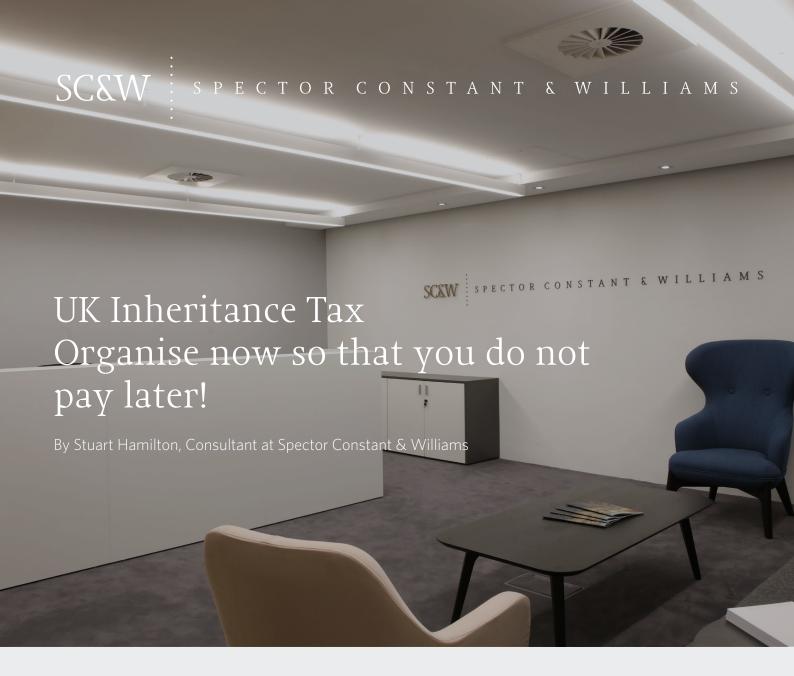
the client is successful then so is the win or achieve a good recovery then the solicitor gets paid nothing or very together. They win and lose together. What the solicitor gets paid is linked only to what the client recovers. Clients increasingly want their solicitor to take on some of the risk and generally solicitors in this country have fought against this but as times move forward I think that the solicitor has to take some of the risk, and if that is managed well then the gain can be great, not just financially. Of course, a solicitor has to put in the same means that the solicitor will want not just to win for you but to get you the acting on a CFA or an hourly rate the client may sometimes think (wrongly or rightly) that the solicitor is doing certain things to rack up time and costs but under the DBA the client does not have that concern. The client and the solicitor are rowing the same boat. In some senses the solicitor is taking on more risk than the client or damages are low then the solicitor has done a lot of work for little or no payment but that can be reflected in the percentage split for the DBA. A successful DBA takes the client form of fee arrangement between solicitor and client. It solidifies and moves forward a relationship where the client see its solicitor as someone who is working genuinely in their best interests and wants the best for them. Even when the DBA is unsuccessful, the client will appreciate that relationship that was formed under the DBA.

The DBA is the only fee structure which is a true joint venture between client and solicitor and it really is unique. There are no other fee structures which are only determined

by exactly what the client recovers. Solicitors have always been of the mindset that we should only be paid by reference to the work we have done and that does make sense but you can understand the client's desire for payment to be linked to what the client actually gets. If a solicitor picks a good case on a DBA that settles early then the solicitor can sometimes earn far more than the time that they have spent and even in that situation my experience has been that the client has been more than happy because they appreciate the risk that the solicitor took. When taking on a case on a DBA the solicitor needs to have a good idea of the range of quantum, prospects of success and all add up then DBA's offer a real opportunity for solicitors to solidify with a financially satisfactory result. I have focused on DBA's for high value am one of the few advocating that. The high value complex litigation does have risks particularly because what you consider to be the quantum at the start of the case can drastically change as the case progresses but my right cases, and you do not overload on them then the benefit outweighs the risk and it is a really good way to help build the practice and your relationship with your clients.



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There are two certainties in life, Death and Taxes. What some people may not appreciate is how closely related they are! And that the current UK Inheritance Tax rate is 40%!

There is currently no form of death related Tax or tax on gifts made during lifetime for those domiciled in Cyprus since January 2000.

In contrast, in the year to end of March 2023 HM Revenue and Customs collected £7.1 billion of Inheritance Tax, and this is on the rise.

The National Federation of Cypriots in the UK estimates that there are currently approximately 300,000 Cypriots living in the UK meaning, on death they have a potential UK IHT

liability of 40% on all assets they hold in the UK. The reality is that UK Inheritance Tax can be levied upon all assets situated in the UK even though the owner may no longer live in the UK, and it gets worse.

If a person at death is deemed to be domiciled in the UK then in addition to their UK assets being taxed at 40%, they can also be taxed at 40% upon any other assets they may own anywhere in the world, including property and assets in Cyprus!

This can leave families with a very large tax bill to pay and often a very complex situation to deal with.

If this applies to you and your family, then taking advice and action can

potentially reduce the tax burden by making use of the reliefs and planning which can be available.

The question of domicile can be complex and being Deemed Domiciled is automatic. From 6th April 2017 a person living in the UK even if born outside of the UK, once they have lived here for at least 15 of the preceding 20 tax years is deemed to be UK domicile. This has the effect of UK Inheritance Tax being levied on their worldwide Estate.

This directly impacts upon Cypriots who have retained property and assets in Cyprus, perhaps even intending to returning to live there again one day, as all of their worldwide assets become liable to UK Inheritance Tax.

If your Estate is valued at over £325,000 then 40% tax applies to the excess. There are however, various allowances and reliefs that may be available and if available, must be claimed at the time. The most important and generous of these is "Spouse Exemption" where assets passing to a UK Domiciled surviving spouse are exempt from Inheritance Tax irrespective of value. If however the surviving spouse is non UK Domiciled then Spouse Exemption is limited to £325,000 and the rest of the Estate is therefore taxed at 40%. This has a particular impact where one spouse may have returned to live in Cyprus, or another country, and the other has remained in the UK.

North London is home to a large number of Cypriot families where the "average" house price is currently £922,000. This puts everyone immediately within the realms of Inheritance Tax even before taking into account other assets.

There are, however, many legitimate ways in which potential Inheritance Tax liabilities can be mitigated. It all starts with a robust and appropriate Will to utilise exemptions and prevent an automatic distribution of the Estate, which can happen when someone dies without a Will (Intestate). Further, for those who have left the UK but retained UK properties, they may be able to sell the property with lower Capital Gains Tax liabilities if re-basing to 2015 applies. The important thing is to take advice from the right Law firm with expertise and experience in this area.

Inter-Generational Asset Protection and Wealth Preservation is about keeping family wealth within the family. This also has the added benefit of protecting it from divorce and future Capital Taxes as it passes through the generations. Investing some time and taking advice can save your family from the burden of a tax hit of 40% not to mention the stress, upset and

additional costs related to dealing with an Estate post death.

If you would like some assistance with your Inheritance Tax planning, please do not hesitate to contact us.



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The rate of inflation fell sharply in April bringing hope that the worst of the cost of living crisis may soon start to ease.

The Consumer Price Index (CPI) - the headline measure of inflation - dropped to 8.7 percent in April from 10.1 percent in March.

It was the first time the CPI has been below 10 percent in eight months.

A sharp fall in the annual rate of inflation had been widely expected by economists as it is now more than a year since a huge spike in energy bills last April triggered by Russia's invasion of Ukraine in February 2022.

However, food prices are still surging at 19.1 percent, according to today's data from the Office for National Statistics (ONS). Nevertheless, with earnings going up at 6.7 percent a year in the three months to March, according to the ONS, the gap between overall inflation and wages is starting to narrow. That means people are getting worse off more slowly rather than they are getting better off.

Chancellor of the Exchequer Jeremy Hunt said: "The IMF said yesterday we've acted decisively to tackle inflation but although it is positive that it is now in single digits, food prices are still rising too fast. So, as well as helping families with around £3,000 of cost of living support this year and last, we must stick resolutely to the plan to get inflation down."

Shadow Chancellor Rachel Reeves said: "As bills keep surging, families will be worried food prices and the cost of other essentials are still increasing.

"They will be asking why this Tory government still refuses to properly tackle this cost-of-living crisis, and why they won't bring in a proper windfall tax on the enormous profits of oil and gas giants.

"The reality is that never have people paid so much in taxes and got so little in return.

"Our economy is constantly lurching from crisis to crisis, when we should be protecting family finances and building our national economic security here in Britain.

The easing of inflation takes some pressure off the Bank of England to raise interest rates although it still seems likely there will be one more hike in June.

The official inflation data came the day after the Bank's Governor Andrew Bailey told MPs he believed "there are some very big lessons" to be learned in how it attempted to keep a lid on inflation after prices rose faster and stayed high far longer than forecast.

The CPI breached the 10 percent mark last July and, apart from a one-month dip to 9.9 percent in August, has remained in double digits ever since. It peaked at 11.1 percent in October and has not been at or below its 2 percent target rate since April 2021.

On 23 May, the International Monetary Fund (IMF) upgraded its forecasts for growth, saying the UK will avoid recession this year, but warned the government not to cut taxes as that would further fuel inflation.



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Ministers and supermarkets told the Prime Minister his 1970s-style tactics to lower prices won't work 'in this day and age'

Downing Street is planning to ask retailers to agree to maximum prices for some basic goods such as bread and milk in an effort to lower food prices and tackle inflation.

But the proposal has been condemned by the major supermarkets and has angered at least two Cabinet ministers, who said it would involve too much interference in the markets and could lead to shortages as suppliers take their goods abroad.

One cabinet minister told The Telegraph that price caps, last used in Britain in the 1970s, would not work "in this day and age" and that production would be "sold elsewhere" if supermarkets refused to increase their prices.

Tesco, Sainsbury's, Morrisons and Waitrose backed a statement by the British Retail Consortium (BRC) that said the plan, first revealed in The Telegraph, "will not make a jot of difference to prices" and accused Mr Sunak of "recreating 1970s-style price controls".

One retail boss said: "It is a hare-brained idea, and instead of trying to intervene in supermarket pricing, the Government would be better advised to address the root causes of inflation."

Mr Sunak has set himself a target to halve inflation to five per cent by the end of 2023 and has asked the Treasury to find ways of bringing prices down after a steep rise in the cost of living prompted by the war in Ukraine.

The pledge is seen as central to the Conservatives' pitch to the public at the next general election and prompted Jeremy Hunt, the Chancellor of the Exchequer, to admit he would accept a recession in the UK if it would reduce inflation.

'You can't interfere in markets'

The latest figures show inflation has fallen from 10.1 per cent to 8.7 per cent since Mr Sunak made his pledge, but ministers are concerned he has become a hostage to fortune.

Food prices rose 19.1 per cent in the year to April, a near-record high.

"The problem is that inflation is out of our control," a senior government figure said on Sunday night. Mr Sunak's plan mimics a similar scheme in France, where retailers have pledged to freeze prices in a bid to create an "anti-inflation quarter" between April and June, and face spot checks to ensure they do not squeeze their suppliers.

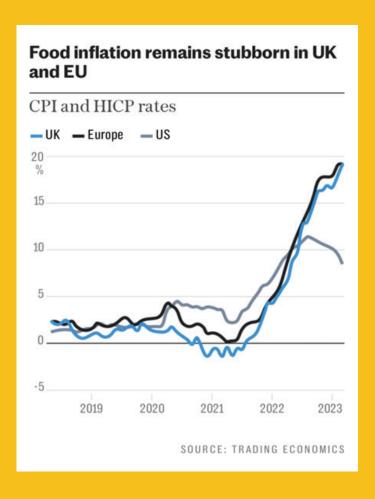
E.Leclerc, a hypermarket chain, refused to participate in the scheme and argued it would lead to the perception that prices on other goods would increase to make up the shortfall.

Michel-Edouard Leclerc, its CEO, said he would "rather be cheaper across the board".

Multiple government sources raised doubts over whether the policy would ever be implemented in the UK after backlash from ministers and retailers.

A cabinet minister said: "There is an international market for wheat, and it is quite expensive after what's happened in Ukraine. If you drive down the price of bread, it can be sold elsewhere.

"You can't interfere in markets; it doesn't work in this day and age. We live in global markets and it's very different to what happened in the 70s and after the war."





A Government spokeswoman insisted it was "not considering imposing price caps" and that "any scheme to help bring down food prices for consumers would be voluntary and at retailers' discretion".

Steve Barclay, the Health Secretary, acknowledged small family-run businesses would themselves be under "significant pressure" and stressed the plans are "not about any element of compulsion".

Bill Grimsey, the former boss of Iceland, told The Telegraph that price controls in the 1970s had been "very bureaucratic and did not work" but that ministers were right to be concerned about prices today because the market was "not competitive enough, at a real time of need for consumers".

An industry source warned shelves of basic goods could be emptied by the policy, worsening the egg shortage caused by high energy prices and avian flu measures.

"If they can't get fair prices for their products, farmers could just stop producing, which is what happened with eggs," they said.

"Or they could switch production into something they could get a fair price for, which is not subject to a price cap."

'A latter-day Edward Heath'

In a statement on behalf of the industry, the BRC suggested supermarkets would reject any suggestion to lower their prices at the behest of ministers.

Andrew Opie, the organisation's director of food and sustainability, said: "This will not make a jot of difference to prices. High food prices are a direct result of the soaring cost of energy, transport, and labour, as well as higher prices paid to food manufacturers and farmers.

"Yet despite this, the fiercely competitive grocery market in the UK has helped to keep British food among the most affordable of all the large European economies.

"Rather than recreating 1970s-style price controls, the Government should focus on cutting red tape so that resources can be directed to keeping prices as low as possible."

Price controls were introduced in November 1972 by Edward Heath's Conservative government in a bid to tackle spiralling inflation. His party lost the next election 15 months later.

Jonathan Ashworth, the shadow work and pensions secretary said: "It is extraordinary. Rishi Sunak is now like a sort of latter-day Edward Heath with price controls."

Mr Barclay said: "My understanding is the Government is working constructively with supermarkets as to how we address the very real concerns around food inflation and the cost of living, and doing so in a way that is also very mindful of the impact on suppliers."



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Investment funds' assets increased by more than half a billion in March 2023 compared to December 2022.

According to data released by the Central Bank of Cyprus (CBC), the number of investment funds in March 2023 increased to 290 from 286 in December 2022.

The assets of these organizations showed an increase of 7% compared to the fourth quarter of 2022 and amounted to €8.3 billion, compared to €7.7 billion in December 2022.

The increase is mainly due to the value of shares held by investment funds, which amounted to €6.48 billion compared to €5.98 billion in December 2022.

It is noted that at the end of March, the portfolio of shares accounted for 78% of the total assets of investment funds.

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Three out of ten households report falling incomes, according to a survey

By FinancialNews.

Three out of ten households report a decrease in incomes, according to the data of the large market survey, conducted for the Pancyprian Association of Consumers & Quality of Life by the company CMRC CYPRONETWORK LTD of the CYPRONETWORK group.

Presenting the survey results in Nicosia, the Executive Chairman of CMRC CYPRONETWORK LTD, Christos Michaelides, said that almost four out of ten households expect their financial situation to be worse in the next ten months, while one in two expect Cyprus' course in the next six months to be downward.

According to Michaelides, citing the findings of the survey, three out of ten households report a decrease in their incomes, six out of ten no differentiation and one in ten an increase in their incomes.

Compared to 2021, he said that fewer households report a decrease, noting that respectively four out of ten households have a decrease in their purchases and two out of ten have an increase.



He also added that a total of six out of ten households describe their financial situation as difficult or very difficult, while noting that as shown by the results of the survey "people make fewer trips to save fuel".

Besides, nine out of ten citizens talk about rising prices and increasing electricity, while in relation to household borrowing "four out of ten households have loans and three out of ten consider their family to be over-indebted".

In addition, the results state that "two in ten borrowers think they will not be able to afford it, almost four in ten households expect their financial situation to be worse in the next ten months and only one in seven expect it to be better."

According to Cypriots, the two most worrying issues in Cyprus today are increases in the prices of goods and services and increases in energy prices (68% and 60% respectively).

In a second grouping and a much lower percentage, corruption (35%), poverty and social inequality (31%), income decline (24%) and crime and violence (21%) are found.

On the other hand, unemployment is recorded at 17%, high taxation with 13%, insecurity from the Russia/Ukraine war with 10%, the coronavirus pandemic and climate change with 8% and 7%, respectively. In 2023, the percentage of households facing survival problems is limited to only 1%, which is clearly reduced compared to 2021 (12%). On the other hand, those who are comfortable with their household income remain stable at close to 21%, with a significant increase noted by those who reported that they barely manage with their household income (44% in 2023, compared to 30% in 2021).

Those who reported that they struggle either slightly or a lot with their income at 19% and 15%, respectively, remain rather stable.

In addition, according to the survey, eight in ten consumers reported in 2023 that their various expenses have increased (81%), while six in ten have reduced both their entertainment and holiday spending compared to the past (58% and 60% respectively).

An equally significant proportion of consumers has reported that it has reduced spending on clothing and footwear, as well as spending on supermarket branded consumer products.

Also noteworthy are the findings in relation to important purchases such as home, furniture, electrical appliances or car, technology items or even for home renovation where the vast majority of consumers answered negatively, ie that they will not make such expenses, ranging between 67% and 80%.

CONTINUED INCREASES IN COMMODITIES

The President of the Pancyprian Association of Consumers & Quality of Life, Dr. Loukas Aristodemou, said that "increases in product prices are continuous in some basic products, such as sugar, the price of which is constantly rising".

According to Dr. Aristodemou, "there have been increases in the last two years, which are justified or not justified", noting that "in Cyprus, the state, unfortunately, does not investigate the tariffs of importers and suppliers and therefore importers have the opportunity to increase prices to retailers and retailers consequently increase their prices".

"Prices have stayed elevated and have not fallen, even though international fares have fallen – what they were arguing – fuel prices have fallen, and the price of electricity has not increased. And yet we did not see any decreases in either services or products," he noted.

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Eurobank Cyprus cuts interest rates for Consistent Mortgage Customers

After a long period of very low or even negative interest rates, the sharp increase in inflationary pressures recorded in recent months has forced the European Central Bank to sharply raise its key interest rate in order to contain these pressures. The increase in interest rates, due solely to the change in monetary policy, automatically burdened floating rate loans, including housing loans.

Understanding this new reality and taking into account the fact that our customers have already made a great effort to remain consistent with their mortgage loan obligations, Eurobank Cyprus proceeded last March to temporarily reduce the Bank's Base Mortgage Rate margin by 50 basis points (0.50%).

Today, the Bank, guided by the needs of its customers and society at large, proceeds with an additional initiative to support and reward its customers, private consistent borrowers, by further reducing interest rates on housing loans with variable interest rates linked either directly or indirectly (through the Bank's base rates) to EURIBOR. with the significant cost of this action being borne exclusively by the Bank.

Specifically, for the period from 01/6/2023 until 31/5/2024, the Bank will reduce the final interest rate on housing loans that will be included in the program by 50 basis points (0.50%). The reduction will be calculated at the end of each month and at the end of the 12-month period of the program, the total amount of the reduction will be returned to customers by deposit in their current account.

The program will include all-natural person's mortgage borrowers for the purchase or construction of a primary residence, who are priced at a variable interest rate linked either directly or indirectly (through the Bank's base rates) to EURIBOR and regardless of the market value of the primary residence. The program includes both existing housing loans and new variable-rate mortgages that will be disbursed during the 12-month duration of the program. A basic requirement is that eligible loans are presented as performing throughout the duration of the programme.

It is clarified that the above change does not affect or modify, in any way, the margin provided for in the respective credit facility agreement of each customer separately.

All eligible borrowers will automatically join the program without requiring any action on their part and will be informed individually.

This action proves in practice Eurobank Cyprus' long-standing interest in supporting Cypriot households by undertaking initiatives that respond to the current economic conditions.





Infocredit Group Among the Sponsors Of First Legal Forum, EU – EASTERN PARTNERSHIP 2023

Infocredit Group proudly sponsored the upcoming First Legal Forum, EU – EASTERN PARTNERSHIP 2023. The event, organized by the esteemed Global Law Hub, took place on May 25-26, 2023, at the prestigious Marriott Warsaw Hotel in Warsaw, Poland.

The First Legal Forum, EU – EASTER N PARTNERSHIP 2023, successfully accomplished its objective of uniting legal experts and driving economic transformation. Launched in 2022, this cutting-edge communication platform facilitated constructive dialogues among law firm partners, heads of legal departments, and business development specialists. The forum brought together esteemed legal professionals from leading law firms across Europe, Asia, and the Caucasus, alongside renowned international lawyers, domestic legal department heads, experts in business development, PR and legal marketing professionals, and finance and ratings specialists.

Infocredit Group's Business Growth Director, Mr. Loukis Tapakis, and International Sales Officer, Mr. Sharpel Petri, attended the First Legal Forum, EU – EASTERN PARTNERSHIP 2023. Visitors to Infocredit's Group booth had the opportunity to explore exclusive offers, acquire free trial codes for our comprehensive legal databases, and engage in fruitful discussions with our knowledgeable representatives.

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As a proud sponsor of this event, Infocredit Group remains committed to supporting the legal community by delivering innovative solutions that address credit risk mitigation and foster strategic growth.

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OUR SERVICES:



Press Release

Nicosia, 31 May 2023

Eurobank Cyprus:

Investment in research and innovative entrepreneurship pays off



The emergence of important, innovative Cypriot startups by academic research teams at the Universities and Centres of Excellence of Cyprus marks the completion of five years of support for the non-governmental initiative, Cyprus Seeds, by Eurobank Cyprus.

Eurobank Cyprus, recognizing the importance of ESG factors for environmental sustainability, social responsibility and corporate governance, actively supports research and business innovation, supporting Cyprus Seeds from day one. The Bank's partnership with Cyprus Seeds has been further strengthened in the last year following the signing of a Cooperation Agreement between Cyprus Seeds and egg-enter go grow, the leading accelerator for startups in Greece, supported by Eurobank Greece for ten years.

Cyprus Seeds is a non-profit organization that offers sponsorships, mentoring, training in business tools, as well as networking abroad, with the aim of supporting the commercialization, at an international level, of high-level innovative scientific research conducted in the universities of Cyprus.

Eurobank Cyprus' investment in research and innovation is now bearing fruit, as today, two research teams from academic institutions in Cyprus, which received support from Cyprus Seeds, have already created their own start-ups with significant prospects for the future and multiple benefits for entrepreneurship, research and innovation in our country.

The first start-up, under the name GYNETRONICS LTD, comes from the scientific collaboration of Prof. Vasilis

Tanos of Womana LTD and Prof. Ioulios Georgiou of the University of Cyprus. GYNETRONICS LTD develops an innovative medical device, which conducts the electromyography of the inside of the uterus, in non-pregnant women, in analogy with the cardiogram for the heart. The electrometrograph is expected to improve the diagnosis and treatment of uterine diseases and help couples facing fertility difficulties.

The second start-up company is IQ3SOLAR LTD, the result of an innovative effort by a research team at FOSS, the Center for Energy Research at the University of Cyprus, which has developed a non-penetrating sensor that very quickly detects potential damage to Photovoltaic Systems. Innovative technology saves energy and money, also with positive effects on the environment.

In addition to creating these start-ups, Cyprus Seeds has also supported the 'Gene therapy' project, from the Institute of Neurology and Genetics, which has signed a Licensing Agreement with US pharmaceutical companies to develop genetic therapies for different types of demyelinating neuropathies.

Eurobank Cyprus intends to continue supporting initiatives such as Cyprus Seeds, which strengthen the Cypriot economy and sustainable development as they contribute to the creation of new jobs for qualified personnel and scientists within Cyprus and to the goal of turning to innovative entrepreneurship. They also attract investment and provide intelligent and practical solutions to social, economic, and market needs.



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Fly 7 & Zela Jet Press Release – May 2023



Fly 7 Executive Aviation SA & Zela Jet partnership for summer 2023 season

Zela Jet and Fly 7 are both pleased to announce an exciting exclusive sales cooperation between the two companies for a brand-new 2023 production Pilatus PC-12 NGX to be operated out of Greece. The two companies have worked closely together in the last few months and will continue to do so throughout the upcoming summer season.

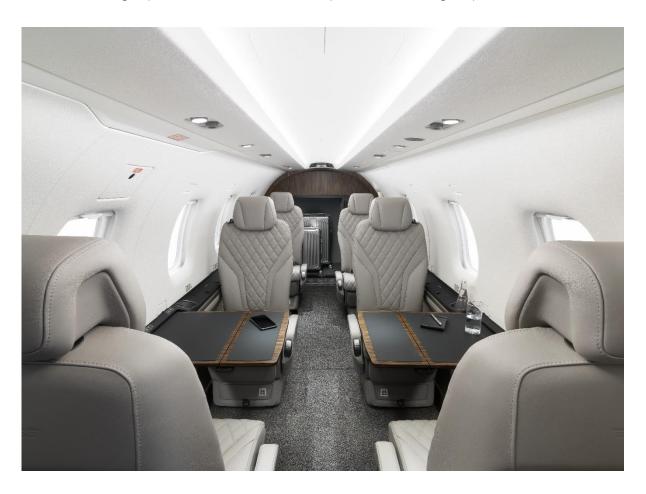
Zela Jet will be solely and exclusively representing the marketing of this PC-12 NGX aircraft for the course of the summer. Fly 7 who are the largest operator in Europe for the PC-12 will be the powering of this aircraft as they will be managing the all operational matters. The most modern single-engine turboprop to date is the PC-12 NGX. Its remarkable safety record of more than 7 million flying hours served as a foundation. The PC-12 NGX brings the most recent avionics and engine technology to the turboprop market.

This PC-12 aircraft registered (OH-FUK) will be available ready for charter from July 2023 as the aircraft is scheduled for delivery in June 2023. The aircraft has a capacity of 6 passengers and offers a comfortable cabin for flights up to 2.5-hours. The aircraft will be best used for island hopping in Greece and reaching other nearby destinations in the southern eastern Mediterranean region. The PC-12 does not require a long runway which makes it one of the best private aircraft to give it the ability to land in almost all of the airports in the Greek islands that larger private aircrafts will not be able to land at. The aircraft is also known for reaching remote locations in the Swiss Alps, Switzerland being the home country of the PC-12's manufacturer, Pilatus.

Zela Jet representatives will be attending EBACE in Geneva in May and will be actively promoting this aircraft as they will handle all sales for the summer. To arrange any meetings with Zela Jet regarding this aircraft or any private aviation requirement please get in touch at sales@zelajet.com.

Zela Jet is a brand part of the already well -established brokerage firm Zela Aviation established in 2006. Zela Jet was created to target the increasing demand for private travel, primarily focusing on the Eastern Mediterranean and the Middle-Eastern market. Our HQ are in Limassol, Cyprus with regional offices in Athens, Greece. Zela Jet comprises of a team of aviation professionals, whose experience guarantees exceptional service. We target clients who appreciate comfort and time, while keeping the costs reasonable.

Fly 7 was founded in 2011, the company rapidly established itself as a touchstone in the world of business aviation. Based at La Blecherette Airport in Lausanne, Switzerland, Fly 7 spread their wings throughout Europe. One particular aircraft is strongly part of the DNA of Fly 7 and their fleet, it's the Pilatus PC-12. The famous swiss plane manufactured and assembled on the shores of Lake Lucerne. The PC-12 has become a flagship of Swiss aeronautics, capable of landing anywhere.



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Are the impositions regarding VAT on Properties in Cyprus fair?

By Savvas Savvides, Partner at Michael Kyprianou & Co. LLC

michaelkyprianou

In recent days, we have witnessed discussion taking place with regard to the proposed amendments to the law of VAT on Properties.

Brussels is breathing down Cyprus' neck that, unless it amends the present legislation, it will impose infringement procedures against Cyprus.

Let's examine, however, the VAT situation as it stands at present in other European member states, to help us understand the entire situation around the VAT issue on Properties and to reach our own conclusions as to what exactly Brussels is imposing on Cyprus and if these demands are deemed fair and are following the correct procedure.



For instance, Denmark, Sweden, Malta, Germany, Portugal, Greece and Bulgaria are only a few countries in the European Union which do not apply VAT on Properties, and if we continue our research, we will see that Hungary applies 5% VAT for those persons who are purchasing apartments with the surface area of up to 150 square metres and for stand-alone houses of a surface area of up to 300 square metres. The same principle applies in Poland, except that the VAT is 8%, and in Italy, the VAT is 4%.

As you can see from the above, there is no consistency on how and whether VAT is applied to Properties, since each European member state has a different approach on the VAT issue.

One of the main arguments as to why Cyprus applies VAT on Properties has to do with the excuse that has been given that the condition of VAT was imposed even before Cyprus became an EU member state. However, now that Cyprus has joined the EU, a thoughtful citizen of the EU will wonder why there are two types of EU citizens, and why they are not all treated the same in this regard, when in other issues, all EU citizens have the same rights as everyone else, such as the right to freedom of movement, investment and such.

The VAT Directive No. 2017/541 allows member states (VAT applied on Property) to apply a lower VAT rate for first homes as part of the social policy.

However, even though the Directive exists, this still does not put aside the fact that other EU citizens (as mentioned above) do not need to pay VAT.

How, then, can the VAT rules be applied differently in each EU country, and how is this lack of uniformity justified?

Under the Government's proposal, the reduced VAT rate will apply to the first 170 square metres of a home where the total surface area is up to 220 square metres and the Property value is not more than €350,000. For apartments, the lower VAT rate will apply to the first 90 square metres where the total surface area is up to 110 square metres and the Property value is not more than €200,000.

In addition, a special clause stipulates that the criterion regarding the total surface area does not apply to persons with a disability.

This proposal has faced a lot of resistance from several organisations, including the Employers and Industrialists Federation, the Chamber of Commerce, the Cyprus Land and Property Owners Association and the Cyprus Property Valuers Association.

Their main argument is that the square metres given and the Property value limit do not reflect the actual situation in Cyprus, taking into consideration the way of life in Cyprus. They have basically suggested that the value of the eligible Properties, both houses and apartments, should be raised to €500,000.

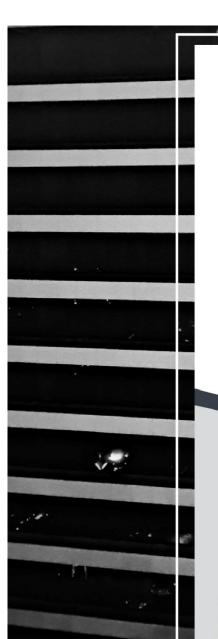
A good point that they have raised is that, with the present inflation rate and the cost of building, no one will find a home for the area and value stipulated in the Bill, thereby making the legislation ineffectual. One needs to also take into consideration that the value of the land has also increased which, together with the construction costs, makes the value of a home with the suggested limits of the value, an unrealistic criterion.

We can also compare Cyprus with other European countries, whereby VAT is not imposed on the basis of square metres and the value of the Property, and we can see the logic of this because we all know that some areas are more in demand than others and the value of the Property is therefore higher. For example, a Property in a busy residential area where, for example, the transport system is good and is located near schools and facilities, will tend to have a higher value than a Property in a rural area, and this will mean that the VAT imposed on these higher-value Properties will not be beneficial to the owners of Properties in these locations.

In my opinion, as Cyprus is a full member of the European Union, we should send a questionnaire to Brussels with our concerns and request that the principles applied by the European Union should be unified, by taking into consideration the distinct characteristics of each country, and in this case, Cyprus and the Cypriot citizens and their way of life. It is not a question which can be solved unilaterally, but the European Union itself should take the circumstances into consideration when imposing their demands on each country. It is not enough to merely follow the European Union regulations without rationale, but the European Union should consider the problems faced by the citizens of the EU member states and specifically, in this instance, Cyprus.

The content of this article is valid as at the date of its first publication. It is intended to provide a general guide to the subject matter and does not constitute legal advice. We recommend that you seek professional advice on your specific matter before acting on any information provided. For further information or advice, please contact Savvas Savvides, Partner, Paphos Office Tel +357 26930800 or email savvas.savvides@kyprianou.com





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Court of Justice of the European Union:

Contract concluded by electronic means - Conditions of consumer commitment.

By G. Kouzalis LLC



The Bottrop Magistrate's Court in Germany has sought clarification regarding the conditions of consumer commitment in the context of a distance contract concluded by electronic means. The case involves Fuhrmann 2, a German company that owns the Goldener Anker hotel, which can be booked through the online platform www.booking.com. On July 19, 2018, a consumer visited the website to book hotel rooms in Krummhörn–Greetsiel for the period of May 28 to June 2, 2019.

The consumer selected the Goldener Anker hotel and viewed the available rooms along with relevant information about services and prices during the desired stay. After deciding to reserve four double rooms, the consumer clicked the "book" button and entered personal data and the names of the individuals that they would have travel with him before the consumer pressed the "completion of the reservation" button. The consumer eventually did not visit the Goldener Anker Hotel on May 28.

Fuhrmann 2, in accordance with its general transaction terms, charged the consumer cancellation costs amounting to 2,240 euros, with a payment deadline of five working days. The consumer did not pay the requested amount. Consequently, Fuhrmann 2 filed an appeal before the Bottrop Magistrate's Court, seeking payment from the consumer.

To clarify the matter, the court requests whether a phrase written on the order button or in a similar function, such as "booking completion," is "equivalent" to the phrase "order with obligation to pay" as stipulated in the relevant provision. The court seeks to determine if only the marking on the order button or similar function should be taken into account or if the ordering process's circumstances are also relevant.

The Court's decision emphasizes that according to Directive 2011/83, in the case of a distance contract concluded electronically through an order process that involves a consumer's payment obligation, the trader must provide essential information about the contract to the consumer immediately before finalizing the order. Additionally, the consumer must be expressly informed that by placing the order, they are committing to paying for it.



Regarding the obligation mentioned above, Directive 2011/83 specifies that the order button or similar function should clearly indicate that submitting the reservation entails the consumer's obligation to pay the merchant. The directive specifically mentions the wording "order with obligation to pay." However, it is stated that this wording serves as an example, and member states are permitted to accept the use of other similar wordings by traders as long as they convey a clear obligation.

Therefore, if a national regulation, as in this case, transposes Directive 2011/83 into domestic law without providing specific examples of similar wordings, traders are free to use any form of marking they prefer, as long as it is evident from that marking that the consumer is obliged to pay upon pressing the order button or activating the corresponding function.

The Court clarifies that Directive 2011/83 makes it clear that it is the key or function itself that must contain this wording. However, only the marking associated with the button or similar function should be considered to determine whether the trader has fulfilled their obligation to ensure that the consumer recognizes the payment obligation when submitting the order. In this context, the referring court needs to determine whether the term "retention" in the German language, taking into account colloquial usage and the perception of an average consumer who possesses ordinary information and exercises reasonable care, is necessarily and consistently associated with the creation of a payment obligation.

If the answer is negative, the Court must conclude that the phrase "completion of the reservation" is vague and cannot be considered as similar wording to the phrase "order with payment obligation" as specified in Directive 2011/83.

Briefly, in Fuhrmann-2, Case C-249/21, the CJEU stipulated that, in order to be bound by a contract concluded by electronic means, the consumer must clearly understand based only on the words appearing on the order button that as soon as (a) clicks on the button (a) will be obliged to pay for the relevant goods or services.

The above information is given based on current legislation which is subject to change without further notice.

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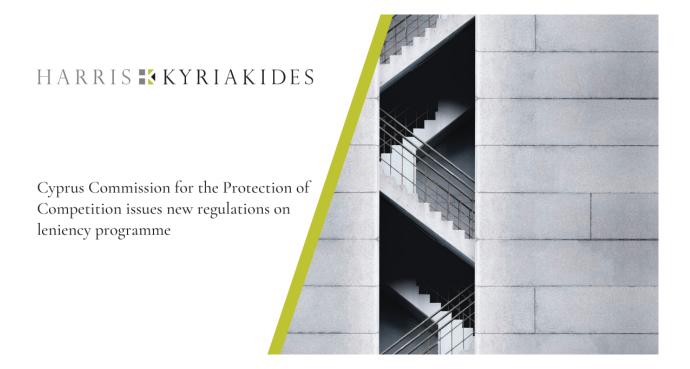
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Cyprus Commission for the Protection of Competition issues new regulations on leniency programme

By HARRIS KYRIAKIDES

The Commission for the Protection of Competition of Cyprus announced that it has issued new regulations governing the leniency rules applicable in cartels and restrictive collusion arrangements in Cyprus.



Why is the law changing

In a press release issued by the Commission for the Protection of Competition of Cyprus, it is noted that secret cartels are particularly harmful to the sound functioning of the market, since they restrict or even exclude the existence of competition. Policies which provide for equity relief through Leniency Programmes are based on the premise that some undertakings, which participate in secret cartels, wish to end their participation in it and give evidence of the existence and operation of the secret cartel, but hesitate because of the administrative fines that will be imposed on them. The Commission for the Protection of Competition of Cyprus considers that it is in the public interest to 'reward' those undertakings which are willing to terminate their participation in such illegal practices and to cooperate with the Commission, thereby decisively contributing to the initiation of an investigation procedure or to the detection and proof of anti-competitive behaviour, by granting exemption from the payment of any fine.

What is changing

The Regulations on the Immunity from and Reduction of Administrative Fines in cases of Restrictive Collusions (the Regulations) set out the criteria and conditions under which the Cyprus Commission for the Protection of Competition, on the basis of Article 47(5) of the relevant Law on Competition of 2022 (the Law), may exempt or reduce the amount of the administrative fine that would otherwise be imposed on an undertaking for infringements of section 3 of the Law and/or Article 101 TFEU. Specifically, the Commission grants exemption from the imposition of an administrative fine to an undertaking which submits relevant application and reveals its participation in a secret cartel and provided it is the first to provide evidence to the Commission that:



- 1. At the time of receipt of the application, enables the Commission to carry out a targeted inspection, pursuant to Articles 38 and/or 39 of the Law relating to infringements of Section 3 of the Law and/or Article 101 TFEU, provided that it did not yet have sufficient evidence to carry out an inspection or had not carried out such an inspection, or
- 2. Is sufficient evidence to establish an infringement of the provisions of section 3 of the Law and/or Article 101 TFEU, or provided that the Commission does not have sufficient evidence to establish the infringement and no other undertaking has previously fulfilled the conditions for exemption.

Respectively, the Commission shall grant a reduction of the administrative fine that would otherwise be imposed, in cases where an undertaking reveals its participation in a secret cartel in accordance with Regulation 5 and does not fulfil the conditions of Regulation 4 and provided that it provides the Commission with evidence which provides significant additional evidential value in terms of proof of the infringement concerned, in relation to the evidence already in the Commission's possession at the time the application for a reduction of the administrative fine is submitted.

In either case, namely exemption and/or reduction of the administrative fine, the undertaking concerned should, in accordance with Regulation 6, cooperate fully, honestly, continuously and expeditiously with the Commission from the date of submission of the application until the conclusion of the administrative procedure for investigating the case, remain at the disposal of the Commission, terminate its participation in the alleged secret cartel, at the latest immediately after the submission of its application, unless it is reasonably necessary for the Commission to continue to participate in the unlawful cartel and should not destroy, falsify or conceal information or evidence or disclose the submission of the application or any of its contents, except to the European Commission or to Competition Authorities of other Member States or to competition authorities of third countries.

It is underlined that the Commission grants an exemption only if the undertaking concerned has not taken any action to force other undertakings to join or remain in a secret cartel.

It is noted that the Commission provides protection as to the identity of the undertaking that submitted the leniency statement, the content of the leniency statement and the fact of the undertaking's cooperation with the Commission until the establishment of the statement of objections.

What is the take out of the new change

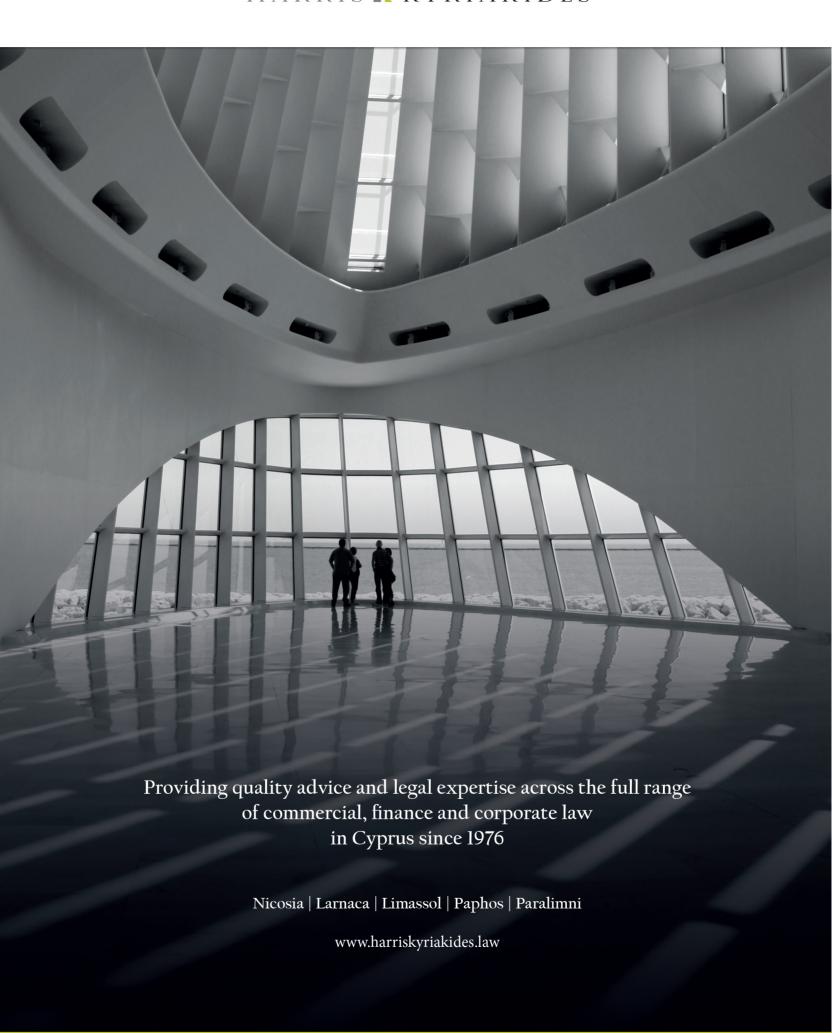
Leniency programs play a crucial role in competition law enforcement by encouraging companies to come forward and cooperate in the detection and prosecution of anti-competitive practices. These programs incentivise businesses to self-report their involvement in cartels or other anti-competitive behaviour, offering them the opportunity to receive reduced or waived penalties in exchange for their cooperation. Leniency programs are important because they enhance the effectiveness of competition law enforcement, leading to the dismantling of cartels, protection of consumer welfare, and preservation of fair market competition.

However, there are risks associated with leniency programs. One major risk is the potential for abuse, where companies may misuse the program to gain strategic advantages over competitors or to obtain confidential information about rivals. Additionally, leniency programs may also face challenges in maintaining confidentiality, as disclosure of a company's cooperation could have negative repercussions such as reputation damage or civil lawsuits.

The new Regulations seem to strike the right balance between encouraging participation in leniency programs while mitigating risks for companies. It remains to be seen how companies and stakeholders shall utilise these Regulations in the forthcoming years.

For more information please visit our website microsite on Competition & State Aid or contact us on info@harriskyriakides.law.

HARRIS KYRIAKIDES



Decrypting the Jargon

Crypto Basics





Introduction



Cryptoassets, cryptocurrencies, blockchain, exchange tokens, NFTs, mining.... a virtual minefield.

The changing landscape of financial services and digital businesses brings with it the inevitable regulatory and legal challenges, obscured further by a lexicon that would not look out of place on the sci-fi shelves of a bookshop (or its app).

The starting point - cryptocurrencies are a digital payment mechanism. In an increasingly cashless world, it can be difficult to see how that differs from tapping a credit or debit card, or sending money on a banking app. However, there are some fundamental differences. Let's keep it simple, or at least try.



Quick Reference EasyGlossary



The language of cryptoassets can be off-putting, so here are the key terms required to understand the concepts.

Cryptoasset

An umbrella term, which includes cryptocurrency (which is only one type of cryptoasset).

Cryptocurrency

Digital payment mechanisms, such as Bitcoin and Ethereum, also referred to as exchange tokens. For ease, bitcoin is used interchangeably with cryptocurrency.

DLT (Distributed Laser Technology)

A way of distributing data across a network, such as a record of ownership.

Blockchain

An example of a DLT – blockchain is a specific way of structuring data on a DLT platform, in a tamper-proof manner.
Again, for ease, blockchain is used interchangeably with DLT.

Mining

This is how bitcoin is created. Computing power across a network is used to 'create' bitcoins, for example.

Wallet

Where bitcoin is stored. Think of a 'cold wallet' as similar to a USB, and a 'hot wallet' as a cloud-based bitcoin moneybox.

Private Key

The bitcoin equivalent of a PIN. This unlocks the wallet to enable a transfer. This is kept secret.

Public Key

This is akin to the recipient's bank account number. This can be freely published, as it can only be used to receive payment.

Node

A single part of a network, e.g., one connected computer.

Fiat

Just another name for any traditional currency, such as the pound, dollar, etc.

Airdrop

Unilateral distribution of cryptoassets to (usually multiple) recipients, principally for marketing or to increase usage.

DeFi

Decentralised finance - another umbrella term.

Key Characteristics of a Cryptocurrency Transaction



A bitcoin transfer can be compared to a digital cash payment. The bitcoins (or fractions of a bitcoin) are sent by the holder to the recipient directly. The easiest way to conceptualise this is to think of a safety deposit box. The payor unlocks their box with the private key and enters the recipient's public key to enable the transfer. There is no intermediary bank – it goes directly to the recipient. Both parties are anonymised. The only identifying factor is the anonymous public key.

Details of the transaction are recorded on the blockchain. A block of data is added to a chain of ledger entries, tracing back to the original creation, or mining, of that particular bitcoin. The blockchain is an open ledger, so in theory everyone can trace the origin of bitcoin to where it is held today. This makes 'double spending' very difficult. The use of a network also makes it secure, in that to hack or manipulate the network, every node must be compromised, and blockchain is highly encrypted and records the data permanently.

When a normal debit card payment is made, it initiates a series of transactions. The net result is that the payor's bank owes less to the payor, and the recipient's bank owes more to the recipient. By contrast, a bitcoin transaction is a direct transfer of the bitcoin. In many ways, bitcoin works like people generally imagine debit cards to work, where the money just travels from one virtual safe to another.

A bitcoin transfer can be compared to a digital cash payment.

What's the Attraction?



Decentralisation, security, anonymisation are the often-cited attractions, even though the anonymous aspect is almost at odds with the traceability of bitcoin back to its original creation (which can be used to trace criminal proceeds).

The decentralisation (or DeFi) is the most romanticised reason for the existence of cryptocurrency, at least by IT enthusiasts. The inventor of bitcoin, Satoshi Nakamoto (a mysterious figure, whose very existence is disputed) is often quoted as having created it to 'take back financial control from the elites', in the aftermath of the banking crisis in 2008.

Bitcoin is most famous for its superlative 'exchange rate' – as of March 2023, one bitcoin is worth c. £22,000, and has been as high as £48,000. As such, it has been bought and sold by speculators more than it has been used as an exchange token. The value is in its scarcity – the algorithm limits the amount of bitcoin that can ever be mined to 21 million. In that way, it cannot be affected by inflation in the same way that the value of fiat is affected by quantitative easing (printing more money). That is not to say its value is not volatile, as has recently been demonstrated.



Whilst cryptocurrency remains unregulated, cryptoassets do fall within existing and proposed regulatory frameworks. It helps to first consider how each type of cryptoasset is categorised before considering the applicable regulatory regime.

Classification and Regulation



The UK Government formed a Cryptoassets Taskforce consisting of the Bank of England, the Financial Conduct Authority, and HM Treasury. The Taskforce produced a report in October 2018 for the classification of cryptoassets. In February 2023, HM Treasury published a Consultation and Call for Evidence. It is likely that the Financial Services and Markets Bill will introduce a phased approach to further regulation.

As to the present state of play in terms of regulation as at April 2023, the main categories are:

Exchange Tokens (Cryptocurrencies)

The present position is that cryptocurrencies are not regulated and are not recognised as money or e-money, primarily as they do not meet the core criteria of money and are not backed by a central government. As such, they are not seen as of themselves a store of value. Their value is subjective and volatile, and almost comparable, in investment terms, to trading in antiques.

Security Tokens

These are akin to shares, in that they confer specified ownership rights and obligations, and as such are regulated by the Financial Services and Markets Act 2000 and the regulatory regime, which it enables, including the Regulated Activities Order, meeting the criteria of a specified investment.

Utility Tokens

These can be thought of as similar to vouchers for services and can be used in crowdfunding. They are also unregulated. However, in certain circumstances, these could meet the definition of e-money.

In contrast to cryptocurrencies, e-money is regulated because it is a store of value represented by a centrally-backed currency (e.g. a top-up debit card). The Electronic Money Regulations 2011 and the Payment Services Regulations 2017 apply.

Consumers in particular need to beware. The fact that cryptocurrency is unregulated means that those who lose money will not benefit from the compensation regime.

A simplified starting point is deciding whether the asset creates a right of ownership (security token), or whether it is pegged to a fiat currency. Any system which creates a new unit of value, like bitcoin and others, is likely to be an unregulated exchange token.

Promotions and Other Regulated Activities



It is important to carefully consider the provisions of the FSMA relating to promotions separately, and how the rules that apply, depend on the type of cryptoasset and whether it falls within the regime.

Similarly, the use of unregulated cryptoassets as payment for regulated services will not escape regulation. In short, there is no standalone comprehensive regime for cryptoassets at present. Advising on the regulatory impact on any dealings involving cryptoassets will require a very clear understanding of the cryptoasset itself and the prevailing FCA or taskforce guidance at the time on its classification. The upshot is that it is the nature of the cryptoasset itself that determines how it is treated under the existing framework.

Although not explored in detail here, regulated financial services firms need to note the requirements with which they are still required to comply, when carrying out unregulated activities (e.g. Principles for Business Rules). The FCA published Guidance (Policy Statement PS19/22) in July 2019. The detailed regulatory requirements for market participants in relation to any type of cryptoasset are complex and detailed consideration is required.

It is worth noting that, whilst cryptocurrency is lawful despite being unregulated, there is presently an outright ban on the sale, marketing, and distribution to retail customers of certain financial products (e.g. derivatives) which reference unregulated cryptoassets.

The advent of the Financial Services and Markets Bill 2022-2023 is likely to usher in a raft of new measures and regulations applicable to the crypto sphere.

Britcoin and Stablecoin



Central Bank Digital Currency (CBDC) is where cryptocurrency is issued by the central bank of a state. The Bank of England is exploring the launch of 'Britcoin' (which would follow other examples including Chinese 'Rembini' and the 'Sand Dollar' in the Bahamas, both already in circulation, to differing degrees). A distinguishing feature is co-existence with existing currencies, rather than as alternatives (indeed, in China, cryptocurrency is banned).

Stablecoin is a term given to a cryptocurrency backed by or pegged to the value of another asset or fiat currency, and as such may fall within the category of e-money, or (depending on the underlying asset), a security token. HM Treasury will likely develop the outline of a separate regulatory regime for stablecoins.

Non-Fungible Tokens (NFTs)

Something fungible, like a physical coin, can just be replaced for another.
An original Picasso is non-fungible.
NFTs are the digital equivalent, and are cryptoassets in a similar way. Within this category are event tickets and digital artworks, for example.

Initial Coin Offerings (ICO)

ICOs are the equivalent of IPOs (initial public offerings, e.g. shares when a company is first listed). These can be used to promote the launch of a new cryptocurrency, or as a means of attracting crowdfunding or initial investment



Data Protection



The distribution of even anonymised data in blockchain or any other DLT is a real challenge. Consent is a factor, but so is the right of erasure, and also that data is transferred outside the EEA. DLT is not exempt from the GDPR and the Data Protection Act, and any introduced right of erasure will damage the integrity of the permanence of the ledger.

Anti-Money Laundering

From the perspective of law firms, cryptocurrency poses a real challenge in terms of AML compliance. There is no specific Law Society Guidance.

The Law Society's response to a question in August 2022 seems to have been misunderstood by the press. In response to being asked whether a solicitor could act for a client purchasing a £795,000 property in bitcoin, as a 'cash' transaction, the response was that Enhanced Due Diligence (EDD) was required. It was then reported that the Law Society had suggested that cryptocurrency should be treated as cash.

Whilst that may or may not have been the intended response, it is more likely that the response has been misinterpreted to a degree, because the need for EDD is also triggered by 'cash' transactions (i.e. purchases without a mortgage), regardless of the actual method of payment.

Nevertheless, it seems that EDD should be applied where there is a crypto element somewhere in the mix. It is prudent to consider not just the source of the cryptocurrency 'funds' themselves, but also the source of wealth with which it was acquired.

It is of course more likely that the proceeds of bitcoin sales will be the issue, rather than cryptocurrency itself, especially in the short term, as law firms are ill-equipped to actually receive cryptocurrency directly. It remains to be seen whether the Law Society will release any specific guidance as to how to deal with these issues, especially given that the trading platforms themselves, from which the proceeds are likely to pass before being used in any fiat transactions, are obliged to comply with the prevailing AML regimes.

Taxation



HMRC has published its internal Cryptoassets Manual. The rules relating to taxation are no less complicated than the rules applicable to other trading and assets. The manual covers taxation of individual and business owners, with consideration for the position relating to corporation tax and income tax, right through the spectrum including VAT, stamp duty and inheritance tax. The position can be summarised in their own words:

The tax treatment of all types of tokens is dependent on the nature and use of the token and not the definition of the token. HMRC does not consider cryptoassets to be currency or money. This reflects the position previously set out in the Cryptoasset Taskforce report. On its own, owning and using cryptoassets is not illegal in the UK and does not imply tax evasion or any other illegal activities.

Other Uses of DLT

DLT and blockchain can be used for anything which requires automation or the recording of rights. It can be used to effect and record transactions in a manner that has self-validating integrity and security, with permanence. Its uses could extend to land registries, voting, and smart contracts (see below).

It is important not to lose sight of the challenges in terms of data protection and the need for universal computer literacy, as well as the ever-increasing need for processing power and its environmental impact, given the need for huge amounts of energy for the requisite computing capability.

There are considerations for how technological evolution is factored into the equation. It may well be the case that blockchain itself may one day become obsolete with the advent of quantum computing. Nevertheless, blockchain is the presently disruptive technology and its reach is extending well beyond money transfer.



Smart Contracts



Smart Contracts are not a separate type of contract, nor are they outside the scope of English contract law as it presently stands. In fact, they are not contracts; they refer to the method of performance. It is a use of, for example, blockchain technology to automate an outcome, or a string of outcomes, if a certain condition is met. This enables potentially rapid performance of contractual obligations, even internationally, in accordance with the program which is written and stored on a blockchain.

In short, the program is essentially written so that, for example, "if A does X, then B gets Y".

Simple enough, in theory. Consider however the length and depth of a traditional set of contractual terms and conditions, and the fact that the program needs to deal with each one. It is not always easy to allow for subjectivity, such as impossibility, force majeure, or even reasonableness. However, 'oracles' (sources of external information) can be used to determine certain conditions (e.g. stock performance, weather conditions, consumer engagement) which may be in-built conditions precedent to performance, for example.



Legal Status of Cryptoassets



The UK Jurisdiction Taskforce (chaired by Sir Geoffry Vos) published its Legal Statement on Cryptoassets and Smart Contracts in November 2019. IP rights in the underlying technology itself are of course a separate matter and present a familiar problem by way of a very simplified summary of the statement:

- A cryptoasset, despite its intangibility and not being a 'chose in possession' or a 'chose in action', is still property (it should be noted that the Law Commission is considering the introduction of a third category: 'digital objects'). The result of that is that:
 - They can be the subject of theft, succession, trusts, assets in personal and corporate insolvency.
 - Certain types of security can be granted over them.
 - However, although they are property, they cannot be possessed, so they cannot be the subject of bailment, for example, and not all types of security can be granted over them.
- Private keys are not property, because they are information.
- Smart Contracts are enforceable and, where required, in principle satisfy the requirement of being 'in writing', though that depends on the type of code. There is already provision in the existing English law of contract to deal with anonymised or pseudonymised parties.

The case law on cryptocurrency has reflected this approach:

- In AA v Persons Unknown, it was accepted that bitcoin was property in the context of a proprietary injunction.
- In the matter of *Torque Group Holdings Limited* (In Liquidation), cryptocurrency was considered as an asset in the liquidation.
- In Lavinia Deborah Osbourne v (1)
 Persons Unknown and (2) Ozone
 Networks Inc t/a Opensea [2022], a
 hot wallet was hacked into and an NFT
 was stolen, and was considered to be
 property capable of being the subject
 matter of theft.
- In *Ion Science Limited* v *Persons Unknown*, the High Court decided, in the absence of precedent, that the lex situs relating to cryptocurrency (i.e. the applicable law), is the law of the place where the owner is domiciled.

Legal Status of Cryptoassets (cont'd)



It has also been accepted by the Courts in principle that cryptocurrency can be the subject matter of a trust (in concordance with the Taskforce) and it is possible that it can be used as security for costs, although the volatility of bitcoin has so far precluded it (Tulip Trading v Bitcoin).

This is by no means a summary of all the case law concerning cryptoassets, but it can be seen that it is becoming more prevalent and the legal profession will need to become comfortable with dealing with the novel issues that continually arise.

To that extent, let's conclude with a cautionary point as a sign of the times. In *D'Aloia* v *Binance Holdings and Others [2022]*, the Court held that a Court Order could be served as an NFT by airdrop into a public wallet via the DLT. Please refer to the glossary to de-crypt that jargon.









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THE CHALLENGES

- Businesses across the globe are experiencing a cash flow crisis which is affecting their growth and resilience.
- Procurement operations are becoming increasingly more complex and data-rich, while high-ROI opportunities are being missed due to a lack of a comprehensive data-driven approach.
- Increasing operational complexity leads to higher risk exposure, while an ever-changing regulatory scenery means assurance and compliance demand more time and resources.



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Utilise a scientific approach that leverages data science, original research, and subject matter expertise to deliver high-ROI projects. Novel Intelligence has integrated known questions and techniques and taken them to the next level, utilising research, forensic and data science expertise, to ensure our clients can enjoy the greatest value possible.

OUR SERVICES

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- o Enhancing internal controls by combining all the above



Augmenting Intelligent Decisions by:

- o Developing KPIs that modernise spending performance and decision-making through trend analysis and visualisations
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- o Using predictive modelling to achieve better financial planning



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CYPRUS INTELLECTUAL PROPERTY (IP) BOX REGIME

By S. Constantinou & Associates LLC



Introduction

IP Box regime is a corporate tax regime established by countries to encourage research and development activities regarding an Intellectual Property asset by applying lower taxes on income deriving from royalties, licensing fees, patents, proceeds from the sale or transfer of IP and copyright infringement damage rewards. Cyprus is one of the most attractive locations to establish an IP holding and development company since it offers an efficient tax rate and full international protection and significant financial benefits. The Cyprus IP Box Regime is fully compliant with international frameworks in the tax treatment of IP revenues applied in line with OECD's guidance and assessed according to the EU Code of Conduct.

Cyprus is already home to several international tech companies, which set up regional headquarters in the country and are providing services to their clients worldwide, i.e. in Europe, North Africa and the Middle East.

"Qualifying assets"

Qualifying assets under the IP Regime include the following:

- · patents.
- copyright software programs, and
- other intangible assets that are non-obvious, useful and novel.

It is noted that qualifying assets do not include trademarks and copyrights.

"Qualifying profit"

For a qualifying IP asset in order to benefit from the IP Box Regime, there should be sufficient substance as well as an essential relevance between the expenses, the IP assets and the related IP income.

Under the above approach, the application of the IP Box Regime will be dependent on the level of Research and Development carried out by the qualified company wholly and exclusively for the development of the

and Development carried out by the qualified company wholly and exclusively for the development of the qualifying intellectual property whereas it excludes the research and development costs of outsourcing to related parties. On the contrary, research and development costs outsourced to non-related parties are considered to be part of the 'qualifying expenditure'.

"Qualifying Persons"

Qualifying Persons or establishments include the following:

- Cypriot tax residents:
- Tax resident permanent establishments of non-tax residents;
- Permanent establishments from foreign countries who have agreed to be subjected to tax in Cyprus.

BENEFITS OF THE CYPRUS IP BOX

1. Highest Deduction Rate

In the regime, 80% of the profits earned are exempted from tax and only 20% of IP income is taken into calculation.

2. Lowest Effective Tax Rate

The Cyprus corporate tax rate is at 12,5%, which is among the lowest in the EU, resulting in an effective tax rate of as low as 2,5% under the IP regime.

3. Zero withholding taxes on dividends

Cyprus-resident companies benefit from incentives such as zero withholding taxes on dividend payments and a wide network of Double Tax Treaties.

4. Amortisation Period of Up to 20 Years

All intangible assets, excluding goodwill, irrespective of whether they are considered qualifying assets or not, are eligible for amortisation over their useful economic life for a maximum period of up to 20 years.

Registration with the Regime

To access the benefits of this IP Box Regime, companies need to follow a few steps, which include:

- Incorporation of a Cyprus Company, which is an easy process and faster than in many other EU countries.
- Transfer of Ownership, where the intellectual property ownership has to be transferred to the newly established company;
- Licensing of Rights, where the Cyprus company can license the rights to use the intellectual property to any other company;
- Patent Box Structure: The company needs to seek legal advice to organise the patent box structure. There will also be a need to prepare legal agreements.

After this, any income the intellectual property owner receives will apply to a minimum effective tax rate of up to 2.5%.

HOW CAN SCLAW HELP YOU?

- Full legal support for the establishment and registration of a Cyprus Company;
- Ongoing support after the initial set-up of the company;
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- Provision of compliance-related services;
- Registration of Intellectual Property locally, in the European Union and/or Internationally;
- Transfer of existing intellectual property to Cyprus company; and
- Application for a tax ruling to show the business is entitled to use the regime.

For further information or clarifications, please contact S. Constantinou & Associates LLC at info@sclaw.com.cy / +357 22 421190.





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- We have high technical and ethical standards.
- We provide clear-cut and practical solutions to the client.
- We keep the grey areas for us to solve.

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Technology is transforming the legal industry





In modern days, the rapidly changing environment of the Legal industry creates a demand for reliable, high quality and comprehensive access to information. Undeniably every law case comprises of many overlapping disciplines and legal areas, therefore, what makes a Lawyer great at a practicing area, is the knowledge to a variety of topics and the power of accessing data through a reliable source at any time. While time is crucial for them, the online libraries and productivity platforms are becoming indispensable tools for their day-to-day tasks. The law professionals need to gather as much data as possible which will support them in their effort to contradict other attorneys on a case. Therefore, a good amount of information from a trusted and reliable source is crucial part of their practice.

In this article we will emphasize the importance and the numerous benefits coming out from the legal technology tools as they are a source to databases, cases, statutes, legislations, journals and more, giving access to a vast amount of legal information. Thus allowing to the law practitioners to conduct comprehensive research on their subject and area of business and analyse precedents, interpret laws while remaining updated with the latest legal developments.

Research is their main aspect of their work as they need to collet data which will later on form their structure on a legal argument while they will support their client by providing them correct information and guidance through the process.



Therefore, deadlines might add pressure to lawyers meaning that they will need to trace efficient and fast ways to gather up details. Digital sources and legal tools help on this process as they significantly reduce the time and cost associate with traditional methods of legal search, without needing the manually sift through numerous volumes of legal texts. Lawyers nowadays can access electronic platforms and quickly trace cases, statutes and legal commentaries related to their topic. Also find cross referring laws and identify relevant sections, all at one place, through a quick search rather than using different books, hardcopies, and other manual files. Also, instead of visiting physically multiple libraries or subscribe to numerous print publications, they can have access to information with few clicks away. The online libraries are a great source for in depth research with an extensive and diverse collection of legal books related with various jurisdictions, including legal journals and commentary. A huge advantage of the online libraries is the fact that the individual can have access anytime in the day and remotely, while focusing on the exact topic of interest using filtering, keywording or even Boolean language as to be more precise and targeted. This results to the significant improvement, efficiency and accuracy of the work gathered.

Having said that, lawyers can formulate effective case strategies and decision-making while anticipate potential arguments that could be raised by a contradictive conversation. For law practitioners, being able to prepare themselves for the opposing party's tactic and use persuasive arguments is a major component of their business environment.

Information and continuous education in different aspects of a practicing area is a key in the legal industry. To remain updated, they need to access online databases, attend webinars, and keep their learning processes maintained as to be able to legally represent an entity at high quality. For that purpose, their access to a variety of documents such as drafting notes for guidance, cases overviews, contracts, pleadings, agreements, legislations, and much more are essential. The different resources will help them maintain consistency, prepare a well-structured strategy and be able to contradict a legal argument.

We need to point out that in the Legal world, the information is constantly evolving, while world news and political aspects affect the industry, therefore new cases and regulations arise frequently. The online tools provide support in this fast-paced industry as they are constantly and in real time updating their content. Therefore, the online tools can ensure that the users are accessing the most current legal developments as well accurate data

It's worth mentioning that validated legal tools also provide the ability to its users to share with each other useful annotations, comments, and research findings from a vast area of legal resources. This fosters collaboration, facilitates knowledge sharing, and promotes teamwork within law firms or across multiple legal professionals working on a case. This tactic enhance efficiency and promote best practices.

Online libraries also offer the benefit of organizing the work using filing records into folders whether its articles, paragraphs from e-books or journals. Also allow the highlighting on texts and even make annotations. This means that printing a high volume of documents can be avoided therefore minimizing the cost and the time from gathering hardcopies.

To summarize, we have come to conclusion that the legal technology is the new era in the Legal industry and that online libraries and professional platforms are essential in the modern world as they enhance legal research and the overall practice of law. From the extensive collection of legal resources to advanced search capabilities, convenience, real-time updates, collaboration features, and cost-effectiveness, the legal tools significantly enhance the research needed as well understanding how the different laws and regulations interact with each other within a vast of practicing areas.

We also need to emphasize that the flexibility aspect of things is becoming a major component of today's work environment in different industries and the Legal world is one of them.

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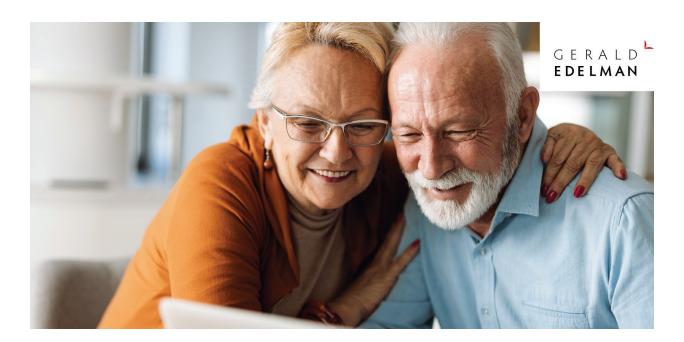
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- Finding solutions to complicated issues for our clients.
- Ensure that relationships are governed by mutual respect.
- Focus upon each client's requirements, having an in-depth understanding of their requests, business activities, and market forces as a prerequisite.
- Combine legal experience and international industry knowledge with the highest level of reliability and provide the most excellent cutting-edge solution to each project.

Pension planning for high earners

By Charlotte Morgan Townley, Guest Writer at Gerald Edelman LLP

Here, we explore the key pension tax planning opportunities for high earners.



Tax relief

When paying money into a registered pension scheme tax relief is available by extending the basic rate and higher rate tax bands. The tax bands are extended by the gross amount of the pension contribution. Therefore, if an individual pays £800 into a pension scheme the basic and higher rate thresholds are extended by £1,000 each (£800 x 100 / 80).

In addition, payments to a pension scheme are made net of 20% tax. Therefore, if an individual pays £800 into a pension pot HMRC will make up the difference of £200.

The maximum contribution that can be made into a pension fund which an individual can obtain tax relief for in a tax year is 100% of their relevant earnings in that tax year. However, anyone can pay up to £3,600 gross per year irrespective of their level of earnings.

Relevant earnings are made up of:

- Employment income, including taxable benefits in kind
- Trading income, i.e. self-employment and partnership
- Furnished holiday letting profits
- · Patent income

It is worth noting that the relevant earnings restriction does not apply to employer contributions.

Annual Allowance

The annual allowance is the maximum that can be input into a pension scheme in any tax year. For 2023/2024 this is £60,000 gross. Any unused allowances from the previous three years may be utilised as well. This is calculated on a first in first out basis once the current year allowance has been utilised in full. However, an individual can only utilise brought-forward allowances if they were a member of a registered pension scheme in those years. If the amount input exceeds the available allowances, then the annual allowance charge will apply.

Tapered Annual Allowance & Annual Allowance Charge

The Annual Allowance may be tapered if you are a high earner. An individual is a high earner if their 'threshold income' is over £200,000 and their 'adjusted income' is over £260,000. Between 6 April 2020 and 5 April 2023, adjusted income was £240,000. Between 6 April 2016 and 5 April 2020, the threshold income limit was £110,000 and adjusted income was £150,000.

If the thresholds are exceeded the Annual Allowance will be tapered by £1 for every £2 of adjusted income in excess of the adjusted income threshold. The tapered allowance cannot be reduced below £10,000, (£4,000 between 6 April 2020 and 5 April 2023 and £10,000 prior to). When the pension input exceeds the available annual allowance, the excess will be subject to income tax. This will be deemed to be an individual's top slice of income and therefore will be taxed at their marginal rate. This means

that a higher earner may opt to restrict their contributions up to £10,000 instead in order to avoid the tax charge. For higher earners whose employer makes pension contributions on their behalf as part of their remuneration package, it should be worth noting that even though this may exceed the annual allowance and trigger an income tax charge at their marginal tax rate of 40%/45%, the employee still benefits from an uplift in their pension fund from the net employer's contribution of 60%/55%. As such, it is important to consider your circumstances carefully and obtain specialist tax advice when reviewing the potential impact of employer contributions that may result in an exposure to the pension savings tax charge.

Threshold income

Threshold income is net income less the gross amount of personal pension contributions where basic tax relief has been given at source (generally where payments are made into a SIPP).

Adjusted income

Adjusted income is the net income plus gross pension contributions made via salary sacrifice and the amount of pension contributions made by the employer.

Lifetime allowance

The lifetime allowance charge has been abolished from 6 April 2023.

Planning points

Making pension contributions can mitigate the loss of Personal Allowances where an individual's income is in excess of £100,000.

Additionally, another planning point is the use of pension contributions made via salary sacrifice. This will save tax and National Insurance Contributions which would have been typically due on an individual's gross income. Some employers may often be willing to contribute the savings on National Insurance into the pension pot.

Anyone can contribute to someone else's pension too, for example, a spouse or family member. As this could be rather complex and intricate, please contact us if you want to find out more.

If you would like further advice on anything we have covered in this article, please get in touch with the tax team today.







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New revised criteria for granting immigration permits to investors under reg 6(2) of the aliens and immigration regulations

By Esme Palas, Partner at Michael Kyprianou & Co. LLC





Cyprus has always been considered as an ideal destination for permanent residence by Non-EU Nationals. The Cypriot Government, in an attempt to attract foreign investment to the island and to help economic recovery and further economic growth, introduced Regulation 6(2) of the Aliens and Immigration Regulations which gave non-EU nationals, who invested in Cyprus, the right to permanently reside on the Island, provided certain criteria were met. The significance of these regulations and their contribution to the Cypriot economy is well documented.

In order to address some weaknesses in the system, these criteria have just been amended and these amendments will take effect on 2nd May 2023 and shall be applied to applications that shall be submitted from 02/05/2023. The underlying purpose behind these changes is to protect the integrity of the system, thereby safeguarding its continuity and securing the country's reputation.

For all sale agreements lodged at the Land Registry department between 01/01/2023 and 28/04/2023, the previous criteria will be applicable to the examination of any application.

Permanent Residency permits shall be issued to non-EU applicants, provided they meet one of the investment criteria specified in the regulations and fulfil the quality criteria stated therein.



INVESTMENT CRITERIA

The applicant must make an investment of at least €300,000 in one of the following categories:

- **(A) Investment in house/apartment:** Purchase of a house/apartment sold for the first time (not a resale) by a land development company of a minimum value of €300,000 (plus VAT).
- **(B) Investment in real estate (excluding houses/apartments):** Purchase of another form of real estate such as offices, shops, hotels or similar developments, or a combination of these, with a total value of €300,000. These properties may also be resale properties.

(C) Investment in share capital of a Cypriot Company with activities and personnel in Cyprus:

Investment worth €300,000 in the share capital of a new company or investment worth €300,000 in the share capital of an existing company registered in the Republic of Cyprus, which is based and operates in the Republic of Cyprus and has a proven physical presence in Cyprus and employs at least five (5) people.

(D) Investment in shares of a Cyprus Investment Organization for Collective Investments (Type AIF, AIFLNP, RAIF):

Investment worth €300,000 in shares of a Cyprus Investment Organization for Collective Investments whose investments need to be carried out in Cyprus.

In the event that the applicant ceases to hold the investment without immediately replacing it with another of the same or greater value, which should meet the conditions set in this procedure, then the Permanent Residence permit will be cancelled.

It must be proved that the money to be used for the investment must have come from abroad from the applicant's personal bank account or that of his spouse and the value of the investment needs to be transferred to the Vendor's bank account in Cyprus.

In addition to meeting the criteria mentioned above, the applicant should be able to prove that he has at his disposal a secure annual income emanating from abroad of at least €50,000. The annual income is increased by €15,000 for a dependant spouse and €10.000 for each dependent minor child.

In cases where the applicant invests in a house or apartment under the investment criterion A, this income can be from salaries, pensions, stock dividends, fixed deposits, or rents emanating from abroad. Such income, however, can only be proven by tax declarations of the applicant from the country in which the applicant is tax resident. In calculating the total income, the income of the applicant's spouse may also be taken into account.

In cases where the applicant chooses to invest in Real Estate excluding houses or apartments, then the total income or part of it may also arise from sources originating from activities within the Republic, provided these are taxed in the Republic.

QUALITY CRITERIA

The applicant and their spouse must submit a clean criminal record from their country of residence or from the Republic, if they reside in Cyprus.

The Applicants and the Applicants dependants will need to provide a Health Insurance Certificate providing in and out patient insurance cover

They must certify that they do not intend to work in the Republic, with the exception of their acting as directors in a Company in which they have chosen to invest within the framework of this policy.



If the investment does not concern a Company's share capital, they may be shareholders in Companies registered in Cyprus and receive dividends. They may also hold the position of director in such com-panies without remuneration.

Where applicants choose to invest under the Investment criteria B, C, or D, they must present information regarding their place of residence in the Republic.

When investing in residential or other properties, the application needs to contain proof that the contract of sale was lodged with the Land Registry and official receipts for the payment of at least €300,000 (excluding VAT), regardless of the date of delivery of the property. Evidence must be provided that the funds invested have come from abroad and are not a product of internal borrowing. The total Investment should be paid into the seller's account at a Cypriot financial institution.

The applicant may purchase up to two (2) residential units (apartments or houses), provided that the total market value meets the above criteria. The said purchase must be dwellings sold by the developer for the first time, unless the purchase of the houses took place before 7th May 2013.

It is noted that the properties do not have to be purchased from the same land development company.

PROVISIONS RELATING TO THE DEPENDENTS OF THE APPLICANT

The Immigration Permit is issued to the applicant and the applicant's dependents (spouse and minor children up to the age of 18.

Unmarried children between the ages of 18 and 25, who are students in higher education abroad on the date of submission of the application, and who are financially dependent on the applicant, may submit their own, separate application for obtaining an Immigration Permit. In such a case, the father or mother and/or both parents together must prove that they have an additional annual income of €10,000 for each such dependent child.

Such a Permit, once issued, will continue to be valid even after they reach the age of 25, even if they marry and cease to be students and/or financially dependent on their parents.

HIGHER VALUE INVESTMENTS TO INCLUDE ADULT CHILDREN

An Immigration Permit may also be granted to adult children of the applicant who are not financially dependent provided a higher-value investment is made.

The market value of the €300,000 investment should be multiplied according to the number of adult children, who will rely on the same investment for the purposes of obtaining an Immigration Permit.

Each adult child will need to prove they have at their disposal a secure annual income of at least €50,000, which will be increased by €15,000 for a dependent spouse and €10,000 for each dependent child.

When the Applicant invests in real estate under Criteria A and B above, he has to prove that 66% of the market value of the property has been paid prior to submission of the application.

In addition, it is noted that the investment can be made jointly in the name of the applicant and the adult child or exclusively in the name of the applicant.

In the event that the Applicant invests in residential property under criterion A above but the number of bedrooms of the property cannot meet the needs of the dependent family members the Applicant will need to prove another property which shall be the place of residence of these people.

It is no longer possible for Applicants to include in their application their parents or parents in Law.

MECHANISM FOR ENSURING THAT THE CRITERIA CONTINUE TO BE MET

Applicants are required to prove on an annual basis that they continue to hold the investment and that they continue to receive the required annual income for themselves and their dependents and that they all continue to hold valid health insurance coverage if no longer registered with GESY. They need to present on an annual basis a clean criminal record from their country of origin and residence. In case the Applicants fail to provide the above, then they and their dependents' residence permits shall be cancelled.

The right of the applicants and their adult dependent children to reside in Cyprus is indefinite. The residency permit issued for the minor children of the applicant will end on reaching the age of 18. They can reapply if they fulfil the relevant criteria mentioned above.

The underlying objective of these provisions is to maintain the integrity of the system, safeguard the process and eliminate the loopholes that were observed. While one can understand and respect the need for stricter controls, the increase in the amount of annual income that is required will exclude many potential investors, especially those of retirement age who wish to have Cyprus as their retirement haven and who do not have such high annual income. It remains to be seen how these changes will be perceived by potential investors.

The content of this post is intended to provide a general guide to the subject matter and does not constitute legal advice. For any queries, contact Esme Palas, Barrister at Law, Partner of the Law Firm Michael Kyprianou Advocates and Legal Consultants at esme.palas@kyprianou.com



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WHAT DO YOU NEED TO KNOW ABOUT RESIDENCE PERMIT RENEWAL IN CYPRUS?

by Petros Hadjipetrou Head of Compliance, CX Financia



Are you feeling overwhelmed by the complex world of immigration paperwork? Don't worry, you're not alone! If you currently hold a residence permit in Cyprus and it's time to renew it, we're here to help you navigate through the maze of paperwork with ease.



At CX Financia, we encounter numerous inquiries about this very topic, and we believe in empowering our clients with the knowledge and expertise we've accumulated over the years. In this article, we'll explain the residence renewal process for people working in foreign interest companies and who have a temporary work visa, as well as the requirements for their family members under this scheme. From gathering the necessary documents to filling out the forms correctly, we'll make sure you have everything you need to successfully renew your residence permit. Our aim is to help you approach the renewal process with confidence and understanding.

Demystifying Residence Permit Renewal in Cyprus: A Comprehensive Guide for Work Visa Holders and Families

The process of renewing a residence permit can be intricate, particularly for work visa holders and their dependents in Cyprus. At CX Financia, we understand the potential difficulties and concerns that can arise during this process. We are dedicated to facilitating this procedure and providing you with our expert assistance.



In this article, we offer a clear and thorough guide aimed at simplifying the complexities of renewing your residence permit in Cyprus, with a focus on employees of foreign interest companies. We will elucidate the various renewal alternatives, including standard and long-term options, as well as discuss the additional requirements that need to be considered. Regardless of whether you hold a temporary work permit or are a dependent pursuing family reunification, gaining insight into these options will assist you in making informed decisions and proceeding with the renewal process with assurance. Let's work on this together to ensure a seamless renewal of your residence permit for you and your loved ones.

Renewal under Existing Status - Standard Procedure

If you wish to continue your stay in Cyprus, renewing your residence permit under the existing status is the regular process to follow. It's important to understand the requirements and ensure you have all the necessary documents in order. This includes submitting your existing documentation and providing evidence of ongoing employment or other qualifying factors in Cyprus. By following this normal renewal process, you can maintain your legal status and continue to stay in Cyprus without any disruptions.

Renewal Under Category E Status - Long-Term Residency

Opting for Category E status allows you to secure a long-term residency of up to 10 years. Before applying, it is crucial to familiarize yourself with the requirements and confirm your eligibility for this option. However, keep in mind that this route may involve more stringent documentation requirements. You may need to provide a long-term employment contract covering the duration for which you are applying for the residence permit, along with proof of financial stability, accommodation, and health insurance.

A Closer Look: Key Considerations for Both Renewal Options

Whether you choose to renew under the existing status or aim for a long-term residency, there are a few factors you must keep in mind. This includes but is not limited to, maintaining a clean legal record, meeting the minimum stay requirements, and adhering to the immigration offices' timelines.

A Step-by-Step Approach

Renewing your residence permit involves a methodical sequence of steps, starting from checking your eligibility, gathering required documents, submitting the application form, to finally receiving the renewed permit. Each step is crucial and must be followed diligently to avoid any rejections or delays. In this article, we will outline the main considerations of the renewal procedure, providing you with a clear and comprehensive understanding of the process.



Considerations for Family Reunification

When considering the renewal process, don't overlook the specifics tied to family reunification in Cyprus. The immigration policies may have different prerequisites for spouses, dependent children, or elderly parents. Ensure you understand and meet these requirements to avoid complications.

How important is passport validity when renewing a visa?

When renewing your visa, it is crucial to ensure that your passport remains valid for the entire intended duration of your stay in Cyprus. The minimum passport expiration period is calculated as the visa duration plus an additional nine months. For example, if you apply for a two-year visa renewal in August 2023, your passport should be valid until at least May 2026. Similarly, if you seek a three-year visa starting from August 23, your passport should have a validity extending until at least May 27. By keeping your passport validity in check, you can ensure a smooth visa renewal process without any complications.

Do you have children attending school in Cyprus?

When renewing your residence permit in Cyprus, it is essential to be aware of the mandatory education requirements for children who are family members. Children between the ages of 5 and 15 are required to attend school, and Pre-Primary class attendance is compulsory for children starting from 4 years and 8 months old. As part of the renewal process, applicants with children must provide a Certificate of School Enrollment/Attendance from an approved school in Cyprus. At CX Financia, we understand the significance of your child's education and we're here to help you understand the approved schools and how to enroll, making the renewal process as smooth as possible and keeping your child's education on track.

Expertise and Support for Residence Permit Renewal

At CX Financia, our skilled team is focused on residence permit renewals, fully understanding all the little details and rules that come with it. We're here to make the renewal process as easy and straightforward for you as possible. You can rely on us to keep you updated, help collect the needed papers, and provide top-notch services. Whether you're renewing your current residence permit or looking at different categories, we're dedicated to making sure your renewal goes smoothly. You can count on CX Financia for the expert help you need to renew your residence permit in Cyprus without any stress.





Questions and Answers

Below, we have compiled some frequently asked questions from our clients regarding the renewal of residence permits in Cyprus. Take a look at the answers provided to gain clarity and a better understanding of the process:

 What are the requirements for renewing a residence permit under the existing status in Cyprus?

The requirements typically include submitting existing documentation and providing evidence of ongoing employment in Cyprus. It's crucial to ensure you have all the necessary paperwork in place.

 Can I opt for long-term residency under Category E status during the renewal process?

Yes, Category E status allows you to secure long-term residency for up to 10 years. However, be aware that this option may have more stringent documentation requirements, such as a long-term employment contract and proof of financial stability, accommodation, and health insurance.

 What should I do if I want to renew my residence permit but don't want to change my current status?

Yes, Category E status allows you to secure long-term residency for up to 10 years. However, be aware that this option may have more stringent documentation requirements, such as a long-term employment contract and proof of financial stability, accommodation, and health insurance.

 How can I ensure a smooth renewal process for my residence permit in Cyprus?

To ensure a smooth renewal process, it's essential to understand the requirements beforehand and gather all the necessary paperwork well in advance. Stay organized, submit your existing documentation, and provide evidence of ongoing employment or other qualifying factors as required.

• Are there any specific timeframes or deadlines for renewing a residence permit in Cyprus?

It's advisable to start the renewal process well before your current permit expires. While there are no specific timeframes mentioned, submitting the application and required documents in a timely manner helps avoid any potential issues or gaps in legal status.

 How long should my passport be valid for when renewing a residence permit in Cyprus?

When renewing your residence permit in Cyprus, make sure your passport remains valid for the duration of your intended stay. The minimum requirement is the visa period plus an additional nine months. For example, if your visa is valid for two years, your passport should be valid for at least two years and nine months from the time of your application.



• Is there any specific requirement regarding education when renewing a residence permit in Cyprus?

Yes, there are certain education requirements to be aware of when renewing a residence permit in Cyprus. It is mandatory to provide a certificate of enrolment in an approved school in Cyprus for each child as part of the migration requirements. It is crucial for the applicant to familiarize themselves with the list of approved schools in Cyprus to ensure compliance with this requirement. Providing the necessary documentation related to education is essential to successfully renewing your residence permit.

"Smooth Residence Permit Renewal Made Easy: CX Financia, Your Trusted Partner"

Renewing your residence permit might seem challenging at first, but with CX Financia, you can handle it with confidence. Use our expertise and advice to maintain your legal status in Cyprus. Don't delay—start your renewal process today and enjoy the peace of mind that comes with a smooth and successful procedure.

Why choose CX Financia for your residence permit renewal?

- Expert Guidance: Our team specializes in residence permit renewals and possesses in-depth knowledge of the requirements involved. We'll guide you through the process, ensuring you have the necessary documents and information at every step.
- Tailored Solutions: We understand that every situation is unique. Whether
 you're renewing under existing status or exploring different category
 options, we provide personalized solutions that cater to your specific
 needs.
- Seamless Experience: Leave the paperwork and complexities to us. Our goal
 is to make your renewal experience as smooth as possible, allowing you to
 focus on your life and work in Cyprus.
- Comprehensive Services: Our migration services extend beyond residence permit renewals. We offer assistance with permanent residence permits, temporary residence permits for employment or visitation, citizenship applications, Schengen Visa applications, and more.

Don't let the renewal process stress you out. Count on CX Financia to manage your residence permit renewal professionally and expertly. Reach out to us today and let's make your renewal a success together.

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ABOUT US

At CX Financia, we specialize in providing top-tier financial, corporate, and compliance services to our clients. With our deep knowledge and expertise in these areas, we help businesses navigate the complex regulatory landscape of Cyprus and beyond. Our team of experienced professionals works closely with clients to understand their unique needs and develop customized solutions that meet their specific goals. From corporate and secretarial services to financial reporting and compliance, we offer a comprehensive suite of services that help our clients achieve success. We also provide training and education to our clients, helping them stay up-to-date on the latest developments. Trust, excellence, and innovation are at the core of what we do.











Financial

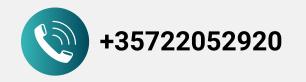
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Tax Benefits for investing in innovative SMEs

Agenda

- 1. Tax Incentive
- 2. Beneficiaries
- 3. Eligible Investments
- 4. Definition of Innovative SME
- 5. Classification of SME as "Innovative"
- 6. Effective Period of tax incentive
- 7. How will qualifying investors know that an enterprise is innovative

1. Tax Incentive



A qualifying investor that makes a <u>risk-finance</u> <u>investment</u> in an <u>innovative SME</u> may deduct the costs of the investment from his/her taxable income, subject to the following limitations:

- A) Percentage Limit: The tax deduction is limited to 50% of the investor's taxable income in the year in which the investment is made.
- B) Annual Limit: The total deductible amount may not exceed €150,000 per year.
- C) <u>Carry-forward:</u> The remaining investment cost not claimed as tax deductible may be carried forward and deducted from the taxable income of the subsequent five years.

2. Beneficiaries

Beneficiaries are individual investors who are independent of the enterprise.

An investor is considered to be independent if:

He/She it not an existing shareholder of the enterprise, unless he/she was one of the founders

<u>Individuals can carry out their investments either:</u>

Directly or indirectly through an investment fund or through an alternative trading platform for venture capital investment in an innovative SME.

*On 14/7/2022, the House of Representatives expand further the tax exemption to corporate investors.

3. Eligible Investments

The incentive is provided for risk-finance investments which falls under the following categories:

- 1. Equity
- 2. Quasi-equity investments
- 3. Loans including leases
- 4. Guarantees
- 5. "Follow-on" Investment (subject to conditions)



4. Definition of Innovative SME

A small and medium-sized enterprise qualifies as an "Innovative SME" if:

It's operations are carried out in the Republic of Cyprus and;

It has a business plan for its riskfinance investment and fulfils at least one of the following conditions: It does not operate in any market; or

It has not been operating in any market for more than 7 years; or

It required an initial risk finance investment which, based on a business plan prepared in view of entering a new product or geographical market, is higher than 50% of their average annual turnove in the preceding 5 years

5. Classification of SME as "Innovative"

Existing businesses with financial history

• The company needs to submit a certificate from an external auditor, certifying that the research and development costs represent at least 10% of its total operating costs.

Startups, without financial history:

• The company submits a business plan in English describing the ability to develop new or clearly improved products, services or processes with high technological or industrial risk, which are characterized as innovative in their field/market.

Businesses that meet at least one of the following criteria over the last three years:

- The company has secured funding from the SME Instrument
- The company has received a Seal of Excellence Seal
- The company has secured funding from the Research and Innovation Foundation's Pre-Seed, Seed or Innovatate Innovation Programs
- The Company has secured startup visa

*A business will automatically cease to be considered an innovative SME if at any time, the total amount of finance exceeds €15 million or the innovative SME enters to a stock exchange

6. Effective Period of tax incentive

• The tax incentive takes effect from 1 January 2017 and before 30 June 2024 and should be declared by the natural person who made the investment in his income tax statement in that year.

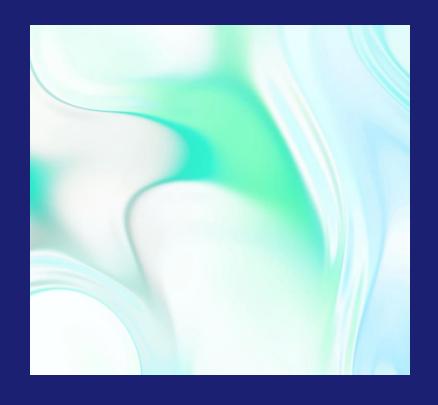


7. How will qualifying investors know that an enterprise is innovative?

• The Deputy Ministry of Research, Innovation, and Digital Policy will issue a certificate valid for 3 years to any enterprise that meets the criteria to be characterised as innovative.

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Today's property market requires investment in a diversified portfolio. SC&W's expertise can assist in maximising a yield from a tenanted asset, a break-up of a multi-tenanted property, or adding value through a planning gain. SC&W's proven ability to deal with the most complex property transactions means that we can offer strategic advice to clients, including indirect investment structures, complex site assemblies and regeneration schemes.

Our team of residential property solicitors provide expert advice to landlords and individuals at every stage of the conveyancing process. We advise on all types of property including freehold and leasehold properties, new builds, listed buildings, development sites, renovations and conversions, and buy-to-let investments.

SC&W specialises in prime London residential property transactions. Our clients include private individuals, banks, corporates and investment funds, based all across the world. We work with key players in the property industry such as agents, private estates and developers, and work towards tight deadlines and complicated structures.

The partners at SC&W have a wealth of experience in all aspects of development and planning. We can advise at each stage of the development process including site acquisition, planning and section 106 agreements, viability and affordable housing issues, and disposal or refinancing on practical completion.

SC&W also advises its clients on the most appropriate structure for each client's individual requirements including options, conditional agreements, development management agreements, land promotion agreements, overages and joint venture agreements.

Our team has extensive experience and knowledge of construction procurement and contracts and can draft and negotiate bespoke construction contracts. We provide advice on development agreements, construction contracts, consultants' appointments, agreements for lease, landlord's licence agreements, parent guarantees, bonds, collateral warrantees, third party rights and novation agreements.

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Spector Constant & Williams have extensive experience acting for lenders in both the residential and commercial property sector. We act for lenders on high value and complex transactions. We help identify the risks and secure their lending to facilitate a smooth but safe transaction for all parties, but

at the same time we apply our usual pragmatic and expedient approach.

We act for clearing and private banks, bridging lenders, mezzanine finance providers, private funds, commercial banks and other lenders. We advise lenders on all banking and funding facilities, debt and debt security.

Our team has extensive experience in all forms of security over all types of assets, working together with our property teams to provide a comprehensive service.

George Constant

PARTNER

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George has developed a significant reputation over the last 15 years in real estate investment and secured lending. George has managed very successfully to combine his entrepreneurialism and personal experience as a property investor and developer into his work as a real estate solicitor. George fully appreciates the need in real estate investment and real estate finance transactions for commerciality, a risk-based approach and expediency.

Over the years George has acted in

many high value and well publicised transactions in all the various sectors of real estate. As a result, George has a very broad base of experience which is fairly unique in the legal sector.

George heads up a large team all of whom have been trained to work in the SC&W way which is with a clear focus on commerciality and expediency to meet client demands. The team work together as a unit, using all modern methods of practice and innovative technology. George has experience in advising on all types

of investors including significant PLC companies and acting for an unprecedented number of banks and lending institutions in secured lending transactions.

George and his team provide a very bespoke service to each individual client to meet individual needs. With George's, and George's teams', broad knowledge and expertise clients are guaranteed the best proactive, dynamic and expedient service possible.



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PARTNER

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Jaz has played a key role in real estate transactions for a variety of clients that include banks, developers, investors, hoteliers, franchisees, care home operators, PLCs, SMEs, landlords, tenants, and high net-worth individuals.

Over the last decade, Jaz has worked with a variety of asset classes ranging from offices, retail parks, development sites, mixed-use buildings, hotels,

luxury homes, industrial units, car workshops, and commercial units. Jaz has assisted in the acquisition of development sites where contracts have been conditional upon certain planning requirements and which, when satisfied, have had GDVs in excess of £40m.

Jaz has strong experience with overage provisions which are quite common where sites have development potential. Careful drafting and negotiation regarding overage is paramount, as it can be a continuing liability for developers and successors if not dealt with appropriately.

Jaz works closely with board-level directors so he understands the full perspective of what the client's requirements entail, helping them achieve their vision.



G & A Partners provide expert accounting, taxation and advisory services to individuals, small and medium sized businesses.

Based on Cockfosters Road, Barnet, our highly experienced and knowledgeable team help our clients to get the very best out of their businesses. From payroll to compliance, M&As to statutory reporting - we support and advise every step of the way.





ANDREAS EPIPHANIOU

PARTNER

With over 30 years experience and a diverse portfolio of businesses, Andreas manages our Accountancy and Tax Departments. He enjoys a close relationship with all his clients - from private companies and Limited Liability Partnerships through to sole traders and startups.

Andreas provides expert advice to help clients minimise their potential tax exposure. And has a highly successful track record defending clients in HMRC enquiries and investigations. In addition to his tax expertise, Andreas advises on general accountancy and provides business consultancy. His particular area of interest is advising on land and property investment.

Andreas graduated with a BA (Hons) in Accounting and Finance and is an active fellow of the ATT (Association of Taxation Techinicians). He is fluent in English and Greek.

Outside work Andreas enjoys spending quality time with his family and watching Formula 1 with his son. When he can, Andreas likes to travel to Cyprus, to spend time with extended family.





GEORGINA EPIPHANIOU

PARTNER

Georgina works across our Accountancy and Tax departments. Her expertise covers a wide spectrum of tax issues and she specialises in tax planning and inheritance tax (IHT) advice.

Additionally she prepares accounts for sole traders, partnerships (including LLPs) and Limited Companies. Her client portfolio includes large corporates through to owner-managed businesses and private individuals.

Georgina leads the firm on MTD (Making Tax Digital) compliancy. She supports clients with consultancy, selection and implementation of software and provides ongoing technical support, including staff training.

Georgina is a qualified Chartered Accountant (ACA ICAEW). She is fluent in English and Greek.

When she's not working, Georgina enjoys spending time with her family and going to the gym. She is a keen traveler and loves to make unforgettable memories around the world.





A BRIEF HISTORY

Our story begins in 1986 when Giovani Homes was founded initially as a construction company Over the years, the Group has imposed itself in the field of land development managing to grow as the biggest developer on the South Eastern coast of Cyprus, by cooperating with renowned architects and professionals in the sector and maintaining a network of more than 400 partners worldwide. The Group has managed a promising future with its commitment to quality, excellent customer services 'building' therefore its own successful The Group's projects include luxurious properties in the coastline of Ayia Napa, Protaras and Larnaca. Whether it is a beachfront villa or a comfortable apartment, they all stand out for their quality, elegance and design.

ADDING VALUE

Here at Giovani Homes we're proud of our roots and continued commitment to delivering excellence to every client. For more than three decades, we've been operating in the competitive property market across Cyprus, standing out among rivals thanks to our dedication to quality and a forward thinking approach that fosters innovation. Since 1986, we've been passionate about building and while the processes, technology and projects have evolved we're just as committed to delivering superior services as when we first started.

THE VISION

Our vision is to offer quality in every project and every home through our high level of service before, but also after the purchase. Our philosophy is to continue at the same pace and find ways to contribute also to the local society. The aim of our people is to continue attracting foreign investors and to remain at the forefront of the real estate market, listening to the client's needs, raising the level of service and satisfying the increasing demand for first class real estate.

THE ACHIEVEMENTS

Thanks to our many years of experience we are fully aware of the demands of the real estate market. Our values lie in the high-quality homes we deliver and the outstanding services we provide. Both the number of completed projects and our excellent services have been recognized by international quality assurance associations and committees. Since 1996, we hold the internationally recognized certificates such as: ISO 9001 (Quality) ISO 14001 (Environment), OHSAS 18001 (Health and Safety). In 2016, in the framework of its 30th anniversary celebrations, the Group announced the creation of Giovani Foundation, a non-profit organization supporting the community.

THE CYPRUS REAL ESTATE MARKET

Going through a radical transformation the real estate market continues to be one of the key drivers of economic growth in Cyprus, despite the global issue of rising inflation. This is due to the countries multiple benefits which foreign investors find attractive.

COMING UP NEXT

Giovani Homes is opening up to new sectors, especially in the field of hospitality with new projects of hotels and accommodation taking place as we speak.

THE UNIQUE SELLING POINTS

Our people's passion to deliver excellence contribute to the uniqueness of our organization. In addition to that, the organizational culture encourages our people to express their talents and thrive in a family-like environment, paying close attention to our talents and their interaction with customers. Having grasped the new state of play in the real estate sector, we operate with the utmost respect for the customer's needs. Our long-standing presence in the field of building quality construction with experienced partners and the most competitive market prices have acclaimed the company as one of the most reliable in the field. Also very important is our after-sales department, as our clients are our friends for life.



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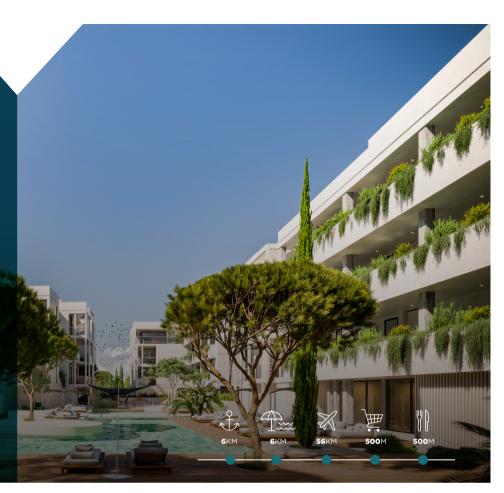
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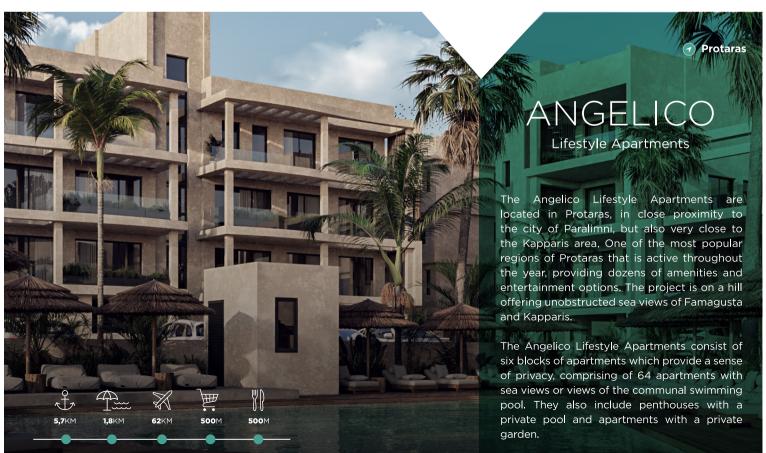




Not anymore. Giovani Home's latest project embodies uniqueness, style, privacy and modern designs. Consisting of 40 apartments in total, this luxurious modern development is in a sought-after location halving the distance between the town of Paralimni and the golden sandy beaches of the area, and also in a central location, in close proximity to many of the area's amenities and services such as restaurants, bars, banks, hypermarkets and bakeries, while the nearest anchorage is just 5,6 km away. Location, design, and comfort make this project an ideal choice for those who favor a modern way of living. All White is closer than expected!







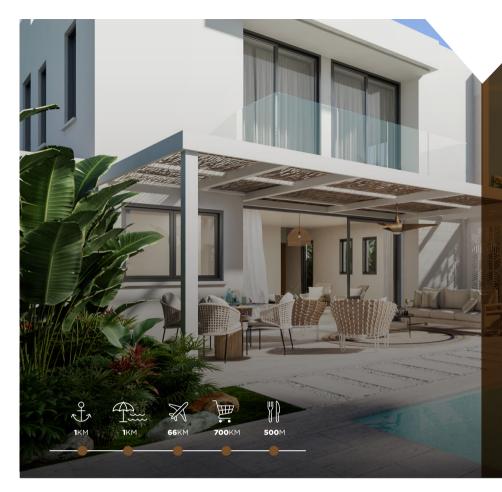












Protaras

SEMELI

Villas

The cosmopolitan beach resort of Protaras is hosting this latest exclusive project SEMELI VILLAS. Located in the highly sought-after area of Pernera, SEMELI satisfies the requirements of both investors and homebuyers. Location and rental potential have made Pernera one of the most popular places on the East Coast and due to this high demand, there is very limited availability for both land and property. But here at Giovani Homes we have yet again acquired an exclusive piece of this stunning coastline to construct SEMELI VILLAS, which promises to be an impressive collection of unique holiday homes.









International tax consultants

What makes us different?

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Your client saves tax and You generate more work – a win win win

You gain access to our creativity and research

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About Adler Shine:

Adler Shine is a national award winning, full service, boutique, commercial accounting firm which maintains offices in North London.

Firm overview:

The firm acts for a large cross section of clients – from sole traders and family-owned businesses, medium & large UK & overseas companies to ultrahigh net worth individuals and public companies.

The Transaction Services Team has extensive experience in handling AIM & NEX market transactions. The Sports & Media Group represents professional sportspersons, musicians, entertainers, film and television personalities and other famous names of stage, screen, radio & press.

The Business Process Outsourcing Department services over 70 Head Offices around the globe.

The firm's diverse and sophisticated Private Client Tax practice provides creative but pragmatic tax planning services together with frequent interdisciplinary projects involving Real Estate, Trust, Estates and International Tax.

For further information on Adler Shine LLP and its Partners, please go to

www.adlershine.com

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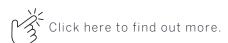


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CYPRUS SMALL ISLAND BIG LIFE

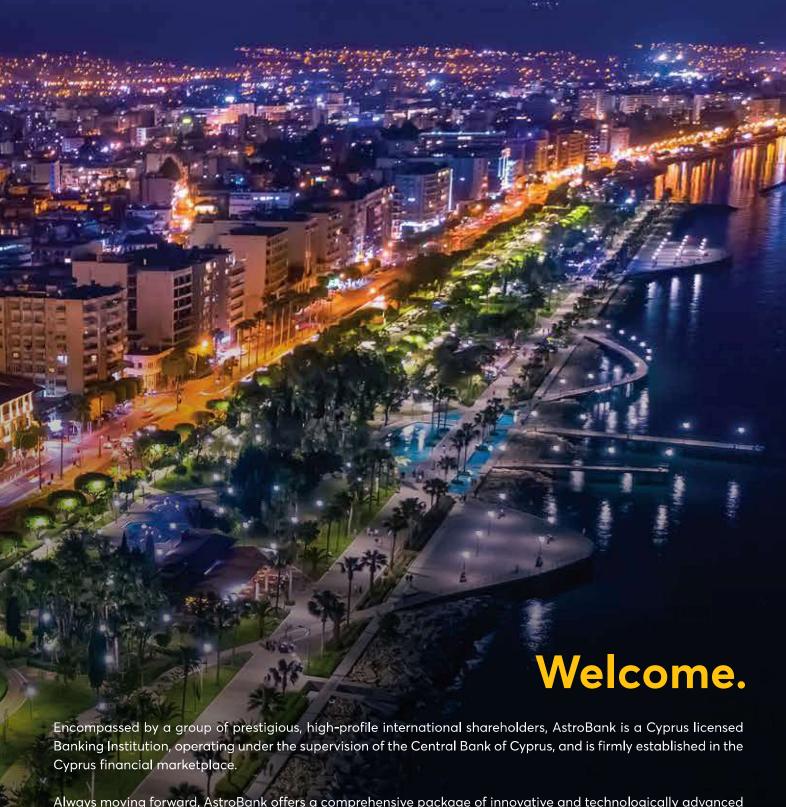
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The 182 Members







































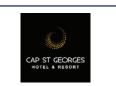


























































































































































































































































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