



AUDIT
OFFICE



REPUBLIC
OF CYPRUS

AUDIT OF THE OFFICE OF THE LAW COMMISSIONER AND COMMISSIONER FOR CHILDREN'S RIGHTS

Executive Summary



**AUDIT OFFICE OF THE REPUBLIC OF CYPRUS
SPECIAL REPORT no. ΓΕΝ&ΕΠΔΠ/01/2020**

21 July 2020

AUDIT OF THE OFFICE OF THE LAW COMMISSIONER AND COMMISSIONER FOR CHILDREN'S RIGHTS

Executive Summary

AUDITED ENTITY

Office of the Law Commissioner and Commissioner for Children's Rights

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Within the framework of the provisions of article 116 of the Constitution of the Republic of Cyprus, the Audit Office conducted a follow-up audit of our findings in our letter dated 7.11.2016 and in our Special Report (ΓΕΝ&ΕΠΔΠ/01/2017), which concerned the period 1.9.2016-31.8.2017.

The most important findings and recommendations of the audit are the following:

- ◆ Problems with staff are an obstacle to the implementation of the Commissioner's key mandate, which is the modernisation, simplification, codification and/or revision of national legislation. At the time when dozens of Laws, some of them fundamental to the rule of law, remain as they were or with minimal changes, from the period before 1960 and given the expected (due to lack of legal knowledge) inability of Government Ministries to draft complex legislative bills (where this is required), the Commissioner should find ways to overcome staffing problems and/or adopt alternatives.

The phenomenon of extensive use of sick leave by the Office officials is still observed, since in 2019 the 4 Legal Officers of the Office were absent with sick leave for a total of 438 days, which adversely affected the productivity of the Office of the Law Commissioner.

The possible reinforcement with new staff or this in combination with a partial outsourcing of the drafting or revision of specific bills, should concern both the Commissioner and the Government that will be called to provide personnel or the additional Budget Funds.

- ◆ An invoice of a private lawyer, amounting to €3.570 plus VAT, was not paid, because the Commissioner considered that it concerns work that was not performed by that specific lawyer, but by the Office of the Commissioner for Personal Data Protection. She also considered that the amount of €7.140 paid to the lawyer in question as advance payment for that specific deliverable, should be recovered.

We suggested that all the necessary measures should be taken to recover the amount of the advance payment, without excluding legal action against those involved.

- ◆ The update of the Archive of International Treaties of the Republic of Cyprus is still pending.
 - ◆ During 2017 an associate with a service provider agreement was converted to an employee for an indefinite duration, contrary to the relevant circular of the Ministry of Finance.
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