

Immovable Property Acquisition by Aliens in Cyprus

The acquisition of immovable property in Cyprus by aliens is subject to the approval of the Council of Ministers, which has been assigned to the pertinent authority of the District where the property is situated (District Administration Office), in order to simplify the whole procedure.

According to the Law [Immovable Property Acquisition (Aliens) Law-Chapter 109, as amended by the Laws number 52 of 1969, 55 of 1972, 50 of 1990, 54(I) of 2003 and 161(I) of 2011], "alien" means any person who is not a citizen of the Republic or an E.U. (European Union) citizen or an E.E.A. (European Economical Area) citizen and it includes an alien controlled company, a company registered abroad and a trust for the benefit of aliens but does not include aliens of Cypriot origin or the alien wife of a person who is a citizen of the Republic.

Restrictions

While citizens of the Republic or E.U. citizens or E.E.A. citizens are allowed to acquire immovable property without any restrictions, aliens are given permission after submitting an application to the District Officer, as mentioned above, for a property not exceeding an area of **two donums** (=2,676 square meters).

When the property concerned exceeds an area of two donums, approval is granted in the following cases:

- (1) An apartment, a house, a building plot or land not exceeding an area of **three donum** (4,014 square meters). In the case of an apartment or house the permission is given on condition that no other building will be built thereon. As for acquiring a building plot or land approval is granted on condition that only one house or building will be built thereon, within a reasonable time, for self-residence of the owner.
- (2) Professional or commercial premises.
- (3) Premises for industry sectors deemed beneficial to the Cypriot economy.

Further details regarding the implementation of the above general provisions of the Immovable Property Acquisition (Aliens) Law, Chapter 109, (i.e. terms, limitations, conditions and criteria), are set out in Regulations that were issued in pursuance to the above Law (183 of 1972, 374 of 1990, 78 of 1997 and 534 of 2004).

General Information about the procedure

APPROVAL

Prior to the acquisition of immovable property in Cyprus, aliens must submit an application form (COMM 145) along with the following documents/ justifications to the District Administration Office of the District, where the property is situated:

- (1) Cadastral Survey plan
- (2) Copy of the certificate of ownership
- (3) Copy of the building permit for the erection of the house/block of flats or for the residential development of estates. If separate titles of ownership have been issued for the flats of the block or if the house is explicitly mentioned on the title of ownership, applicants need not submit a copy of the building permit. For plots under division, applicants must submit a copy of the division permit
- (4) Copy of the contract of sale duly stamped
- (5) Sectional view of the building or the flat. Very old houses mentioned on the title of ownership are exempted. A division plan must be submitted in the case of division of plots. In areas of residential development, the plan must be submitted showing the position of the house in relation to the entire holding
- (6) The area of the property under acquisition must be stated under paragraph 11 of the Application form in square metres
- (7) Documents indicating the financial position of the applicants
- (8) Copies of the pages of the applicants' passports and those of their spouses (the pages containing holders' picture and identification, as well as the pages stamped at the airport on arrival or departure from Cyprus). Where the spouses do not share the same surname and there is no reference of the husbands' surname on the wives' passport, it is necessary to present a marriage certificate or relevant certificate from their Embassy
- (9) Copy of residence and work permit (where applicable) of the applicants in Cyprus
- (10) If the applicant is a Company or a shareholder in an offshore company, in addition to the aforementioned documents, it is necessary to submit the Certificates of Registration, of shareholders, of Company Directors and of the Registered Office/s of the Company. Also, a copy of the Company's Articles of Association must be submitted along with explicit information for the company's activities at the time of application and the names, addresses, and social insurance numbers of the Personnel (Cypriots and foreigners) employed at the time.

TITLE TRANSFER (the same procedure applies for Cypriots, EU citizens and EEA citizens)

Once permission to acquire the specific property is granted by the District Officer, the transfer of the property into the purchaser's name can be achieved (any District Land Office).

Transfer Requirements

(1) Completion of Form N270 (Declaration of Transfer of Immovable Property). The certificate of registration (title) of the immovable property, which is to be transferred, must be attached thereto. Where the transfer of the property takes place at a Lands Office other than the Lands Office of the District where the property is situated Form N270 must be completed in duplicate.

(2) Completion of Form N313.

(3) Production of the receipts of payment of all fees, charges and taxes payable for the property under transfer (most of the taxes have to be paid by the seller). Such fees, charges and taxes are:

(1) Immovable Property Tax,

(2) Capital gains tax,

(3) Estate Duty Tax (when it applies),

} Receipts of payment may be obtained from
the Internal Revenue Department

(4) Sewerage Board Tax, if the property is located in a Sewerage Board area (receipt obtained from the Sewerage Board),

(5) Municipal or Communal Tax (receipt obtained from the municipality or community in whose boundaries the property is situated),

Departments Involved

- Legislation and Regulations - Ministry of Interior
- Implementation - District Administration Offices – Approval
- Land and Survey Department – Title transfer

Appendix

Application form COMM 145