Translation of

the Criminal Procedures Code Law No. 174 of 2025

ترجمة قانون الإجراءات الجنائية رقم ١٧٤ لسنة ٢٠٢٥

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12 February 2026

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In the name of the people: President of the republic

The House of Representatives has enacted the following law, which we hereby promulgate:

Promulgation Articles

Article (1):

Without prejudice to the procedural provisions stipulated in other laws, the provisions of this Law and the accompanying Law shall apply with respect to criminal procedures.

Article (2):

The consideration of appeals against judgments rendered in absentia in misdemeanor cases prior to the entry into force of this Law shall continue to be governed by the same conditions and procedures applicable before its entry into force.

Article (3):

The provisions relating to appeals in felony cases shall apply only to cases that have not been adjudicated by Felony Courts as of the date of entry into force of Law No. 1 of 2024 amending certain provisions of the Code of Criminal Procedure.

Article (4):

The Code of Criminal Procedure promulgated by Law No. 150 of 1950, and Law No. 140 of 2014 concerning special provisions on the surrender of accused persons and the transfer of convicted persons, are hereby repealed.

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Any provision that contradicts the provisions of this Law or the accompanying Law is likewise repealed.

Article (5):

Without prejudice to any special provision in the accompanying Law concerning jurisdiction to issue implementing decisions, the Minister of Justice shall issue the decisions necessary for the implementation of this Law and the accompanying Law.

Until such decisions are issued, the existing decisions shall remain in force insofar as they do not conflict with the provisions of this Law and the accompanying Law.

Article (6):

This Law shall be published in the Official Gazette and shall enter into force as of the first day of October following the date of its publication.

Criminal Procedures Code

Book One – Criminal Proceedings, Collection of Evidence, and Investigation

Chapter One – Criminal Action

Section One – Initiation of Criminal Proceedings and the Restrictions Thereon

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Article (1):

The Public Prosecution shall have exclusive authority to investigate, initiate, and conduct criminal proceedings. Such procedures may not be undertaken by any other authority except in cases specified by law.

Criminal proceedings may not be waived, stayed, or suspended except in cases prescribed by law.

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Article (2):

The Public Prosecutor shall conduct criminal proceedings personally or through one of the members of the Public Prosecution, in accordance with the provisions of the law.

Article (3):

No criminal action may be initiated, nor any investigative procedure taken, except upon an oral or written complaint submitted by the victim or the victim's special attorney, to the Public Prosecution or to one of the judicial police officers, in respect of the crimes stipulated in Articles 185, 274, 277, 279, 292, 293, 303, 306, 307, and 308 of the Penal Code, as well as in other cases provided for by law.

The complaint shall not be admissible if submitted more than ninety days from the date on which the victim became aware of the crime and its perpetrator, unless the law provides otherwise.

Article (4):

Where there are multiple victims, it shall suffice for the complaint to be submitted by any one of them.

Where there are multiple accused persons and the complaint is filed against one of them, it shall be deemed filed against the others.

Article (5):

The complaint shall be submitted by the legal guardian of the victim if the victim has not reached the age of fifteen full years, or if the victim suffers from a psychological or mental disorder.

If the crime concerns property, the complaint may also be submitted by the guardian or curator.

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All provisions governing complaints shall apply to the cases referred to in the first and second paragraphs of this Article.

Article (6):

The Public Prosecution shall act in place of the victim if the victim has no legal representative or if the victim's interest conflicts with the interest of his or her representative.

Article (7):

The right to submit a complaint shall lapse upon the death of the victim.

If death occurs after the complaint has been submitted, it shall not affect the continuation of the criminal proceedings.

Article (8):

No criminal action may be initiated, nor any investigative procedure taken, except upon a written request from the Minister of Justice in respect of the crimes stipulated in Articles 181 and 182 of the Penal Code, as well as in other cases provided for by law.

Article (9):

No criminal action may be initiated in respect of the crimes stipulated in Article 116 bis (A) of the Penal Code except by the Public Prosecutor or an Attorney General at least.

Except for the crimes referred to in Article 123 of the Penal Code, no criminal action may be initiated against a public official, public employee, or one of the law enforcement officers for a misdemeanor committed during or by reason of the performance of his duties except by a Chief Prosecutor at least.

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Article (10):

No criminal action may be initiated, nor any investigative procedure taken, except upon a written request from the authority or the head of the concerned public entity that has suffered harm, in respect of the crimes stipulated in Article 184 of the Penal Code.

Article (11):

In all cases where the law requires, for the initiation of a criminal action, the submission of a complaint or a request, or the obtaining of authorization from the victim or another person, no investigative procedures may be undertaken unless such complaint or request has been submitted or such authorization has been obtained.

By way of exception to the first paragraph of this Article, investigative procedures in a criminal action may be undertaken without the need to submit a complaint or request or to obtain authorization, in respect of the crimes stipulated in Articles 185, 303, 306, 307, and 308 of the Penal Code, where the victim is a public official, a person vested with public representative capacity, or a person entrusted with a public service, and where the crime was committed by reason of the performance of the function, representative capacity, or public service.

Article (12):

The person who submitted the complaint or request in the cases referred to in this Chapter, as well as the victim in the crimes stipulated in Articles 185, 303, 306, 307, and 308 of the Penal Code where the victim is a public official, a person vested with public representative capacity, or a person entrusted with a public service and the crime was committed by reason of the performance of the function, representative capacity, or public service, may waive the complaint or request at any stage of the proceedings, even after the judgment has become final.

Such waiver shall result in the extinguishment of the criminal action, and the Public Prosecution shall order the suspension of the execution of the penalty if the waiver occurs during its execution.

Where there are multiple victims, the waiver shall not be valid unless issued by all those who submitted the complaint.

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A waiver in respect of one accused shall be deemed a waiver in respect of the remaining accused.

If the complainant dies, the right to waive shall not pass to his heirs; however, in the crime of adultery, any of the children of the complaining spouse from the spouse against whom the complaint was filed may waive the complaint, and such waiver shall result in the extinguishment of the criminal action.

Article (13):

If the Court of First Instance of Felonies, in a case brought before it, determines that there are accused persons other than those against whom the criminal action has been instituted, or facts other than those attributed to them, or that there exists a felony or misdemeanor connected with the charge before it, the Court may institute the criminal action against such persons or in respect of such facts and refer the case to the Public Prosecution for investigation and disposition in accordance with Chapter Three of Book One of this Law.

The Court may delegate one of its members to conduct the investigative procedures, in which case all provisions applicable to an Investigating Judge shall apply to the delegated member.

If a decision is issued at the conclusion of the investigation to refer the case to trial, it shall be referred to another court, and none of the judges who decided to institute the criminal action may participate in adjudicating it.

If the Court has not adjudicated the original case and it is connected with the case instituted by it by an indivisible connection, the entire case shall be referred to another court.

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Article (14):

The Appellate Felony Court, as well as the Criminal Chamber of the Court of Cassation when examining the merits, may institute the criminal action in accordance with the provisions of Article (13) of this Law.

If an appeal is filed against the judgment rendered in the action instituted thereby, none of the judges who decided to institute the action may participate in its consideration.

Article (15):

The Felony Court at both levels, or the Court of Cassation, may institute the criminal action in accordance with Article (13) of this Law if acts occur that constitute a breach of its orders, the respect due to it, an attempt to influence its judgments, or an attempt to influence witnesses, where such acts occur in connection with a request or a case pending before it.

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Article (16):

The criminal action shall be extinguished by the death of the accused, the lapse of time, the issuance of a final judgment therein, a general amnesty, reconciliation or settlement, or for any other reasons provided for by law.

The death of the accused during the consideration of the case shall not preclude a judgment ordering confiscation in the case stipulated in the second paragraph of Article 30 of the Penal Code.

The extinguishment of the criminal action after it has been instituted, for any reason, shall not prevent the rendering of a judgment ordering restitution in cases provided for by law, or the imposition of any financial penalties stipulated in Chapters Three and Four of Book Two of the Penal Code.

Article (17):

The criminal action shall lapse by the passage of time in felony cases after ten years from the date of commission of the crime, in misdemeanor cases after three years, and in contravention cases after one year, unless the law provides otherwise.

By way of exception to the first paragraph of this Article, the criminal action shall not lapse by the passage of time in respect of the crimes stipulated in Articles 117, 126, 127, 161 bis, 280, 281, 282, 309 bis, 309 bis (A), and the crimes stipulated in Chapter One and Section One of Chapter Two of Book Two of the Penal Code.

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Without prejudice to the provisions of the first and second paragraphs of this Article, the limitation period for the criminal action in respect of crimes stipulated in Chapters Three and Four of Book Two of the Penal Code, where committed by a public official, shall not commence except from the date of termination of service or cessation of status, unless the investigation has commenced prior thereto.

Article (18):

The running of the limitation period for the extinguishment of the criminal action shall not be suspended for any reason.

Article (19):

The limitation period for the extinguishment of the criminal action shall be interrupted by investigative, charging, or trial procedures, as well as by the issuance of a penal order, or by procedures for the collection of evidence if taken against the accused or if the accused has been formally notified thereof.

In such cases, the limitation period shall recommence as of the date of interruption.

Where multiple interrupting procedures occur, the recommencement of the limitation period shall begin from the date of the last procedure.

Where there are multiple accused persons, the interruption of the limitation period in respect of one of them shall result in its interruption in respect of the others, even if no interrupting procedures have been taken against them.

Article (20):

The accused or his special attorney may enter into reconciliation in contraventions, as well as in misdemeanors that are not punishable mandatorily by a penalty other than a fine, or that are punishable discretionarily by imprisonment not exceeding six months.

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The officer who draws up the report or the Public Prosecution, as the case may be, shall offer reconciliation to the accused or his special attorney and record this offer in the report.

An accused wishing to reconcile shall, prior to the institution of the criminal action, pay an amount equal to one third of the maximum fine prescribed for the crime, such payment to be made to the court treasury, the Public Prosecution, or to any authority authorized by the Minister of Justice.

The accused's right to reconciliation shall not lapse upon referral of the criminal action to the competent court if he pays two thirds of the maximum fine prescribed for the crime or the value of the prescribed minimum fine, whichever is greater, provided that such payment is made before a judgment on the merits is rendered.

The criminal action shall be extinguished upon payment of the reconciliation amount, without prejudice to the civil action.

Article (21):

The victim or his special attorney, as well as the heirs of the victim or their special attorney, may establish reconciliation with the accused before the Public Prosecution or the court, as the case may be, in the misdemeanors and contraventions stipulated in Articles 238 (first and second paragraphs), 241 (first and second paragraphs), 242 (first, second, and third paragraphs), 244 (first and second paragraphs), 265, 321 bis, 323, 323 bis, 323 bis (First), 324 bis, 336, 340, 341, 342, 354, 358, 360, 361 (first and second paragraphs), 369, 370, 371, 373, 377 (item 9), 378 (items 6, 7, and 9), and 379 (item 4) of the Penal Code, as well as in other cases provided for by law.

The accused or his special attorney may also establish the reconciliation referred to in the first paragraph of this Article.

Reconciliation may be affected at any stage of the proceedings, even after the judgment has become final.

Reconciliation shall result in the extinguishment of the criminal action, even if it was initiated by direct private prosecution. The Public Prosecution shall order the suspension of the execution of the penalty if reconciliation occurs before or during its execution.

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Reconciliation shall have no effect on the rights of the person harmed by the crime.

Article (22):

Without prejudice to the powers of the President of the Republic to grant or commute penalties, the heirs of the victim or their special attorney may establish reconciliation at any stage of the proceedings until a final judgment is rendered, in respect of the crimes stipulated in Articles 230, 233, 234 (first and second paragraphs), 235, and 236 (first paragraph) of the Penal Code.

Reconciliation in such cases shall result in the mitigation of the penalty in accordance with Article 17 of the Penal Code.

Article (23):

Reconciliation shall be permissible in the crimes stipulated in Chapter Four of Book Two of the Penal Code.

Such reconciliation shall be affected by means of a settlement conducted by a committee of experts formed pursuant to a decision issued by the Prime Minister. A reconciliation record shall be drawn up and signed by the parties thereto and submitted to the Council of Ministers for approval. Reconciliation shall not take effect except upon such approval.

The approval of the Council of Ministers shall constitute authentication of the reconciliation without fees, and the reconciliation record shall, in this case, have the force of an enforceable instrument.

The Council of Ministers shall notify the Public Prosecutor whether the criminal action is still under investigation or trial. Reconciliation shall result in the extinguishment of the criminal action in respect of the incident subject to reconciliation in all its legal characterizations.

The Public Prosecution shall order the suspension of the execution of the penalties imposed on the accused persons if reconciliation occurs before the judgment becomes final.

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If reconciliation occurs after the judgment has become final and the convicted person is imprisoned pursuant to that judgment, he or his special attorney may submit a request to the Public Prosecutor for suspension of execution, accompanied by supporting documents. The Public Prosecutor shall submit the request to the Court of Cassation, together with such documents and a memorandum stating the opinion of the Public Prosecution, within ten days from the date of submission.

The request shall be examined by one of the criminal chambers of the Court of Cassation sitting in chambers, which shall issue a reasoned decision ordering the final suspension of execution of the penalties if it is satisfied that reconciliation has been completed and that all conditions and procedures stipulated in this Article have been fulfilled.

The request shall be decided within fifteen days from the date on which it is referred, after hearing the statements of the Public Prosecution and the convicted person.

In all cases, the effects of reconciliation shall extend to all accused or convicted persons without prejudice to their disciplinary liability.

The reconciliation request shall be submitted by the accused or the convicted person or their special attorney, who may also undertake all procedures relating to the retrial in absentia in respect of judgments rendered in absentia.

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Article (24):

Judicial police officers shall be responsible for searching for crimes and their perpetrators and for collecting the evidence necessary for investigation and prosecution.

Article (25):

Judicial police officers shall be subordinate to the Public Prosecutor and subject to his supervision in matters relating to the performance of their judicial police duties.

The Public Prosecutor may request the competent authority to examine the conduct of any officer who breaches his duties or is negligent in the performance of his work, and may request that he be referred to disciplinary proceedings, without prejudice to the institution of criminal proceedings.

Article (26):

The following shall be deemed judicial police officers within their respective jurisdictions:

- Members of the Public Prosecution and their assistants.
- Police officers, honorary officers, police non-commissioned officers, sergeants, assistants, inspectors, and delegates, and security assistants.
- Village chiefs, local sheikhs, and guards' sheikhs.
- Managers and deputy managers of government railway stations.

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Security Directors and inspectors of the Inspection and Oversight Sector at the Ministry of Interior may also perform the duties of judicial police officers within their respective jurisdictions.

The following shall be deemed judicial police officers throughout the territory of the Republic:

- The Director, officers, non-commissioned officers, assistants, inspectors, delegates, and security assistants of the National Security Sector of the Ministry of Interior and its branches and offices nationwide.

- The Directors, officers, non-commissioned officers, assistants, inspectors, and delegates, and security assistants of the Public Security Sector of the Ministry of Interior, including investigation departments and units.

- Officers of the Community Protection Sector of the Ministry of Interior.

- The Director General of the Transport and Communications Police and the officers of that administration.

- The Commander and officers of the Mounted Police Administration.

- Inspectors of the Ministry of Tourism.

By a decision of the Minister of Justice, in agreement with the competent minister, certain holders of public offices may be granted the capacity of judicial police officers in respect of crimes falling within their jurisdiction and related to the functions of their offices.

Article (27):

Judicial police officers shall receive reports and complaints submitted to them concerning crimes and shall immediately forward them to the Public Prosecution.

They and their subordinates shall obtain all necessary clarifications and conduct the inspections required to facilitate the verification of the facts reported to them or otherwise brought to their knowledge by any means whatsoever. They shall take all necessary precautionary measures to preserve the evidence of the crime.

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All procedures carried out by judicial police officers shall be recorded in reports signed by them, indicating the time and place at which the procedure was undertaken. Such reports shall also include the signatures of witnesses and experts whose statements were heard.

The reports shall be forwarded to the Public Prosecution together with the documents and seized items.

Judicial police officers shall record the national identification number data of the accused immediately upon identification of his identity and shall attach an extract of such data to the report.

Article (28):

Judicial police officers, their subordinates, and public authority officers shall be required to present proof of their identity and official capacity when performing any legally prescribed act or procedure.

A breach of this obligation shall not result in the nullity of the act or procedure, without prejudice to the imposition of disciplinary sanctions.

For the purposes of the application of this Law, a public authority officer shall mean any person legally entrusted with maintaining public order, security, and public morals, protecting lives, honor, and property, and in particular preventing crimes, apprehending offenders, and carrying out the duties imposed upon him by laws and regulations.

Article (29):

Any person who becomes aware of the commission of a crime in respect of which the criminal action may be initiated by the Public Prosecution without a complaint may report it to the Public Prosecution or to any judicial police officer.

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Article (30):

Any public official or person entrusted with a public service who becomes aware, during or by reason of the performance of his duties, of the commission of a crime in respect of which the criminal action may be initiated by the Public Prosecution without a complaint shall immediately report it to the Public Prosecution or to the nearest judicial police officer.

Article (31):

Any person claiming to have suffered harm as a result of a crime may constitute himself a civil claimant in the complaint submitted to the Public Prosecution or to any judicial police officer.

In the latter case, the officer shall forward the complaint to the Public Prosecution together with the report drawn up by him.

The person claiming harm may submit a written application to the Public Prosecution at any stage to establish such claim.

When the Public Prosecution refers the case to an Investigating Judge, it shall forward therewith the complaint or application referred to above.

A complainant shall not be deemed a civil claimant unless he expressly so states in his complaint or in a document subsequently submitted by him to the Public Prosecution, or unless he requests compensation therein.

Article (32):

Judicial police officers may, during the collection of evidence, hear the statements of persons who possess information regarding criminal facts and their perpetrators and may question the accused in this regard.

They may seek the assistance of physicians and other experts and request their opinions orally or in writing.

They may not administer an oath to witnesses or experts unless there is a fear that it may subsequently be impossible to hear the testimony under oath.

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Article (33):

A crime shall be deemed to be in flagrante delicto if it is committed or immediately after its commission within a short period of time.

A crime shall also be deemed to be in flagrante delicto if the offender is pursued by the victim or by the public with shouting immediately following its commission, or if the offender is found shortly thereafter carrying tools, weapons, luggage, papers, or other objects from which it may be inferred that he is the perpetrator or an accomplice therein, or if traces or marks indicating such involvement are found on him at that time.

Article (34):

In cases of flagrante delicto involving a felony or misdemeanor, the judicial police officer shall immediately proceed to the scene of the incident, examine and preserve the physical traces of the crime, record the condition of the place and persons, and all matters useful for discovering the truth.

He shall hear the statements of those present or of any persons from whom clarifications concerning the incident or its perpetrator may be obtained.

He shall immediately notify the Public Prosecution of his arrival, and upon notification of a felony in flagrante delicto, the Public Prosecution shall promptly proceed to the scene whenever necessary.

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Article (35):

In cases of flagrante delicto, the judicial police officer may prohibit those present from leaving or distancing themselves from the scene of the incident until the report has been drawn up, and may immediately summon any person from whom clarifications concerning the incident may be obtained.

Article (36):

If any of those present violates the order of the judicial police officer in accordance with Article (35) of this Law, or if any person summoned fails to attend, this shall be recorded in the report. The Public Prosecution may issue a penal order imposing a fine of not less than five hundred pounds and not more than one thousand pounds on the violator.

Book One – The Criminal Action, Evidence Gathering, and Investigation

Chapter Two – Collection of Evidence and the Institution of Proceedings

Section Three – Arrest of the Accused

Article (37):

Except in cases of flagrante delicto, no person may be arrested, searched, detained, or have his liberty restricted in any manner except by a reasoned judicial order required for the purposes of the investigation.

Any person who is arrested, detained, or whose liberty is restricted shall be treated in a manner that preserves his dignity. He may not be tortured, intimidated, coerced, or subjected to physical or moral harm.

The accused shall have the right to remain silent, and any statement proven to have been made by a detainee under the influence of any of the foregoing acts, or under threat thereof, shall be null and of no evidentiary value.

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Article (38):

No person may be detained or have his liberty restricted except in one of the correction and rehabilitation centers or detention facilities designated for that purpose.

The director of a correction and rehabilitation center or the person in charge of detention facilities may not admit any person except pursuant to a reasoned judicial judgment or order signed by the competent authority, nor may he keep such person beyond the period specified in the judgment or judicial order.

Article (39):

In cases of flagrante delicto involving felonies or misdemeanors punishable by imprisonment for a period exceeding three months, the judicial police officer may order the arrest of the accused who is present, where sufficient indications of his involvement exist.

Article (40):

If the accused is not present in the cases specified in Article (39) of this Law, the judicial police officer may issue an order for his arrest and production, and this shall be recorded in the report.

In cases other than those specified in Article (39) hereof, where sufficient indications exist implicating a person in the commission of a felony or of the misdemeanors of theft, fraud, or assault and resistance against public authority officers by force or violence, the judicial police officer may take appropriate precautionary measures and shall immediately request the Public Prosecution to issue an order for his arrest.

In all cases, orders of arrest and production and precautionary measures shall be executed by one of the enforcement assistants or by public authority officers.

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Article (41):

The judicial police officer shall immediately inform the arrested accused of the reason for the restriction of his liberty and of the charges attributed to him, shall hear his statements, shall notify him of his rights in writing, and shall enable him to contact his family and his lawyer.

If the accused does not present evidence negating the charge against him, the judicial police officer shall forward him, within twenty-four hours from the time of restriction of his liberty, to the competent investigating authority.

Article (42):

Any person who witnesses an offender caught in flagrante delicto in the commission of a felony or a misdemeanor for which pretrial detention is legally permissible may deliver him to the nearest public authority officer without the need for an arrest order.

Article (43):

In cases of flagrante delicto involving felonies or misdemeanors punishable by imprisonment exceeding three months, public authority officers may apprehend the accused and deliver him to the nearest judicial police officer.

They may also do so in other crimes committed in flagrante delicto if it is not possible to ascertain the identity of the accused.

Article (44):

Except for the cases stipulated in the second paragraph of Article (11) of this Law, where the crime committed in flagrante delicto is one in respect of which the institution of the criminal action is contingent upon the submission of a complaint, the accused may not be arrested unless the person entitled to submit the complaint has declared it.

In such case, the complaint may be submitted to any public authority officer present.

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Article (45):

The Public Prosecutor, members of the Public Prosecution, and the presidents of Courts of Appeal and Courts of First Instance may enter correction and rehabilitation centers or detention facilities designated for the confinement of detainees located within their respective jurisdictions, in order to ensure that no person is detained unlawfully and that investigation orders and court judgments and decisions are being executed in the manner specified therein and in accordance with the provisions of the law.

They may examine registers, execution orders, arrest and detention orders, take copies thereof, communicate with any inmate, and hear any complaint from him. All necessary assistance shall be provided to them to obtain the information they request.

Investigating Judges shall, in the investigations they conduct, have the same powers as those stipulated in the first paragraph of this Article.

Article (46):

Any inmate in a correction and rehabilitation center or in the places referred to in Article (38) of this Law may submit, at any time, a written or oral complaint to the person in charge of its administration and request that it be conveyed to the Public Prosecution.

The latter shall accept the complaint and immediately forward it after recording it in a register prepared for that purpose.

Any person who becomes aware of the existence of a detainee or inmate unlawfully held or detained in a place not designated for detention may notify any member of the Public Prosecution.
Upon being notified, such member shall immediately proceed to the place where the detainee or inmate is held, conduct an investigation, order the release of any person unlawfully detained, and draw up a report to that effect.

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Article (47):

Dwellings shall be inviolable and may not be entered, searched, monitored, or subjected to surveillance or interception except pursuant to a reasoned judicial order specifying the place, time, and purpose thereof.

The occupants of the dwelling shall be notified upon entry or search and shall be shown the order issued in this regard, all in the manner prescribed by law.

Article (48):

By way of exception to Article (47) of this Law, public authority officers may enter dwellings and other inhabited premises in cases of distress or danger arising from fire, flooding, or similar circumstances.

Article (49):

A judicial police officer may search the accused in cases where the law permits his arrest.
If the accused is female, the search shall be conducted by a female designated by the judicial police officer.

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Article (50):

If, during the search of the accused's dwelling, strong indications arise that the accused or any person present therein is concealing items that may assist in revealing the truth, the judicial police officer may take appropriate precautionary measures and shall immediately notify the Public Prosecution to take such action as it deems appropriate.

Article (51):

A search may be conducted only for the purpose of seeking items related to the crime in respect of which evidence is being collected or an investigation is being conducted.

However, if items whose possession constitutes an offense, or items that may assist in revealing the truth in another crime, are discovered incidentally during the search, the judicial police officer may seize them.

Article (52):

A judicial police officer may not open any sealed papers or papers wrapped or enclosed in any other manner found in the accused's dwelling.

Article (53):

A judicial police officer may place seals on locations containing traces or items that may assist in revealing the truth and may assign guards thereto.

He shall immediately notify the Public Prosecution thereof, and if the Public Prosecution deems such measure necessary, it shall, within one week, submit the matter to the Summary Judge for approval or termination.

Any interested party may challenge the order issued by the Summary Judge by means of a petition submitted to the Public Prosecution, which shall forward the challenge to the Summary Judge within a period not exceeding one week.

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Article (54):

A judicial police officer may seize items and documents that are likely to have been used in the commission of the crime, resulted from its commission, were the subject thereof, or that may assist in revealing the truth.

Such items and documents shall be described and presented to the accused, who shall be requested to state his observations thereon. A report to that effect shall be drawn up and signed by the accused, or his refusal to sign shall be recorded therein.

Article (55):

The items and documents seized pursuant to Article (54) of this Law shall be placed in a sealed container, and a seal shall be affixed thereto.

A slip placed beneath the seal shall bear the date of the report drawn up in respect of the seizure and shall indicate the incident for which the seizure was made.

Article (56):

The seals affixed pursuant to Articles (53) and (55) of this Law may not be broken except in the presence of the accused or his attorney and the person from whom such items or documents were seized, or after they have been summoned for that purpose.

Article (57):

Any person who, by reason of a search, becomes aware of information relating to seized items or documents and discloses such information to any unauthorized person or derives any benefit therefrom in any manner whatsoever shall be punished by the penalties prescribed in Article 310 of the Penal Code.

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Article (58):

A certified copy of the seized documents shall be provided to the person from whom the documents were seized, if he has an urgent interest therein, such copy to be certified by the judicial police officer.

Article (59):

Judicial police officers may, in the performance of their duties, directly resort to the use of coercive force.

Book One – The Criminal Action, Evidence Gathering, and Investigation

Chapter Two – Collection of Evidence and the Institution of Proceedings

Section Five – Actions of the Public Prosecution in Respect of the Charge After the Collection of Evidence

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Article (60):

If the Public Prosecution, prior to commencing investigative procedures, determines that there are no grounds for proceeding with the criminal action, it shall order the filing of the case.

Article (61):

If the Public Prosecution issues an order to file the case, it shall notify the victim and the civil claimant thereof.

If either of them has died, notice shall be served collectively upon the heirs at the place of residence.

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Article (62):

If the Public Prosecution, in misdemeanor cases, considers that the criminal action is fit to be instituted based on the evidence collected, it shall summon the accused to appear directly before the competent court.

In misdemeanor cases designated by a decision of the Minister of Justice issued after the approval of the Minister of Interior, service of the summons to appear may be affected through public authority officers.

Book One – Criminal Proceedings, Collection of Evidence, and Investigation

Chapter Three – Investigation Conducted by the Public Prosecution

Section One – General Provisions

Article (63):

The Public Prosecution shall conduct investigations in felony cases and may conduct investigations in misdemeanor cases or other cases if it deems there to be grounds for doing so.

Investigations shall be conducted in accordance with the provisions set forth in this Chapter.

Article (64):

One of the assistants of the Public Prosecution may be assigned to investigate an entire case.

A member of the Public Prosecution of the rank of Assistant Prosecutor or higher may delegate a judicial police officer to perform one or more specific investigative acts, other than the interrogation of the accused.

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The delegated judicial police officer shall, within the scope of the delegation, have all the powers conferred upon the delegating authority and may perform any other investigative act and interrogate the accused in cases where there is a risk of loss of time, provided that such act is connected with the delegated task and necessary for revealing the truth.

Article (65):

A member of the Public Prosecution may request another prosecution office outside his territorial jurisdiction to conduct certain investigative acts in a case, specifying the matters to be investigated and the procedures to be undertaken.

Such prosecution office may conduct any other investigative act and interrogate the accused in cases where it deems this necessary, provided that such act is connected with the requested task and necessary for revealing the truth.

Article (66):

Investigations shall be conducted in the Arabic language.

A member of the Public Prosecution shall hear the statements of parties and witnesses who do not know the Arabic language through an interpreter, who shall take an oath to perform his task with honesty and integrity.

Article (67):

A member of the Public Prosecution shall be accompanied during the investigation by one of the clerks of the Public Prosecution to record or draft the necessary reports.

Where necessary, he may assign another person to do so after administering an oath, and the member of the Public Prosecution and the clerk shall sign each page of such reports.

The Public Prosecution shall keep the reports together with the remaining documents.

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Article (68):

Except in cases where the Public Prosecution or the competent investigating authority issues official statements, investigative procedures themselves and the results arising therefrom shall be deemed confidential.

Members of the Public Prosecution and their assistants, including clerks, experts, and others who are connected with or attend the investigation by reason of their office or profession, shall be prohibited from disclosing such procedures or results.

Any person among them who violates this obligation shall be punished by the penalty prescribed in Article 310 of the Penal Code.

Article (69):

Any person who has suffered harm as a result of a crime may assert civil claims during the investigation of the case.

The Public Prosecution shall decide on the acceptance of such claim in that capacity during the investigation within three days from the date of submission thereof.

Any person whose request has been rejected may appeal the rejection decision before the Appellate Misdemeanor Court sitting in chambers, within three days commencing from the date of notification of the decision.

Article (70):

The accused, the victim, the civil claimant, and the civilly liable party, as well as their attorneys, may attend all investigative procedures.

A member of the Public Prosecution may conduct the investigation in their absence whenever he deems this necessary for the establishment of the truth. Upon the cessation of such necessity, they shall be enabled to review the investigation.

In cases of urgency, the member of the Public Prosecution may conduct certain investigative procedures in the absence of the parties, and the parties shall have the right to review the documents evidencing such procedures.

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The parties shall have the right to be accompanied by their attorneys during the investigation.

Article (71):

The parties shall be notified of the day on which the member of the Public Prosecution will conduct investigative procedures and of the place where they will be conducted.

Article (72):

The victim, the civil claimant, and the civilly liable party shall designate an elected domicile within the locality where the office of the prosecution conducting the investigation is located, or shall designate a mobile phone number or an email address for service of notices.

The accused shall, upon appearing in any procedure undertaken by the investigating authority, designate an elected domicile, or a mobile phone number or an email address for service of notices.

If any of the persons referred to in the first and second paragraphs of this Article fails to provide the required information, or provides incomplete or incorrect information, or if a change occurs therein without notification, service effected at the registry of the court shall be deemed valid.

Article (73):

The parties and their attorneys may submit to the member of the Public Prosecution any defenses, applications, and observations they deem appropriate.

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Article (74):

The accused, the victim, the civil claimant, and the civilly liable party, as well as their attorneys, may, at their own expense during the investigation, obtain copies of documents of any kind, unless the interests of the investigation require otherwise.

In all cases, they shall have the right to obtain copies of documents of any kind upon the conclusion of the investigation if the investigation was conducted in their absence pursuant to a decision to that effect, or if the interests of the investigation so required.

Book One – The Criminal Action, Evidence Gathering, and Investigation

Chapter Three – Investigation by the Public Prosecution

Section Two – Inspection, Search, and Seizure of Items Related to the Offence

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Article (75):

A member of the Public Prosecution may proceed to any place to record the condition of persons, places, and objects related to the crime, and all matters whose condition must be established whenever the interests of the investigation so require.

Article (76):

The search of dwellings and their appurtenances shall constitute an investigative act and shall be conducted only pursuant to a reasoned order issued by a member of the Public Prosecution based on an accusation directed against a person residing in the dwelling to be searched for committing a felony or misdemeanor or participating therein.

A member of the Public Prosecution may search any place in the possession of the accused and seize documents and items found therein, as well as anything that may have been used in the commission of the crime, resulted therefrom, was the subject thereof, or may assist in revealing the truth.

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Article (77):

The search shall be conducted in the presence of the accused or his representative, where possible.

If the search is conducted in a dwelling other than that of the accused, its occupant shall be invited to attend personally or through a representative, where possible.

Article (78):

Subject to the provisions of the second paragraph of Article (49) of this Law, a member of the Public Prosecution may search the accused or delegate a judicial police officer to do so pursuant to a reasoned order.

Article (79):

The Public Prosecution may not search any person other than the accused, or any dwelling other than his dwelling, unless strong indications appear that such person is in possession of items related to the crime and useful in revealing the truth.

Taking such measure shall require prior authorization from the Summary Judge, who shall issue such authorization after reviewing the documents and investigations.

Article (80):

A member of the Public Prosecution may, after obtaining authorization from the Summary Judge, issue an order for the seizure of all correspondence, letters, telegrams, newspapers, printed materials, parcels, and for the monitoring of wired and wireless communications, social media accounts and applications and their various contents not available to the public, electronic mail, and text, audio, or visual messages on phones, devices, or any other technological means, and for the seizure of the media containing them, or for the recording of conversations conducted in a private place, where this is useful in revealing the truth in a felony or a misdemeanor punishable by imprisonment exceeding three months.

Any order for seizure, access, monitoring, or recording shall be for a period not exceeding thirty days.

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The authorization referred to shall be issued by the judge with stated reasons after reviewing the documents and investigations, and may be renewed for one or more similar periods.

Article (81):

Upon a request by the Public Prosecution, and where strong indications exist that the perpetrator of one of the crimes stipulated in Articles 166 bis and 308 bis of the Penal Code, or item (2) of Article 76 of the Telecommunications Regulation Law promulgated by Law No. 10 of 2003, used a specific fixed or mobile phone, website, or other technological means in the commission thereof, the Summary Judge may issue a reasoned order, based on a technical report and the complaint of the victim in the said crime, placing such means or device under surveillance for a period not exceeding thirty days, renewable for one or more similar periods.

Article (82):

A member of the Public Prosecution may not seize from the defense counsel of the accused or from a consulting expert any papers or documents delivered by the accused to either of them for the performance of the task entrusted to him, nor any correspondence or recordings of communications exchanged between them in the case.

Article (83):

A member of the Public Prosecution may examine seized letters, correspondence, documents, and recordings, provided that this is done in the presence of the accused and the person in possession thereof or to whom they were sent, where possible, and their observations thereon shall be recorded.

Based on the outcome of such examination, he may order that the seized items be annexed to the case file or returned to the person who possessed them or to whom they were sent.

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Article (84):

Seized items shall be subject to the provisions of Article (55) of this Law.

Article (85):

A member of the Public Prosecution may order any person in possession of an item which he deems necessary to seize or examine to produce it.

Any person who violates such order shall be subject to the provisions of Article (285) of this Law.

Article (86):

Seized letters and telegraphic messages shall be delivered to the accused or to the person to whom they were sent, or a copy thereof shall be provided to him at the earliest opportunity, unless the interests of the investigation require otherwise.

Any person claiming a right in the seized items may request the member of the Public Prosecution to deliver them to him. In the event of refusal, he may lodge a grievance before the Appellate Misdemeanor Court sitting in chambers and request to be heard before it.

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Article (87):

A member of the Public Prosecution may hear the testimony of any witness whose testimony he deems necessary regarding the facts that establish or lead to the establishment of the crime, its circumstances, and its attribution to the accused or his innocence thereof.

Article (88):

A member of the Public Prosecution shall hear the testimony of witnesses whose hearing is requested by the parties.

They shall be summoned to attend by court bailiffs, public authority officers, or by notification via mobile phone or electronic mail recorded in the national identification data, as the case may be.

He may also hear the testimony of any witness who appears voluntarily, in which case this shall be recorded in the report.

Article (89):

A member of the Public Prosecution shall hear each witness separately and may confront witnesses with one another and with the accused.

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Article (90):

A member of the Public Prosecution shall verify the identity of each witness and shall record his name, surname, age, profession, residence, national identification number or travel document number, domicile if he is a foreigner, and his relationship to the accused, the victim, the civil claimant, or the civilly liable party.

Article (91):

Any witness who has attained the age of fifteen years shall, prior to giving testimony, take the following oath:
"I swear by Almighty God that I shall testify to the truth."

The oath shall be administered in accordance with the rites of the witness's religion if he so requests.

A person who has not attained the said age may be heard for evidentiary guidance without an oath.

All such particulars, the testimony of witnesses, and the procedures for hearing them shall be recorded in the report without erasure or interpolation.

No correction, deletion, or marginal note shall be relied upon unless approved by the member of the Public Prosecution, the clerk, and the witness.

Article (92):

The member of the Public Prosecution and the clerk shall affix their signatures to the testimony or any remarks made during its giving, and the witness shall also sign after it has been read to him and he has acknowledged that he adheres to it.

If the witness refuses or is unable to affix his signature, seal, or fingerprint, this shall be recorded in the report together with the reasons he states.

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Article (93):

Upon completion of the hearing of the witness, the parties may present their observations thereon and may request the member of the Public Prosecution to hear the witness on other specified points.

The member of the Public Prosecution may always refuse to direct any question to the witness that is unrelated to the case or whose wording constitutes an affront to others.

He shall prevent the witness from making any statements, whether explicit or implicit, or any gestures that may disturb his thoughts or intimidate him.

Article (94):

The provisions of Articles 286, 287, 288, and 289 of this Law shall apply to witnesses.

Article (95):

Any person summoned to appear before the Public Prosecution to give testimony shall attend pursuant to the summons served upon him.

If he fails to do so, the Public Prosecution may issue a penal order imposing a fine not exceeding five hundred pounds.

A member of the Public Prosecution may order that the witness be summoned again at his own expense, or may issue a reasoned order for his arrest and production.

If the witness appears after being resummoned or appears voluntarily and requests exemption from the fine, or submits a written request therefor if he is unable to attend personally, the Public Prosecution may exempt him from the fine if he presents an acceptable excuse.

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Article (96):

If a witness refuses to take the oath or to give testimony, the Public Prosecution may issue a penal order imposing a fine not exceeding two thousand pounds.

The witness may be exempted from the fine, in whole or in part, if he retracts his refusal before the conclusion of the investigation.

Article (97):

If a witness is ill or has an impediment preventing his attendance, his testimony shall be heard at the place where he is located.

If a member of the Public Prosecution proceeds to hear the testimony and it becomes evident to him that the excuse is unfounded, the Summary Judge of the jurisdiction in which the witness was summoned shall, upon the request of the Public Prosecution, sentence the witness to imprisonment for a period not exceeding one month or to a fine not exceeding two thousand pounds.

Article (98):

Upon the request of witnesses, the member of the Public Prosecution shall assess the expenses and compensations to which they are entitled as a result of their attendance to give testimony.

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Article (99):

Where the investigation requires the assistance of an expert, the member of the Public Prosecution shall issue an order appointing such expert and specifying in detail the task assigned to him.

The expert shall take an oath before the member of the Public Prosecution to perform his task with honesty and integrity, unless he belongs to a category of experts who have previously taken the oath prior to engaging in expert work.

Article (100):

The member of the Public Prosecution shall set a time limit for the expert to submit his report and may replace him with another expert if the report is not submitted within the prescribed time limit.

Article (101):

The member of the Public Prosecution may attend the performance of the expert's task.
The expert may perform his task in the absence of the parties.

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Article (102):

The parties may seek the assistance of a consulting expert and may request that he be enabled to review the documents and all materials previously submitted to the expert appointed by the Public Prosecution, provided that this does not result in delaying the proceedings.

Article (103):

The parties may challenge the expert if strong reasons exist to justify such challenge.

The request for challenge, stating its grounds, shall be submitted to the member of the Public Prosecution, who shall decide thereon within three days from the date of submission.

The submission of a challenge request shall result in the suspension of the expert's work from the date he is notified thereof.

In cases of urgency, the member of the Public Prosecution may order the expert to continue performing his task.

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Article (104):

Upon the accused's first appearance in the investigation, the member of the Public Prosecution shall record all particulars necessary to establish his identity, inform him in writing of his rights and of the charge attributed to him, record in the report any statements he makes in this regard, and enable him to contact his family and his lawyer, after informing him of his right to remain silent.

All of the foregoing shall be carried out with due regard to providing the necessary assistance to persons with disabilities and the elderly in accordance with legally prescribed procedures.

Article (105):

A member of the Public Prosecution may not interrogate the accused or confront him with other accused persons or witnesses except in the presence of his lawyer.

If the accused has no lawyer, or if his lawyer fails to attend after being summoned, the investigator shall, on his own initiative, appoint a lawyer for him.

In cases where there is a risk to the life of the accused and where this is necessary to reveal the truth, the member of the Public Prosecution may proceed to interrogate him after requesting the competent local bar association to urgently appoint a lawyer to attend the interrogation, in the manner agreed upon between the Public Prosecution and the General Bar Association.

If the lawyer does not attend at the appointed time, the interrogation of the accused shall proceed.

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The retained or appointed lawyer shall have the right to attend the interrogation if he appears before its conclusion and to review the interrogation procedures conducted in his absence.

The accused shall state the name of his lawyer in the investigation report, at the criminal registry of the prosecution office within whose jurisdiction the investigation is conducted, or to the person in charge of the place where he is detained.

The lawyer may also make such statement on behalf of the accused.

The lawyer may record in the report any defenses, requests, or observations he deems appropriate.

Upon final disposition of the investigation, and upon the request of the appointed lawyer, the investigator shall issue an order assessing his fees, guided by the fee schedule issued by a decision of the Minister of Justice after consultation with the Council of the General Bar Association.

Such fees shall have the status of judicial fees.

Article (106):

The lawyer of the accused shall be enabled to review the investigation file for a sufficient period prior to the interrogation or confrontation, unless the member of the Public Prosecution decides otherwise.

In all cases, the accused may not be separated from his lawyer who is present with him during the investigation.

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Article (107):

A member of the Public Prosecution may, as the case may be, issue an order for the accused to appear, a reasoned order for his arrest, or a reasoned order for his apprehension and production.

Article (108):

Every order shall include the accused's name, surname, profession, place of residence, national identification number or travel document number, domicile if he is a foreigner, the charge attributed to him, the date of the order, the signature of the member of the Public Prosecution, and the official seal.

An order to appear shall specify a fixed date for attendance.

An arrest order or an order for apprehension and production shall include instructions to public authority officers to arrest the accused and bring him before the member of the Public Prosecution if he refuses to appear voluntarily and immediately.

Article (109):

Subject to the provisions of the second and third paragraphs of Article (72) of this Law, orders shall be served upon the accused through court bailiffs or public authority officers, and a copy thereof shall be delivered to him.

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Article (110):

If the accused fails to appear after being ordered to do so without an acceptable excuse, or if there is a fear of his absconding, or if he has no known place of residence in Egypt, or if the crime is committed in flagrante delicto, the member of the Public Prosecution may issue a reasoned order for his apprehension and production.

Article (111):

Orders issued by a member of the Public Prosecution shall be enforceable throughout the territory of the Arab Republic of Egypt.

Orders of arrest or apprehension and production may not be executed after the lapse of six months from the date of issuance thereof unless the member of the Public Prosecution decides to extend them for another period.

Article (112):

The member of the Public Prosecution shall immediately interrogate the arrested accused.
If this is not possible, the accused shall be placed in one of the correction and rehabilitation centers or designated detention facilities until his interrogation, provided that the period of placement shall not exceed twenty-four hours.

If this period expires, the person in charge of the correction and rehabilitation center or detention facility shall forward the accused to the Public Prosecution immediately for interrogation; otherwise, the Public Prosecution shall order his release.

By way of exception to the first paragraph of this Article, where interrogation of the accused in a crime for which pretrial detention is permissible is not possible due to the absence of his retained or appointed lawyer, the Public Prosecution may order his placement in a correction and rehabilitation center or detention facility until he is interrogated in the presence of a lawyer.

The same rules governing the cases, grounds, procedures, duration, extension, and appeal of pretrial detention shall apply to such placement.

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Article (113):

If, after interrogating the accused, it appears that the evidence is sufficient and that the act constitutes a felony or a misdemeanor punishable by imprisonment for a term of not less than one year, a member of the Public Prosecution of the rank of Deputy Prosecutor or higher may, after hearing the defense of the accused, issue a reasoned order for the pretrial detention of the accused for a period not exceeding four days following his arrest or his delivery to the Public Prosecution if he was previously arrested, provided that one of the following cases or grounds exists:

- The crime was committed in flagrante delicto and the judgment therein must be executed immediately upon its issuance.
- There is a fear that the accused may abscond.
- There is a fear of prejudice to the interests of the investigation, whether by influencing the victim or witnesses, tampering with evidence or material indicia, or by entering into arrangements with other perpetrators to alter the truth or obliterate or obscure its features.
- To prevent a serious breach of public security and public order that may result from the gravity of the crime.

In all cases, the accused may be placed in pretrial detention if he has no fixed and known place of residence in Egypt and the crime is a felony or a misdemeanor punishable by imprisonment.

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Article (114):

In the cases stipulated in Article (113) of this Law, as well as in other misdemeanors punishable by imprisonment, the member of the Public Prosecution may, in lieu of pretrial detention, issue a reasoned order imposing one or more of the following measures:

- Requiring the accused not to leave his residence or domicile.
- Requiring the accused to report to a police station at specified times.
- Prohibiting the accused from frequenting specified places.
- Requiring the accused not to leave a specified geographical area except after obtaining permission from the Public Prosecution.
- Requiring the accused to refrain from receiving, meeting, or contacting specified persons by any means whatsoever.
- Temporarily prohibiting the accused from possessing or carrying firearms and ammunition and requiring their surrender to the police station or center within whose jurisdiction his residence is located.
- The use of technical means to monitor the accused, where operational conditions permit, pursuant to a decision issued by the Minister of Justice in coordination with the Ministers of Interior and Communications.

Article (115):

If the accused violates the measure imposed upon him in accordance with Article (114) of this Law, the member of the Public Prosecution may replace such measure with pretrial detention.

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Article (116):

An order for pretrial detention shall, in addition to the particulars referred to in Article (108) of this Law, include a statement of the offense attributed to the accused, the penalty prescribed therefor, and the reasons upon which the order is based, as well as an instruction to the person in charge of the correction and rehabilitation center or detention facility to admit the accused and place him therein.

The provisions of this Article shall also apply to orders extending pretrial detention issued in accordance with this Law.

Article (117):

Members of the Public Prosecution of the rank of Chief Prosecutor or higher, when investigating the felonies stipulated in Chapters One, Two, Two bis, Three, and Four of Book Two of the Penal Code, shall, in addition to the powers vested in the Public Prosecution, have the authority to issue a reasoned order for a period not exceeding thirty days for the seizure of letters, correspondence, telegrams, newspapers, printed materials, and parcels; for the monitoring of wired and wireless communications; social media accounts and their various contents not accessible to the public; electronic mail; text, audio, or visual messages on phones, devices, or any other technological means; for the seizure of the media containing them; or for recording conversations conducted in a private place, where such measures are useful in revealing the truth.

Such order may be renewed for one or more similar periods.

Such members shall also, in the investigation of the felonies referred to in the first paragraph of this Article—except for the felonies stipulated in Chapter Three of Book Two of the Penal Code—exercise the powers of the Summary Judge with respect to the duration of pretrial detention.

In addition, they shall exercise the powers of the Appellate Misdemeanor Court sitting in chambers, as provided for in Article (123) of this Law, when investigating the crimes stipulated in Chapter One and Section One of Chapter Two of Book Two of the Penal Code, provided that the duration of detention on each occasion does not exceed fifteen days.

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Article (118):

Upon placing the accused in one of the correction and rehabilitation centers or detention facilities, a copy of the detention order shall be delivered to the person in charge thereof, who shall acknowledge receipt by signing the original.

Article (119):

The person in charge of a correction and rehabilitation center or detention facility may not permit any public authority officer or judicial police officer to communicate, directly or indirectly, with a person held in pretrial detention within such center or facility except pursuant to a written authorization from the Public Prosecution.

He shall record in the designated register the name of the person permitted, the time and date of the visit, and the content of the authorization.

Any procedure carried out in violation of this provision shall be null and void.

Article (120):

The member of the Public Prosecution may, in all cases, order that a person held in pretrial detention be prohibited from communicating with other detainees and that visits be prohibited, without prejudice to the accused's right to communicate at all times with his defense counsel without the presence of any third party.

Article (121):

If the Public Prosecution deems it necessary to extend the period of pretrial detention, it shall, prior to the expiry of the four-day period referred to in Article (113) of this Law, submit the case file to the Summary Judge, who shall issue a reasoned order, after hearing the statements of the Public Prosecution and the accused, either releasing the accused or extending the period of pretrial detention for one or more successive periods, each not exceeding fifteen days, provided that their total shall not exceed forty-five days.

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In misdemeanor cases, the accused who has been arrested shall be released mandatorily after the lapse of eight days from the date of his interrogation if he has a known place of residence in Egypt, the maximum penalty prescribed by law does not exceed one year, and he is not a recidivist and has not previously been sentenced to imprisonment for a period exceeding one year.

Article (122):

An order issued by the Public Prosecution imposing any of the measures stipulated in Article (114) of this Law shall be effective for a period of ten days following the commencement of its execution.

Without prejudice to any special provision provided for in this Law, the same rules applicable to pretrial detention shall apply to such measures.

The rules governing the extension of the duration of the measures, their maximum limits, and appeals therefrom shall be the same as those applicable to pretrial detention.

Article (123):

If the investigation has not been concluded and the member of the Public Prosecution considers that the period of pretrial detention or the measure should exceed the limits prescribed in Articles (121) and (122) of this Law, and in the cases stipulated in the third paragraph of Article (117) of this Law, he shall, before the expiry of the detention or measure period, submit the case file to the Appellate Misdemeanor Court sitting in chambers.

The Court shall issue a reasoned order, after hearing the statements of the Public Prosecution and the accused, either extending the period of detention or the measure for successive periods, each not exceeding forty-five days if required by the interests of the investigation, or ordering the release of the accused or the termination of the measure, as the case may be.

Nevertheless, the matter shall be referred to the Public Prosecutor whenever ninety days have elapsed from the pretrial detention of the accused for a felony or the extension thereof, for the adoption of such measures as he deems sufficient to ensure the completion of the investigation.

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Article (124):

The duration of pretrial detention or the measure shall not exceed three months in misdemeanor cases unless the accused has been notified of his referral to the competent court before the expiry of such period.

In such case, the Public Prosecution shall, within a maximum of five days from the date of notification of referral to the competent court, submit the detention or measure order in accordance with the provisions of the first paragraph of Article (132) of this Law, failing which the accused shall be released or the measure terminated, as the case may be.

If the charge attributed to the accused is a felony, the duration of pretrial detention or the measure shall not exceed five months unless, prior to its expiry, an order is obtained from the competent court extending the detention or the measure for a period not exceeding forty-five days, renewable for one or more similar periods; otherwise, the accused shall be released or the measure terminated, as the case may be.

In all cases, the duration of pretrial detention during the preliminary investigation stage and all other stages of the criminal proceedings shall not exceed one third of the maximum custodial penalty prescribed, provided that it does not exceed four months in misdemeanors, twelve months in felonies, and eighteen months where the prescribed penalty is life imprisonment or death.
The Appellate Felony Court and the Court of Cassation, where the judgment is one of death or life imprisonment, may order the pretrial detention of the accused for a period of forty-five days, renewable for one or more additional periods, provided that the total does not exceed two years.

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Article (125):

The Public Prosecution may order the provisional release of an accused held in pretrial detention or the termination of the measure at any time, whether on its own initiative or upon the request of the accused, with or without bail, provided that the accused undertakes to appear whenever summoned by the Public Prosecution.

Article (126):

In cases other than those where release is mandatory, the accused shall not be released, whether with or without bail, unless he designates an elected domicile, a mobile phone number, or an email address in the manner specified in the second paragraph of Article (72) of this Law.

Article (127):

In cases other than that where provisional release or termination of the measure is mandatory, such release or termination may be made conditional upon the accused providing bail.

The amount of bail shall be assessed, as the case may be, by the member of the Public Prosecution, the Summary Judge, or the Appellate Misdemeanor Court sitting in chambers.

One half of the bail amount shall be allocated as a penalty for the accused's failure to appear in any investigative or judicial procedure, to present himself for execution of the judgment, or to perform any other obligations imposed upon him.

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The other half shall be allocated to the payment, in the following order, of:

First: expenses incurred by the Government.

Second: financial penalties that may be imposed on the accused.

If bail is assessed without allocation, it shall be deemed a guarantee of the accused's obligation to appear, not to evade execution, and to comply with all other obligations imposed upon him.

Article (128):

The bail amount may be paid by the accused or by another person by depositing the assessed amount with the court treasury in cash, government bonds, government-guaranteed bonds, by a certified bank cheque, by a bank guarantee letter, or by any non-cash payment method provided for in the Law Regulating the Use of Non-Cash Payment Methods promulgated by Law No. 18 of 2019.

A financially solvent person may also be accepted to undertake to pay the assessed bail amount or to provide a bank guarantee letter if the accused breaches any of the conditions of release. Such undertaking shall be recorded in the investigation report or by a statement filed with the court registry, and the report or statement shall have the force of an enforceable instrument.

Article (129):

If the accused, without an acceptable excuse, fails to comply with any of the obligations imposed upon him, the first portion of the bail shall become the property of the Government by a reasoned decision of the authority competent to conduct the investigation or trial.

The second portion shall be returned if a decision is issued that there are no grounds for instituting the criminal action or if a judgment of acquittal is rendered.

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Article (130):

If the circumstances of the accused do not permit the provision of bail, he may be required to present himself to the competent police station at the times specified in the release order, taking into account his particular circumstances.

He may also be required to choose a place of residence other than the place where the crime was committed, or be prohibited from frequenting a specified place.

Article (131):

An order for release shall not prevent the member of the Public Prosecution from issuing a new order for the arrest or pretrial detention of the accused if the evidence against him strengthens, if he breaches the obligations imposed upon him, or if circumstances arise that require such action, without prejudice to the provisions of Articles (123) and (124) of this Law.

Article (132):

Once the accused is referred to the court, the authority to order his release if detained, his detention if released, the termination of the measure, or the imposition thereof shall vest in the court to which he is referred.

In the case of referral to a Court of First Instance of Felonies, such authority shall, during court recess, vest in the Appellate Misdemeanor Court sitting in chambers.

Where a judgment of lack of jurisdiction is rendered, the Appellate Misdemeanor Court sitting in chambers shall be competent to consider requests for release, detention, termination of measures, or the imposition thereof until the case is referred to the competent court.

Article (133):

No request shall be accepted from the victim or the civil claimant for the detention of the accused or the imposition of any measure thereon, nor shall their statements be heard in deliberations relating to the release of the accused or the termination of the measure.

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Article (134):

The Summary Judge, the Appellate Misdemeanor Court, or the competent court may assess bail for the release of the accused whenever the Public Prosecution requests the extension of the period of pretrial detention, with due regard to the provisions of Articles (127), (128), (129), (130), and (131) of this Law.

Book One – Criminal Proceedings, Collection of Evidence, and Investigation

Chapter Three – Investigation Conducted by the Public Prosecution

Section Nine – Disposition of Seized Items

Article (135):

An order may be issued for the return of seized items, even prior to the issuance of a judgment in the case, unless such items are necessary for the conduct of the proceedings or are subject to confiscation.

Article (136):

An order for return shall be issued by the Public Prosecution, the Investigating Judge, or the Appellate Misdemeanor Court sitting in chambers.

Only the trial court may order the return of seized items while hearing the case.

Article (137):

Seized items shall be returned to the person who was in possession thereof at the time of seizure.

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Items upon which the crime was committed or which resulted therefrom shall be returned to the person who lost possession thereof by reason of the crime, unless the person from whom they were seized has a legal right to retain them.

Article (138):

An order for return shall not preclude interested parties from asserting their rights before the civil courts.

However, if the order for return was issued by the court upon the request of either the accused or the civil claimant in confrontation with the other, such order may not be contested before the civil courts.

Article (139):

An order for return may be issued even without a request.

The Public Prosecution or the Investigating Judge may not issue an order for return in the event of a dispute.

In such case, or where there is doubt as to the person entitled to receive the item, the matter shall be submitted to the Appellate Misdemeanor Court sitting in chambers, upon the request of the interested parties, to decide as it deems appropriate.

Article (140):

When an order is issued to file the case or that there are no grounds for instituting the criminal action, the manner of disposition of the seized items shall be determined.

The same shall apply upon the issuance of a judgment in the case where a request for return has been submitted before the court.

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Article (141):

The trial court or the Appellate Misdemeanor Court sitting in chambers may refer the matter concerning the return of seized items to the civil court if it deems this appropriate.

In such case, the seized items may be placed under custody or other precautionary measures may be taken in respect thereof.

Article (142):

If the seized item is perishable, requires storage expenses exceeding its value, or is not claimed by its owner within six months from the date of termination of the case, the Public Prosecution may order its sale by one of the methods prescribed in the Law Regulating Public Contracting promulgated by Law No. 182 of 2018, provided that the interests of the case so permit.

The owner shall have the right to claim the sale proceeds after deduction of expenses and costs.

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Article (143):

In cases where sufficient evidence derived from the investigation establishes the seriousness of the accusation in any of the crimes stipulated in Chapter Four of Book Two of the Penal Code, or other crimes affecting funds owned by the State, public authorities, public institutions, their affiliated units, or other public legal persons, as well as crimes in which the law requires the court to rule, on its own motion, restitution of sums or the value of items constituting the subject matter of the crime or compensation of the injured entity, and where the Public Prosecution determines that it is necessary to take precautionary measures over the accused's assets including prohibiting him from disposing of or managing them it shall submit the matter to the competent criminal court, requesting a ruling to that effect as a guarantee for the execution of any fines, restitution, or compensation that may be adjudged.

In cases of necessity or urgency, the Public Prosecutor may temporarily order the prohibition of the accused from disposing of or managing his assets.

Any order prohibiting management shall include the appointment of a person to manage the seized assets.

In all cases, the Public Prosecutor shall submit the prohibition order to the competent criminal court within a maximum of seven days from the date of its issuance, requesting a ruling on the prohibition of disposal or management; failing which, the order shall be deemed null and void.

Article (144):

The criminal court shall issue its judgment within a period not exceeding fifteen days from the date on which the prohibition order referred to in the first paragraph of Article (143) of this Law is submitted thereto, after hearing the statements of the interested parties.

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The court shall determine whether the temporary order referred to in the second paragraph of Article (143) of this Law shall remain in force whenever it deems it appropriate to adjourn consideration thereof.

The judgment shall state the reasons upon which it is based, and any prohibition of management shall include the appointment of a person to manage the seized assets after obtaining the opinion of the Public Prosecution.

At the request of the Public Prosecution, the court may include in its judgment any assets of the accused's spouse, minor children, or heirs, where sufficient evidence establishes that such assets are proceeds of the crime under investigation and were transferred to them by the accused, provided that they are joined in the request.

The person appointed to manage the assets shall receive possession thereof and promptly inventory them in the presence of the interested parties and a representative of the Public Prosecution, or an expert appointed by the court.

Such person shall be obligated to preserve and properly manage the assets and to return them together with any proceeds received, in accordance with the provisions of the Civil Code governing agency in management, deposit, and guardianship, in the manner regulated by a decision issued by the Public Prosecutor.

Article (145):

Any person against whom a judgment prohibiting disposal or management has been issued may file a grievance before the competent criminal court after the lapse of three months from the date of the judgment.

If the grievance is rejected, a new grievance may be submitted whenever three months have elapsed from the date of the judgment rejecting the grievance.

Any person against whom a judgment prohibiting disposal or management has been issued, as well as any interested party, may also file a grievance against the procedures for its execution.

The grievance shall be submitted by a statement filed with the registry of the competent criminal court.

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The President of the Court shall set a hearing date for consideration of the grievance and notify the complainant and all interested parties thereof.

The court shall decide on the grievance within a period not exceeding fifteen days from the date of filing.

The competent court may, while considering the criminal case, either on its own motion or upon the request of the Public Prosecution or an interested party, order the termination of the prohibition of disposal or management adjudged, or modify its scope or the procedures for its execution.

Article (146):

Any order disposing of the criminal action or any judgment rendered therein shall specify the measures to be taken with respect to the precautionary measures referred to in Article (143) of this Law.

In all cases, the prohibition on disposal or management shall terminate upon the issuance of a decision that there are no grounds for instituting the criminal action, or upon the issuance of a final judgment acquitting the accused, or upon the full execution of the financial penalties and compensations adjudged.

In enforcing a judgment imposing a fine, ordering restitution of sums or the value of items constituting the subject matter of the crime, or awarding compensation to the injured entity, as the case may be, no disposition made in violation of the order or judgment referred to in Articles (143) and (144) of this Law may be invoked as against such enforcement, from the date on which either of them is recorded in a special register regulated by a decision of the Minister of Justice.

Any interested party shall have the right to inspect this register.

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Article (147):

When ruling on the restitution of sums or the value of items constituting the subject matter of the crimes referred to in Article (143) of this Law, or on compensation of the injured entity therein, the court may, upon the request of the Public Prosecution or the civil claimant, as the case may be, and after hearing the statements of the interested parties, order the enforcement of such judgment against the assets of the accused's spouse and minor children, if it is established that such assets were transferred to them by the accused and constitute proceeds of the crime adjudicated.

Article (148):

The extinction of the criminal action by death, whether before or after referral to the court, shall not preclude the court from ordering restitution in respect of the crimes stipulated in Articles 112, 113 (first, second, and fourth paragraphs), 113 bis (first paragraph), 114, and 115 of the Penal Code.

The court shall order restitution against the heirs, legatees, and any person who has derived a substantial benefit from the crime, so that the restitution judgment shall be enforceable against the assets of each of them to the extent of the benefit obtained.

The court shall appoint a lawyer to defend those against whom a restitution request is directed if they do not appoint counsel to represent them.

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Article (149):

The Public Prosecutor, or whomever he delegates, whether on his own initiative or upon the request of interested parties, and the competent Investigating Judge, may, where sufficient evidence exists establishing the seriousness of the accusation in a felony or a misdemeanor punishable by imprisonment, issue a reasoned order prohibiting the accused from traveling outside the country or placing his name on arrival watch lists for a period of one year, renewable for one or more similar periods, where required by the necessities of the investigation, the proper conduct of trial proceedings, or to ensure the execution of any penalties that may be adjudged.

The Public Prosecutor, or whomever he delegates, may also, on his own initiative or upon the request of any interested party, issue a reasoned order for inclusion on travel ban lists or arrival watch lists in respect of convicted persons sought for execution of sentences, as well as accused or convicted persons whose extradition or prosecution is requested by competent foreign judicial authorities.

Article (150):

Any person subject to a travel ban or whose name has been placed on arrival watch lists, or his attorney, may lodge a grievance against such order before the competent criminal court sitting in chambers, within fifteen days from the date on which he becomes aware thereof.

No new grievance against a prohibition or listing order may be submitted before the lapse of three months from the date of rejection of the previous grievance.

The grievance shall be submitted by a statement filed with the registry of the competent criminal court.

The President of the Court shall set a hearing date for consideration of the grievance and notify the complainant and the Public Prosecution thereof.

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The court shall decide the grievance within a period not exceeding fifteen days from the date of filing, by a reasoned judgment after hearing the statements of the complainant or his attorney and the Public Prosecution.

For this purpose, the court may take such procedures or conduct such investigations as it deems necessary.

Article (151):

The investigating authority that issued the order initially may, at any time, revoke or amend it, including by removing the person's name from travel ban lists or arrival watch lists for a specified period, where necessity so requires.

For reasons he deems appropriate, including health considerations, the Public Prosecutor may grant any person whose name appears on travel ban lists, upon the request of such person, his attorney, or one of his relatives up to the fourth degree, permission to travel to one or more specified countries for a specified period, provided that adequate guarantees are furnished to ensure his return to the country upon expiry of the permission period.

In all cases, the travel ban shall terminate upon the issuance of a decision that there are no grounds for instituting the criminal action or upon the issuance of a final judgment acquitting the accused, whichever occurs first.

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Article (152):

If the Public Prosecution, after conducting the investigation, determines that there are no grounds for instituting the criminal action, it shall issue an order to that effect and order the release of the detained accused unless he is detained for another reason.

An order that there are no grounds for instituting the criminal action in felony cases may be issued only by the Attorney General or his deputy.

The order shall be made in writing and shall state the reasons upon which it is based.

The order shall specify the accused's name, surname, age, place of birth, residence, profession, national identification number or travel document number, domicile if he is a foreigner, the act attributed to him, and its legal characterization.

The order shall be served upon the accused, the victim, and the civil claimant.

If any of them has died, service shall be affected collectively upon the heirs at the last domicile of the deceased, without mentioning their names.

Article (153):

The Public Prosecutor may revoke the order referred to in Article (152) of this Law within three months following its issuance, unless a decision has been rendered by the Court of First Instance of Felonies or by the Appellate Misdemeanor Court sitting in chambers, as the case may be, rejecting the appeal filed against such order.

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Article (154):

If the Public Prosecution considers that the act constitutes a misdemeanor and that the evidence against the accused is sufficient, it shall institute the criminal action before the competent Summary Court, unless the offense is one of the misdemeanors committed through newspapers or other means of publication, other than misdemeanors harming private individuals.

The accused shall be summoned to appear before the competent Summary Court, subject to the provisions of Article (62) of this Law.

Article (155):

Upon the issuance of a decision referring the case to the Summary Court, the Public Prosecution shall transmit all documents to the registry of the court within three days and notify the parties to appear before the court at the nearest session within the prescribed time limits.

Article (156):

If the Public Prosecution considers that the act constitutes a felony or one of the misdemeanors committed through newspapers or other means of publication, other than misdemeanors harming private individuals, and that the evidence is sufficient, it shall institute the criminal action before the Court of First Instance of Felonies, notify the accused of the referral order, and immediately transmit the case file thereto.

Article (157):

In felony cases, the criminal action shall be instituted by referring the case from the Advocate General or his deputy to the Court of First Instance of Felonies by means of an indictment setting out the particulars of the accused, his national identification number, the offense attributed to him with its constituent elements, all aggravating or mitigating circumstances affecting the penalty, and the legal provisions to be applied.

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The indictment shall be accompanied by a list summarizing the substance of the witnesses' statements and other evidence of proof.

The Advocate General shall, on his own initiative, appoint a lawyer for every accused charged with a felony whose case has been referred to the Court of First Instance of Felonies if he has not retained a lawyer to defend him.

The Public Prosecution shall notify the parties of the order of referral to the Court of First Instance of Felonies within ten days following its issuance.

Article (158):

The case file shall be transmitted immediately to the registry of the Court of Appeal.

If the accused's lawyer requests time to review the file, the President of the Court shall grant him a period not exceeding ten days, during which the case file shall remain in the registry so as to enable him to examine it without removing it therefrom.

The parties shall summon, through a court bailiff, the witnesses whose names are not included in the list referred to in Article (157) of this Law to attend the session fixed for hearing the case, bearing the costs of service and depositing the witnesses' travel expenses.

Article (159):

If the investigation encompasses more than one offense falling within the jurisdiction of courts of the same level and such offenses are connected, they shall all be referred by a single referral order to the court having territorial jurisdiction over one of them.

If the offenses fall within the jurisdiction of courts of different levels, they shall be referred to the court of the higher level.

In cases of connection requiring that the criminal action in respect of all offenses be brought before one court, where some offenses fall within the jurisdiction of ordinary courts and others within the jurisdiction of special courts, the criminal action in respect of all offenses shall be brought before the ordinary courts, unless the law provides otherwise.

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Article (160):

Subject to the provisions of Article (132) of this Law, the competent member of the Public Prosecution shall decide, in the referral decision or order to the Summary Court or the Court of First Instance of Felonies, whether to continue the pretrial detention of the accused, to release him, or to order his arrest if he has not been arrested or has previously been released, unless he has already been notified of the referral decision or order.

If the accused is arrested, he shall be brought before the competent court within forty-eight hours.

Article (161):

If, after the issuance of the referral order, circumstances arise requiring supplementary investigations, the Public Prosecution shall conduct such investigations and submit the report thereof to the court.

Article (162):

The Public Prosecutor or the Advocate General may, in the cases specified in the first paragraph of Article 118 bis (A) of the Penal Code, refer the case to the Misdemeanor Courts for adjudication in accordance with the provisions of that Article.

Article (163):

An order issued by the Public Prosecution that there are no grounds for instituting the criminal action shall preclude the resumption of the investigation, unless new evidence appears before the expiry of the statutory limitation period for the criminal action.

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New evidence shall include witness testimony, reports, and documents containing additional proof that was not previously presented to the Public Prosecution and that would strengthen evidence previously deemed insufficient or provide further clarification leading to the discovery of the truth.

Book One – The Criminal Action, Evidence Gathering, and Investigation

Chapter Three – Investigation by the Public Prosecution

Section Thirteen – Appeal of Orders Issued by the Public Prosecution

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Article (164):

The accused and the civil claimant may appeal an order issued by the Public Prosecution that there are no grounds for instituting the criminal action, unless the order relates to an accusation directed against a public official, public employee, or a member of the judicial police for an offense committed during or by reason of the performance of his duties, except for the crimes stipulated in Article 123 of the Penal Code.

The appeal shall be filed by a statement lodged with the court registry within ten days from the date of notification of the order.

The appeal shall be submitted to the Court of First Instance of Felonies sitting in chambers in felony cases, and to the Appellate Misdemeanor Court sitting in chambers in misdemeanor cases.

Where the chamber revokes the order that there are no grounds for instituting the criminal action, it shall remit the case to the Public Prosecution, specifying the committed offense, the applicable legal provision, the statements of prosecution witnesses, and the substance of the other evidence of proof, for referral to the competent court.

Decisions issued by the chamber pursuant to the provisions of this Chapter shall be final.

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Article (165):

All parties may appeal orders relating to questions of jurisdiction.

Such appeal shall not suspend the course of the investigation, and a ruling of lack of jurisdiction shall not entail the nullity of the investigation procedures.

The time limit for appealing such orders shall be ten days from the date of notification thereof to the parties.

Article (166):

The accused may appeal an order for his pretrial detention or for the extension thereof.

The Public Prosecution may also appeal an order for the provisional release of an accused held in pretrial detention where required by the necessities of the investigation.

Article (167):

Appeals against orders issued pursuant to the provisions of this Chapter shall be filed by a statement lodged with the registry of the court.

Article (168):

The time limit for the Public Prosecution to appeal an order for provisional release shall be twenty-four hours from the date of its issuance, and the appeal shall be decided within forty-eight hours from the date it is filed.

The accused may appeal an order for detention or for the extension thereof at any time.

If a decision rejecting his appeal is issued, he may submit a new appeal against the same decision whenever thirty days have elapsed from the date of the decision rejecting the appeal.

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Article (169):

An appeal shall be submitted to the Appellate Misdemeanor Court sitting in chambers if the appealed order was issued by the Summary Judge concerning pretrial detention, its extension, or release.

If the order was issued by that court, the appeal shall be submitted to the Court of First Instance of Felonies sitting in chambers.

If the order was issued by the Court of First Instance of Felonies, the appeal shall be submitted to the Appellate Felony Court.

Article (170):

In cases other than those provided for in Articles (164) to (169) of this Law, the appeal shall be submitted to the Appellate Misdemeanor Court sitting in chambers.

Article (171):

Appeals against orders of pretrial detention, extension thereof, or provisional release shall be decided within forty-eight hours from the date the appeal is filed; otherwise, the accused shall be released if the appeal is against an order of provisional release.

One or more chambers of the Court of First Instance or the Court of Felonies, at both levels, shall be designated to hear appeals against orders of pretrial detention or provisional release referred to in this Article.

Article (172):

An order issued for the provisional release of an accused held in pretrial detention shall be enforced unless the Public Prosecution appeals it within the time limit prescribed in Article (168) of this Law.

The court competent to hear the appeal may order the extension of the accused's detention in accordance with the provisions of Articles (123) and (124) of this Law.

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If the appeal is not decided within three days from the date it is filed, the order of release shall be enforced immediately.

Article (173):

If the appeal filed by the civil claimant against an order that there are no grounds for instituting the criminal action is rejected, the appellate authority may, where appropriate, order the civil claimant to pay compensation to the accused for the damages arising from filing the appeal.

Book One – The Criminal Action, Evidence Gathering, and Investigation

Chapter Four – Investigation by the Investigating Judge

Section One – Appointment of an Investigating Judge

Article (174):

If the Public Prosecution considers, in felony or misdemeanor cases, that investigation of the case by an Investigating Judge is more appropriate in view of its particular circumstances, it may, at any stage of the proceedings, request the President of the competent Court of First Instance to assign one of its judges to conduct the investigation.

Such assignment shall be made by a decision of the General Assembly of the court, or whomever it delegates for this purpose, at the beginning of each judicial year.

In such case, the assigned judge shall have exclusive jurisdiction to conduct the investigation from the time he commences it.

The accused or the civil claimant may also request the President of the Court of First Instance to issue such an assignment, provided that the case is not directed against a public official, public employee, or a member of the judicial police for an offense committed during or by reason of the performance of his duties.

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The General Assembly of the court, or whomever it delegates, shall issue the assignment decision if the reasons stated in the first paragraph of this Article are established, after hearing the statements of the Public Prosecution.

Article (175):

The Minister of Justice may request the Court of Appeal to assign a judge to investigate a specific crime or crimes of a specific type.

Such assignment shall be made by a decision of the General Assembly of the court, or whomever it delegates for this purpose, at the beginning of each judicial year.

In such case, the assigned judge shall have exclusive jurisdiction to conduct the investigation from the time he commences it.

Article (176):

The Investigating Judge assigned pursuant to the provisions of Articles (174) and (175) of this Law shall complete the investigation within a period not exceeding six months from the date he commences it, unless prevented by necessities required by the investigation.

If the investigation requires exceeding this period, the assigned Investigating Judge shall submit the matter to the General Assembly, or whomever it delegates to issue the assignment decision, as the case may be, to renew it for a period not exceeding six months.

If the investigation does not require exceeding this period, or if the assigned Investigating Judge violates the procedures for submitting the case, the General Assembly, or whomever it delegates, shall assign another judge to complete the investigation.

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Article (177):

The Investigating Judge may not commence the investigation of a specific crime or crimes of a specific type except upon a request from the Public Prosecution or upon referral thereto by other authorities provided for by law.

Book One – The Criminal Action, Evidence Gathering, and Investigation

Chapter Four – Investigation by the Investigating Judge

Section Two – Assumption of Jurisdiction by the Investigating Judge

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Article (178):

Without prejudice to any special provision set forth in this Chapter, the Investigating Judge shall exercise his jurisdiction in accordance with the rules prescribed for investigations conducted by the Public Prosecution.

Article (179):

Without prejudice to the provisions of Article (176) of this Law, once the case is referred to the Investigating Judge, he shall have exclusive jurisdiction to conduct the investigation.

Article (180):

The Investigating Judge may delegate one of the members of the Public Prosecution or one of the judicial police officers to carry out one or more investigative acts, other than the interrogation of the accused.

Within the limits of the delegation, the delegate shall have all the powers vested in the Investigating Judge.

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If there is a need to take an investigative measure outside the territorial jurisdiction of the Investigating Judge, he may request the Judge of the competent court or one of the members of the Public Prosecution to carry it out, or may assign one of the judicial police officers to do so.

The Judge of the competent court who is delegated may, where necessary, assign one of the members of the Public Prosecution or one of the judicial police officers in accordance with the first paragraph of this Article.

The Investigating Judge shall personally proceed to carry out such measure whenever the interests of the investigation so require.

Article (181):

In all cases where the Investigating Judge delegates another person to carry out certain investigative acts, he shall specify the matters to be investigated and the procedures to be taken.

The delegate may carry out any other investigative act or interrogate the accused in cases where there is a fear of loss of time, provided that such act is connected with the delegated task and is necessary to reveal the truth.

Article (182):

When conducting the investigation, the Investigating Judge shall have the powers vested in the Summary Judge as provided for in this Law.

Article (183):

The Investigating Judge shall have the same powers vested in the court with respect to the conduct and order of hearings.

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Article (184):

The Public Prosecution shall summon the witnesses whom the Investigating Judge decides to hear, in the manner prescribed in Article (88) of this Law.

Article (185):

Any person summoned to appear before the Investigating Judge to give testimony shall attend pursuant to the summons served upon him; otherwise, the Judge may, after hearing the statements of the Public Prosecution, order him to pay a fine not exceeding five hundred pounds.

The Judge may also order that the witness be summoned again at his own expense or issue a reasoned order for his apprehension and production.

Article (186):

If the witness appears before the Judge after being summoned a second time or appears voluntarily and presents acceptable excuses, the Judge may exempt him from the fine after hearing the statements of the Public Prosecution.

Such exemption may also be granted upon a written request submitted by the witness if he is unable to attend in person.

Article (187):

If the witness appears before the Judge and refuses to give testimony or to take the oath, the Judge shall, in misdemeanor and felony cases, after hearing the statements of the Public Prosecution, sentence him to a fine not exceeding two thousand pounds.

The Judge may exempt him from all or part of the penalty if he retracts his refusal before the conclusion of the investigation.

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Article (188):

If the witness is ill or has an impediment preventing his attendance, his testimony shall be heard at the place where he is located.

If the Judge proceeds to hear his testimony and finds that the excuse is unfounded, he may sentence him to imprisonment for a period not exceeding one month or to a fine not exceeding two thousand pounds.

Article (189):

Judgments rendered by the Investigating Judge against witnesses pursuant to Articles (185), (187), and (188) of this Law may be appealed before the court competent to hear the case in which such judgments were rendered.

Article (190):

The Public Prosecution may, at any time, review the case file in order to ascertain the progress of the investigation, provided that this does not result in delaying the proceedings.

Article (191):

The Public Prosecution and the other parties may submit to the Investigating Judge any defenses, requests, or observations they deem appropriate during the investigation.

Article (192):

The Investigating Judge shall decide on the defenses, requests, and observations submitted to him within twenty-four hours and shall state the reasons upon which his decision is based.

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Article (193):

If the orders of the Investigating Judge are not issued in the presence of the parties, they shall be communicated to the Public Prosecution, which shall notify the parties thereof within twenty-four hours from the date of issuance.

Article (194):

Subject to the provisions of the second paragraph of Article (112) of this Law, the Investigating Judge shall immediately interrogate the arrested accused.

If this is not possible, the accused shall be placed in one of the correction and rehabilitation centers or detention facilities until his interrogation, provided that such placement shall not exceed twenty-four hours.

If this period expires, the person in charge of such facilities or centers shall deliver the accused to the Public Prosecution, which shall immediately request the Investigating Judge to interrogate him.

Where necessary, the Public Prosecution may request such interrogation by the Summary Judge, the President of the Court, or any other judge designated by the President of the Court; otherwise, it shall order the release of the accused.

Article (195):

If the accused is arrested outside the territorial jurisdiction of the court conducting the investigation, he shall be transferred to the Public Prosecution in the jurisdiction where he was arrested.

The Public Prosecution shall verify all particulars relating to his identity, inform him of the act attributed to him, record his statements in this regard, and forward him within twenty-four hours to the competent Investigating Judge.

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If the accused objects to the transfer or if his health condition does not permit transportation, the Investigating Judge shall be notified thereof and shall immediately issue an order specifying the procedure to be followed.

Article (196):

Before issuing an order for pretrial detention or the imposition of a measure, the Investigating Judge shall hear the statements of the Public Prosecution and the defense of the accused.

Article (197):

The Public Prosecution may, at any time, request the Investigating Judge to order the pretrial detention of the accused or to subject him to one of the measures stipulated in Article (114) of this Law.

Article (198):

Subject to the provisions of the second paragraph of Article (121) of this Law, pretrial detention or the measure shall terminate ipso facto upon the lapse of fifteen days.

Nevertheless, the Investigating Judge may, after hearing the statements of the Public Prosecution and the accused, issue an order extending the detention or the measure for successive periods, each not exceeding fifteen days, provided that their total does not exceed forty-five days.

If the investigation is not concluded and the Investigating Judge considers that pretrial detention or the measure should exceed the limits set forth in the first paragraph of this Article, the provisions of Articles (123) and (124) of this Law shall apply.

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Article (199):

The Investigating Judge may, at any time, either on his own initiative or upon the request of the accused, and after hearing the statements of the Public Prosecution, order the release of the accused or the termination of the measure, if he was the authority that ordered the pretrial detention or the measure or if such detention or measure was ordered at his request.

If the order for pretrial detention or the measure was issued by the Court of Felonies or the Appellate Misdemeanor Court sitting in chambers upon the appeal of the Public Prosecution against a previous release order issued by the Investigating Judge, no order for release or termination of the measure may be issued during the period covered by the detention or measure order except by either of those courts, as the case may be.

Article (200):

Upon completion of the investigation, the Investigating Judge shall transmit the case file to the Public Prosecution, which shall submit its written submissions within three days if the accused is detained or subject to a measure, and within ten days if he has been released.

The Investigating Judge shall notify the other parties to submit their statements within three days from the date of notification.

Article (201):

If the Investigating Judge determines that there are no grounds for instituting the criminal action, he shall issue a written order to that effect and order the release of the detained accused unless he is detained for another reason, or order the termination of the measure.

The Investigating Judge may not issue an order that there are no grounds for instituting the criminal action for lack of importance except upon the request of the Public Prosecution.

The order shall state the reasons upon which it is based.

The order shall be notified to the Public Prosecution, the accused, the victim, and the civil claimant.

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If any of them has died, notification shall be affected collectively upon the heirs, without mentioning their names, at the last domicile of the deceased.

Article (202):

If the Investigating Judge considers that the act constitutes a misdemeanor and that the evidence against the accused is sufficient, he shall order its referral to the competent Summary Court, unless the offense is one of the misdemeanors committed through newspapers or other means of publication, other than misdemeanors harming private individuals, in which case he shall refer it to the Court of First Instance of Felonies.

If the Investigating Judge determines that the act constitutes a contravention, he shall refer it to the Public Prosecution to take the necessary action.

Article (203):

Upon the issuance of a decision referring the case to the competent Summary Court, the Public Prosecution shall transmit all documents to the registry of the court within three days and notify the parties to appear before the court at the nearest session within the prescribed time limits.

Article (204):

If the Investigating Judge considers that the act constitutes a felony or one of the misdemeanors committed through newspapers or other means of publication, other than misdemeanors harming private individuals, and that the evidence against the accused is sufficient, he shall refer the case to the Court of First Instance of Felonies and instruct the Public Prosecution to immediately transmit the documents thereto.

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Article (205):

The provisions set forth in Articles (108), (116), (152), and (157) of this Law shall apply to the orders issued by the Investigating Judge.

Article (206):

Resumption of the investigation pursuant to the provisions of Article (163) of this Law shall not be permissible except upon the request of the Public Prosecution.

Book One – The Criminal Action, Evidence Gathering, and Investigation

Chapter Four – Investigation by the Investigating Judge

Section Three – Appeal of Orders Issued by the Investigating Judge

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Article (207):

The Public Prosecution may appeal, even in the interest of the accused, all orders issued by the Investigating Judge, whether issued on his own initiative or upon the request of the parties.

Article (208):

The accused may appeal an order issued by the Investigating Judge for his pretrial detention or for the extension thereof.

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Article (209):

The accused and the civil claimant may appeal orders issued by the Investigating Judge that there are no grounds for instituting the criminal action, unless the order relates to an accusation directed against a public official, public employee, or a member of the judicial police for an offense committed during or by reason of the performance of his duties, except for the crimes stipulated in Article 123 of the Penal Code.

Article (210):

All parties may appeal orders relating to questions of jurisdiction.

Such appeal shall not suspend the course of the investigation, nor shall a ruling of lack of jurisdiction entail the nullity of the investigation procedures.

Article (211):

The time limit for appealing the orders referred to in this Chapter shall be ten days from the date of notification thereof to the Public Prosecution and the other parties, except in the cases referred to in Article (208) of this Law, for which the time limit shall be as prescribed in Article (168) of this Law.

Appeals shall be filed by a statement lodged with the court registry, and the procedures for filing, examining, and deciding such appeals shall be governed by the rules and provisions applicable to appeals against orders issued by the Public Prosecution.

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Article (212):

The Summary Court shall have jurisdiction over every act which constitutes, by virtue of law, a misdemeanor, except misdemeanors committed through newspapers or other means of publication against persons other than individuals.

Article (213):

The Felony Court shall have jurisdiction over every act which constitutes, by virtue of law, a felony, and over misdemeanors committed through newspapers or other means of publication, except misdemeanors harmful to private individuals, as well as over other crimes for which the law provides that it shall have jurisdiction.

Article (214):

Jurisdiction shall be determined by the place where the crime was committed, the place of residence of the accused, or the place where he was apprehended.

Article (215):

In cases of attempt, the crime shall be deemed to have been committed in every place where an act constituting commencement of execution occurred.

In continuing crimes, every place in which the state of continuity exists shall be deemed the place of the crime.

In habitual crimes and successive crimes, every place in which one of the constituent acts occurred shall be deemed the place of the crime.

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If a crime to which the provisions of Egyptian law apply is committed abroad, and the perpetrator has no place of residence in Egypt and is not apprehended therein, the criminal action shall be instituted in felony cases before the Court of First Instance of Felonies within the jurisdiction of the Cairo Court of Appeal, and in misdemeanor cases before the Abdeen Summary Court.

Book Two – The Courts

Chapter One – Jurisdiction

Section Two – Jurisdiction of the Criminal Courts in Matters Preliminary to the Determination of the Criminal Action

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Article (216):

A civil action, regardless of its value, for compensation for damage arising from a crime may be brought before the criminal courts to be heard together with the criminal action.

Article (217):

The criminal court shall have jurisdiction to decide all matters upon which judgment in the criminal action brought before it depends, unless the law provides otherwise.

Article (218):

If adjudication of a criminal action depends upon the outcome of another criminal action, the first criminal action shall be stayed until the other is adjudicated.

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Article (219):

If adjudication of a criminal action depends upon the determination of a matter of personal status, the criminal court may stay the proceedings and grant the accused, the victim, or the civil claimant, as the case may be, a time limit to bring that matter before the competent authority.

Staying the proceedings shall not preclude the taking of necessary or urgent measures or investigations.

Article (220):

If the time limit referred to in Article (219) of this Law expires without the matter being brought before the competent authority, the court may disregard the stay and adjudicate the case.

The court may also grant the party another time limit if it considers that acceptable reasons justify doing so.

Article (221):

In non-criminal matters adjudicated incidentally to a criminal action, criminal courts shall apply the rules of evidence prescribed by the law governing those matters.

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Article (222):

If a case relating to a single crime or several related crimes is brought before two investigating or adjudicating authorities affiliated with the same Primary Court, and each of them issues a final decision affirming or denying its jurisdiction, where jurisdiction is confined to them alone, a request to determine the competent authority shall be submitted to the Appellate Misdemeanor Chamber of the Primary Court.

Article (223):

If two judgments are rendered affirming jurisdiction or denying jurisdiction by authorities affiliated with two different Primary Courts, or by two Primary Courts, or by two Felony Courts of either degree, a request to determine the competent court shall be submitted to the Court of Cassation.

Article (224):

Any of the parties to the case may submit a request to determine the competent court by means of a petition supported by documents substantiating the request.

Article (225):

After examining the request, the court shall order that the documents be deposited with the court registry.

The registry shall notify the other parties of the deposit so that they may review the documents and submit memoranda of their statements within ten days following notification.

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The order of deposit shall result in a stay of the proceedings in the case in respect of which the request is submitted, unless the court decides otherwise.

Article (226):

After examining the documents, the Court of Cassation or the Primary Court shall determine the court or authority competent to proceed with the case, and shall also rule on the status of procedures and judgments previously issued by the courts that declined jurisdiction.

Article (227):

If the request is rejected, the court may sentence the applicant—if not the Public Prosecution—to a fine not exceeding five hundred pounds.

Book Two – The Courts

Chapter Two – Misdemeanor Courts

Section One – Service of Process on the Parties

Article (228):

A criminal action shall be referred to the Misdemeanor Court by directly summoning the accused to appear by a member of the Public Prosecution or by the civil claimant, or by an order issued by the Investigating Judge or by the Appellate Misdemeanor Court sitting in chambers.

The requirement of summoning the accused may be dispensed with if he attends the session, the charge is brought against him by the Public Prosecution, and he accepts trial.

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However, the civil claimant may not institute the action before the court by directly summoning his opponent if an order has been issued by the Investigating Judge or the Public Prosecution that there are no grounds for instituting the criminal action and the civil claimant did not appeal such order within the prescribed time, or appealed it and the Appellate Misdemeanor Court sitting in chambers upheld it, or if the action is directed against a public official, public employee, or a member of the judicial police for a crime committed during or by reason of the performance of his duties, unless it is one of the crimes referred to in Article (123) of the Penal Code.

In all cases, actions seeking the suspension or confiscation of artistic, literary, or intellectual works, or actions against their creators, may not be instituted or pursued except through the Public Prosecution.

Article (229):

The parties shall be summoned to appear before the court at least seven full days prior to the session in misdemeanor cases, excluding distance periods prescribed by the Civil and Commercial Procedures Law, upon the request of the Public Prosecution or the civil claimant.

The summons shall state the accused's particulars, national identification number or passport number and domicile if a foreigner, the charge, and the legal provisions prescribing the penalty.

In cases of flagrante delicto, and in cases where the accused is in pretrial detention in a misdemeanor, the summons may be issued without a time limit.
If the accused appears and requests time to prepare his defense, the court shall grant him the time limit prescribed in the first paragraph of this Article.

Article (230):

The summons to appear shall be served in the manner prescribed in the first and second paragraphs of Article (72) of this Law, or personally upon the person to be notified, or at his domicile as recorded on his national identification card.

If the process server does not find the person to be notified at his domicile, he shall deliver the summons to any person who declares himself to be his agent, or to be in his service, or to be residing with him, including spouses, relatives, or in-laws.

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If the accused has no fixed place of residence, service shall be effected through the administrative authority to which his last known residence belongs. The place where the crime was committed shall be deemed the last place of residence of the accused unless proven otherwise.

Article (231):

If the process server is unable to serve the summons in accordance with Article (230) of this Law, or if any of the persons referred to in the second paragraph thereof refuses to sign the original copy acknowledging receipt or to receive the copy, the process server shall, within twenty-four hours, send to the person to be notified a text message to the mobile phone number recorded in his national identification data, containing all the particulars of the notification.

The case file shall include a report from the Notification Center referred to in Article (232) of this Law confirming receipt of the message, together with a printed extract of the text message sent.

Where it is established by the Notification Center's report that delivery of the message was not possible, or where no mobile phone number is recorded in the national identification data of the person to be notified, or where notification through the said center is not possible for any reason, the process server shall, within twenty-four hours, deliver the original summons to the police station commander, police center officer, mayor, or village chief within whose jurisdiction the domicile of the person to be notified is located, as the case may be, after obtaining a signed acknowledgment of receipt on the original.

The process server shall, within twenty-four hours, send a registered letter to the person to be notified at his original domicile, enclosing another copy of the summons, informing him that a copy has been delivered to the administrative authority.

The process server shall also draw up a report detailing the procedures followed, to which a copy of the summons shall be attached and deposited in the case file. Notification shall be deemed effective from the time the report confirming receipt of the message is attached, or from the time the copy is delivered to the legally designated recipient, as the case may be.

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Article (232):

A Mobile Notification Center shall be established within the jurisdiction of each Summary Court and shall be affiliated with the Ministry of Justice. The Center shall be competent to inquire with the Civil Status Sector regarding the national identification number of the accused and the mobile phone number recorded therein, in accordance with the systems and rules applied by the Civil Status Sector, without prejudice to national security requirements and the confidentiality of national databases.

The Center shall also be responsible for sending mobile and electronic notifications and preparing reports confirming receipt of such messages.

The competent judge shall assess the fee due for mobile notification in accordance with Article (16) of Law No. 90 of 1944 concerning judicial fees and notarization fees in civil matters, and such fee shall be borne by the party against whom criminal costs are adjudged.

The fee referred to in the preceding paragraph shall be allocated to the development of notification centers and the preparation of the necessary databases.

Article (233):

The documents served by process servers shall contain the following particulars:

- The date, month, year, and hour at which service was effected.
- The identification of the case in respect of which service is made, its subject matter, and the capacity of the person to be notified therein.
- The name of the process server and the court to which he is attached.
- The name, surname, profession or occupation, and domicile of the person to be notified; if his domicile is unknown at the time of service, his last known domicile.
- The date and place of the session or procedure notified.
- The name and capacity of the person to whom the copy was delivered, and his signature acknowledging receipt on the original.
- The signature of the process server, in his full name, on both the original and the copy, in a clear and legible manner.

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A decision shall be issued by the Minister of Justice, in coordination with the competent minister, specifying the mechanism for documenting the sequence of mobile and electronic notifications and the method of verifying their delivery.

Article (234):

Notification of an inmate shall be effected by delivering the documents to be served to him personally and explaining their contents to him in the presence of the Director of the Public Rehabilitation and Reform Center, the Director of the Geographical Rehabilitation Center, or their deputies.

If the inmate expresses a desire to send a copy of the notification to a specific person, such copy shall be sent to that person by registered mail, and all such procedures shall be recorded in a special register prepared for this purpose.

Notification of detainees in military prisons shall be effected by delivering the documents to be served to them personally and explaining their contents through the Organization and Administration Authority of the Armed Forces. If the detainee expresses a desire to send a copy of the notification to a specific person, it shall be sent to that person by registered mail, and such procedures shall be recorded in a special register prepared for this purpose.

Article (235):

The parties may inspect the case file as soon as they have been notified to appear before the court.

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Article (236):

In misdemeanor cases, the accused shall appear in person or be represented by a duly authorized lawyer.

If the accused has no lawyer in misdemeanors punishable by imprisonment, the court shall appoint a lawyer to defend him, without prejudice to the court's right to order his personal appearance.

Article (237):

If a party duly summoned in accordance with the law fails to appear in person on the day specified in the summons, and no representative appears on his behalf, the court may render judgment in his absence after examining the documents.

If the summons was served personally or in the manner prescribed in the first and second paragraphs of Article (72) of this Law, and the court finds no justification for the failure to appear, the judgment shall be deemed rendered in the presence of the party.

The court may, instead of rendering a judgment in absentia, adjourn the case to a subsequent session and order that the party be re-notified at his domicile, with a warning that if he or his representative fails to appear at that session, the judgment shall be deemed rendered in his presence. If he or his representative again fails to appear without an excuse accepted by the court, the judgment shall be deemed rendered in his presence.

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Article (238):

A judgment shall be deemed rendered in the presence of any party who attends at the calling of the case, even if he subsequently leaves the session, or who attends any of the sessions and thereafter he or his representative fails to attend subsequent adjourned sessions without presenting an excuse accepted by the court.

Article (239):

If an action is brought against several persons in respect of a single incident, and some of them appear while others fail to appear despite being duly summoned in accordance with the law, the court shall adjourn the case to a subsequent session and order the re-notification of those who failed to appear at their domiciles, warning them that if they fail to appear at that session, the judgment shall be deemed rendered in their presence.

If they again fail to appear and the court finds no justification for their absence, the judgment shall be deemed rendered in their presence.

Article (240):

In the cases referred to in Articles (237), (238), and (239) of this Law, where the judgment is deemed rendered in the presence of the party, the court shall examine and adjudicate the case as though the party were present.

Article (241):

If a party appears before the end of the session during which a judgment was rendered against him in his absence, the case shall be reconsidered in his presence.

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Article (242):

The maintenance of order and the conduct of the session shall be vested in the presiding judge. For this purpose, he may order the removal from the courtroom of any person who disrupts order. If such person fails to comply and persists, the court may immediately sentence him to imprisonment for twenty-four hours or impose a fine of five hundred pounds. Such judgment shall not be subject to appeal.

If the disturbance is committed by a person performing a function within the court, the court may, during the session, impose upon him the disciplinary sanctions that the competent authority is empowered to impose.

The court may, at any time before the end of the session, revoke any judgment or decision issued pursuant to the first paragraph of this Article.

Article (243):

If a misdemeanor or a violation is committed during the session, the court may immediately institute criminal proceedings against the accused and adjudicate the case after hearing the statements of the Public Prosecution and the defense of the accused.

In such case, the institution of proceedings shall not require a complaint or a request if the offense is among those provided for in Articles (3), (8), and (10) of this Law.

If a felony is committed, the presiding judge shall issue an order referring the accused to the Public Prosecution, without prejudice to the provisions of Article (15) of this Law.

In all cases, the presiding judge shall draw up a report of the incident and shall order the arrest of the accused if circumstances so require.

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Article (244):

Without prejudice to the guarantees prescribed by the Law on the Legal Profession and its amendments, if a lawyer, in the course of and by reason of performing his duties during the session, commits an act that may be deemed a disturbance of order or that warrants criminal accountability, the presiding judge shall prepare a memorandum recording the incident.

The court may refer the memorandum to the Public Prosecution to conduct verification if the act warrants criminal accountability, or to the President of the Court if it warrants disciplinary accountability, and the competent local bar association shall be notified thereof.

In all cases, the presiding judge before whom the incident occurred, or any of the judges who were members of that panel, may not be members of the panel that adjudicates the case.

All of the foregoing shall be without prejudice to cases of flagrante delicto.

Article (245):

Crimes committed during the session for which the court does not institute proceedings during its sitting shall be adjudicated in accordance with the ordinary rules.

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Article (246):

A judge shall be prohibited from participating in the consideration of a case if the crime was committed against him personally, or if he performed in the case the functions of a judicial police officer, a member of the Public Prosecution, or counsel for any of the parties, or if he gave testimony therein, or carried out any act of expert examination.

He shall also be prohibited from participating in the judgment if he previously performed any act of investigation or referral in the case, or issued a decision therein relating to the prohibition of disposition of property, travel ban, or placement on travel watch lists, or from participating in the adjudication of an appeal if the appealed judgment was issued by him.

Article (247):

The parties may seek the recusal of judges in the cases set forth in Article (246) of this Law, as well as in all other cases of recusal provided for in the Civil and Commercial Procedures Law.

Members of the Public Prosecution and judicial police officers may not be recused.

For the purposes of a request for recusal, the victim shall be deemed a party to the case.

Article (248):

If a ground for recusal arises, the judge shall declare it to the court for determination of his recusal in chambers.

A summary judge shall submit the matter to the President of the Court, and shall present it to the Appellate Misdemeanor Court sitting in chambers for determination and authorization of recusal.

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Apart from cases of recusal provided for by law, a judge who, for reasons giving rise to a sense of embarrassment, considers himself unable to adjudicate the case may submit the matter of his recusal to the court or to the President of the Court, as the case may be, for determination.

Article (249):

Requests for recusal and rulings thereon shall be governed by the rules prescribed in the Civil and Commercial Procedures Law.

Recusal may be sought only once throughout the trial if made by the same person and based on the same ground.

A request for recusal may not be submitted to the court registry unless a security deposit of ten thousand pounds is paid; such deposit shall be required for each recusal request.

The deposit shall be confiscated if the recusal request is rejected.

The court considering the recusal request may impose a fine not exceeding ten thousand pounds on the applicant if it finds that the request was made in bad faith or with the purpose of delaying adjudication of the case.

At the beginning of each judicial year, the General Assembly shall designate one or more circuits within the Courts of Appeal to consider recusal requests, which shall be decided within two weeks from the date of submission.

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Article (250):

Any person who has suffered direct personal damage resulting from the act constituting the crime, whether such damage is actual and present or future, may bring a civil claim before the court hearing the criminal action at any stage thereof until a decision is issued closing the pleadings. Such claim shall not be admissible before the appellate court.

A civil claim and the joinder of the civilly liable party shall be made before the court by service through a process server, or by an oral request at the session if the opposing party is present; otherwise, the case shall be adjourned and the claimant shall be instructed to serve his claims upon the opposing party.

If the civil claimant has already been admitted in such capacity, the referral of the criminal action to the court shall include the civil action.

The intervention of the civil claimant may not result in delaying the adjudication of the criminal action; otherwise, the court shall rule the intervention inadmissible.

Article (251):

If the person who has suffered damage from the crime lacks legal capacity and has no lawful representative, the court before which the criminal action is brought may, upon the request of the Public Prosecution, appoint an agent to bring a civil claim on his behalf.
In no case shall this result in obligating such person to pay judicial costs.

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Article (252):

A civil action for compensation for damage shall be brought against the accused if he has attained the age of twenty-one years, and against his legal representative if he has not attained such age or if he has attained it but lacks legal capacity. If he has no legal representative, the court shall appoint one in accordance with Article (251) of this Law.

A civil action may also be brought against persons civilly liable for the acts of the accused.

The Public Prosecution may join persons civilly liable, even where no civil claimant is present in the case, for the purpose of adjudicating the costs due to the State against them.

Before criminal courts, no action for warranty may be brought, and no party other than the civil claimant, the person civilly liable, or the insurer may be joined in the case.

Article (253):

The person civilly liable may intervene of his own accord in the criminal action at any stage thereof.

The Public Prosecution and the civil claimant may object to the acceptance of such intervention.

Article (254):

The victim, the civil claimant, and the person civilly liable shall each designate an elected domicile within the locality where the court conducting the proceedings is located, or designate a mobile phone number or an electronic mail address for the purpose of service. Such designation shall be made by a declaration filed with the court registry.

If any of the persons referred to in the preceding paragraph fails to designate the required particulars, or if such particulars are incomplete or incorrect, or if any change occurs therein without notification, service effected at the court registry shall be deemed valid.

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Article (255):

A civil claim shall not be accepted unless the prescribed judicial fees are paid and a security deposit is lodged in the amount determined by the Public Prosecution, the Investigating Judge, or the court hearing the criminal action, to cover the fees and expenses of experts, witnesses, and others.

Article (256):

The accused, the person civilly liable, and the Public Prosecution may object, during the session, to the acceptance of the civil claimant if the civil action is inadmissible or impermissible.

The court shall rule on the objection after hearing the statements of the parties.

Article (257):

A decision issued by the Public Prosecution or the Investigating Judge rejecting the civil claimant shall not preclude the bringing of a civil claim thereafter before the criminal court, nor the institution of the action before the civil court.

A decision issued by the court accepting the civil action shall not invalidate procedures in which the civil claimant did not previously participate.

A decision issued by the Public Prosecution or the Investigating Judge accepting the civil claimant shall not bind the court before which the action is brought.

Article (258):

A civil action may be brought against the insurer for compensation for damage arising from the crime before the court hearing the criminal action.

All provisions applicable to the person civilly liable under this Law shall apply to the insurer.

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Article (259):

A civil action shall be extinguished by prescription in accordance with the periods prescribed by the Civil Code; however, a civil action arising from the crimes referred to in the second paragraph of Article (17) of this Law shall not be subject to prescription.

If the criminal action is extinguished after being instituted for reasons specific thereto, this shall have no effect on the continuation of the civil action brought together with it.

Article (260):

The civil claimant may abandon his action at any stage of the proceedings, and shall be liable for the costs incurred prior thereto, without prejudice to the right of the accused to compensation where appropriate.

Such abandonment shall have no effect on the criminal action. However, if the criminal action was instituted by way of direct prosecution, then in the cases of abandonment of the civil action or where the civil claimant is deemed to have abandoned it, the court shall rule the criminal action abandoned unless the Public Prosecution requests adjudication thereof.

A judgment declaring the criminal action abandoned shall result in the forfeiture of the claimant's right to bring a civil claim arising from the same act before the criminal court.

Article (261):

Failure of the civil claimant to appear before the court without an acceptable excuse after being personally served, or failure to appoint a representative, as well as failure to submit any requests during the session, shall be deemed an abandonment of the civil action.

Article (262):

If the civil claimant abandons his action before the criminal courts, he may bring it before the civil courts, unless he has expressly waived the right asserted by the action.

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Article (263):

The abandonment of the civil action by the civil claimant, or the refusal to accept him as a civil claimant, shall result in the exclusion of the person civilly liable from the action if his joinder was based upon the request of the claimant.

Article (264):

If a person who has suffered damage from the crime brings an action for compensation before the civil court and the criminal action is subsequently instituted, he may, upon abandoning his civil action before the civil court, bring it before the criminal court together with the criminal action.

Article (265):

If the civil action is brought before the civil courts, adjudication thereof shall be stayed until a final judgment is rendered in the criminal action instituted prior thereto or during its pendency.

However, if the criminal action is stayed due to the insanity of the accused, the civil action shall be adjudicated.

Article (266):

The procedures prescribed by this Law shall apply to the adjudication of civil actions brought before criminal courts.

Article (267):

The accused may claim before the criminal court compensation from the civil claimant for damage suffered as a result of the institution of the civil action, where appropriate.

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He may also bring a direct action before the same court against the civil claimant, on the same grounds, for the offense of false accusation, where appropriate, by directly summoning him to appear before the court. Such summons may be dispensed with if the civil claimant attends the session, the accused directs the charge against him, and he accepts trial.

Book Two – The Courts

Chapter Two – Misdemeanor Courts

Section Six – Consideration of the Case and Order of Procedure in the Hearing

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Article (268):

Sessions shall be public. Nevertheless, the court may, in consideration of public order or the preservation of public morals, order that the hearing of the case, in whole or in part, be conducted in a closed session, or prohibit certain categories of persons from attending.

The proceedings of the sessions may not be recorded or broadcast by any means whatsoever except with the written approval of the presiding judge after consulting the Public Prosecution.

Article (269):

A member of the Public Prosecution shall attend the sessions of the criminal courts. The court shall hear his statements and rule on his requests.

Article (270):

The accused shall attend the session without restraints or shackles, subject to the necessary supervision.

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He may not be removed from the session during the hearing of the case unless he causes a disturbance warranting such removal. In such case, the proceedings shall continue until it becomes possible to proceed in his presence, and the court shall inform him of the procedures carried out in his absence.

Article (271):

The hearing shall commence by calling the parties and witnesses. The accused shall be asked about his name, surname, age, profession, place of residence, and place of birth. The charge brought against him shall then be read out, whether contained in the order of referral or in the summons to appear, as the case may be. Thereafter, the Public Prosecution and the civil claimant, if any, shall submit their requests.

The accused shall then be asked whether he admits to committing the act attributed to him. If he admits, the court may suffice with such admission and render judgment without hearing witnesses. Otherwise, the testimony of the prosecution witnesses shall be heard. Questions shall be directed to the witnesses first by the Public Prosecution, then by the victim, then by the civil claimant, then by the accused, and finally by the person civilly liable.

Article (272):

After hearing the testimony of the prosecution witnesses, the defense witnesses shall be heard. They shall be questioned first by the accused, then by the person civilly liable, then by the Public Prosecution, then by the victim, and then by the civil claimant.

The accused and the person civilly liable may again direct questions to such witnesses in order to clarify the facts to which they testified in response to the questions addressed to them.

Any of the parties may request that such witnesses be reheard for the purpose of clarifying or verifying the facts to which they testified, or may request the hearing of other witnesses for that purpose.

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Article (273):

The court may, at any stage of the proceedings, address to the witnesses any questions it deems necessary for the discovery of the truth, or may permit the parties to do so.

It shall prevent the addressing of questions to a witness if they are irrelevant to the case or legally inadmissible, and shall prevent the witness from making any statements, whether expressly or implicitly, or any gestures that may disturb his thoughts or intimidate him.

The court may refrain from hearing the testimony of witnesses regarding facts it deems sufficiently clear.

Article (274):

The accused may not be interrogated except with his consent.

If, during pleadings or discussion, certain facts arise for which clarification from the accused appears necessary for the discovery of the truth, the judge shall draw his attention thereto and permit him to provide such clarification.

If the accused refuses to answer, or if his statements in the session contradict his statements in the record of preliminary inquiries or investigation, the court may order the reading of his prior statements.

Article (275):

After hearing the testimony of prosecution and defense witnesses, the Public Prosecution, the accused, and the other parties to the case may address the court.

In all cases, the accused shall be the last to speak.

The court may prevent the accused or his lawyer from prolonging pleadings if they deviate from the subject matter of the case or repeat their statements after being warned.

Thereafter, the court shall declare the pleadings closed and shall render its judgment after deliberation.

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Article (276):

Minutes shall be drawn up of all proceedings conducted during the trial session. Each page thereof shall be signed by the presiding judge and the clerk no later than the following day.

The minutes shall include the date of the session; whether it was public or closed; the names of the judges, the clerk, and the member of the Public Prosecution present; the names of the parties and their counsel; the testimony of witnesses; the statements of the parties; reference to the documents read and all procedures undertaken; the requests submitted during the hearing; the rulings rendered on incidental matters; the operative parts of the judgments issued; and all other matters occurring during the session.

Article (277):

Judgment shall be rendered expeditiously in cases relating to children, women, the elderly, persons with disabilities, and the crimes set forth in Books One, Two, Two (bis), Three, Four, and Fourteen of Book Two of the Penal Code; the crimes provided for in Articles 302, 303, 306, 307, and 308 of the Penal Code when committed through the press; and Law No. 394 of 1954 concerning weapons and ammunition.

In such cases, the summons of the accused to appear before the court shall be made at least one full day before the session in misdemeanor cases and three full days in felony cases, subject to the distance periods prescribed in the Civil and Commercial Procedures Law.

Service may be affected by a process server or a member of the public authority. The case shall be heard in a session convened within two weeks from the date of its referral to the competent court. If the case is referred to a Court of First Instance for Felonies, the President of the competent Court of Appeal shall fix the session within the said period.

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Article (278):

A witness shall be served personally or at his place of residence by the means prescribed in this Law, or via the mobile phone number or electronic mail address registered under his national identification data.

A request for the attendance of a witness, upon the request of the parties, shall be served by a process server or a member of the public authority, or by the other means provided for in the preceding paragraph, at least twenty-four hours before the session, subject to the distance periods prescribed in the Civil and Commercial Procedures Law. In cases of flagrante delicto, the witness may be requested to attend at any time, even orally, through a judicial police officer or a member of the public authority.

Article (279):

Witnesses shall be called by name. After responding, they shall remain in the room designated for them and shall not leave it except successively to give testimony before the court.

A witness whose testimony has been heard shall remain in the courtroom until the pleadings are closed, unless the court permits him to leave. Where necessary, a witness may be excluded while another witness is being heard, and witnesses may be confronted with one another.

Article (280):

If a witness fails to appear before the court after being duly summoned, the court may, after hearing the Public Prosecution, sentence him to a fine not exceeding five hundred pounds in felony and misdemeanor cases.

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If the court deems his testimony necessary, it may adjourn the case to resummon him, and may issue a reasoned order for his arrest or for his apprehension and production.

Article (281):

If a witness appears after being resummoned or of his own accord and presents acceptable excuses, he may be exempted from the fine after hearing the Public Prosecution.

If the witness fails to appear on the subsequent occasion, he may be sentenced to a fine not exceeding two thousand pounds, and the court may issue a reasoned order for his arrest toggle or apprehension and production, either in the same session or in another session to which the case is adjourned.

Article (282):

If a witness presents acceptable excuses preventing him from appearing, the court may proceed to him to hear his testimony after notifying the Public Prosecution and the other parties. The parties may attend personally or through their representatives and may address to the witness such questions as they deem necessary.

If the court proceeds to the witness and finds that the excuse is unfounded, it may sentence him to imprisonment for a term not exceeding three months and to a fine not exceeding two thousand pounds.

Article (283):

If a witness does not appear before the court until judgment is rendered in the case, he may challenge the fine judgment before the court that issued it, sitting in a different composition, if a force majeure prevented him from appearing to give testimony.

Witnesses may also challenge judgments imposing imprisonment or fines before the court that issued them, sitting in a different composition.

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Article (284):

A witness who has attained the age of fifteen years shall, before giving testimony, take the following oath:

"I swear by Almighty God that I shall tell the truth."

The oath shall be administered in accordance with the tenets of the witness's religion if he so requests.

Witnesses who have not attained the age of fifteen full years may be heard without taking an oath by way of information.

Article (285):

If a witness refuses to take the oath or to answer questions in cases where the law does not permit such refusal, he shall, in felony and misdemeanor cases, be sentenced to a fine not exceeding two thousand pounds.

If the witness retracts his refusal before the pleadings are closed, he shall be exempted from all or part of the penalty imposed upon him.

Article (286):

Witnesses may not be challenged for any reason whatsoever.

Article (287):

The ascendants, descendants, relatives, and in-laws of the accused up to the second degree, as well as his spouse—even after the dissolution of the marital bond—may refrain from giving testimony against him, unless the crime was committed against the witness or against one of his close relatives or in-laws, or if the witness was the informant, or if there is no other evidence of proof.

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Article (288):

The rules set forth in the Law of Evidence in Civil and Commercial Matters concerning the refusal or exemption of a witness from giving testimony shall apply before the criminal courts.

Article (289):

The civil claimant shall be heard as a witness and shall take the oath.

Article (290):

The court may decide to read the testimony given during the preliminary investigation, in the records of the collection of evidence, or before an expert, if hearing the witness becomes impossible for any reason whatsoever.

If the defense insists on hearing the testimony of a prosecution witness and the court does not deem it necessary, the court shall state the reasons for refusal in its judgment.

Article (291):

If a witness states that he no longer recalls a particular fact, the part of his testimony relating to that fact, as acknowledged during the investigation or contained in the records of the collection of evidence, may be read.

The same shall apply if the testimony given by the witness during the hearing contradicts his previous testimony or statements.

Article (292):

The court may, of its own motion during the consideration of the case, order the production of any evidence it deems necessary for the discovery of the truth.

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Article (293):

The court may, whether of its own motion or upon the request of the parties, appoint one or more experts in the case.

Article (294):

The court may, of its own motion or upon the request of the parties, order that experts be summoned to provide clarifications during the hearing regarding the reports they submitted in the preliminary investigation or before the court.

Article (295):

If it is impossible to examine a piece of evidence before the court, the court may delegate one of its members or another judge to examine it.

Book Two – The Courts

Chapter Two – Misdemeanor Courts

Section Eight – Incidental Forgery Claim

Article (296):

The Public Prosecution and all parties may, at any stage of the proceedings, challenge any document submitted in the case on the ground of forgery.

Article (297):

The forgery challenge shall be submitted by a report filed with the clerk's office of the court before which the case is pending.

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The challenge may be filed by the party himself or by his attorney, provided that a special power of attorney authorizing the allegation of forgery is attached, or a notarized written acknowledgment by the party specifying the documents challenged.

The claimant alleging forgery shall notify his opponent, within eight days following the filing of the report, by a memorandum specifying the document challenged as forged and the evidence supporting the allegation of forgery.

Article (298):

If the court hearing the case finds grounds to proceed with investigating the allegation of forgery, and if adjudication of the case depends on the challenged document, the court shall investigate the matter itself.

However, if it is unable to do so, it may refer the documents to the Public Prosecution, in which case the proceedings shall be stayed until the allegation of forgery is determined.

If the court finds that the challenged document is forged, it shall adjudicate the case and refer the matter to the Public Prosecution to take the necessary action.
If no forgery is established, the court shall sentence the claimant alleging forgery to a fine not exceeding ten thousand pounds.

Article (299):

Any person who, in bad faith, alleges the forgery of a document submitted before any court, and whose allegation is finally adjudged to be unfounded, shall have the matter referred by the court issuing the final judgment rejecting the allegation to the Public Prosecution for appropriate action.

The person alleging forgery shall be punished by the penalty prescribed in the second paragraph of Article 303 of the Penal Code.

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Article (300):

If a judgment is rendered establishing the forgery of an official document, in whole or in part, the court that rendered the judgment shall order its cancellation or correction, as the case may be. A record thereof shall be drawn up, and a notation shall be made on the document accordingly.

Book Two – The Courts

Chapter Two – Misdemeanor Courts

Section Nine – Judgment

Article (301):

The court shall not be bound by what is recorded in the preliminary investigation or in the records of the collection of evidence, unless the law provides otherwise.

Article (302):

Records drawn up in contravention cases shall constitute prima facie evidence of the facts established therein by the judicial police officer, unless proof to the contrary is established.

Article (303):

The judge shall adjudicate the case according to the conviction formed in his conscience with complete freedom, and may not base his judgment on any evidence that has not been presented before him during the hearing.

Any statement proven to have been made by an accused or a witness under coercion or threat thereof shall be disregarded and shall have no evidentiary value.

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Article (304):

Judgment shall be rendered in a public hearing, even if the case was examined in a closed session, and shall be recorded in the minutes of the hearing and signed by the presiding judge and the clerk.

The court may order the adoption of necessary measures to prevent the accused from leaving the courtroom before the pronouncement of judgment, or to ensure his attendance at the session to which the judgment is adjourned, including the issuance of a reasoned order for his detention where the offense permits pretrial detention.

Article (305):

If the act is not established, or if the law does not prescribe a penalty for it, the court shall acquit the accused and order his release if he is detained solely in connection with that act.

If, however, the act is established and constitutes a punishable offense, the court shall impose the penalty prescribed by law.

Article (306):

If the District Court finds that the act constitutes a felony, or a misdemeanor committed through newspapers or other means of publication against non-individuals, it shall rule that it lacks jurisdiction and refer the case to the Public Prosecution to take the necessary action.

Article (307):

The accused may not be punished for an act other than that stated in the referral order or the summons to appear, nor may judgment be rendered against any person other than the accused against whom the proceedings have been instituted.

If the court finds that the accused before it is not the perpetrator of the act and that the true offender is known, it may refer the case file to the Public Prosecution to take action against the true offender without bringing him before the court.

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Article (308):

The court may amend the legal characterization of the act attributed to the accused, and may modify the charge by adding aggravating circumstances established by the investigation or revealed during pleadings at the hearing, even if such circumstances were not mentioned in the referral order or the summons to appear.

The court may also correct any material error or remedy any omission in the wording of the charge contained in the referral order or the summons to appear.

In all cases, the court shall notify the accused of such modification and shall grant him a period to prepare his defense based on the new characterization or amendment, if he so requests.

Article (309):

Every judgment rendered on the merits of a criminal case shall rule on the compensation claims submitted by the civil claimant or the accused, as well as on the direct action brought by the accused against the civil claimant pursuant to Article (267) of this Law.

However, if the court finds that adjudicating the compensation claims requires a special investigation whose conduct would necessitate postponing the adjudication of the criminal case, it shall refer the civil claim to the competent court without costs.

Article (310):

The judgment shall include the reasons upon which it is based.

Every conviction judgment shall include the particulars of the convicted person, including the national identification number, a statement of the act warranting punishment, the circumstances under which it occurred, and a reference to the legal provision applied.

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Article (311):

The court shall rule on all requests submitted by the parties and shall state the reasons upon which its decision is based.

Article (312):

The judgment, including its reasons, shall be drafted in full within eight days from the date of its issuance, insofar as possible, and shall be signed by the presiding judge and the clerk.

If an impediment prevents the presiding judge from signing, the judgment shall be signed by one of the judges who participated in its issuance.

If the judgment is rendered by a District Court and the judge who issued it personally drafted its reasons, whether in handwriting or by electronic means, the President of the Primary Court may sign the original copy of the judgment, or delegate one of the judges to do so, based on those reasons.

If the judge did not personally draft the reasons, the judgment shall be void for lack of reasoning.

The signing of the judgment may not be delayed beyond the prescribed eight days except for serious reasons; in all cases, the judgment shall be void if thirty days elapse without signing, unless it is a judgment of acquittal.

The clerk's office of the court issuing the judgment shall, upon request, provide the interested party with a certificate stating that the judgment was not signed within the prescribed period.

Article (313):

The Public Prosecution shall be obliged to publish every final judgment acquitting a person who was previously held in pretrial detention, as well as every order issued that there is no ground to institute criminal proceedings against him, in two widely circulated daily newspapers at the expense of the State.

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Publication in both cases shall be effected upon the request of the Public Prosecution, the accused, or one of his heirs, and, in the case of an order that there is no ground to institute criminal proceedings, subject to the approval of the Public Prosecution.

Book Two – The Courts

Chapter Two – Misdemeanor Courts

Section Ten – Costs

Article (314):

Every accused convicted of an offense may be ordered to pay all or part of the costs.

Article (315):

If, on appeal, the first-instance judgment is upheld, the appellant accused may be ordered to pay all or part of the appellate costs.

Article (316):

The Court of Cassation may order the convicted accused to pay all or part of the costs of the appeal if his application is not accepted or is dismissed.

Article (317):

If several accused persons are convicted by a single judgment for one offense, whether as principals or accomplices, the costs awarded shall be collected from them equally, unless the judgment orders a different allocation or holds them jointly liable.

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Article (318):

If the accused is not ordered to pay all the costs, the judgment shall specify the amount he is required to pay.

Article (319):

The civil claimant shall be liable to pay the costs of the proceedings to the State, and the assessment and collection of such costs shall be governed by the provisions of the Law on Judicial Fees and its implementing regulations and decisions.

Article (320):

If the accused is convicted of the offense, the court shall order him to pay to the civil claimant the costs incurred thereby.

Nevertheless, the court may reduce the amount of such costs if it finds that some of them were unnecessary.

If no compensation is awarded to the civil claimant, he shall bear the costs necessitated by his intervention in the proceedings.

If the court awards him part of the compensation claimed, such costs may be apportioned in proportion as specified in the judgment.

Article (321):

The civilly liable party shall be treated in the same manner as the accused with respect to the costs of the civil action.

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Article (322):

If the accused is ordered to pay all or part of the costs of the criminal proceedings, the civilly liable party shall be jointly ordered with him to pay the amount adjudged, and, in such case, the awarded costs shall be recovered from both of them jointly and severally.

Book Two – The Courts

Chapter Two – Misdemeanor Courts

Section Eleven – Penal Orders

Article (323):

In misdemeanor cases in which the law does not require the imposition of a custodial sentence, where the Public Prosecution deems, having regard to the circumstances of the offense, that a fine alone is sufficient in lieu of ancillary penalties, civil compensations, restitution, and costs, it may request the judge of the District Court having jurisdiction over the case to impose the penalty on the accused by a penal order issued on the basis of the record of evidence collection or other evidence, without conducting an investigation or hearing pleadings.

Article (324):

The judge may, on his own motion, when examining any of the misdemeanors referred to in Article (323) of this Law, issue a penal order therein if the accused fails to appear despite having been duly notified, and provided that the Public Prosecution has not requested the imposition of the maximum penalty.

Article (325):

A penal order may not impose any penalty other than a fine, ancillary penalties, civil compensations, restitution, and costs.

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It may also provide for acquittal, dismissal of the civil claim, or suspension of execution of the penalty.

Article (326):

The judge shall refuse to issue a penal order if he finds that:

- The case cannot be adjudicated in its current state without conducting an investigation or hearing pleadings; or

- The act, in view of the accused's prior convictions or for any other reason, warrants the imposition of a penalty more severe than the fine that may be imposed by a penal order.

The judge shall record his decision of refusal by endorsement on the written request submitted to him, and such decision shall not be subject to appeal.

The effect of the refusal shall be the return of the papers to the Public Prosecution to take the necessary action.

Article (327):

Any member of the Public Prosecution of the rank of Assistant Prosecutor or higher, in the court having jurisdiction over the case, may issue a penal order in misdemeanors for which the law does not mandate imprisonment or a fine whose minimum exceeds twenty thousand pounds, limited to ancillary penalties, civil compensations, restitution, and costs.

No penalty may be imposed other than a fine not exceeding twenty thousand pounds, together with ancillary penalties, civil compensations, restitution, and costs.

The issuance of a penal order shall be mandatory in contraventions and in misdemeanors punishable by a fine only, the maximum of which does not exceed five thousand pounds, where the case is not deemed fit for filing.

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The Attorney General Assistant or the Chief Prosecutor, as the case may be, may, within fifteen days from the date of issuance of the penal order, order its amendment or cancellation, and the filing of the papers and a decision that there is no ground to institute criminal proceedings, or refer the case to the competent court and proceed with the criminal action in the ordinary manner.

The penal order may not be served upon the parties before the expiration of this period.

Article (328):

The penal order shall specify only the following particulars: the full name of the accused, his national identification number or travel document number, his domicile if he is a foreigner, the act for which he is punished, and the legal provision applied.

The penal order shall be served, in the form prescribed by a decision of the Minister of Justice, upon the accused and the civil claimant.

Service may be effected by a member of the public authority, and may also be effected by mobile phone or electronic mail registered with the national identification data, as the case may be.

Article (329):

The Public Prosecution may declare its non-acceptance of a penal order issued by the judge. The other parties may also declare their non-acceptance of a penal order issued by the judge or by the Public Prosecution.

Such declaration shall be made by a report filed with the Clerk's Office of the Misdemeanor Appellate Court in respect of penal orders issued by a judge pursuant to Article (324) of this Law, and by a report filed with the Clerk's Office of the Misdemeanor Court in all other cases.

The declaration of non-acceptance shall be made within ten days from the date of issuance of the penal order for the Public Prosecution, and from the date of service thereof for the other parties.

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The Attorney General may declare his non-acceptance of a penal order issued by the judge within thirty days from the date of its issuance, by filing such declaration with the Clerk's Office of the competent Misdemeanor Appellate Court.

The filing of such declaration shall result in the lapse of the penal order and its being deemed null and void.

The clerk shall fix, as the date of filing the declaration, the date on which the case shall be heard before the court, with due regard to the time limits prescribed in Article (229) of this Law. The parties or their representatives shall be notified of the date of the hearing, and such notification shall be deemed service of notice thereof. The remaining parties and witnesses shall be summoned to attend on the date fixed.

If no objection to the penal order is made in the aforementioned manner, it shall become final and enforceable.

The determinations made by the penal order on the merits of the criminal action shall have no res judicata effect before the civil courts.

Article (330):

If the party who declared non-acceptance of the penal order appears at the hearing fixed, the case shall be examined in his presence in accordance with the ordinary procedures.

If he fails to appear, the penal order shall regain its force and shall become final and enforceable.

In all cases, the objecting party may not be prejudiced by reason of his objection.

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Article (331):

If there are multiple accused persons against whom a penal order has been issued and they declare non-acceptance thereof, and some of them appear on the date fixed for hearing while others do not, the case shall be heard in the ordinary manner with respect to those who appear, and the penal order shall become final and enforceable with respect to those who fail to appear.

Article (332):

If, at the stage of enforcement, the accused claims that his right to declare non-acceptance of the penal order remains valid due to lack of service of the order or for any other reason, or that a force majeure prevented him from appearing at the hearing fixed for examination of the case, or if any other dispute arises in connection with enforcement, the dispute shall be submitted to the competent judge, who shall decide it without pleadings.

If the judge considers that the dispute cannot be decided in its current state or without investigation or pleadings, he shall fix a date to examine the dispute in accordance with the ordinary procedures and shall summon the accused and the other parties to attend on that date.

If the dispute is upheld, the trial shall proceed in accordance with Article (330) of this Law.

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Article (333):

Nullity shall result from failure to comply with the provisions of the law relating to any substantial procedural requirement.

Article (334):

Where nullity arises from failure to comply with legal provisions relating to the composition of the court, its jurisdiction to adjudicate the case, its subject-matter jurisdiction, personal liberty, the inviolability of the home, the right to private life, or any other matter pertaining to public order, such nullity may be invoked at any stage of the proceedings, and the court shall rule thereon ex officio, even in the absence of a request.

Article (335):

In cases other than those referred to in Article (334) of this Law, the right to plead nullity of procedures relating to the collection of evidence, the preliminary investigation, or the investigation at trial in misdemeanors and felonies shall lapse if the accused was represented by counsel and the procedure was carried out in his presence without objection.

In contraventions, the procedure shall be deemed valid if the accused does not object thereto. Likewise, the Public Prosecution shall forfeit the right to plead nullity if it fails to raise it at the appropriate time.

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Article (336):

If the accused appears at the hearing in person or through a representative, he may not plead nullity of the summons, but may request correction of the summons or completion of any deficiency therein and the granting of time to prepare his defense before the commencement of trial.

The court shall grant such request.

Article (337):

The judge may, even on his own motion, rectify any procedure found to be void.

Article (338):

If the nullity of any procedure is declared, such nullity shall extend to all effects directly resulting therefrom, and the procedure shall be repeated where possible.

Article (339):

If a material error occurs in a judgment or in an order issued by an investigating or adjudicating authority and such error does not result in nullity, the authority that issued the judgment or order shall correct the error on its own motion or upon request of one of the parties, after summoning them to attend.

The correction shall be ordered in chambers after hearing the parties' submissions, and the corrective order shall be noted in the margin of the judgment or order.
This procedure shall also apply to the correction of the accused's name and surname.

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Article (340):

Where the investigation of a felony or a misdemeanor punishable by imprisonment for a term of not less than one year requires examination of the accused's mental or psychological condition and the extent of its impact on his cognition and volition, the case papers and the accused shall be referred, upon request of the Public Prosecution or the Investigating Judge, as the case may be, to the District Judge.

The District Judge shall order the placement of the accused under observation in one of the governmental mental health facilities designated by a decision of the National Council for Mental Health, for one or more periods not exceeding, in aggregate, forty-five days.
The competent Regional Mental Health Council shall be tasked with appointing a tripartite committee of registered psychiatrists to examine the accused and prepare a medical report assessing his mental condition and illness at the time of commission of the offense and at the time of evaluation, as well as the proposed treatment plan, should a mental or psychological disorder be established.

The court may extend the period of placement under observation for one or more additional periods upon request of the competent Regional Mental Health Council, provided that the total duration of placement in the facility shall not, in all cases, exceed three months.

Article (341):

The Public Prosecution, the accused, and any interested party may appeal the order for placement under observation referred to in Article (340) of this Law, the decision refusing to issue such order, or the decision extending its duration.
The appeal shall be filed by means of an appeal report deposited with the competent prosecution office within forty-eight hours from the date of issuance of the order or decision.

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The appeal shall be examined by the Misdemeanor Appellate Court sitting in chambers, which shall decide thereon within a maximum of seventy-two hours from the date of filing the appeal. Enforcement of the order shall commence upon expiry of the time limit prescribed for appeal without an appeal being filed, or upon adjudication of the appeal by the court.

The order for placement under observation shall be deemed equivalent to an order of pretrial detention, and its duration shall be deducted from the sentence imposed on the accused if he is found to be free from any psychological or mental disorder.

The order shall lapse by operation of law upon expiry of its prescribed duration without extension, or as of the day following notification of the competent prosecution or the investigating judge, as the case may be, of the preparation of the psychiatric medical report prior to expiry of the prescribed detention period.

Where it is established that the accused is suffering from a psychological or mental disorder, the competent prosecution or the investigating judge shall order his temporary placement in one of the governmental mental health facilities designated by a decision of the National Council for Mental Health, without requiring his presence, pending disposition of the case papers, or shall order his pretrial detention or extension thereof in accordance with the provisions governing pretrial detention under this Law.

If it is established that the accused is free from any psychological or mental disorder, he shall be released.

The issuance of the order referred to in Article (340) of this Law shall be within the jurisdiction of the court before which the case is pending, after hearing the submissions of the Public Prosecution and the defense counsel for the accused.

Article (342):

In misdemeanors punishable by a fine only, or by imprisonment for a term of less than one year, and in contraventions, the Public Prosecution may appoint one of the psychiatrists registered with the competent Regional Mental Health Council to examine the accused and determine whether his condition necessitates compulsory admission to a mental health facility, within a period not exceeding forty-eight hours.

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If it is established that the accused is suffering from a psychological or mental disorder, the Public Prosecution shall order his transfer to one of the mental health facilities and shall take the procedures for his compulsory admission and treatment in accordance with the controls set forth in the Mental Health Care Law promulgated by Law No. 71 of 2009.
Disposition of the case papers shall be made in light thereof.

Article (343):

If it is established from the psychiatric medical report that the accused is incapable of defending himself due to a psychological or mental disorder that arose after commission of the crime, the institution of proceedings against him or his trial shall be stayed until he regains his mental capacity.

In such case, the Misdemeanor Appellate Court sitting in chambers, upon request of the Public Prosecution or the investigating judge, as the case may be, or the court before which the case is pending, may—where the offense is a felony or a misdemeanor punishable by imprisonment for a term of not less than one year—issue an order for placement of the accused in one of the governmental mental health facilities designated by a decision of the National Council for Mental Health, to receive treatment and medical care until his release is ordered.

In all cases, the period of placement shall be deducted from the sentence imposed.

Article (344):

The suspension of the criminal proceedings due to the accused's psychological or mental disorder shall not preclude the taking of investigative measures deemed urgent or necessary.

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Article (345):

If it is established from the psychiatric medical report that the accused is suffering from a psychological or mental disorder that diminished—without eliminating—his cognition or volition, the court may order that the convicted person serve the sentence imposed in one of the governmental mental health facilities designated by a decision of the National Council for Mental Health, to receive the necessary treatment and care.

In all cases, the accused or convicted person may not be placed in public correction and rehabilitation centers or geographical correction centers if it is established that he suffers from a psychological or mental disorder that eliminated or diminished his capacity for cognition or volition, or if any of the cases of compulsory admission provided for in the Mental Health Care Law apply, until recovery is achieved.

Article (346):

If an order is issued that there is no case to answer, or a judgment of acquittal is rendered, and such order or judgment is based on a psychological or mental disorder, the authority that issued the order or judgment shall—where the offense is a felony or a misdemeanor punishable by imprisonment for a term of not less than one year—order placement of the accused in one of the governmental mental health facilities designated by a decision of the National Council for Mental Health.

Release of the accused, treatment of him as a patient pursuant to the rules of compulsory admission, or his transfer to another facility upon stabilization of his mental condition—while maintaining the need for care, treatment, or psychological support—shall be ordered by the authority that issued the order or judgment, based on a recommendation of the committee formed by decision of the National Council for Mental Health to examine persons placed under observation.

In felonies punishable by death or life imprisonment, release of the accused shall not be permitted except after issuance of at least two recommendations by the said committee, separated by a period of not less than three months.

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Article (347):

If a felony or misdemeanor involving an offense against the person is committed against a victim suffering from a psychological or mental disorder, the investigating authority may order the victim's temporary placement in a mental health facility to receive treatment and medical care, in accordance with the provisions governing compulsory admission under the Mental Health Care Law.

Article (348):

When questioning child victims in any crime, the competent investigating authority may summon one of the child's relatives or a social worker to attend the investigative procedures. The investigator may also audio-visually record the statements of the child victim, or audio-record them only, upon request of the child or the attending relative.
Such recording shall be preserved on a digital storage medium and deposited in the case file.

Book Two – The Courts

Chapter Three – Felony Courts

Section One – Composition of the Felony Courts and Determination of the Sessions

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Article (349):

One or more felony courts shall be constituted within each Court of Appeal to hear felony cases. Each court shall be composed of three judges, presided over by at least a Vice-President of the Court of Appeal.

One or more circuits of the felony court, each presided over by a judge holding the rank of President of a Court of Appeal, shall be designated to hear felonies provided for in Books One, Two, two bis, Three, and Four of Book Two of the Penal Code, as well as crimes connected thereto.

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Such cases shall be adjudicated expeditiously.

Article (350):

One or more courts shall be constituted within each Court of Appeal to hear appeals against judgments issued by first-instance felony circuits. Each court shall be composed of three judges, at least one of whom shall hold the rank of President of a Court of Appeal, and the presidency shall be vested in the most senior among them.

Article (351):

The General Assembly of each Court of Appeal shall, annually and upon request of its President, designate from among its judges those assigned to serve on felony courts at both levels.

If an impediment arises preventing any judge assigned to a session of a felony court at either level from sitting, another judge of the same rank shall be substituted by appointment of the President of the Court of Appeal.

Article (352):

Felony courts at both levels shall sit in every jurisdiction in which a Court of First Instance exists, and their territorial jurisdiction shall correspond to that of the Court of First Instance.
Where necessary, felony courts may sit at another location designated by the Minister of Justice upon request of the President of the Court of Appeal.

Where required, the General Assembly of the Court of Appeal, or its delegate, may decide that the territorial jurisdiction of the appellate felony court shall encompass more than one Court of First Instance, and the decision shall specify the place where it shall sit.

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Article (353):

Felony courts at both levels shall convene monthly unless a decision to the contrary is issued by the President of the Court of Appeal.

Article (354):

The date of commencement of each session shall be fixed at least one month in advance by a decision of the President of the Court of Appeal.

Article (355):

A docket of cases to be heard shall be prepared for each session, and the felony courts at both levels shall continue holding hearings until all cases listed on the docket have been concluded.

Article (356):

All provisions and procedures applicable before first-instance felony courts shall apply to cases heard before the appellate felony court.

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Article (357):

The accused and witnesses shall be summoned to appear before the first-instance felony court at least ten full days prior to the hearing.

Where the Public Prosecution appeals a judgment, the accused shall be notified of the appeal and summoned to appear before the appellate felony court at least ten full days prior to the hearing.

The court shall not be seized of the case except upon service of the referral order upon the accused.

Article (358):

Except where a valid excuse or impediment is established, counsel—whether retained by the accused or appointed by the Public Prosecution, the investigating judge, or the President of the felony court at either level—shall appear to defend the accused at the hearing or shall appoint another lawyer to do so.

Failing this, the felony court at either level may impose a fine not exceeding three hundred pounds, without prejudice to disciplinary liability where applicable.

The court may exempt counsel from the fine if it is established that he was unable to attend the hearing personally or to appoint a substitute.

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Article (359):

In cases where the accused is unable to retain counsel to defend him, the court shall assess for the lawyer appointed by the Public Prosecution, the Investigating Judge, or the President of the Felony Court at either level, as the case may be, fees payable from the public treasury, which it shall specify in its judgment rendered in the case.

A grievance may be filed against such assessment before the court that issued the judgment assessing the fees.

Article (360):

No pleading before the first-instance Felony Court shall be accepted except from lawyers authorized to plead before the Courts of First Instance at least.

No pleading before the Appellate Felony Court shall be accepted except from lawyers authorized to plead before the Courts of Appeal at least.

Article (361):

Upon receipt of the case file, the President of the Court of Appeal shall determine the session during which it is to be heard, prepare the docket for each session, transmit copies of the case files to the judges assigned to the session to which the case has been referred, and order that the accused and witnesses be notified of the date fixed for hearing the case—subject to Article (357) of this Law where the appeal has been lodged by the Public Prosecution.

Where serious reasons necessitate adjournment of the hearing, the adjournment shall be to a specific date, whether within the same session or a subsequent one.

Article (362):

The Public Prosecution, the accused, the civil claimant, and the civilly liable party may object to the hearing of testimony from witnesses whose names have not previously been notified.

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Article (363):

Subject to Article (124) of this Law, the Felony Court at both levels may, in all cases, order the arrest of the accused or his apprehension and production, may order his pretrial detention, and may release him on bail.

Article (364):

All provisions applicable before the misdemeanor courts shall apply before the Felony Court at both levels, unless otherwise provided.

Article (365):

The Felony Court at both levels may not render a judgment of death penalty except by unanimous opinion of its members. Prior to rendering such judgment, it shall seek the opinion of the Grand Mufti of the Republic, and the case papers shall be transmitted to him. In all cases, he shall submit his opinion to the court sufficiently in advance of the hearing set for pronouncement of judgment. If his opinion does not reach the court before the date fixed for pronouncement, the court shall rule in the case.

If the office of the Grand Mufti is vacant, or he is absent, or impeded, the Minister of Justice shall, by decision, designate a person to act in his stead.

Article (366):

Judgments of the Appellate Felony Court may be challenged only by way of cassation or by petition for retrial.

Article (367):

If the first-instance Felony Court considers that the facts as set out in the referral order, before being examined at the hearing, constitute a misdemeanor, it may rule that it lacks jurisdiction and refer the case to the District Court.

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If it does not so conclude until after examination, it shall adjudicate the case.

Article (368):

Where a connected misdemeanor has been referred to the first-instance Felony Court together with a felony, and the court finds, prior to examination, that there is no basis for such connection, it shall separate the misdemeanor and refer it to the District Court.

Book Two – The Courts

Chapter Three – Felony Courts

Section Three – Procedures Applicable in Felony Matters for Accused Persons Tried in Absentia

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Article (369):

If an order is issued referring an accused charged with a felony to the first-instance Felony Court and he or his special agent fails to appear on the hearing date after being lawfully served with the referral order and the summons, the court may render judgment in his absence, and it may adjourn the case and order that he be resummoned.

Without prejudice to the court's power under Article (363) of this Law, the judgment shall be deemed in praesentia if the accused or his special agent appears at the hearing.

Article (370):

At the hearing, the referral order shall be read out, followed by the documents evidencing service upon the accused. The Public Prosecution and, where applicable, the civil claimant shall present their submissions and requests. The court shall hear witnesses if it deems it necessary, and shall then decide the case.

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Article (371):

If the accused resides outside Egypt, the referral order and summons shall be served upon him at his place of residence, if known, at least one month prior to the hearing fixed for examination of the case, excluding distance time limits. If, after such service, he fails to appear, judgment may be rendered in his absence.

Article (372):

Any judgment of conviction rendered in the absence of the accused shall necessarily entail depriving him of the right to dispose of his property, administer it, or institute any action in his name. Any disposition or undertaking entered into by the convicted person shall be void ipso jure, without prejudice to the rights of third parties acting in good faith.

The Court of First Instance within whose territorial jurisdiction the convicted person's property is located shall appoint a custodian to administer it, upon request of the Public Prosecution or any interested party. The court may require the custodian to post security, and the custodian shall be subject to the court in all matters relating to the custodianship and the rendering of accounts.

Article (373):

The custodianship referred to in Article (372) of this Law shall terminate upon issuance of a judgment in praesentia in the case, or upon the actual or legal death of the accused in accordance with the Personal Status Law. Upon termination of the custodianship, the custodian shall render an account of his administration.

Article (374):

All penalties that are capable of enforcement shall be enforced pursuant to a judgment rendered in absentia.

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Article (375):

A judgment awarding civil compensations may be enforced from the time of its issuance. The civil claimant shall provide security unless the judgment provides otherwise or the Court of First Instance decides to exempt him therefrom.

Such security shall lapse upon expiry of five years from the date of issuance of the judgment.

Article (376):

A judgment rendered in absentia in a felony by the Felony Court at either level shall not lapse by limitation; rather, the penalty adjudged shall lapse, and the judgment shall become final upon lapse of the penalty.

Article (377):

If a person convicted in absentia by the Felony Court at either level appears, is arrested, or his special agent appears and requests retrial before lapse of the penalty by limitation, the President of the Court of Appeal shall fix the earliest hearing for reconsideration of the case. If the person convicted in absentia or his special agent fails to attend the hearing fixed for reconsideration, the judgment against him shall remain in force.

If the person convicted in absentia appears again before lapse of the penalty by limitation and requests retrial, the President of the Court of Appeal shall fix the earliest hearing for reconsideration. If the convicted person or his special agent fails to attend the hearing fixed for reconsideration, or a subsequent hearing, without an excuse, the court shall appoint counsel to defend him and shall adjudicate the case by a judgment not subject to a further retrial. Such judgment may be challenged by appeal or cassation, as the case may be, in accordance with Articles (366) and (403) of this Law.

In all cases, an arrested person shall be brought, while detained, to the hearing fixed for reconsideration. The court may order his release or continuation of his pretrial detention until completion of examination of the case, and the court may not impose a sentence more severe than that imposed by the judgment rendered in absentia.

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Jurisdiction to examine applications for retrial in absentia judgments shall lie with the court that issued the judgment. However, if the first-instance Felony Court issued an in absentia conviction judgment—even if inclusive of civil compensations—and an appeal was lodged therefrom, and the Appellate Felony Court issued an in absentia judgment affirming or amending it, the first-instance Felony Court shall remain competent to hear the retrial proceedings.

If the previous in absentia judgment awarding compensations has been enforced, the court shall order restitution of all or part of the sums collected.
If the convicted person dies in absentia, the compensations shall be re-adjudicated against the heirs.

Article (378):

The absence of one accused shall not result in delaying judgment in the case with respect to the other co-accused.

Article (379):

If the accused is absent in a misdemeanor case referred to the first-instance Felony Court, the procedures applicable before the Misdemeanor Court shall apply to him, and the judgment rendered therein shall be subject to opposition.

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Article (380):

Opposition shall be admissible against judgments rendered in absentia in misdemeanor cases, whether by the accused or by the civilly liable party, within ten days following service of the in-absentia judgment, excluding the distance periods prescribed under the Civil and Commercial Procedures Law. Such service may be effected by a summary on a form issued by decision of the Minister of Justice. In all cases, service effected through an administrative authority shall not be relied upon.

However, where service of the judgment has not been effected personally upon the accused, the time limit for opposition—so far as the penalty adjudged is concerned—shall commence from the date on which he becomes aware of the service, and opposition shall remain admissible until the criminal action is time-barred.

Service of in-absentia judgments and judgments deemed to have been rendered in the presence of the accused may be effected by one of the public authority officers in the cases provided for in the last paragraph of Article (62) of this Law.

Article (381):

Opposition shall be admissible against judgments deemed to have been rendered in the presence of the accused in the cases referred to in Articles (237) and (239) of this Law, if the convicted person proves the existence of an excuse that prevented his attendance and which he was unable to submit before judgment, and where appeal is not admissible.

In all cases, opposition shall not be admissible against judgments deemed to have been rendered in the presence of the accused where the summons was served personally upon him, or where he appeared at the call of the case and subsequently left the session, or where he or his attorney attended any of the trial sessions and thereafter failed to attend the remaining sessions until judgment was rendered.

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Article (382):

Opposition shall not be admissible by the civil claimant.

Article (383):

Opposition shall be lodged by a statement filed with the Clerk's Office of the court that rendered the judgment, in which the date fixed for hearing the opposition shall be recorded. Such recording shall be deemed service thereof, even if the statement is filed by an attorney.

The Public Prosecution shall summon the remaining parties to the case and notify the witnesses to attend the said hearing.

Article (384):

Opposition shall result in rehearing of the case with respect to the opposing party before the court that rendered the judgment, and under no circumstances may the opposing party be prejudiced by the opposition he has lodged.

However, if the opposing party or his attorney fails to appear at any of the hearings fixed for hearing the case, the opposition shall be deemed null and void. In such case, the court may impose upon him a procedural fine not exceeding one thousand pounds, and may order provisional enforcement—even where an appeal has been lodged—with respect to the compensations adjudged, in accordance with Article (440) of this Law.

The opposing party may not lodge opposition against a judgment rendered in his absence. In such case, the court may impose upon him a procedural fine of not less than fifty pounds and not more than two hundred pounds.

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Article (385):

Both the accused and the Public Prosecution may appeal judgments rendered in criminal cases by the District Court in misdemeanor matters.

No appeal shall be admissible against a judgment rendered in a misdemeanor punishable by a fine not exceeding five thousand pounds, in addition to restitution and costs, except on grounds of violation of law, error in its application or interpretation, or where nullity has occurred in the judgment or procedures affecting the judgment.

Article (386):

Judgments rendered in civil actions arising from misdemeanors by the District Court may be appealed by the civil claimant, the civilly liable party, or the accused—solely with respect to civil rights—where the compensation claimed exceeds the monetary threshold within which the District Judge renders final judgments.

Article (387):

Judgments rendered in connected crimes within the meaning of Article (32) of the Penal Code may be appealed, even if appeal is admissible for the appellant only with respect to some of such crimes.

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Article (388):

Judgments of a preparatory or interlocutory nature rendered on subsidiary matters may not be appealed prior to adjudication on the merits of the case. Appeal of the judgment on the merits shall necessarily entail appeal of such judgments.

All judgments rendered declining jurisdiction, and judgments affirming jurisdiction where the court lacks authority to adjudicate the case, may be appealed.

Article (389):

Appeal shall be lodged by a statement filed with the Clerk's Office of the court that rendered the judgment within ten days from the date of pronouncement of a judgment rendered in the presence of the accused, or from service of an in-absentia judgment, or from the date of the judgment rendered in opposition in cases where such opposition is admissible.

The Public Prosecutor may lodge an appeal within thirty days from the date of the judgment, and may file the appeal statement with the Clerk's Office of the court competent to hear the appeal.

Article (390):

With respect to judgments rendered in the absence of the accused and deemed to have been rendered in his presence pursuant to Articles (237), (238), and (239) of this Law, the time limit for appeal shall commence, as regards the accused, from the date on which he is served with such judgment.

Article (391):

Upon filing the appeal statement, the Clerk's Office shall specify for the appellant the date fixed for hearing the appeal, which shall be deemed service thereof even if the statement is filed by an attorney. Such date shall not be earlier than the expiry of three full days. The Public Prosecution shall summon the remaining parties to attend.

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In all cases, the appellant shall diligently pursue his appeal until a judgment is rendered thereon.

Article (392):

Where one of the parties lodges an appeal within the prescribed ten-day period, the time limit for appeal for the other parties entitled thereto shall be extended by five days from the expiry of the said ten-day period.

Article (393):

An appeal shall be brought before the Court of First Instance within whose jurisdiction the court that rendered the judgment is located, and shall be filed within a maximum period of twenty days before the chamber competent to hear appeals in misdemeanor cases.

If the accused is detained, the Public Prosecution shall transfer him, in due time, to the Correction and Rehabilitation Center located in the jurisdiction where the Court of First Instance sits. The appeal shall be heard expeditiously.

Article (394):

One of the members of the chamber entrusted with adjudicating the appeal shall prepare and sign a written report, which shall include a summary of the facts of the case, its circumstances, the evidence for and against the accused, all incidental issues raised, and the procedures undertaken.

After this report is read aloud, and before the reporting judge or the remaining members express their opinion on the case, the court shall hear the appellant's submissions and the grounds upon which the appeal is based. Thereafter, the remaining parties shall be heard, with the accused being the last to speak.

The court shall then render its judgment after examining the case file.

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Article (395):

An appeal filed by a person sentenced to a custodial penalty that is immediately enforceable shall lapse if the convicted person fails to surrender himself for execution before the hearing scheduled to consider the appeal.

Nevertheless, the court, when hearing the appeal, may order the temporary suspension of execution of the sentence or release the convicted person on bail or otherwise, pending determination of the appeal.

Article (396):

The appellate court may itself, or through one of the judges it designates for that purpose, hear the witnesses who should have been heard before the court of first instance, whenever it deems this necessary for adjudication of the case. It may also remedy any other deficiency in the investigation procedures.

In all cases, the court may order the completion of any investigation or the hearing of any witnesses it deems necessary.
No witness shall be summoned to attend unless so ordered by the court.

Article (397):

If the appellate court finds that the act constitutes a felony, or that it is a misdemeanor committed through newspapers or other means of publication against persons other than individuals, it shall rule that it lacks jurisdiction and refer the case to the Public Prosecution to take the necessary action.

Article (398):

If a judgment awarding compensation is annulled and such compensation has been provisionally enforced, the compensation shall be refunded pursuant to the judgment of annulment.

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Article (399):

Where the appeal is filed by the Public Prosecution, the court may uphold, annul, or amend the judgment, whether to the detriment or for the benefit of the accused.
The penalty adjudged may not be aggravated, nor may a judgment of acquittal be annulled, except by unanimous opinion of the judges of the court.

Where the appeal is filed by a party other than the Public Prosecution, the court may only uphold the judgment or amend it in favor of the appellant. If it rules that the appeal has lapsed, is inadmissible, is not permissible, or dismisses it, the court may impose upon the appellant a fine not exceeding one thousand pounds.

Article (400):

The rules applicable before courts of first instance concerning judgments rendered in absentia and opposition thereto shall apply to such judgments and opposition before the appellate court.

Article (401):

Opposition shall not be admissible against judgments rendered in absentia by the appellate court except where the appeal was filed by the Public Prosecution or by the civil claimant, and the opposing party or his attorney failed to attend the trial session despite being notified of the appeal, and provided that the opposing party submits an excuse accepted by the court that prevented his attendance.

In all cases, appellate opposition shall not be admissible if the party was personally served with the summons to appear, or if he appeared at the call of the case and thereafter left the session, or if he or his attorney attended any of the trial sessions and subsequently failed to attend the remaining sessions until the judgment was rendered.

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Article (402):

If the court of first instance ruled on the merits and the appellate court finds nullity in the procedures or in the judgment, it shall rectify the nullity and adjudicate the case.

However, if the court of first instance ruled that it lacked jurisdiction or upheld an incidental plea resulting in a stay of proceedings, and the appellate court annuls such judgment and affirms jurisdiction or rejects the incidental plea and orders the hearing of the case, it shall remit the case to the court of first instance for adjudication on the merits.

Book Three – Methods of Appeal against Judgments

Chapter Two – Appeal

Section Two – Appeals from Judgments of the Felony Courts

Article (403):

Both the Public Prosecution and the accused may appeal judgments rendered in the presence of the accused by the Felony Court of First Instance.

Article (404):

Judgments rendered in civil actions by the Felony Court of First Instance may be appealed by the civil claimant, the civilly liable party, or the accused, solely with respect to civil rights, where the compensation claimed exceeds the monetary threshold within which the Court of First Instance renders final judgments.

Article (405):

The Public Prosecution may appeal judgments rendered in absentia in felony cases.

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Article (406):

All rules prescribed for hearing and adjudicating appeals in misdemeanor matters shall apply to appeals in felony matters, unless otherwise provided by law.

Article (407):

An appeal shall be lodged by a statement filed with the Clerk's Office of the court that rendered the judgment within forty days from the date of issuance of the judgment.

If the appeal is filed by the Public Prosecution, the statement shall be signed by at least an Advocate General.
If the appeal is filed by the State Lawsuits Authority, the statement shall be signed by at least one of its Counselors.

The Public Prosecutor may lodge an appeal within sixty days from the date of issuance of the judgment and may file the appeal statement with the Clerk's Office of the court competent to hear the appeal.

Article (408):

Upon expiry of the time limit prescribed for depositing the reasons of the judgment under appeal, the Clerk's Office shall immediately forward the appeal statement and the case file to the President of the Court of Appeal after entering the appeal in a register prepared for that purpose. The President of the Court shall fix a hearing date for its consideration and shall order service upon the accused and notification of the remaining parties.

Article (409):

The Court of Appeal shall transmit copies of the case files and the judgments rendered therein to the judges assigned to hear the appeal sufficiently in advance of the hearing date.

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Article (410):

The court shall hear the submissions of the appellant, the grounds on which the appeal is based, and his defenses and pleas, and shall also hear the remaining parties, provided that the accused shall be the last to speak.

Article (411):

If the appeal is filed by the convicted person and he or his privately retained counsel fails to appear at the session scheduled to hear the appeal, or at any subsequent session, the court shall adjourn the consideration of the appeal once. If he or his privately retained counsel again fails to appear, the court shall appoint counsel to defend him and shall adjudicate the appeal by a judgment not subject to retrial, to which the provisions of Article (366) of this Law shall apply.

Article (412):

If a judgment rendered in the presence of the accused imposes the death penalty and no appeal is filed within the legally prescribed time limit, the Public Prosecution shall be required to apply Article (46) of the Law on Cases and Procedures of Appeal before the Court of Cassation, promulgated by Law No. 57 of 1959.

Article (413):

An appeal against a judgment rendered by the Felony Court of First Instance shall not suspend execution of the judgment, unless the Felony Appellate Court orders suspension of execution, or where the judgment imposes the death penalty.

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Article (414):

A petition for reconsideration may be requested with respect to final judgments imposing penalties in felony and misdemeanor cases in the following instances:

- Where a person is convicted of murder and the alleged victim is subsequently found alive.

- Where a judgment is rendered against one person for a certain act and another judgment is rendered against a different person for the same act, and the two judgments are contradictory in such a manner as to infer the innocence of one of the convicted persons.

- Where a witness or expert is convicted of perjury pursuant to the provisions of Chapter Six of Book Three of the Penal Code, or where a document submitted during the proceedings is adjudged to be forged, and such testimony, expert report, or document had an effect on the judgment.

- Where the judgment is based on a ruling issued by a civil court or a family court and such ruling is subsequently annulled.

- Where facts arise or come to light after the judgment, or documents are produced that were unknown at the time of trial, and such facts or documents would establish the innocence of the convicted person.

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Article (415):

In the cases set forth in items (1), (2), (3), and (4) of Article (414) of this Law, the right to request reconsideration shall belong to the Public Prosecutor, the convicted person, his privately retained counsel, his legal representative if he lacks legal capacity or is missing, or, after his death, his relatives or spouse.

If the applicant is not the Public Prosecution, he shall submit the request to the Public Prosecutor by means of a petition specifying the judgment for which reconsideration is sought, the ground relied upon, and accompanied by supporting documents.

The Public Prosecutor shall submit the request—whether filed by him or by another—together with any investigations he deems necessary, to the Court of Cassation by a report setting out his opinion and the reasons therefor.

The request must be submitted to the court within three months following its filing.

Article (416):

In the case provided for in item (5) of Article (414) of this Law, the right to request reconsideration shall vest exclusively in the Public Prosecutor, whether on his own initiative or upon the request of interested parties. If he finds grounds for such request, he shall submit it, together with any investigations he deems necessary, to a committee composed of one judge of the Court of Cassation and two judges of the Court of Appeal, each appointed by the General Assembly of his respective court. The request shall specify the fact or document relied upon.

The committee shall decide on the request after examining the papers and completing any investigation it deems necessary, and shall order referral to the Court of Cassation if it finds the request admissible.

No appeal shall be admissible in any form against the decision of the Public Prosecutor or the order issued by the said committee accepting or rejecting the request.

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Article (417):

The Public Prosecutor shall not accept a request for reconsideration submitted by the convicted person or his substitute in the cases provided for in items (1), (2), (3), and (4) of Article (414) of this Law unless the applicant deposits with the treasury of the Court of Cassation a security in the amount of five thousand pounds, to be allocated to satisfy the fine prescribed under Article (422) of this Law, unless he has been exempted from such deposit by a decision of the Judicial Assistance Committee at the Court of Cassation.

Article (418):

The Public Prosecution shall notify the parties of the session scheduled for hearing the request before the Court of Cassation at least eight full days prior to its convening.

Article (419):

The Court of Cassation shall adjudicate the request after hearing the submissions of the Public Prosecution and the parties, and after conducting any investigation it deems necessary itself or through a delegate.

If it finds the request admissible, it shall annul the judgment and render a judgment of acquittal where innocence is manifest; otherwise, it shall remit the case to the court that rendered the judgment, composed of different judges, for determination of the merits, unless it deems fit to do so itself.

However, where retrial is not possible—such as in the event of the death of the convicted person, the onset of a mental or psychological disorder, or the lapse of the criminal action by limitation—the Court of Cassation shall examine the merits of the case and shall annul only such parts of the judgment as appear erroneous.

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Article (420):

If the convicted person dies and the request was not submitted by a relative or spouse, the court shall hear the case in the presence of a person it designates to defend his reputation, preferably from among his relatives, and shall, where appropriate, order the expungement of anything that impairs such reputation.

Article (421):

A request for reconsideration shall not entail suspension of execution of the judgment unless the judgment imposes the death penalty.

Article (422):

In the cases set forth in items (1), (2), (3), and (4) of Article (414) of this Law, the applicant for reconsideration—if not the Public Prosecutor—shall be sentenced to a fine not exceeding five thousand pounds if his request is rejected.

Article (423):

Any judgment of acquittal rendered pursuant to a petition for reconsideration shall be published at the expense of the State in the Official Gazette upon the request of the Public Prosecution, and in two newspapers designated by the interested party.

Article (424):

The annulment of a judgment pursuant to a petition for reconsideration shall result in the nullification of the judgment awarding compensation and shall require the restitution of any amounts executed thereunder, without prejudice to the rules governing the extinction of rights by lapse of time.

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Article (425):

If a petition for reconsideration is rejected, it may not be renewed on the basis of the same facts upon which it was founded.

Article (426):

Judgments rendered on the merits of the case pursuant to reconsideration by courts other than the Court of Cassation may be challenged by all methods of appeal prescribed by law.
In no case may a more severe penalty than that previously imposed upon the accused be adjudged.

Book Three – Methods of Appeal against Judgments

Chapter Four – Finality of Judgments

Article (427):

Criminal proceedings instituted against the accused and the acts attributed to him therein shall be extinguished by the issuance of a final judgment acquitting or convicting him.
Where a judgment is rendered on the merits of the criminal case, it may not be reconsidered except by challenging such judgment through the methods prescribed by law.

Article (428):

No recourse may be had to criminal proceedings after a final judgment has been rendered therein on the basis of the emergence of new evidence or new circumstances, or on the basis of a change in the legal characterization of the offense.

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Article (429):

A criminal judgment rendered by a criminal court on the merits of a criminal case—whether acquittal or conviction—shall have the authority of res judicata before civil courts in cases not yet finally adjudicated, with respect to the occurrence of the offense, its legal characterization, and its attribution to the perpetrator.

A judgment of acquittal shall have such authority whether it is based on the absence of the charge or on insufficiency of evidence; however, it shall not have such authority if it is based on the ground that the act is not punishable by law.

Article (430):

Judgments rendered by civil courts shall not have the authority of res judicata before criminal courts with respect to the occurrence of the offense, its legal characterization, or its attribution to the perpetrator.

Article (431):

Judgments rendered by family courts, within the limits of their jurisdiction, shall have the authority of res judicata before criminal courts in matters upon which the determination of the criminal case depends.

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Article (432):

No penalty prescribed by law for any offense may be imposed except pursuant to a judgment rendered by a court having jurisdiction thereover.

Article (433):

Judgments rendered by criminal courts shall not be executed until they become final, unless the law provides otherwise.

Article (434):

The execution of judgments rendered in criminal proceedings shall be carried out upon the request of the Public Prosecution, in accordance with the provisions of this Law.

Judgments rendered in civil claims shall be executed upon the request of the civil claimant, in accordance with the provisions of the Code of Civil and Commercial Procedure.

Article (435):

The Public Prosecution shall promptly initiate the execution of judgments that are enforceable in criminal proceedings, and may, where necessary, seek the assistance of coercive force.

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Article (436):

Judgments imposing fines and costs shall be enforceable immediately, even if appealed.

The same shall apply to judgments imposing imprisonment for theft, or against a repeat offender, or against an accused who has no fixed place of residence in Egypt, as well as in other cases where the judgment imposes imprisonment, unless the accused furnishes a bail guaranteeing that, if he does not appeal the judgment, he will not abscond from execution upon expiry of the appeal period, and that, if he does appeal, he will appear at the hearing and will not evade execution of the judgment rendered.

Every judgment imposing imprisonment in such cases shall specify the amount of bail to be furnished.

If the accused is held in pretrial detention, the court may order provisional execution of the judgment.

When awarding compensation to the civil claimant, the court may order provisional execution, even if an appeal is filed, in accordance with Article (440) of this Law.

Article (437):

Ancillary penalties involving deprivation of liberty shall be executed together with the principal sentence of imprisonment, where such imprisonment is executed, in accordance with Article (436) of this Law.

Article (438):

An accused held in pretrial detention shall be released immediately if the judgment is rendered as an acquittal, or imposes a penalty that does not require imprisonment, or orders suspension of execution of the penalty, or if the accused has already served in pretrial detention a period equal to the sentence imposed.

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Article (439):

In cases other than those provided for in this Chapter, execution shall be stayed during the appeal period prescribed in Article (389) of this Law, and during the consideration of an appeal filed within such period.

Article (440):

A judgment rendered in absentia imposing a penalty may be executed if the convicted person does not file an objection within the time limit set forth in the first paragraph of Article (380) of this Law.

When awarding compensation to the civil claimant, the court may order provisional execution upon the furnishing of bail, even if an objection or appeal is filed, with respect to all or part of the awarded amount, and may exempt the successful party from furnishing such bail.

Article (441):

Where a judgment rendered in absentia imposes imprisonment for a term of one year or more, and the accused has no fixed place of residence in Egypt, or where an order of pretrial detention has been issued against him, the court may, upon the request of the Public Prosecution, order his arrest and detention.

Upon arrest pursuant to such order, the accused shall be detained until a decision is rendered on the objection he files, or until the prescribed period for filing such objection expires; in no case shall the period of detention exceed the term of imprisonment imposed, unless the court seized of the objection orders his release prior to deciding thereon.

Article (442):

Without prejudice to the provisions of Articles 36 bis and 41 of Law No. 57 of 1959 referred to above, filing an appeal by way of cassation shall not stay execution unless the judgment imposes the death penalty.

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Article (443):

Once a judgment imposing the death penalty becomes final, the Minister of Justice shall immediately submit the case file to the President of the Republic.

The judgment shall be executed if no order of pardon or commutation of the penalty is issued within fourteen days.

Article (444):

A person sentenced to death shall be placed in a reform and rehabilitation center pursuant to an order issued by the Public Prosecution on the form prescribed by the Minister of Justice, until execution of the judgment.

Article (445):

Relatives of a person sentenced to death may visit him on the day preceding the date fixed for execution, provided that the visit takes place away from the place of execution, and the administration of the reform center shall notify them accordingly.

If the religion of the sentenced person requires confession or other religious rites prior to death, the necessary arrangements shall be made to enable a clergyman to meet with him.

Article (446):

The death penalty shall be carried out within a reform and rehabilitation center, or in another concealed location, pursuant to a written request from the Public Prosecutor to the Assistant Minister in charge of the Community Protection Sector, indicating that the procedures prescribed in Article (443) of this Law have been fulfilled.

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The administration of reform centers shall notify the Ministry of Interior and the Public Prosecutor of the date and time fixed for execution.

Article (447):

The execution of the death penalty shall take place in the presence of a member of the Public Prosecution, a representative of the Community Protection Sector, a representative of the Ministry of Interior, the Director of the Reform and Rehabilitation Center, the center's physician, and another physician designated by the Public Prosecution.

No person other than those mentioned above may attend the execution except with special permission from the Public Prosecution; in all cases, the defense counsel of the convicted person shall be permitted to attend.

The operative part of the death sentence and the charge for which the convicted person was sentenced shall be read out to him at the place of execution, in the hearing of those present. If the convicted person wishes to make any statements, the member of the Public Prosecution shall record them in minutes.

Upon completion of the execution, the member of the Public Prosecution shall draw up minutes thereof, recording the physician's certification of death and the time at which it occurred.

Article (448):

The death penalty may not be carried out on any official public holiday or on religious holidays observed by the convicted person.

Article (449):

Execution of the death penalty imposed on a pregnant woman shall be stayed until two years after she gives birth.

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Article (450):

The body of a person executed pursuant to a death sentence shall be handed over to his family if they so request and the administrative authority approves, and burial shall take place without ceremony.

If no family member applies to receive the body within twenty-four hours, it shall be deposited at the nearest facility to the reform and rehabilitation center designated for the preservation of bodies.

If no one claims the body within seven days from the date of such deposit, it shall be delivered to one of the university authorities.

Book Four – Enforcement

Chapter Three – Execution of Custodial Sentences

Article (451):

Judgments imposing custodial penalties shall be executed in the reform and rehabilitation centers designated for that purpose, pursuant to an order issued by the Public Prosecution on the form prescribed by the Minister of Justice.

Article (452):

Any person sentenced to simple imprisonment for a term not exceeding six months may request the Public Prosecution, in lieu of execution of the custodial sentence, to obligate him to perform community service outside the reform and rehabilitation center, in accordance with the provisions of Chapter Five of this Book, unless the judgment provides otherwise.

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Article (453):

The day on which execution of the sentence begins shall be counted as part of the term of punishment, and the convicted person shall be released on the day following the expiration of the sentence, at the time designated for the release of inmates.

Article (454):

Where the term of imprisonment imposed is twenty-four hours, execution thereof shall end on the day following the arrest of the convicted person, at the time designated for the release of inmates.

Article (455):

The term of a custodial penalty shall commence on the date of arrest of the convicted person pursuant to an enforceable judgment, taking into account deduction of the period of pretrial detention, the period of arrest, and any other periods that are legally required to be deducted.

Article (456):

If the accused is acquitted of the offense for which he was held in pretrial detention, the period of such detention shall be deducted from the term of any sentence imposed for another offense that he committed or was investigated for during the period of pretrial detention.

Article (457):

Where multiple custodial penalties are imposed on the accused, the period of pretrial detention and arrest shall be deducted first from the lighter sentence.

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Article (458):

If a woman sentenced to a custodial penalty is pregnant in her sixth month of pregnancy, execution of the sentence may be deferred until she gives birth and two years have elapsed from the date of delivery.

If execution is deemed necessary, or if it becomes apparent during execution that she is pregnant, she shall be treated in the reform and rehabilitation center as a person held in pretrial detention until she gives birth and forty days have elapsed from the date of delivery.

Article (459):

If a person sentenced to a custodial penalty is suffering from an illness that endangers his life, or if execution of the sentence would place his life at risk, execution of the penalty may be postponed.

Article (460):

Without prejudice to the provisions of Article 345 of this Law, if a person sentenced to a custodial penalty develops, prior to his admission to or acceptance at a reform and rehabilitation center, or during execution of the sentence, a psychological or mental disorder, the Public Prosecution shall appoint a tripartite committee of psychiatrists registered with the National Council for Mental Health to prepare a medical report assessing his psychological and medical condition and proposing an appropriate treatment plan if the disorder is established.

The period of placement for medical evaluation shall be deducted from the term of the sentence imposed. Execution of the sentence shall be temporarily suspended until recovery, and psychiatric medical examinations shall be conducted every six months to determine whether recovery has occurred.

The Public Prosecution may order his placement for treatment in one of the governmental mental health facilities designated by decision of the National Council for Mental Health; in such case, the period of placement shall be deducted from the term of the sentence imposed. As of the date scheduled for completion of execution of the sentence, the placed convicted person shall thereafter be treated as a patient in accordance with the provisions governing compulsory admission set forth in the Mental Health Care Law referred to herein.

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Article (461):

If a man and his wife are both sentenced to imprisonment for a term not exceeding one year, even for different offenses, and neither has previously been imprisoned, execution of the sentence against one of them may be postponed until the release of the other, provided that they are responsible for the care of a child under fifteen years of age and have a known place of residence in Egypt.

Article (462):

In cases where postponement of execution of a sentence is permissible, the Public Prosecution may require the convicted person to provide a guarantee ensuring that he will not evade execution once the reason for postponement ceases to exist. The amount of such guarantee shall be specified in the order granting postponement.
The Public Prosecution may also impose such precautionary measures as it deems necessary to prevent the convicted person from absconding.

Article (463):

Except in the cases expressly provided for by law, a convicted inmate may not be released before completing the term of the sentence imposed.

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Article (464):

When settling amounts due to the State for fines, restitution, compensation, and costs, and prior to enforcement, the Public Prosecution shall notify the convicted person of the amount of such sums, unless they are specified in the judgment.

Article (465):

Amounts due to the State may be collected by the methods prescribed in the Code of Civil and Commercial Procedure or by the administrative methods prescribed for the collection of public funds.

Article (466):

If the convicted person fails to pay the amounts due to the State, the Public Prosecution shall issue an order obligating him to perform community service in accordance with the provisions of Chapter Five of this Book.

Article (467):

If a judgment imposes a fine, restitution, compensation, and costs together, and the convicted person's assets are insufficient to satisfy all of them, any sums collected shall be distributed among those entitled thereto in the following order:

- Costs due to the State.
- Amounts due to the civil claimant.
- The fine and amounts due to the government for restitution and compensation.

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Article (468):

If a person was held in pretrial detention and is sentenced only to a fine, fifty Egyptian pounds shall be deducted from the fine for each day of pretrial detention at the time of enforcement.

If he is sentenced to both imprisonment and a fine, and the period of pretrial detention exceeds the term of imprisonment imposed, the aforementioned amount shall be deducted from the fine for each day of such excess.

Article (469):

In exceptional circumstances, a member of the Public Prosecution of at least the rank of Chief Prosecutor in the authority responsible for execution may, upon the convicted person's request, grant him an extension for payment of the amounts due to the State or permit payment by installments, provided that the period does not exceed twelve months. No appeal shall lie against the order granting or rejecting such request.

If the convicted person delays payment of any installment, all remaining installments shall become immediately due, and the member of the Public Prosecution may revoke the order if circumstances so warrant.

Book Four – Enforcement

Part Five – Community Service Orders

Article (470):

A convicted person may be obligated to perform community service to recover amounts arising from the offense adjudged in favor of the State, by assigning him to public benefit work at the rate of one day for every fifty Egyptian pounds or part thereof.

In contraventions, the duration of such work may not exceed seven days for the fine and seven days for costs, restitution, and compensation.

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In misdemeanors and felonies, the duration of such work may not exceed three months for the fine and three months for costs, restitution, and compensation.

Article (471):

Execution by way of compulsory community service shall not be applied to persons who had not completed fifteen years of age at the time of commission of the offense, nor to persons sentenced to a penalty whose execution has been suspended.

Article (472):

The provisions of Articles 458, 459, 460, and 461 of this Law shall apply to execution by way of compulsory community service.

Article (473):

Where multiple judgments are rendered, and all of them relate to contraventions, misdemeanors, or felonies, execution shall be based on the aggregate amount adjudged. In such case, the duration of community service may not exceed twice the maximum prescribed for misdemeanors and felonies, nor twenty-one days for contraventions.

If the offenses differ in type, the maximum prescribed for each shall be observed.

In all cases, the duration of community service may not exceed six months in respect of fines, and six months in respect of costs, restitution, and compensation.

Article (474):

Where the offenses adjudged differ in type, amounts paid or collected through execution against the convicted person's property shall first be deducted from the sums adjudged in felonies, then misdemeanors, and lastly contraventions.

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Article (475):

Execution of compulsory community service shall be effected by an order issued by the Public Prosecution on the form prepared for that purpose, after notification of the convicted person in accordance with Article 464 of this Law, and after he has served all custodial penalties adjudged against him.

A decision shall be issued by the Public Prosecutor, in coordination with the competent authorities, specifying the form, the types of work in which the convicted person may be required to perform community service, and the administrative bodies where such work shall be carried out.

Article (476):

The obligation to perform community service shall terminate once the amount corresponding to the period served by the convicted person in community service—calculated in accordance with the provisions of this Chapter—equals the amount originally due, after deduction of any sums paid or collected through execution against his property.

Article (477):

The liability of the convicted person in respect of fines, costs, restitution, and compensation shall not be discharged by execution of compulsory community service except at the rate of fifty Egyptian pounds for each day served.

Article (478):

If the convicted person fails to execute a judgment awarding compensation to a party other than the State after being notified to pay, the misdemeanor court within whose jurisdiction his residence is located may, if it is established that he is able to pay and has been ordered to do so but failed to comply, sentence him to compulsory community service.

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The duration of such service may not exceed three months, and no amount shall be deducted from the compensation in consideration of such service. The action shall be brought by the judgment creditor in accordance with the ordinary procedures.

Book Four – Enforcement

Chapter Six – Disputes Concerning Enforcement

Article (479):

Any objection raised by the convicted person concerning execution shall be submitted to the felony court of either degree if the judgment was issued thereby, and to the misdemeanor appellate court in all other cases. In both instances, jurisdiction shall vest in the court having local jurisdiction over the case in respect of which execution of the judgment is contested.

Article (480):

The objection shall be submitted to the court through the Public Prosecution as a matter of urgency. The interested parties shall be notified of the session fixed for its consideration, and the court shall decide the matter in chambers after hearing the Public Prosecution and the interested parties.

The court may conduct such investigations as it deems necessary and may, in all cases, order suspension of execution until the dispute is resolved.

Where appropriate, and prior to submission of the objection to the court, the Public Prosecution may temporarily suspend execution of the judgment.

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Article (481):

Without prejudice to the court's right to order the personal appearance of the objector, representation by an attorney on behalf of the objector shall be permitted. In all cases, the court may issue its decision in the absence of the objector.

No challenge or recusal may be brought against the court examining the objection.

If the objector submits another objection without serious grounds, the court shall dismiss it and may impose upon the objector a fine of five hundred Egyptian pounds.

An objection shall not be deemed an act that suspends or interrupts the limitation period for the lapse of the penalty.

Article (482):

Where a dispute arises as to the identity of the convicted person, such dispute shall be determined in accordance with the procedures and rules prescribed in Articles 480 and 481 of this Law.

If the court determines that the objector is not the person concerned by the judgment, it shall order his release and refer the papers to the Public Prosecution to take the necessary measures against the actual convicted person.

Article (483):

In the event of execution of financial judgments against the convicted person's property, if a dispute is raised by a third party other than the accused concerning the property subject to execution, the matter shall be referred to the civil court in accordance with the provisions of the Civil and Commercial Procedures Law.

An exception shall apply in cases where a good-faith third party raises an objection to a judgment ordering confiscation of his property, in which case the objection shall be examined by the court that issued the contested judgment.

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Article (484):

A penalty adjudged for a felony shall lapse by prescription after twenty years, except for the death penalty, which shall lapse after thirty years.

A penalty adjudged for a misdemeanor shall lapse after five years.

A penalty adjudged for a contravention shall lapse after two years.

Article (485):

The limitation period for lapse of the penalty shall commence from the date on which the judgment becomes final, except where the penalty is imposed by a judgment rendered in absentia by a felony court of either degree in a felony case, in which case the period shall commence from the date of issuance of the judgment.

Article (486):

The limitation period for lapse of the penalty shall be interrupted by the arrest of the convicted person sentenced to a custodial penalty and by any act of execution taken against him or brought to his knowledge.

The period shall also be interrupted, in cases other than contraventions, if the convicted person commits during such period an offense of the same type as, or similar to, the offense for which he was convicted.

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Article (487):

The running of the limitation period for lapse of the penalty shall be suspended by any impediment that prevents execution, whether legal or factual.

The presence of the convicted person outside the country shall be deemed an impediment that suspends the running of the period.

Article (488):

The rules governing prescription under the Civil Code shall apply to compensation, restitution, and costs adjudged.

However, execution by way of compulsory community service shall not be permitted after expiry of the period prescribed for lapse of the penalty.

Article (489):

Without prejudice to the provisions of the second paragraph of Article 148 of this Law, if the convicted person dies after a final judgment has been rendered against him, financial penalties, compensation, restitution, and costs shall be executed against his estate.

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Article (490):

Rehabilitation may be granted to any person convicted of a felony or misdemeanor.

The judgment granting rehabilitation shall be issued by the Court of First-Instance Felonies having jurisdiction over the place of residence of the convicted person, upon his request.

Article (491):

For a judgment granting rehabilitation to be issued, the following conditions must be satisfied:
First: The sentence must have been fully executed, or a pardon must have been granted in respect thereof, or the sentence must have lapsed by prescription.

Second: A period of six years must have elapsed from the date of execution of the sentence or the granting of the pardon if the sentence was for a felony, or three years if the sentence was for a misdemeanor.

These periods shall be doubled in cases of recidivism and in cases where the sentence has lapsed by prescription.

Article (492):

If the convicted person was placed under police supervision after completion of the principal sentence, the period required for rehabilitation shall commence from the date on which the period of supervision ends.

If the convicted person was released on parole, the period shall not commence until the date scheduled for expiry of the sentence or the date on which the parole becomes final.

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Article (493):

For rehabilitation to be granted, the convicted person must have satisfied all amounts adjudged against him in respect of fines, restitution, compensation, or costs.

The court may waive this requirement if the convicted person proves that he is financially unable to satisfy such obligations.

If the beneficiary of compensation, restitution, or costs does not exist or refuses to accept payment, the convicted person shall deposit the amounts in accordance with the provisions of the Civil and Commercial Procedures Law, and he may recover them if five years elapse without a claim by the beneficiary.

If the judgment imposed joint liability, it shall suffice for the convicted person to pay the portion personally attributable to him, and where necessary the court shall determine the share required to be paid.

Article (494):

In the event of conviction for a bankruptcy offense, the applicant must prove that a judgment granting commercial rehabilitation has been obtained.

Article (495):

If the applicant has been subject to multiple convictions, rehabilitation shall not be granted unless the conditions set forth in this Chapter are satisfied with respect to each conviction, provided that the relevant period shall be calculated by reference to the most recent judgment.

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Article (496):

An application for rehabilitation shall be submitted by petition to the Public Prosecution. The petition must include the necessary particulars identifying the applicant and shall specify the date of the judgment rendered against him and the places where he has resided since his release.

Article (497):

The Public Prosecution shall conduct an investigation into the application to verify the dates and places of the applicant's residence since the judgment and the duration of each stay, to assess his conduct and means of livelihood, and generally to ascertain all information deemed necessary.

The investigation shall be annexed to the application, which shall be submitted to the court within three months of filing, accompanied by a report setting forth the prosecution's opinion and the reasons therefor.

The following documents shall be attached to the application:

- A copy of the judgment rendered against the applicant.
- A criminal record certificate.
- A report on the applicant's conduct during his stay in the correction and rehabilitation facility.

Article (498):

The court shall examine the application and decide thereon in chambers.

It may hear the statements of the Public Prosecution and the applicant, and may complete any information it deems necessary.

The applicant shall be notified to appear at least eight days prior to the hearing.

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The judgment shall not be subject to appeal except by way of cassation for error in the application or interpretation of the law, and the procedures and time limits governing cassation appeals shall apply.

Article (499):

The court shall grant rehabilitation whenever its conditions are satisfied and it finds that the applicant's conduct since the issuance of the judgment warrants confidence in his reformation.

Article (500):

The Public Prosecution shall send a copy of the rehabilitation judgment to the court that issued the conviction for annotation in the margin thereof, and shall order its annotation in the criminal record.

Article (501):

Rehabilitation may be granted to a convicted person only once.

Article (502):

If the application for rehabilitation is rejected due to reasons relating to the applicant's conduct, it may not be renewed until two years have elapsed from the date of rejection.
In other cases, the application may be renewed whenever the conditions required for rehabilitation are fulfilled.

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Article (503):

The judgment granting rehabilitation may be revoked if it appears that other judgments had been rendered against the convicted person of which the court was not aware, or if the convicted person is subsequently convicted of an offense committed prior to the granting of rehabilitation.

In such case, the revocation judgment shall be issued by the court that granted rehabilitation, upon a request by the Public Prosecution.

Article (504):

Rehabilitation shall be affected by operation of law if no judgment imposing a penalty for a felony or misdemeanor that is recorded in the criminal record has been rendered against the convicted person within the following periods:

First: With respect to a person convicted of a felony, or of a misdemeanor involving theft, concealment of stolen property, fraud, breach of trust, forgery, or an attempt to commit any of these offenses, as well as the offenses provided for in Articles 355, 356, 367, and 368 of the Penal Code, once twelve years have elapsed from the execution of the sentence, the granting of a pardon, or the lapse of the sentence by prescription.

Second: With respect to a person convicted of a misdemeanor other than the offenses referred to in this Article, once six years have elapsed from the execution of the sentence or the granting of a pardon, unless the judgment deemed the convicted person a recidivist or the sentence lapsed by prescription, in which case the period shall be twelve years.

Article (505):

If several judgments have been rendered against the convicted person, rehabilitation shall not take effect by operation of law unless the conditions set forth in Article 504 of this Law are satisfied in respect of each judgment, provided that the relevant period shall be calculated by reference to the most recent judgment.

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Article (506):

Rehabilitation shall result in the erasure of the conviction judgment for the future and the removal of all legal incapacity, deprivation of rights, and other criminal effects arising therefrom.

Article (507):

Rehabilitation may not be invoked against third parties with respect to the rights accruing to them from the conviction judgment, in particular with regard to restitution and compensation.

Book Five – International Judicial Cooperation in Criminal Matters

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Article (508):

Without prejudice to the provisions of multilateral or bilateral treaties in force to which the Arab Republic of Egypt is a party, and subject to the principle of reciprocity, the provisions of this Book shall govern international judicial cooperation in criminal matters.

The general rules shall apply to matters not expressly regulated herein, insofar as they do not conflict with the provisions of this Book.

The Military Judiciary Authority shall have jurisdiction to consider all requests for international judicial cooperation falling within its subject-matter jurisdiction, and the Military Prosecution shall exercise the powers vested in the Public Prosecution in accordance with the provisions of this Book.

Article (509):

Egyptian judicial authorities may cooperate with their foreign counterparts in combating and prosecuting crimes in all their forms through requests for mutual legal assistance, extradition of persons and objects, recovery of funds or assets, transfer of sentenced persons, and other forms of international judicial cooperation in criminal matters.

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Article (510):

Egyptian and foreign judicial authorities may request the taking of necessary legal measures to trace, seize, freeze, manage, or attach funds, assets, or objects constituting the subject matter or proceeds of crime, or to enforce final criminal judgments ordering the recovery or confiscation of funds, assets, or objects derived from crimes or their proceeds, without prejudice to the rights of bona fide third parties.

Article (511):

Requests for international judicial cooperation in criminal matters received from foreign judicial authorities shall be transmitted through diplomatic channels to the Ministry of Justice, accompanied by a summary of the facts and the nature and subject of the request translated into the Arabic language.

Supporting documents shall be annexed to the request.

The Ministry of Justice shall verify whether the conditions set forth in the first paragraph of this Article are satisfied, and may take either of the following actions:

First: Archive the request if it determines that the said conditions are not satisfied, and notify the requesting authority of the reasons for archiving through diplomatic channels.

Second: Refer requests that satisfy the said conditions to the Public Prosecution to take the necessary action in accordance with the provisions of this Book.

Article (512):

The Ministry of Justice shall transmit requests for international judicial cooperation in criminal matters submitted by the Public Prosecution to foreign judicial authorities through diplomatic channels.

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Article (513):

The Public Prosecution may issue a reasoned order for the arrest of a person sought for extradition upon the request of a foreign judicial authority.

The Ministry of Interior may also arrest a person sought for extradition pursuant to an arrest warrant issued by a foreign judicial authority, in accordance with the rules governing the operation of the Arab and International Criminal Police Organization (INTERPOL – Cairo).

Any person arrested pursuant to the first paragraph of this Article shall be brought before the Public Prosecution within twenty-four hours from the time of arrest. The Public Prosecution shall conduct investigative procedures regarding the charge attributed to him as specified in the request, in the presence of his lawyer, in accordance with the provisions of Articles 105 and 112 of this Law.

A member of the Public Prosecution holding the rank of Chief Prosecutor or higher may order the pretrial detention of the person sought for extradition for one or more consecutive periods, each not exceeding fifteen days, provided that the total duration does not exceed sixty days, pending receipt and determination of the extradition request.
Orders of detention, their reasoning, extension, and appeal shall be subject to the provisions of this Law.

The Prosecutor General, or whomever he delegates, may place the person sought for extradition on travel-ban lists or arrival-watch lists, in accordance with the procedures prescribed by this Law.

Article (514):

Extradition shall not be permitted in any of the following cases:

- If the person sought for extradition is an Egyptian national. In such case, the foreign judicial authority may submit a request for his prosecution accompanied by the investigations conducted by the requesting State and supporting documents. The foreign judicial authority shall be notified of the outcome of the criminal proceedings and provided with a copy of the final disposition within a reasonable time.

- If the offense forming the subject of the extradition request is not punishable under Egyptian law.

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- If jurisdiction over the offense for which extradition is sought lies with the Egyptian judicial authorities.

- If the offense forming the subject of the request is a political offense or an offense connected thereto.

- If the offense for which extradition is sought consists solely of a breach of military duties.

- If the extradition request is intended to punish a person for reasons related to race, religion, nationality, or political opinions, or if the existence of any such reasons would prejudice the legal position of the person sought.

- If a final judgment of acquittal or conviction has been rendered in respect of the offense for which extradition is sought in the Arab Republic of Egypt or in another State, and the sentence has been executed.

- If the criminal proceedings have lapsed or the imposed sentence has become time-barred by prescription under Egyptian law or the law of the requesting State in force at the time the extradition request is received.

- If a general amnesty has been granted for the offense forming the subject of the extradition request, or if a pardon has been granted in respect of the imposed sentence or the remaining part thereof, or if the sentence has been commuted or reduced to a penalty that does not satisfy the conditions for extradition under Egyptian law or the law of the requesting State.

- If guarantees of a fair trial and human rights are not available to the person sought in the requesting State.

- If one of the cases of immunity established under international treaties in force in the Arab Republic of Egypt or under established rules of international custom applies.

- If the extradition request conflicts with the requirements of preserving sovereignty, national security, or public order.

- If the person sought for extradition is a political refugee.

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Article (515):

The Prosecutor General, or whomever he delegates, shall issue a reasoned decision on the extradition request.

Any person against whom an extradition decision has been issued may challenge it before the Court of Misdemeanor Appeals or the Military Misdemeanor Appeals Court in Cairo, as the case may be, by filing a notice of appeal with the clerk of the court within a period not exceeding seven days from the date of notification of the decision.

A hearing for consideration and determination of the appeal shall be scheduled within a period not exceeding seven days. The filing of the appeal shall constitute notice of the scheduled hearing even if submitted by an attorney.

The appeal shall be decided by a reasoned decision that shall not be subject to further appeal. The extradition decision shall not be executed until the appeal has been decided or the time limit for appeal has expired.

Article (516):

The Public Prosecution may request a foreign judicial authority to extradite an accused or a convicted person.

In the event extradition is refused, the Public Prosecution may request that the person be prosecuted in accordance with the law of the requested State.

The Public Prosecution may issue a reasoned order for the arrest of the person sought for extradition.

Any period of detention served abroad shall be deemed pretrial detention for the purposes of applying the rules governing execution of sentences.

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Article (517):

The Prosecutor General, or whomever he delegates, may, upon the request of the requesting authority and in accordance with agreed-upon conditions, authorize the entry into the country or transit through it of items whose possession constitutes an offense, or which are proceeds or instruments of crime, without seizure, or their full or partial substitution, under the supervision of the competent Egyptian authorities, where such measures may lead to identifying the destination of such items or apprehending the perpetrators and items in their possession.

The authorization referred to in the first paragraph of this Article shall not be issued if its execution would prejudice the security or sovereignty of the State, public order, public morals, or conflict with national security requirements.

Article (518):

The granting of a request for judicial assistance submitted by a foreign judicial authority shall be subject to the following conditions:

- That the request relates to an offense punishable under the law of the requesting State and falling within the jurisdiction of its judicial authorities, even if classified under a different legal description.

- That the judicial assistance is connected to the conduct of judicial proceedings in a criminal case pending before the foreign judicial authority.

- That execution of the request would not prejudice the security or sovereignty of the State, public order, public morals, or conflict with national security requirements.

Article (519):

The Public Prosecution may refuse a request for judicial assistance in the following cases:

- If the offense forming the subject of the request is not punishable under Egyptian law.

- If the offense forming the subject of the request is a political offense or an offense connected thereto.

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- If the offense forming the subject of the request consists solely of a breach of military duties.

- If the request is intended to punish a person for reasons related to race, religion, nationality, or political opinions, or if the existence of any such reasons would prejudice his legal position.

- If jurisdiction over the offense for which assistance is sought lies with the Egyptian judicial authorities.

- If execution of the request would conflict with the principle of non bis in idem (prohibition of double jeopardy).

- If the criminal proceedings have lapsed or the imposed sentence has become time-barred by prescription under Egyptian law or the law of the requesting State in force at the time the request is received.

- If execution of the request falls outside the jurisdiction of the Egyptian judicial authorities.

Article (520):

The Prosecutor General, or whomever he delegates, shall issue a decision on the request for judicial assistance submitted by foreign judicial authorities, and where approval is granted, the request shall be executed expeditiously.

Article (521):

By way of exception to the provisions of this Book, the President of the Republic may, upon submission by the Prosecutor General and after approval by the Council of Ministers, approve the extradition of accused persons and the transfer of convicted persons to their States, for the purpose of prosecution or execution of the imposed sentence, as the case may be, whenever the supreme interest of the State so requires.

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Article (522):

Without prejudice to the international conventions to which the Arab Republic of Egypt is a party, the provisions of this Chapter shall apply, where appropriate, with respect to the protection of victims, witnesses, accused persons, and whistleblowers.

Article (523):

A witness may, upon authorization of the Public Prosecution or the competent Investigating Judge, designate the police station having jurisdiction over his residence, or his place of work, as his address.

Article (524):

In cases where hearing the testimony of any person would expose his life or safety, or that of a member of his family, to danger, the trial court, the Attorney General, or the Investigating Judge may—upon the request of such person or of a judicial police officer—order that his testimony be heard with the inclusion of data that does not disclose his identity, provided that a subsidiary file is created for the case containing his identity and true personal details.

Article (525):

Where disclosure of the identity of the person is indispensable for the exercise of the right of defense, the accused or his representative may challenge the order issued by the Attorney General or the Investigating Judge concealing such person's details, before the Court of First Instance for Felonies convened in chambers, within ten days from the date on which he is confronted with the substance of the testimony.

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The court shall decide the challenge, after hearing the concerned parties, by a final, reasoned decision, without prejudice to the right of the trial court to revoke such order or to summon the person to give testimony.

Article (526):

During the trial, the accused may request confrontation with or examination of the person in respect of whom an order concealing identity has been issued, in a manner that does not reveal his identity, in accordance with the procedures for remote investigation and trial prescribed by this Law.

Article (527):

Without prejudice to any more severe penalty provided for in any other law, any person who discloses any information relating to a person whose identity has been ordered to be concealed shall be punished by imprisonment and a fine of not less than fifty thousand Egyptian pounds, or by either of these penalties.

The penalty shall be aggravated imprisonment if the offense is committed in furtherance of a terrorist purpose.

In all cases, the penalty shall be death or life imprisonment if the act results in the death of any person.

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Article (528):

Any person subjected to pretrial detention shall be entitled to compensation in the following cases:

- If the act charged is punishable by a fine, or is a misdemeanor punishable by imprisonment for a term of less than one year, and the accused has a fixed and known residence within the Arab Republic of Egypt.

- If a final order is issued determining that there are no grounds for instituting criminal proceedings due to the inexistence of the alleged act.

- If a final judgment of acquittal is rendered in respect of all charges attributed to him, based on the fact that the act is not punishable by law, did not occur, or for any other reasons excluding cases of nullity, doubt as to the validity of the accusation, justifications, exemption from punishment, amnesty, or absence of criminal responsibility.

The provision of item (3) of the first paragraph of this Article shall also apply to entitlement to compensation for any person who has executed a custodial sentence pursuant to a final judgment that is subsequently annulled.

In all cases, the State Treasury shall bear the compensation referred to in this Article, provided that the claimant was not subjected to pretrial detention or execution of a custodial sentence in another case or cases for an equivalent or longer period than the period of detention or sentence forming the basis of the compensation claim.

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Article (529):

A claim for compensation referred to in Article (528) of this Law shall be filed in accordance with the ordinary procedures for instituting civil actions.

The procedures governing its adjudication and appeal shall be subject to the provisions of the Civil and Commercial Procedures Law.

Book Six – Miscellaneous Provisions

Chapter Three – Remote Investigation and Trial Procedures

Article (530):

Without prejudice to the rules, time limits, periods, and other litigation procedures provided for in this Law, the provisions of this Chapter shall apply to investigation and trial procedures conducted remotely using modern audio-visual communication technologies, in a manner that ensures the confidentiality of investigations, attendance, publicity, oral pleadings, and confrontation between parties as prescribed by this Law.

Article (531):

The competent investigating or adjudicating authority, as the case may be, may conduct all or some investigation or trial procedures remotely with accused persons, witnesses, victims, experts, civil claimants, and those civilly liable, as provided for in this Law.

Such authority may also apply these procedures in matters relating to pretrial detention orders, precautionary measures, extensions thereof, temporary release, and appeals against such orders.

It may also, as the case may be, decide to prevent disclosure of the true identity of witnesses by all appropriate modern communication technologies during the giving of testimony, subject to the provisions of Article (525) of this Law.

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Article (532):

Without prejudice to the provisions of the Child Law, remote procedures may be applied in respect of children. The competent investigating or adjudicating authority may exempt the child from appearing before it and suffice with reviewing recordings of such procedures, where it deems that the child's best interests so require.

Article (533):

The competent investigating or adjudicating authority, as the case may be, shall notify the parties of the date and place of the investigation or trial session to be conducted remotely, provided that the place is equipped and prepared for remote investigation and trial procedures in accordance with Article (537) of this Law.

Article (534):

The competent investigating and adjudicating authorities may take such measures as they deem appropriate to record and preserve all procedures conducted through modern remote communication means and technologies, to transcribe them into official minutes, and may seek the assistance of an expert for that purpose. Such records shall be included in the case file.

Each of the Public Prosecutor, the Investigating Judge, or the Presiding Judge, as well as the court clerk, shall affix his signature to each page, without the need for the signature of any of the accused persons, witnesses, experts, interpreters, or any other signatures.

Article (535):

The accused may, at the first hearing at any level of litigation, object to not appearing in person before the competent court, and the court shall decide the objection by either accepting or rejecting it.

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Article (536):

The accused shall attend the session without restraints or shackles, and shall be subject to the necessary supervision.

The accused's lawyer shall be entitled to meet with him and to be present with him at his place of attendance and during the remote investigation and trial procedures.

In all cases, the accused shall not be separated from his lawyer while such procedures are being conducted.

Article (537):

The Ministry of Justice, in cooperation and coordination with the Ministry of Interior and the relevant authorities and ministries, shall prepare the halls and communication equipment required for implementing remote investigation and trial procedures using modern communication technologies at the competent authorities, penal institutions, reform and rehabilitation centers, and other related departments, and shall provide the necessary technical assistance in this regard.

Book Six – Miscellaneous Provisions

Chapter Four – General Provisions

Article (538):

The Military Public Prosecutor and the Military Prosecution, within the scope of their jurisdiction, shall have the same powers and authorities conferred upon the Public Prosecutor and the Public Prosecution under this Law.

Article (539):

All time limits prescribed in this Law shall be calculated according to the Gregorian calendar.

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Article (540):

The local bar associations, or the General Bar Association where the local bar association does not exist or where an impediment exists, shall, in coordination with the President of the competent Primary Court, at the beginning of each judicial year and whenever necessary, prepare lists containing a sufficient number of lawyers to be registered in a special register established for this purpose at the competent Primary Court.

All their details shall be recorded therein, and the President of the Primary Court shall send an official copy thereof to the courts and prosecution offices within the court's territorial jurisdiction for the purpose of appointing lawyers therefrom before investigating or adjudicating authorities, as the case may be.

Article (541):

The procedures prescribed in this Chapter shall be followed where the original copy of the judgment is lost prior to its execution, or where all or part of the investigation papers are lost before a decision is rendered thereon.

Article (542):

Where an official copy of the judgment exists, it shall have the same legal effect as the original copy.

If such official copy is in the possession of any person or authority, the Public Prosecution shall obtain an order from the President of the court that issued the judgment requiring its delivery. The person from whom it is taken shall be entitled to request delivery of a true copy free of charge.

Article (543):

The loss of the original copy of the judgment shall not result in a retrial, provided that all avenues of appeal against the judgment have been exhausted.

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Article (544):

If the case is pending before the Court of Cassation and it is not possible to obtain an official copy of the judgment, the Court shall order a retrial, provided that all procedures prescribed for the appeal have been duly completed.

Article (545):

If all or part of the investigation papers are lost before a decision is rendered thereon, the investigation shall be repeated with respect to the lost papers.

Where the case has been brought before a court, the court shall conduct such investigation as it deems appropriate, and it may transmit the papers to the Public Prosecution or the Investigating Judge, as the case may be, to repeat the investigation concerning the lost papers if it deems that appropriate.

Article (546):

If all or part of the investigation papers are lost while the judgment exists and the case is pending before the Court of Cassation, the procedures shall not be repeated unless the Court deems it necessary.

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