Translation of the Civil and Commercial Procedure Law No. 13 of 1968

ترجمة قانون المرافعات المدنية والتجارية رقم ١٣ لسنة ١٩٦٨

8 August 2026

ANDERSEN

Law No. 13 of 1968, Promulgating the Civil and Commercial Procedure Law

In the name of the people: President of the republic

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

Preamble

The People's Assembly has decided the following law, and we have promulgated it:

Promulgation Provisions

Article (1):

The Civil and Commercial Procedure Law promulgated by Law No. 77 of 1949 shall be repealed, with the exception of Chapter Seven of Book One concerning evidentiary procedures, Chapter Two of Part Twelve of Book One concerning opposition proceedings, and Articles 868 to 1032 of Book Four concerning procedures relating to personal status matters.

Part One of the Law Governing the Circumstances and Procedures for Appeals before the Court of Cassation shall also be repealed. The repealed provisions shall be replaced by the provisions of the accompanying Law. Any other provision that conflicts with its provisions shall likewise be repealed.

Article (2):

Courts shall, without fees and of their own motion, refer any cases pending before them that, pursuant to the provisions of this Law, have fallen within the jurisdiction of other courts. Such cases shall be referred in the condition in which they stand.

Where one of the litigants is absent, the Court Registry shall serve such litigant with notice of the referral order and summon the litigant to appear, within the ordinary time limits, before the court to which the case has been referred.

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The provisions of the preceding paragraph shall not apply to cases in which judgment has already been rendered or cases adjourned for the pronouncement of judgment. Such cases shall remain subject to the former provisions.

Article (3):

Enforcement proceedings against immovable property shall continue to be conducted in accordance with the provisions of the former Law where a judgment adjudicating the auction had been rendered while that Law was in force.

Article (4):

This Law shall be published in the Official Gazette and shall enter into force six months after the date of its publication.

Civil and Commercial Procedure Law

General Provisions

Article (1):

Procedural laws shall apply to cases that have not yet been adjudicated and to procedures that have not yet been completed before the date on which such laws enter into force, except for the following:

- Laws amending jurisdiction, where the date on which they enter into force falls after the close of pleadings in the case.
- Laws amending time limits, where the relevant time limit commenced before the date on which they entered into force.
- Laws governing methods of appeal in respect of judgments rendered before the date on which they entered into force, where such laws abolish or establish any such method of appeal.

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Article (2):

Any procedural measure validly undertaken under a law in force shall remain valid unless otherwise provided.

Any newly introduced time limit resulting in forfeiture shall apply only from the date on which the law introducing such time limit enters into force.

Article (3):

No action, application, or defence based on the provisions of this Law or any other law shall be admissible unless the person asserting it has a personal, direct, and existing interest recognised by law.

Nevertheless, a potential interest shall be sufficient where the purpose of the application is to prevent imminent harm or to preserve evidence of a right where there is a concern that such evidence may be lost at the time of dispute.

The court shall, of its own motion and at any stage of the proceedings, rule that the action, application, or defence is inadmissible where the conditions stipulated in the preceding two paragraphs are not satisfied.

Where the court rules that an action is inadmissible due to the absence of the required interest, it may impose upon the claimant a procedural fine not exceeding five hundred Egyptian pounds if it is established that the claimant has abused the right to litigate.

Article (3 bis):

The provisions of the preceding Article shall not apply to the authority of the Public Prosecution, pursuant to the law, to institute proceedings, intervene therein, or appeal the judgments rendered therein.

They shall likewise not apply in cases where the law permits an action, appeal, or grievance to be brought by a person other than the holder of the right to bring it, for the protection of a personal interest recognised by law.

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Article (4):

Where the law applicable to personal status matters grants a litigant a specified period within which to acquire the required procedural capacity, the litigant may request the adjournment of the case until the expiry of such period, without prejudice to the litigant's right to raise any defences after the expiry thereof.

Article (5):

Where the law prescribes a mandatory time limit for undertaking a procedure that is effected by service, such time limit shall not be deemed to have been observed unless the opposing party is served within that period.

Article (6):

All service and enforcement procedures shall be carried out by court bailiffs at the request of a litigant or the Court Registry, or pursuant to an order of the court.

The litigants or their representatives shall direct the procedures and submit the relevant documents to the court bailiffs for service or enforcement, unless otherwise provided by law.

Court bailiffs shall only be liable for errors committed in the performance of their duties.

Article (7):

No service or enforcement procedure may be carried out before 7:00 a.m., after 8:00 p.m., or on official holidays, except in cases of necessity and pursuant to the written permission of the Judge of Summary Matters.

Article (8):

Where a court bailiff considers that there are grounds for refusing to effect service, including where it appears that the document contains information contrary to public order or public morals, or is affected by ambiguity, uncertainty, insufficient identification, or any other matter that makes service impossible, the court bailiff shall immediately refer the matter to the Judge of Summary Matters.

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After hearing the applicant requesting service, the Judge shall order that the document be served, that service be refused, or that such amendments as the Judge deems appropriate be made to the document.

The applicant may file a grievance against such order before the Court of First Instance sitting in chambers. The Court shall finally determine the grievance after hearing the court bailiff and the applicant.

Article (9):

Documents served by court bailiffs shall contain the following particulars:

- The day, month, year, and time at which service was effected.
- The applicant's name, surname, profession or position, and domicile, together with the name, surname, profession or position, and domicile of the applicant's representative, where the applicant acts on behalf of another person.
- The name of the court bailiff and the court to which the bailiff is attached.
- The name, surname, profession or position, and domicile of the person to be served. Where the person's domicile is unknown at the time of service, the last known domicile shall be stated.
- The name and capacity of the person to whom a copy of the document was delivered, together with that person's signature acknowledging receipt on the original document.
- The court bailiff's signature on both the original document and the copy thereof.

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Article (10):

Documents required to be served shall be delivered to the person concerned personally or at that person's domicile. They may also be delivered at an elected domicile in the circumstances prescribed by law.

Where the court bailiff does not find the person to be served at that person's domicile, the bailiff shall deliver the document to a person who declares that they are the person's agent, employee, spouse, relative by blood, or relative by marriage residing with that person.

Article (11):

Where the court bailiff does not find a person to whom the document may validly be delivered in accordance with the preceding Article, or where any of the persons referred to therein whom the bailiff finds refuses to sign the original in acknowledgment of receipt or refuses to receive the copy, the bailiff shall, on the same day, deliver it, as the case may be, to the officer in charge of the police station or district police station, the mayor, or the village sheikh within whose jurisdiction the domicile of the person to be served is situated, after such person signs the original in acknowledgment of receipt.

Within twenty-four hours, the court bailiff shall send to the person to be served, at that person's original or elected domicile, a registered letter enclosing another copy of the document and informing that person that the copy has been delivered to the administrative authority.

The court bailiff shall record all the foregoing, at the relevant time, in the original service document and both copies thereof. Service shall produce its legal effects from the time the copy is delivered to the person to whom it was lawfully delivered.

Article (12):

Where the law requires a litigant to designate an elected domicile and the litigant fails to do so, or where the particulars thereof are incomplete or incorrect, the litigant may be served through the Court Registry with all documents that could validly have been served at the elected domicile.

Where a litigant changes or abandons the litigant's original or elected domicile without notifying the opposing party thereof, service at such domicile shall remain valid, and the copy shall, where necessary, be delivered to the administrative authority in accordance with the preceding Article.

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Article (13):

Except as otherwise provided by special laws, a copy of the document to be served shall be delivered as follows:

- Documents relating to the State shall be delivered to the relevant ministers, heads of competent government departments, governors, or persons acting on their behalf. However, statements of claim, appeal petitions, and judgments shall be delivered to the State Lawsuits Authority or its regional branches, according to the territorial jurisdiction of each.

- Documents relating to public legal persons shall be delivered to their legal representatives or persons acting on their behalf. However, statements of claim, appeal petitions, and judgments shall be delivered to the State Lawsuits Authority or its regional branches, according to the territorial jurisdiction of each.

- Documents relating to commercial companies shall be delivered at the company's head office to a general partner, the chairperson of the board of directors, the manager, or any person acting on their behalf. Where the company has no head office, the documents shall be delivered personally to any one of the foregoing persons or at that person's domicile.

- Documents relating to civil companies, associations, private foundations, and all other legal persons shall be delivered at their head office to their representative designated under their instrument of incorporation or articles of association, or to a person acting on the representative's behalf. Where they have no head office, the copy shall be delivered personally to their representative or at the representative's domicile.

- Documents relating to foreign companies having a branch or agent in the Arab Republic of Egypt shall be delivered to such branch or agent.

- Documents relating to members of the Armed Forces and persons treated as such shall be delivered, through the Public Prosecution, to the competent judicial administration of the Armed Forces.

- Documents relating to prisoners shall be delivered to the prison governor.[1]

[1] The Supreme Constitutional Court ruled that Item (7) of Article (13) of the Civil and Commercial Procedure Law promulgated by Law No. 13 of 1968 was unconstitutional insofar as it failed to require proof that the documents to be served had been delivered to the prisoner personally, pursuant to Judgment No. 49 of Judicial Year 30 (Constitutional), published in the Official Gazette on 13 March 2018.

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- Documents relating to seafarers serving on commercial vessels or persons working thereon shall be delivered to the master of the vessel.

- Documents relating to persons having a known domicile abroad shall be delivered to the Public Prosecution, which shall transmit them to the Ministry of Foreign Affairs for service through diplomatic channels. Subject to reciprocity, the copy may also be delivered directly to the diplomatic mission of the State in which the person to be served is domiciled, so that the mission may arrange for its delivery to that person.

Within twenty-four hours of delivering the copy to the competent Public Prosecution, the court bailiff shall, at the applicant's expense, send to the person to be served, at the domicile stated in the document, a registered letter with acknowledgment of receipt, enclosing another copy and informing that person that the copy to be served has been delivered to the Public Prosecution.

Service shall produce its legal effects from the time the copy is delivered to the Public Prosecution. However, where service triggers the commencement of a time limit against the person served, such time limit shall commence only from the date on which the copy is delivered at that person's domicile abroad, the date on which that person signs the acknowledgment of receipt, or the date on which that person refuses to receive the copy or to sign the original thereof in acknowledgment of receipt.

The Minister of Justice shall issue a decision establishing the rules for assessing postal transmission costs and the manner in which such costs shall be paid.

Where the domicile of the person to be served is unknown, the document shall state that person's last known domicile in the Arab Republic of Egypt or abroad, and a copy thereof shall be delivered to the Public Prosecution.

In all cases, where the court bailiff does not find a person to whom the document may validly be delivered, or where the person to be served or that person's representative refuses to sign the original in acknowledgment of receipt or refuses to receive the copy, the court bailiff shall immediately record such fact in the original and the copy and shall deliver the copy to the Public Prosecution.

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Article (14):

The court shall impose a fine of not less than one hundred Egyptian pounds and not exceeding four hundred Egyptian pounds upon an applicant for service who deliberately states an incorrect domicile for the person to be served with the intention of preventing the service from reaching that person.

Article (15):

Where the law prescribes a time limit calculated in days, months, or years for appearance or for undertaking a procedure, the day on which service is effected or the event regarded by law as commencing the time limit shall not be included in its calculation.

However, where the time limit is one that must expire before the procedure may be undertaken, the procedure may not be undertaken until after the expiry of the final day of the time limit.

Where the time limit constitutes a period within which the procedure must be undertaken, it shall expire upon the expiry of its final day.

Where the time limit is calculated in hours, the hour from which it commences and the hour at which it expires shall be calculated in accordance with the foregoing rules.

Time limits prescribed in months or years shall be calculated according to the Gregorian calendar, unless otherwise provided by law.

Article (16):

Where the law prescribes a time limit for appearance or for undertaking a procedure, one additional day shall be added for every distance of fifty kilometres between the place from which the person must travel and the place to which the person must travel.

Where the remaining fraction of the distance exceeds thirty kilometres, one additional day shall be added to the time limit. The distance allowance shall not exceed four days.

The distance allowance shall be fifteen days for persons whose domicile is situated in border areas.

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Article (17):

The distance allowance for a person whose domicile is abroad shall be sixty days.

The Judge of Summary Matters may, by order, reduce such period according to the availability of transportation and the circumstances of urgency. Such order shall be served together with the relevant document.

Such period shall not apply to a person who is served personally within the Republic while present therein. Nevertheless, the Judge of Summary Matters or the court hearing the case may order the extension of the ordinary time limits or deem them extended, provided that, in either case, the extension shall not exceed the period to which that person would have been entitled had service been effected at the person's domicile abroad.

Article (18):

Where the final day of a time limit falls on an official holiday, the time limit shall be extended to the first working day thereafter.

Article (19):

Failure to comply with the time limits and procedures prescribed in Articles (6), (7), (9), (10), (11), and (13) shall render the relevant procedure null and void.

Article (20):

A procedure shall be null and void where the law expressly provides for its nullity or where it is affected by a defect as a result of which the purpose of the procedure has not been achieved.

Notwithstanding an express provision prescribing nullity, the court shall not declare the procedure null and void where it is established that the purpose of the procedure has been achieved.

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Article (21):

Nullity may be invoked only by the person for whose benefit it was prescribed.

A party who caused the nullity may not invoke it. The foregoing shall not apply where the nullity relates to public order.

Article (22):

Nullity shall be cured where the person for whose benefit it was prescribed expressly or implicitly waives the right to invoke it, except where the nullity relates to public order.

Article (23):

A void procedure may be rectified even after nullity has been invoked, provided that rectification is effected within the time limit prescribed by law for undertaking such procedure.

Where no time limit is prescribed by law for the procedure, the court shall specify an appropriate period within which it must be rectified.

The procedure shall produce legal effect only from the date of its rectification.

Article (24):

Where a procedure is void but contains the constituent elements of another procedure, it shall be valid as the procedure whose constituent elements it satisfies.

Where only part of a procedure is void, nullity shall be confined to that part alone.

The nullity of a procedure shall not entail the nullity of any preceding or subsequent procedures unless such subsequent procedures were based upon it.

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Article (25):

A court clerk shall attend with the judge at hearings and during all evidentiary proceedings, prepare the relevant record, and sign it together with the judge; otherwise, the proceedings shall be null and void.

Article (26):

Court bailiffs, court clerks, and other judicial officers may not undertake any act falling within the scope of their official duties in proceedings concerning themselves, their spouses, or their relatives by blood or marriage up to the fourth degree; otherwise, such act shall be null and void.

Article (27):

The Judge of Summary Matters at the Court of First Instance shall be the president of that court, the person acting in the president's place, or any judge of that court designated for such purpose.

At a District Court, the Judge of Summary Matters shall be the judge of that court.

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Article (28):

The courts of the Republic shall have jurisdiction to hear actions brought against an Egyptian national, even where that person has no domicile or place of residence within the Republic, except for actions in rem concerning immovable property situated abroad.

Article (29):

The courts of the Republic shall have jurisdiction to hear actions brought against a foreign national who has a domicile or place of residence within the Republic, except for actions in rem concerning immovable property situated abroad.

Article (30):

The courts of the Republic shall have jurisdiction to hear actions brought against a foreign national who has no domicile or place of residence within the Republic in any of the following circumstances:

- Where that person has an elected domicile within the Republic.
- Where the action concerns property situated within the Republic; an obligation that arose, was performed, or was required to be performed therein; or bankruptcy declared therein.
- Where the action concerns an objection to a marriage contract intended to be concluded before an Egyptian marriage registrar.

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- Where the action concerns the annulment or dissolution of marriage or legal separation and is brought by a wife who lost the nationality of the Republic by reason of marriage, provided that she has a domicile within the Republic; or where the action is brought by a wife domiciled within the Republic against her husband who formerly had a domicile therein, provided that, after the grounds for annulment, dissolution, or separation arose, the husband deserted his wife and established his domicile abroad or was expelled from the Republic.

- Where the action concerns a claim for maintenance by a mother or wife having a domicile within the Republic, or by a minor residing therein.

- Where the action concerns the parentage of a minor residing within the Republic, or the removal, restriction, suspension, or restoration of guardianship over the minor's person.

- Where the action concerns a personal status matter and the claimant is an Egyptian national or a foreign national having a domicile within the Republic, provided that the defendant has no known domicile abroad or that Egyptian national law is applicable to the action.

- Where the action concerns a matter of guardianship over property, provided that the minor, the person sought to be placed under interdiction, or the person sought to be placed under judicial assistance has a domicile or place of residence within the Republic, or where the absent person's last domicile or place of residence was situated therein.

- Where any one of the defendants has a domicile or place of residence within the Republic.

Article (31):

The courts of the Republic shall have jurisdiction over matters of inheritance and actions relating to an estate where the succession opened within the Republic, the deceased was an Egyptian national, or all or part of the estate property is situated within the Republic.

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Article (32):

The courts of the Republic shall have jurisdiction to determine an action, even where it does not fall within their jurisdiction pursuant to the preceding Articles, where the opposing party expressly or implicitly accepts their jurisdiction.

Article (33):

Where an action falling within the jurisdiction of the courts of the Republic is brought before them, such courts shall also have jurisdiction to determine the preliminary issues and incidental applications arising from the original action.

They shall further have jurisdiction to determine any claim connected with such action where the proper administration of justice requires that they be heard together.

Article (34):

The courts of the Republic shall have jurisdiction to order provisional and conservatory measures to be enforced within the Republic, even where they do not have jurisdiction over the substantive action.

Article (35):

Where the defendant fails to appear and the courts of the Republic do not have jurisdiction to hear the action pursuant to the preceding Articles, the court shall, of its own motion, rule that it lacks jurisdiction.

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Article (36):

The value of an action shall be assessed as at the date on which it is filed. The assessment shall include any interest, compensation, expenses, and other quantifiable ancillary amounts due as of that date, as well as any claim for rent accruing after the filing of the action up to the date on which judgment is rendered.

In all cases, the value of any building or plantation shall be taken into account where its removal is sought.

The assessment shall be based on the parties' final claims.

Article (37):

The following rules shall be observed when assessing the value of an action:

In actions whose value is assessed by reference to the value of immovable property, the value of constructed property shall be assessed at five hundred times the amount of the original tax assessed thereon. In the case of land, the value shall be assessed at four hundred times the amount of the original tax.

Where no tax has been assessed on the immovable property, the court shall determine its value.

Actions relating to the ownership of immovable property and substantive disputes relating to enforcement against immovable property shall be valued according to the value of the property.

Actions relating to an easement shall be valued at one quarter of the value of the property burdened by the easement.

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Where the action relates to a usufruct or bare ownership, it shall be valued at one half of the value of the property.

Where an action seeks the assessment of a specified ground rent under a ḥikr arrangement, or its increase to a specified amount, its value shall be assessed on the basis of the annual amount sought to be determined, or the annual amount of the requested increase, as applicable, multiplied by twenty.

Possessory actions shall be valued according to the value of the right to which the possession relates.

Where an action concerns an annuity and the instrument establishing it is disputed, its value shall be assessed on the basis of twenty years' annuity where it is perpetual, and ten years' annuity where it is payable for life.

Actions relating to crops shall be valued according to their prices in the relevant general markets.

Where an action seeks a declaration of the validity, invalidity, or rescission of a contract, its value shall be assessed according to the value of the subject matter of the contract.

In relation to exchange contracts, the action shall be valued according to the more valuable of the two items exchanged.

Where an action seeks a declaration of the validity or invalidity of a continuing contract, its value shall be assessed according to the total monetary consideration payable throughout the entire term of the contract.

Where the action seeks rescission of the contract, its value shall be assessed according to the monetary consideration payable for the term specified in the contract. Where the contract has been partially performed, the action shall be valued according to the consideration payable for the remaining term.

Where the action relates to the extension of the contract, its value shall be assessed according to the monetary consideration payable for the period in respect of which the extension is disputed.

Where an action between an attaching creditor and the debtor concerns the validity or nullity of an attachment over movable property, its value shall be assessed according to the amount of the debt for which the attachment was effected.

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Where an action between a creditor and the debtor concerns a possessory pledge, privilege, official mortgage, or judicial charge, its value shall be assessed according to the amount of the secured debt.

Where the action is brought by a third party claiming ownership of the attached property or property encumbered by any of the aforementioned rights, its value shall be assessed according to the value of such property.

Actions for verification of signature and original actions alleging forgery shall be valued according to the value of the right evidenced by the document in respect of which verification of the signature or a declaration of forgery is sought.

Article (38):

Where an action contains multiple claims arising from a single legal cause, its value shall be assessed according to the aggregate value of such claims.

Where the claims arise from different legal causes, the value of each claim shall be assessed separately.

Where the action includes claims that are deemed incorporated into the principal claim, its value shall be assessed solely according to the value of the principal claim.

Article (39):

Where an action is brought by one or more persons against one or more persons on the basis of a single legal cause, its value shall be assessed according to the total amount claimed, without regard to the share of each party therein.

Article (40):

Where the relief sought concerns only part of a right, the action shall be valued according to the value of that part.

However, where the entire right is disputed and the part claimed does not constitute the remaining balance thereof, the action shall be valued according to the value of the right in its entirety.

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Article (41):

Where the relief sought in an action cannot be valued in accordance with the preceding rules, the value of the action shall be deemed to exceed two hundred thousand Egyptian pounds.

Civil and Commercial Procedure Law

Book One: Litigation before the Courts

Part One: Jurisdiction

Chapter Three: Subject-Matter Jurisdiction

Article (42):

The District Court shall have jurisdiction to adjudicate at first instance civil and commercial actions whose value does not exceed two hundred thousand Egyptian pounds.

Its judgment shall be final where the value of the action does not exceed thirty thousand Egyptian pounds.

The foregoing shall be without prejudice to any other jurisdiction conferred upon the Court of First Instance by law.

Article (43):

The District Court shall also have jurisdiction to adjudicate at first instance, irrespective of the value of the action, and its judgment shall be final where the value of the action does not exceed thirty thousand Egyptian pounds, in the following matters:

- Actions relating to the use of water and the clearance of canals, irrigation channels, and drains.

- Actions concerning the determination of boundaries and the assessment of distances in relation to buildings, land, and harmful installations, provided that ownership or the relevant right is not in dispute.

- Actions for the partition of jointly owned property.

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- Actions relating to claims for wages and salaries and the determination thereof.
- Actions for verification of signature, irrespective of their value.
- Actions for the delivery of immovable property where brought as principal actions. The claimant shall notify the interested parties, including owners, possessors, and holders of rights, of the action by means of a document served by a court bailiff.

Where such persons cannot be identified after sufficient inquiries have been conducted, notification shall be effected through the competent local administrative unit by posting the notice in a visible place on the façade of the immovable property, at the police post within whose jurisdiction the property is situated, at the office of the village mayor, and on the notice board at the premises of the competent local administrative unit, as applicable.

The court shall not adjudicate the action until notification has been duly completed and the claimant has submitted the documents supporting the claim, even where the defendant admits the claimant's claims.

Article (44):

A claimant may not combine a possessory action with a claim based on the underlying right; otherwise, the claimant's possessory claim shall lapse.

The defendant may not defend a possessory action by relying upon the underlying right. Nor shall an action concerning such right be admissible before the possessory action has been determined and the judgment rendered therein has been enforced, unless the defendant has actually surrendered possession to the opposing party.

Likewise, a judgment in a possessory action may not be based on the establishment or denial of the underlying right.

Article (44 bis):

Where any possessory dispute, whether civil or criminal, is referred to the Public Prosecution, it shall issue a reasoned provisional order thereon, enforceable immediately, after hearing the statements of the parties to the dispute and conducting the necessary investigations.

Such order shall be issued by a member of the Public Prosecution holding at least the rank of Chief Prosecutor.

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The Public Prosecution shall notify the interested parties of the order within three days from the date of its issuance.

In all cases, any interested party may challenge the order before the judge having jurisdiction over urgent matters by an action filed in accordance with the ordinary procedures within fifteen days from the date on which that party is notified of the order.

The judge shall determine the challenge by a provisional judgment upholding, amending, or revoking the order. At the applicant’s request, the judge may stay the enforcement of the challenged order until the challenge has been determined.

Article (45):

A judge of the Court of First Instance shall be designated at the seat of that court to adjudicate, on a provisional basis and without prejudice to the substantive right, urgent matters in respect of which there is a risk that delay may cause the opportunity for relief to be lost.

Outside the territorial district of the city in which the Court of First Instance is seated, such jurisdiction shall be vested in the District Court.

The foregoing shall not preclude the court hearing the merits from also exercising jurisdiction over such matters where they are submitted to it as ancillary applications.

Article (46):

The District Court shall not have jurisdiction to adjudicate an incidental application or an application connected with the principal claim where, by reason of its value or nature, such application falls outside its jurisdiction.

Where such an application is submitted to the District Court, it may adjudicate the principal claim alone, provided that doing so would not prejudice the proper administration of justice.

Otherwise, the court shall, of its own motion, order the referral of the principal action together with the incidental or connected application, in the condition in which they stand, to the competent Court of First Instance.

The referral judgment shall not be subject to appeal.

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Article (47):

The Court of First Instance shall have jurisdiction to adjudicate at first instance all civil and commercial actions that do not fall within the jurisdiction of the District Court. Its judgment shall be final where the value of the action does not exceed two hundred thousand Egyptian pounds.

It shall also have jurisdiction to adjudicate appeals brought before it against judgments rendered at first instance by the District Court or by the Judge of Urgent Matters.

It shall further have jurisdiction to adjudicate provisional or urgent applications, all incidental applications, and applications connected with the principal claim, irrespective of their value or nature.

Article (48):

The Court of Appeal shall have jurisdiction to adjudicate appeals brought before it against judgments rendered at first instance by the Courts of First Instance, as well as judgments rendered by District Courts in the actions provided for under Item (6) of Article (43) of this Law.

Civil and Commercial Procedure Law

Book One: Litigation before the Courts

Part One: Jurisdiction

Chapter Four: Territorial Jurisdiction

Article (49):

Unless otherwise provided by law, jurisdiction shall be vested in the court within whose territorial district the defendant is domiciled.

Where the defendant has no domicile within the Republic, jurisdiction shall be vested in the court within whose territorial district the defendant's place of residence is situated.

Where there are multiple defendants, jurisdiction shall be vested in the court within whose territorial district any one of them is domiciled.

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Article (50):

In real actions relating to immovable property and possessory actions, jurisdiction shall be vested in the court within whose territorial district the immovable property, or any part thereof where it is situated within the districts of multiple courts, is located.

In personal actions relating to immovable property, jurisdiction shall be vested in the court within whose territorial district the immovable property is situated or the defendant is domiciled.

By way of exception to Article (108) of this Law, the District Court within whose territorial district the immovable property is situated shall have exclusive jurisdiction over actions for the delivery of immovable property.

Article (51):

In actions falling within the jurisdiction of the District Court that are brought against the Government, local administrative units, public authorities, or public institutions, jurisdiction shall be vested in the court within whose territorial district the seat of the governorate is situated, subject to the preceding rules.

Article (52):

In actions relating to companies or associations, whether operating or under liquidation, or to private institutions, jurisdiction shall be vested in the court within whose territorial district their head office is situated.

This shall apply whether the action is brought against the company, association, or institution; by the company, association, or institution against any partner or member; or by one partner or member against another.

An action may also be brought before the court within whose territorial district a branch of the company, association, or institution is situated, where the dispute relates to that branch.

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Article (53):

Actions relating to estates that are brought before the partition of the estate by a creditor, or by some heirs against others, shall fall within the jurisdiction of the court within whose territorial district the deceased's last domicile was situated.

Article (54):

In bankruptcy matters, jurisdiction shall be vested in the court that rendered the bankruptcy judgment.

Article (55):

In commercial matters, jurisdiction shall be vested in the court of the defendant's domicile, the court within whose territorial district the agreement was concluded and performed wholly or partly, or the court within whose territorial district the agreement is required to be performed.

Article (56):

In disputes relating to supplies, contracting works, residential rent, and the wages of workers, craftsmen, and employees, jurisdiction shall be vested in the court of the defendant's domicile or the court within whose territorial district the agreement was concluded or performed, provided that the claimant is domiciled within that district.

Article (57):

In actions relating to maintenance, jurisdiction shall be vested in the court within whose territorial district the defendant or the claimant is domiciled.

Article (58):

In disputes concerning claims for insurance proceeds, jurisdiction shall be vested in the court within whose territorial district the beneficiary is domiciled or the insured property is situated.

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Article (59):

In actions seeking the adoption of a provisional measure, jurisdiction shall be vested in the court within whose territorial district the defendant is domiciled or the court within whose territorial district the measure is sought to be implemented.

In urgent disputes relating to the enforcement of judgments and enforceable instruments, jurisdiction shall be vested in the court within whose territorial district enforcement is being carried out.

Article (60):

The court hearing the principal action shall have jurisdiction to determine incidental applications.

However, a defendant against whom a recourse or warranty claim is brought may plead that the court lacks jurisdiction if that defendant establishes that the principal action was instituted solely for the purpose of bringing that defendant before a court other than the defendant's competent court.

Article (61):

Where the defendant has neither a domicile nor a place of residence within the Republic and the competent court cannot be determined pursuant to the preceding provisions, jurisdiction shall be vested in the court within whose territorial district the claimant is domiciled or resides.

Where the claimant also has neither a domicile nor a place of residence within the Republic, jurisdiction shall be vested in the Cairo Court.

Article (62):

Where the parties agree that a specific court shall have jurisdiction, jurisdiction shall be vested in that court or in the court within whose territorial district the defendant is domiciled.

However, in cases where the law confers jurisdiction upon a court by way of exception to Article (49), the parties may not agree in advance to confer jurisdiction upon another court.

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Article (63):

An action shall be brought before the court, at the claimant's request, by a statement of claim filed with the Court Registry, unless otherwise provided by law.

The statement of claim shall contain the following particulars:

- The claimant's name, surname, profession or position, and domicile, together with the name, surname, profession or position, capacity, and domicile of the claimant's representative.
- The defendant's name, surname, profession or position, and domicile, or, where the defendant's domicile is unknown, the defendant's last known domicile.
- The date on which the statement of claim is submitted.
- The court before which the action is brought.
- An elected domicile for the claimant in the town in which the court is seated, where the claimant has no domicile therein.
- The facts of the action, the claimant's claims, and the legal grounds upon which they are based.

Article (64):

In actions falling within the jurisdiction of the District Court and brought at first instance, the parties shall appear on the day and at the time specified in the originating statement of claim before a Conciliation Council responsible for attempting to reconcile them, except in actions in which settlement is not permitted, urgent actions, enforcement disputes, and applications for payment orders.

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The Conciliation Council referred to above shall be chaired by a Deputy Public Prosecutor and shall hold its sessions at the premises of the District Court having jurisdiction over the dispute.

The Council shall complete its task within thirty days. Such period may not be extended except by agreement of the parties and for no more than an additional thirty days.

Where a settlement is reached within such period, a record thereof shall be prepared and shall have the force of an enforceable instrument. Where no settlement is reached within the prescribed period, the Council shall refer the action to the court for determination at a hearing to be scheduled by it.

The organisation of the Council and the procedures to be followed before it shall be regulated by a decree of the President of the Republic. The Minister of Justice shall, by decision, determine the District Courts within whose territorial districts Conciliation Councils shall be established.

Where any action referred to in the first paragraph is brought before a court within whose territorial district a Conciliation Council has been established without first being submitted to that Council, the court shall refer the action thereto.

Article (65):

The Court Registry shall register the statement of claim where it is accompanied by the following:

- Evidence that the fees prescribed by law have been paid or that the claimant is exempt from payment thereof.
- Copies of the statement of claim equal to the number of defendants, in addition to two copies for the Court Registry.
- The originals of the documents supporting the action, or copies thereof submitted under the claimant's responsibility, together with any evidence upon which the claimant relies to prove the claim.
- An explanatory memorandum setting out the action, or a declaration that the statement of claim contains a full explanation thereof, together with copies of the memorandum or declaration equal to the number of defendants.

The Court Registry shall, in all cases, record the date on which registration was requested.

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Where the Court Registry considers that the statement of claim should not be registered due to failure to provide the documents and papers specified in the first paragraph, it shall refer the matter to the Judge of Summary Matters for immediate determination.

After hearing the applicant requesting registration and the opinion of the Court Registry, the Judge shall either direct the Court Registry to register the action or require the applicant to complete the missing documents or papers.

Where the statement of claim is registered pursuant to the Judge's order, it shall be deemed registered from the date on which the registration request was submitted.

Within three days, the Court Registry shall send the defendant a registered letter with acknowledgment of receipt, enclosing a copy of the statement of claim and the explanatory memorandum or declaration, notifying the defendant of the registration of the action, the claimant's name and claims, and the hearing scheduled for its determination, and inviting the defendant to inspect the case file and submit supporting documents and a defence memorandum.

In all actions other than urgent actions and actions in which the period for appearance has been shortened, the defendant shall deposit with the Court Registry, at least three days before the scheduled hearing, a defence memorandum accompanied by all supporting documents or copies thereof submitted under the defendant's responsibility.

An action seeking confirmation of the validity of a contract relating to a right in rem over immovable property shall not be admissible unless the statement of claim has been registered with the competent real estate registry.

Article (66):

The period for appearance shall be fifteen days before the Court of First Instance and the Court of Appeal, and eight days before the District Courts.

In cases of necessity, those periods may be reduced to three days and twenty-four hours, respectively.

The period for appearance in urgent actions shall be twenty-four hours. In cases of necessity, this period may be reduced so that service is effected from one hour to another, provided that service is effected personally upon the opposing party, unless the action is a maritime action.

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The reduction of the foregoing periods shall be authorised by the Judge of Summary Matters, and a copy of the authorisation shall be served upon the opposing party together with the statement of claim.

Article (67):

On the day the statement of claim is submitted, the Court Registry shall register the action in the designated register after recording, in the presence of the claimant or the claimant's representative, the date of the hearing scheduled for its determination on the original statement of claim and the copies thereof.

No later than the following day, the Court Registry shall deliver the original statement of claim and the copies thereof to the Court Bailiffs' Office for service and return of the original to the Court Registry.

Nevertheless, except in recovery actions and objections to enforcement, the original statement of claim and the copies thereof may, at the claimant's request, be delivered to the claimant for submission to the Court Bailiffs' Office for service. The original shall thereafter be returned to the claimant, who shall return it to the Court Registry.

Article (68):

The Court Bailiffs' Office shall serve the statement of claim within no more than thirty days from the date on which it is delivered thereto.

Where a hearing for determination of the action has been scheduled within such period, service shall be effected before that hearing, in all cases subject to compliance with the prescribed period for appearance.

The court before which the action is brought shall impose upon any employee of the Court Registry or the Court Bailiffs' Office whose negligence caused a delay in service a fine of not less than twenty Egyptian pounds and not exceeding two hundred Egyptian pounds.

A judgment imposing such fine shall not be subject to any method of appeal.

Proceedings in the action shall not be deemed constituted unless the statement of claim has been served upon the defendant, unless the defendant appears at the hearing.

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Article (69):

Failure to comply with the period prescribed in the preceding Article shall not render service of the statement of claim null and void.

Likewise, failure to comply with the periods prescribed for appearance shall not result in nullity, without prejudice to the right of the person served to obtain an adjournment in order to complete the prescribed period.

Article (70):

At the defendant's request, the action may be deemed never to have been brought where the defendant has not been summoned to appear within three months from the date on which the statement of claim was submitted to the Court Registry, provided that such failure is attributable to an act of the claimant.

Article (71):

Where the claimant discontinues the proceedings or reaches a settlement with the opposing party at the first hearing scheduled for the action and before pleadings commence, only one quarter of the paid court fee shall be payable in respect of the action.

Where the dispute is settled before the Conciliation Council referred to in Article (64), the entire paid court fee shall be refunded.

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Article (72):

On the date scheduled for hearing the action, the parties shall appear in person or through lawyers appointed to represent them.

The court may also permit a party to be represented by a spouse or by a relative by blood or marriage up to the third degree.

Article (73):

A representative shall declare that the representative appears on behalf of the principal and shall prove the authority to act in accordance with the provisions of the Legal Profession Law.

Where necessary, the court may permit the representative to prove such authority within a period specified by the court, provided that this is completed no later than the hearing of pleadings.

Article (74):

Once a power of attorney has been issued by a party, the domicile of that party's representative shall be deemed the elected domicile for service of all documents required for the conduct of the proceedings at the level of litigation for which the representative was appointed.

A party who has no representative in the town in which the court is seated shall elect a domicile therein.

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Article (75):

A power of attorney for litigation authorises the representative to undertake the acts and procedures necessary to institute and pursue the action or defend against it, and to take conservatory measures until judgment is rendered on the merits at the level of litigation for which the representative was appointed, as well as to arrange for service of such judgment and collect court fees and expenses.

The foregoing shall be without prejudice to any matter for which the law requires specific authority.

Any restriction contained in the power of attorney that is contrary to the foregoing may not be invoked against the opposing party.

Article (76):

None of the following acts shall be valid without specific authority:

- Admitting the right claimed or waiving it.
- Concluding a settlement or agreeing to arbitration in respect thereof.
- Accepting, tendering, or referring back an oath.
- Discontinuing the proceedings.
- Waiving a judgment or any method of appeal against it.
- Releasing an attachment.
- Waiving security while the debt remains outstanding.
- Alleging forgery.
- Seeking the recusal of a judge or bringing a liability action against a judge.
- Seeking the disqualification of an expert.
- Making or accepting an actual tender.

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* Undertaking any other act for which the law requires specific authority.

Article (77):

Where multiple representatives are appointed, any one of them may act independently in the proceedings unless such representative is prohibited from doing so by an express provision in the power of attorney.

Article (78):

A representative may appoint another lawyer to act in the representative's place unless the power of attorney expressly prohibits delegation.

Article (79):

Any statement made by the representative in the presence of the principal shall be deemed to have been made by the principal personally, unless the principal repudiates it during the hearing of the case.

Article (80):

The withdrawal or dismissal of a representative shall not prevent proceedings from continuing against that representative unless the opposing party is notified of the appointment of a replacement or of the principal's intention to conduct the proceedings personally.

A representative may not withdraw from the representation at an inappropriate time.

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Article (81):

No judge, the Public Prosecutor, any member of the Public Prosecution, or any court employee may act as a representative of a litigant in appearing or pleading before the courts, whether orally or in writing, or by providing a legal opinion, even where the action is brought before a court other than the court to which that person is attached; otherwise, the relevant act shall be null and void.

Nevertheless, they may act on behalf of persons whom they legally represent, as well as their spouses and their ascendants and descendants up to the second degree.

Civil and Commercial Procedure Law

Book One: Litigation before the Courts

Part Three: Appearance and Default of the Parties

Chapter Two: Default

Article (82):

Where neither the claimant nor the defendant appears, the court shall adjudicate the action if it is ready for judgment; otherwise, it shall order that the action be struck off the court docket.

Where sixty days elapse without any party requesting the resumption of the proceedings, or where both parties fail to appear after the proceedings have been resumed, the action shall be deemed never to have been brought.

The court shall adjudicate the action where the claimant, all claimants, or any of them fail to appear at the first hearing and the defendant appears.

Article (83):

Where the defendant appears at any hearing or deposits a defence memorandum, the proceedings shall be deemed adversarial in respect of that defendant, even if the defendant subsequently fails to appear.

At a hearing at which the opposing party fails to appear, the claimant may not submit new claims or amend, increase, or reduce the original claims.

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Likewise, in the claimant's absence, the defendant may not request that judgment be rendered against the claimant on any claim submitted by the defendant.

Article (84):

Where the defendant alone fails to appear at the first hearing and the statement of claim was served upon the defendant personally, the court shall adjudicate the action.

Where the defendant was not served personally, the court shall, except in urgent actions, adjourn the case to a subsequent hearing, of which the claimant shall serve notice upon the absent defendant.

In both cases, the judgment rendered in the action shall be deemed an adversarial judgment.

Where there are multiple defendants, some of whom were served personally and others were not, and all of them fail to appear, or those who were not served personally fail to appear, the court shall, except in urgent actions, adjourn the action to a subsequent hearing, of which the claimant shall serve notice upon each absent defendant who was not served personally.

The judgment rendered in the action shall be deemed an adversarial judgment in respect of all defendants.

For the purposes of this Article, service upon a public or private legal person at its head office, or upon the State Lawsuits Authority, as applicable, shall be deemed personal service.

Article (85):

Where, in the defendant's absence, the court finds that service of the statement of claim is null and void, it shall adjourn the case to a subsequent hearing, of which the opposing party shall arrange for valid service upon the defendant.

Where the nullity is attributable to an act of the claimant, the court shall impose upon the claimant a fine of not less than fifty Egyptian pounds and not exceeding five hundred Egyptian pounds.

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Article (86):

Where the absent party appears before the end of the hearing, any judgment rendered against that party during the hearing shall be deemed never to have been rendered.

Civil and Commercial Procedure Law

Book One: Litigation before the Courts

Part Four: Intervention by the Public Prosecution

Article (87):

The Public Prosecution may institute proceedings in the cases prescribed by law and shall, in such cases, have the same rights as the litigants.

Article (88):

Except in urgent actions, the Public Prosecution shall intervene in the following cases; otherwise, the judgment shall be null and void:

- Actions that the Public Prosecution is legally entitled to institute in its own name.
- Appeals and applications before the Court of Cassation and the Court of Jurisdictional Conflicts.
- Any other case in which the law requires its intervention.

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Article (89):

Except in urgent actions, the Public Prosecution may intervene in the following cases:

- Actions relating to persons lacking legal capacity, persons with limited legal capacity, absent persons, and missing persons.
- Actions relating to charitable endowments, donations, and testamentary dispositions dedicated to charitable purposes.
- Pleas of lack of jurisdiction arising from the absence of jurisdiction vested in the judicial authority.
- Applications for the recusal of judges or members of the Public Prosecution and liability actions brought against them.
- Composition proceedings for the prevention of bankruptcy.
- Actions in which the Public Prosecution considers intervention necessary because they concern public order or public morals.
- Any other case in which the law permits its intervention.

Article (90):

At any stage of the proceedings, the court may order the case file to be transmitted to the Public Prosecution where an issue relating to public order or public morals arises therein.

The intervention of the Public Prosecution shall be mandatory in such case.

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Article (91):

The Public Prosecution shall be deemed represented in the action once it submits a memorandum setting out its opinion therein, and its attendance shall not be required unless otherwise provided by law.

In all cases, the attendance of the Public Prosecution shall not be required when judgment is pronounced.

Article (92):

In all cases where the law provides for the intervention of the Public Prosecution, the Court Registry shall notify it in writing immediately upon registration of the action.

Where an issue requiring the intervention of the Public Prosecution arises during the hearing of the action, it shall be notified pursuant to an order of the court.

Article (93):

At its request, the Public Prosecution shall be granted a period of not less than seven days to submit a memorandum setting out its submissions.

Such period shall commence on the date on which the case file, including the parties' documents and memoranda, is transmitted to it.

Article (94):

The Public Prosecution may intervene at any stage of the proceedings before the close of pleadings.

Article (95):

In all actions in which the Public Prosecution intervenes as a joined party, the litigants may not, after the Public Prosecution has submitted its statements and applications, request permission to address the court or submit new memoranda.

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They may, however, submit to the court a written statement correcting any facts referred to by the Public Prosecution.

Nevertheless, in exceptional circumstances where the court considers it appropriate to admit new documents or supplementary memoranda, it may authorise their submission and reopen the pleadings. The Public Prosecution shall be the last party to address the court.

Article (96):

The Public Prosecution may appeal a judgment in cases where the law requires or permits its intervention, where the judgment contravenes a rule of public order, or where the law expressly so provides.

Civil and Commercial Procedure Law

Book One: Litigation before the Courts

Part Five: Hearing Procedures and Courtroom Order

Chapter One: Hearing Procedures

Article (97):

Pleadings shall take place at the first hearing.

Where the claimant or the defendant submits at that hearing a document that could have been submitted within the period prescribed under Article (65) of this Law, the court shall admit it if its submission does not result in the adjournment of the action.

Where the submission of such document results in an adjournment and the court considers its admission necessary in the interests of justice, the court shall impose upon the party submitting it a fine of not less than one hundred Egyptian pounds and not exceeding five hundred Egyptian pounds.

The action may be adjourned for this purpose only once, and the period of adjournment shall not exceed two weeks.

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Nevertheless, either the claimant or the defendant may submit a document in response to the opposing party's defence or incidental applications.

Article (98):

An action may not be adjourned more than once for the same reason attributable to one of the parties, and the period of adjournment shall not exceed three weeks.

Article (99):

The court shall impose upon any court employee or litigant who fails to deposit documents or undertake any procedural measure within the period prescribed by the court a fine of not less than forty Egyptian pounds and not exceeding four hundred Egyptian pounds.

Such fine shall be imposed by an order recorded in the minutes of the hearing and shall have the same enforceability as a judgment.

The order shall not be subject to appeal by any method. However, the court may exempt the person upon whom the fine was imposed from all or part thereof where that person submits an acceptable excuse.

Instead of imposing a fine upon the claimant, the court may, after hearing the defendant's submissions, order a stay of the action for a period not exceeding one month.

Where the period of stay expires and the claimant fails to request the resumption of the action within the following fifteen days, or fails to comply with the court's order, the court shall rule that the action be deemed never to have been brought.

Article (100):

Judgments imposing fines shall be enforced after the person against whom the fine was imposed has been notified by the Court Registry by registered letter with acknowledgment of receipt.

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Article (101):

Hearings shall be conducted in public unless the court, of its own motion or at the request of one of the parties, decides that they be conducted in camera in order to preserve public order, observe public morals, or protect the sanctity of the family.

Article (102):

The parties shall be heard during the pleadings and may not be interrupted unless they depart from the subject matter of the action or the requirements of their defence.

The defendant shall be the last party to address the court.

Article (103):

At any stage of the proceedings, the parties may request the court to record in the minutes of the hearing any agreement reached between them, which shall be signed by the parties or their representatives.

Where the parties have reduced their agreement to writing, the written agreement shall be appended to the minutes of the hearing and its contents shall be recorded therein.

In both cases, the minutes of the hearing shall have the force of an enforceable instrument. Copies thereof shall be issued in accordance with the rules governing the issuance of copies of judgments.

Nevertheless, where the parties' request concerns the recording of an agreement confirming the validity of a contract relating to a right in rem over immovable property, the court shall not order that the agreement, whether written or oral, be appended to the minutes of the hearing unless the written agreement, or an official copy of the minutes recording the agreement, has

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been registered with the competent real estate registry.

Article (104):

The presiding judge shall be responsible for maintaining order at and managing the hearing.

For such purpose, and subject to the provisions of the Legal Profession Law, the presiding judge may order any person who disrupts the order of the hearing to leave the courtroom.

Where such person fails to comply and continues the disruption, the court may immediately sentence that person to imprisonment for twenty-four hours or impose a fine of one hundred Egyptian pounds. Such judgment shall be final.

Where the disruption is committed by a person performing a function at the court, the court may, during the hearing, impose any disciplinary penalty that the head of the relevant authority would be entitled to impose.

At any time before the end of the hearing, the court may revoke any judgment or penalty imposed pursuant to the preceding two paragraphs.

Article (105):

The court may, even of its own motion, order the deletion from any pleading or memorandum of any expressions that are improper or contrary to public morals or public order.

Article (106):

Subject to the provisions of the Legal Profession Law, the presiding judge shall order the preparation of a record of any offence committed during the hearing and of any investigative measures the judge considers appropriate, and shall then order the referral of the papers to the Public Prosecution for the necessary action.

Where the offence constitutes a felony or misdemeanour, the presiding judge may, where the circumstances so require, order the arrest of the offender.

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Article (107):

Subject to the provisions of the Legal Profession Law, the court may try any person who, during the hearing, commits a misdemeanour involving an assault against the court, any of its members, or any court employee, and may immediately impose the prescribed penalty.

The court may also try any person who gives false testimony during the hearing and impose the penalty prescribed for perjury.

A judgment rendered by the court in any of the foregoing cases shall be enforceable notwithstanding that it has been appealed.

Civil and Commercial Procedure Law

Book One: Litigation before the Courts

Part Six: Pleas, Joinder, Incidental Applications, and Intervention

Chapter One: Pleas

Article (108):

A plea challenging territorial jurisdiction, a plea seeking referral of the action to another court on the ground that the same dispute is pending before it or due to related proceedings, a plea of nullity, and all other procedural pleas shall be raised together before submitting any claim or defence on the merits or any plea of inadmissibility; otherwise, the right to raise any plea not so raised shall be forfeited.

An appellant's right to raise any such plea shall also be forfeited where it is not included in the appeal petition.

Such pleas shall be determined separately unless the court orders that they be joined to the merits. In such case, the court shall state separately its ruling on each plea.

All grounds upon which a procedural plea is based shall be raised together; otherwise, the right to rely upon any ground not so raised shall be forfeited.

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Article (109):

The court shall, of its own motion, rule that it lacks jurisdiction where such lack of jurisdiction arises from the absence of judicial authority or from the nature or value of the action.

A plea of lack of jurisdiction on any such ground may be raised at any stage of the proceedings.

Article (110):

Where the court rules that it lacks jurisdiction, it shall order the referral of the action, in the condition in which it stands, to the competent court, even where the lack of jurisdiction relates to judicial authority.

In such case, the court may impose a fine not exceeding four hundred Egyptian pounds.

The court to which the action is referred shall be bound to hear it.*

* At its hearing held on 1 June 2025 in Constitutional Case No. 2 of Judicial Year 45, the Supreme Constitutional Court ruled that the final paragraph of Article (110) of the Civil and Commercial Procedure Law promulgated by Law No. 13 of 1968 was unconstitutional insofar as it applied to judgments declining jurisdiction on grounds relating to judicial authority.

Article (111):

Where the parties agree to litigate before a court other than the court before which the action was brought, the court may order the referral of the action to the court agreed upon by them.

Article (112):

Where the same dispute is brought before two courts, the plea seeking referral shall be raised before the court before which the dispute was brought later.

Where referral is sought on the ground of related proceedings, the plea may be raised before either court.

The court to which the action is referred shall be bound to hear it.

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Article (113):

Whenever the court orders referral in any of the preceding cases, it shall specify the hearing at which the parties must appear before the court to which the action has been referred.

The Court Registry shall notify any absent party thereof by registered letter with acknowledgment of receipt.

Article (114):

The nullity of statements of claim and their service, and the nullity of summonses arising from a defect in service, the identification of the court, or the date of the hearing, shall be cured by the appearance of the person served at the hearing or by that person's submission of a defence memorandum.

Article (115):

A plea of inadmissibility of the action may be raised at any stage of the proceedings.

Where the court finds that a plea of inadmissibility based on a defect in the defendant's capacity is well founded, it shall adjourn the action so that the person having the proper capacity may be served.

In such case, the court may impose upon the claimant a fine of not less than fifty Egyptian pounds and not exceeding two hundred Egyptian pounds.

Where the matter concerns a ministry, public authority, government department, or a public or private legal person, it shall be sufficient, for the purposes of identifying the proper capacity, to state the name of the defendant entity in the statement of claim.

Article (116):

The court shall, of its own motion, uphold a plea that the action may not be heard because it has already been finally adjudicated.

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Chapter Two: Joinder of Third Parties and Calling a Warrantor

Article (117):

A party may join to the action any person who could validly have been named as a party when the action was originally filed.

Such joinder shall be effected, before the date of the hearing, in accordance with the ordinary procedures for instituting an action, subject to Article (66).

Article (118):

The court may, even of its own motion, order the joinder of any person whose participation it considers necessary in the interests of justice or for the purpose of revealing the truth.

The court shall specify a period not exceeding three weeks for the appearance of the person whose joinder it orders and shall designate the party responsible for effecting such joinder.

The joinder shall be effected in accordance with the ordinary procedures for instituting an action.

Article (119):

In civil matters, the court shall grant a party's request to adjourn the action for the purpose of calling a warrantor where that party summoned the warrantor to appear within eight days from the date on which the party was served with the action, or from the date on which the ground giving rise to the warranty arose, or where the aforementioned eight-day period had not expired before the hearing scheduled for the action.

In all other cases, the court may, at its discretion, adjourn the action for the purpose of calling the warrantor.

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The prescribed periods for appearance shall be taken into account when determining the adjournment period.

The warrantor shall be joined in accordance with the ordinary procedures for instituting an action.

Article (120):

The warranty claim and the principal action shall be determined by a single judgment whenever possible.

Otherwise, the court shall determine the warranty claim after rendering judgment in the principal action.

Article (121):

Where the court orders that the warranty claim be joined to the principal action, any judgment rendered against the warrantor shall, where appropriate, operate in favour of the original claimant, even where the claimant has not submitted any claims directly against the warrantor.

The party calling the warrantor may request to be discharged from the action where no personal obligation is claimed against that party.

Article (122):

Where the court finds that the warranty claim is unfounded, it may order the party who brought it to pay compensation for any damage resulting from the delay in determining the principal action.

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Article (123):

Incidental applications submitted by the claimant or the defendant shall be brought before the court, prior to the date of the hearing, in accordance with the ordinary procedures for instituting an action.

They may also be submitted orally at the hearing in the presence of the opposing party, in which case they shall be recorded in the minutes of the hearing.

No incidental application shall be admissible after the close of pleadings.

Article (124):

The claimant may submit the following incidental applications:

- An application correcting the original claim or amending its subject matter in order to address circumstances that arose or became apparent after the action was filed.
- An application that supplements the original claim, arises from it, or is inseparably connected with it.
- An application adding or changing the legal or factual cause of action while leaving the subject matter of the original claim unchanged.
- An application seeking a conservatory or provisional measure.
- Any application connected with the original claim that the court authorises the claimant to submit.

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Article (125):

The defendant may submit the following incidental applications:

- An application for judicial set-off and an application seeking compensation for damage sustained as a result of the principal action or any procedure undertaken therein.
- Any application which, if granted, would result in the rejection of all or part of the claimant's claims or in such claims being granted subject to a condition in the defendant's favour.
- Any application inseparably connected with the principal action.
- Any application connected with the principal action that the court authorises the defendant to submit.

Article (126):

Any person having an interest may intervene in the action, either in support of one of the parties or by seeking judgment for that person's own benefit on a claim connected with the action.

Intervention shall be effected, prior to the date of the hearing, in accordance with the ordinary procedures for instituting an action.

It may also be requested orally at the hearing in the presence of the parties, in which case it shall be recorded in the minutes of the hearing.

No intervention shall be admissible after the close of pleadings.

Article (126 bis):

An incidental application or application for intervention concerning confirmation of the validity of a contract relating to a right in rem over immovable property shall not be admissible unless the statement of such application, or an official copy of the minutes of the hearing in which it was recorded, has been registered with the competent real estate registry.

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Article (127):

The court shall determine every dispute concerning the admissibility of incidental applications or intervention.

Incidental applications or intervention shall not delay judgment in the principal action where that action is ready for judgment.

The court shall determine the merits of the incidental applications or applications for intervention together with the principal action whenever possible.

Otherwise, it shall retain the incidental application or application for intervention for determination after completing the necessary investigation thereof.

Civil and Commercial Procedure Law

Book One: Litigation before the Courts

Part Seven: Stay, Interruption, Lapse, Extinction by Prescription, and Discontinuance of Proceedings

Chapter One: Stay of Proceedings

Article (128):

The action may be stayed pursuant to an agreement between the parties not to proceed with it for a period not exceeding three months from the date on which the court approves their agreement.

Such stay shall not affect any time limit prescribed by law for undertaking a procedural measure.

Where the action is not resumed within the eight days following the expiry of the agreed period, the claimant shall be deemed to have discontinued the action and the appellant shall be deemed to have discontinued the appeal.

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Article (129):

Except in cases where the law provides for the mandatory or discretionary stay of an action, the court may order a stay whenever it considers that determination of the merits depends upon the prior determination of another issue.

Once the ground for the stay ceases to exist, either party may request the resumption of the proceedings.

Chapter Two: Interruption of Proceedings

Article (130):

Proceedings shall be interrupted by operation of law upon the death of a party, the loss of a party's capacity to litigate, or the termination of the representative capacity of the person conducting the proceedings on that party's behalf, unless the action has become ready for judgment on the merits.

Nevertheless, where a party requests a period within which to serve notice upon the person succeeding the party in respect of whom the cause of interruption has arisen, the court shall, before ruling that the proceedings are interrupted, direct that party to effect service within a period specified by it. Where service is not effected within that period without an acceptable excuse, the court shall rule that the proceedings have been interrupted from the date on which the cause of interruption arose.

Proceedings shall not be interrupted by the death of the lawyer representing a party or by the termination of the lawyer's authority through withdrawal or dismissal.

The court may grant an appropriate period to a party whose lawyer has died or whose authority has terminated, provided that the party promptly appoints a new lawyer within fifteen days following the termination of the former lawyer's authority.

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Article (131):

An action shall be deemed ready for judgment on the merits where the parties have presented their statements and final claims at the hearing of pleadings before the death, loss of capacity to litigate, or termination of representative capacity occurred.

Article (132):

The interruption of proceedings shall result in the suspension of all procedural time limits running against the parties and the nullity of all procedures undertaken during the period of interruption.

Article (133):

Proceedings shall be resumed by a statement served, at the request of the opposing party, upon the person succeeding the party who died, lost the capacity to litigate, or ceased to hold the relevant representative capacity.

Proceedings may also be resumed by a statement served upon the opposing party at the request of such successors.

Proceedings shall likewise be resumed where, at the hearing previously scheduled for the action, an heir of the deceased party, the person succeeding the party who lost the capacity to litigate, or the person succeeding the party whose representative capacity ceased appears and proceeds with the action.

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Article (134):

Where proceedings have not continued due to an act or omission of the claimant, any interested party may request a judgment declaring the proceedings lapsed once six months have elapsed from the date of the last valid procedural step taken therein.

Article (135):

In cases involving interruption of proceedings, the period for lapse shall not commence until the person requesting a judgment declaring the proceedings lapsed has notified the heirs of the deceased opposing party, the successor of the party who lost the capacity to litigate, or the successor of the party whose representative capacity ceased, of the existence of the action between that person and the original opposing party.

Article (136):

An application for a judgment declaring the proceedings lapsed shall be submitted to the court before which the action sought to be declared lapsed is pending, in accordance with the ordinary procedures for instituting an action.

The lapse of proceedings may also be raised by way of a plea where the claimant resumes the action after the expiry of the period prescribed in Article (134) of this Law.

The application or plea shall be directed against all claimants or appellants; otherwise, it shall be inadmissible.

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Article (137):

A judgment declaring the proceedings lapsed shall result in the lapse of any judgments rendered therein concerning evidentiary measures and the invalidation of all procedural steps, including the institution of the action.

However, it shall not extinguish the substantive right forming the subject matter of the action, any final judgments rendered therein, any procedures preceding such judgments, any admissions made by the parties, or any oaths taken by them.

Such lapse shall not prevent the parties from relying upon any investigative measures or expert work previously carried out, unless such measures or work are inherently null and void.

Article (138):

Where the proceedings in an appeal are declared lapsed, the appealed judgment shall, in all cases, become final.

Where the proceedings in a petition for reconsideration are declared lapsed before a judgment admitting the petition has been rendered, the petition itself shall lapse.

Where the proceedings are declared lapsed after a judgment admitting the petition has been rendered, the preceding rules governing appeals or proceedings at first instance shall apply, as the case may be.

Article (139):

The period prescribed for the lapse of proceedings shall apply to all persons, including persons lacking legal capacity and persons with limited legal capacity.

Article (140):

In all cases, the proceedings shall become extinct upon the expiry of two years from the date of the last valid procedural step taken therein.

Nevertheless, the preceding paragraph shall not apply to appeals by way of cassation.

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Article (141):

Proceedings may be discontinued by a notice served upon the opposing party through a court bailiff, by an express declaration contained in a memorandum signed by the discontinuing party or that party's representative and brought to the attention of the opposing party, or by an oral declaration made at the hearing and recorded in the minutes thereof.

Article (142):

Once the defendant has submitted the defendant's claims, discontinuance of the proceedings shall not be effective without the defendant's acceptance.

Nevertheless, no regard shall be given to the defendant's objection to discontinuance where the defendant has raised a plea challenging the court's jurisdiction, sought referral of the action to another court, pleaded the nullity of the statement of claim, or submitted any other application intended to prevent the court from proceeding with the hearing of the action.

Article (143):

Discontinuance shall result in the cancellation of all procedural steps, including the institution of the action, and the discontinuing party shall be ordered to pay the costs.

However, discontinuance shall not affect the substantive right in respect of which the action was brought.

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Article (144):

Where, during the pendency of the proceedings, a party expressly or implicitly waives any procedural step or document, such step or document shall be deemed never to have existed.

Article (145):

Waiver of a judgment shall entail waiver of the right established thereby.

Civil and Commercial Procedure Law

Book One: Litigation before the Courts

Part Eight: Disqualification, Recusal, and Withdrawal of Judges

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Article (146):

A judge shall be disqualified from hearing an action and prohibited from adjudicating it, even where none of the parties requests the judge's recusal, in any of the following circumstances:

- Where the judge is related by blood or marriage to any of the parties up to the fourth degree.

- Where the judge or the judge's spouse is involved in pending litigation with any party to the action or with that party's spouse.

- Where the judge is the private agent of any party, the guardian or curator of any party, or the presumptive heir of any party; or where the judge is related by blood or marriage up to the fourth degree to the guardian or curator of any party, to a member of the board of directors of a company that is a party to the proceedings, or to one of its managers, provided that such member or manager has a personal interest in the action.

- Where the judge, the judge's spouse, any of the judge's relatives by blood or marriage in the direct line, or any person whom the judge represents as agent, guardian, or curator has an interest in the pending action.

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- Where the judge has previously provided a legal opinion in the action, pleaded on behalf of any party therein, or prepared any written document concerning it, even before being appointed to the judiciary; or where the judge has previously considered the action in the capacity of judge, expert, or arbitrator, or has given testimony therein.

Article (147):

Any act or judgment of a judge in any of the circumstances referred to in the preceding Article shall be null and void, even where it was undertaken with the agreement of the parties.

Where such nullity affects a judgment rendered by the Court of Cassation, a party may request that Court to set aside the judgment and rehear the appeal before a different circuit.

Article (148):

A judge may be recused on any of the following grounds:

- Where the judge or the judge’s spouse has an action similar to the action being heard by the judge, or where, after the commencement of the action before the judge, a dispute arises between either of them and any party to the action or that party’s spouse, unless such dispute was initiated for the purpose of securing the judge’s recusal from hearing the action.

- Where the judge’s former spouse, by whom the judge has a child, or any of the judge’s relatives by blood or marriage in the direct line, is involved in pending litigation with any party to the action or that party’s spouse, unless such litigation was initiated after the commencement of the action before the judge for the purpose of securing the judge’s recusal.

- Where any party is employed in the judge’s personal service, where the judge habitually dines or resides with any party, or where the judge received a gift from any party shortly before or after the action was filed.

- Where there exists between the judge and any party such enmity or intimacy as is likely to prevent the judge from adjudicating impartially.

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Article (149):

In any of the circumstances referred to in the preceding Article, the judge shall notify the court sitting in chambers or the President of the Court of First Instance, as applicable, of the ground for recusal affecting the judge, in order to obtain permission to withdraw from hearing the action.

All the foregoing shall be recorded in a separate record to be retained by the court.

Article (150):

Outside the circumstances of recusal referred to above, where a judge feels unable to hear an action without embarrassment or concern for any reason, the judge may submit the matter of withdrawal to the court sitting in chambers or to the President of the Court for consideration and approval.

Article (151):

An application for recusal shall be submitted before any plea or defence is raised; otherwise, the right to submit it shall be forfeited.

Where the recusal is sought in respect of a judge delegated to undertake an evidentiary measure, the application shall be submitted within three days from the date of the judge's appointment if the appointment order was issued in the presence of the applicant for recusal. Where the order was issued in the applicant's absence, the three-day period shall commence from the date on which the applicant is notified thereof.

An application for recusal may nevertheless be submitted where its grounds arise after the prescribed time limits, or where the applicant proves that such grounds did not become known to the applicant until after those time limits had expired.

Article (152):

An application for recusal shall not be admissible after the close of pleadings in the action or where the applicant has previously sought the recusal of the same judge in the same action.

In either case, submission of the application for recusal shall not result in the stay of the action provided for under Article (162) of this Law.

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A party's right to seek recusal shall be forfeited where the relevant declaration is not made before the close of pleadings in respect of an earlier application for recusal submitted in the action, of which that party was notified of the hearing scheduled for its determination, provided that the grounds for recusal existed before the close of pleadings.

Article (153):

Recusal shall be sought by a declaration prepared at the Registry of the court to which the judge whose recusal is sought is attached.

The declaration shall be signed personally by the applicant or by the applicant's representative specifically authorised to seek recusal under a special power of attorney, which shall be attached to the declaration.

The declaration shall state the grounds for recusal and shall be accompanied by any papers or documents supporting it.

Upon making the declaration of recusal, the applicant shall deposit three hundred Egyptian pounds as security.

The Court Registry shall schedule a hearing within no more than seven days from the date on which the application is submitted, and the applicant for recusal shall sign an acknowledgment confirming knowledge of the hearing date.

An application for the recusal of a judge of a District Court or Court of First Instance shall be heard by a circuit of the Court of Appeal within whose territorial jurisdiction the Court of First Instance to which the judge is attached is situated.

An application for the recusal of a Counsellor[2] of a Court of Appeal or the Court of Cassation shall be heard, as applicable, by a circuit of the Court of Appeal or the Court of Cassation other than the circuit of which the Counsellor whose recusal is sought is a member.

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[2] The word "Judge" was replaced with "Counsellor" pursuant to Article One of Law No. 142 of 2006.

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Article (154):

Where recusal is sought in respect of a judge who sits for the first time to hear the action in the presence of the party, the recusal may be sought by a memorandum delivered to the hearing clerk.

The applicant for recusal shall confirm the application at the Court Registry on the same day or the following day; otherwise, the right to seek recusal shall be forfeited.

Article (155):

Within twenty-four hours, the Court Registry shall submit the recusal declaration to the President of the Court, accompanied by a statement of all recusal applications previously submitted in the action and the measures taken in respect thereof.

The President of the Court shall immediately bring the declaration to the attention of the judge whose recusal is sought and shall transmit a copy thereof to the Public Prosecution.

Article (156):

The judge whose recusal is sought shall respond in writing to the facts and grounds of recusal within the four days following the date on which the judge is informed thereof.

Where the grounds are legally sufficient for recusal and the judge fails to respond within the prescribed period, or acknowledges such grounds in the response, the President of the Court shall issue an order directing the judge to withdraw from the action.

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Article (157):

Except in the circumstances provided for under the preceding Article, the following procedures shall apply:

- Where the judge whose recusal is sought is a judge of a District Court or Court of First Instance, the President of the Court of First Instance shall transmit the papers to the President of the competent Court of Appeal on the day following the expiry of the prescribed period.

  The President of the court competent to hear the recusal application pursuant to Article (153) shall designate the circuit that will hear the application and shall determine the hearing date.

- The competent Court Registry shall notify the remaining parties to the original action of the hearing scheduled for determination of the recusal application, so that they may submit any recusal applications they may have in accordance with the final paragraph of Article (152).

- The circuit hearing the recusal application shall investigate it in chambers and render judgment thereon within no more than one month from the date of the declaration, after hearing the submissions of the applicant for recusal, the observations of the judge where appropriate or where the judge so requests, and the representative of the Public Prosecution where it has intervened in the action.

- In investigating an application for recusal, the judge may not be examined and no oath may be administered to the judge.

- The judgment rendered on the recusal application, together with its reasons, shall be pronounced in a public hearing.

An application for the recusal of any Counsellor[3] of the court hearing the recusal application shall not be admissible, and the submission thereof shall not stay the determination of the recusal application.

In all cases, a judgment rejecting an application for recusal may not be appealed except together with the appeal against the judgment rendered in the original action.

[3] The word "Judge" was replaced with "Counsellor" pursuant to Article One of Law No. 142 of 2006.

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Article (158):

Where the judge whose recusal is sought has been delegated from another court, the President of the Court shall order that the recusal declaration and its supporting documents be transmitted to the court to which the judge is attached.

That court shall bring them to the judge's attention, obtain the judge's response thereto, and return them to the first court so that the provisions prescribed in the preceding Articles may be followed.

Article (158 bis):

Where recusal applications are submitted before the close of pleadings in respect of an earlier recusal application, the President of the Court shall refer all such applications to the same circuit hearing the earlier application, which shall determine them together by a single judgment without being bound by Articles (156) and (158).

Article (159):

Where an application for recusal is rejected, the right to submit it is forfeited, it is declared inadmissible, or the applicant's withdrawal thereof is recorded, the court shall impose upon the applicant a fine of not less than four hundred Egyptian pounds and not exceeding four thousand Egyptian pounds and shall order forfeiture of the security deposit.

Where the recusal is based upon the fourth ground set out in Article (148) of this Law, the fine may be increased to six thousand Egyptian pounds.

In all cases, a separate fine shall be imposed in respect of each judge whose recusal was sought.

The applicant for recusal shall be exempt from the fine where the application is withdrawn at the first hearing or where the withdrawal is due to the withdrawal, transfer, or termination of service of the judge whose recusal was sought.

Article (160):

Repealed.

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Article (161):

Submission of an application for recusal shall result in the stay of the original action until the application is determined.

Nevertheless, the President of the Court may delegate another judge in place of the judge whose recusal is sought.

Article (162):

Repealed.

Article (162 bis):

Where a judgment is rendered rejecting an application for recusal, declaring the right to submit it forfeited, declaring it inadmissible, or recording the applicant's withdrawal thereof, the submission of any subsequent application for recusal shall not result in the stay of the original action.

Nevertheless, at the request of an interested party, the court hearing the recusal application may order a stay of the original action. In such case, the provisions of the preceding Article shall apply.

Article (163):

The foregoing rules and procedures shall apply to the recusal of a member of the Public Prosecution where it intervenes as a joined party and any of the grounds provided for under Articles (146) and (148) exists.

Article (164):

An application may not be submitted for the recusal of all or some of the judges or Counsellors[4] of a court where the result would be that an insufficient number remains to determine the original action or the recusal application.

[4] The word "Judge" was replaced with "Counsellor" pursuant to Article One of Law No. 142 of 2006.

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Article (165):

Where the judge brings an action for compensation against the applicant for recusal or submits a complaint against the applicant to the competent authority, the judge shall cease to be qualified to adjudicate the action and shall withdraw from hearing it.

Civil and Commercial Procedure Law

Book One: Litigation before the Courts

Part Nine: Judgments

Chapter One: Rendering of Judgments

Article (166):

Deliberations on judgments shall be conducted in camera by all judges sitting together.

Article (167):

No person other than the judges who heard the pleadings may participate in the deliberations; otherwise, the judgment shall be null and void.

Article (168):

During deliberations, the court may not hear any party or that party's representative except in the presence of the opposing party.

Nor may the court accept any documents or memoranda from one party without bringing them to the attention of the opposing party; otherwise, the relevant procedure shall be null and void.

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Article (169):

Judgments shall be rendered by a majority of opinions.

Where no majority is reached and the opinions are divided into more than two views, the group having the fewest members, or the group that includes the most junior judge, shall join one of the two opinions expressed by the group having the greatest number of members, after the opinions have been taken a second time.

Article (170):

The judges who participated in the deliberations shall attend the pronouncement of the judgment.

Where any of them is prevented from attending, that judge shall sign the draft judgment.

Article (171):

Upon the conclusion of the pleadings, the court may pronounce judgment at the hearing or adjourn its issuance to another hearing to be held on a proximate date specified by it.

Where the court authorises the submission of memoranda during the period in which the action is reserved for judgment, it shall specify a period for the claimant, followed by a period for the defendant, within which the memoranda shall be exchanged.

Such exchange shall be effected either by service or by depositing with the Court Registry an original and copies equal to the number of the parties or their representatives, as applicable, together with one additional copy to be returned to the depositing party after the Court Registry endorses it with acknowledgment of receipt of the original and copies and the date thereof.

The Court Registry shall deliver the copies to the interested parties after they sign the original in acknowledgment of receipt.

Documents may not be withdrawn from the case file where the judgment has been appealed or before the expiry of the time limits for appeal, unless the President of the Court orders otherwise.

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Article (172):

Where circumstances require the issuance of the judgment to be adjourned for a second time, the court shall announce such adjournment at the hearing, specify the date on which the judgment will be pronounced, and state the reasons for the adjournment in the hearing sheet and the minutes.

Thereafter, the court may adjourn the issuance of the judgment only once more.

Article (173):

Once a hearing has been scheduled for the pronouncement of judgment, the pleadings may not be reopened except by a decision announced by the court at a hearing.

Such decision may be issued only for serious reasons, which shall be stated in the hearing sheet and the minutes.

Article (174):

The judge shall pronounce the judgment by reading its operative part or by reading both its operative part and reasons.

The judgment shall be pronounced in public; otherwise, it shall be null and void.

Article (174 bis):

The pronouncement of judgments rendered during the course of an action that do not terminate the proceedings, and decisions reopening the pleadings therein, shall constitute notice thereof to parties who attended any hearing or submitted a defence memorandum.

However, where the continuity of the hearings is interrupted for any reason after their attendance or submission of the memorandum, the Court Registry shall notify the parties of such judgment or decision by registered letter with acknowledgment of receipt.

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Article (175):

In all cases, at the time judgment is pronounced, the draft judgment containing its reasons shall be deposited and signed by the presiding judge and the other judges; otherwise, the judgment shall be null and void.

The person responsible for such nullity shall be liable to pay compensation where grounds for compensation exist.

Article (176):

Judgments shall state the reasons upon which they are based; otherwise, they shall be null and void.

Article (177):

The draft judgment containing its operative part and reasons shall be retained in the case file, and no copies thereof shall be issued.

The parties may, however, inspect it until the original copy of the judgment has been completed.

Article (178):

The judgment shall state:

- The court that rendered it.
- The date and place of its issuance.
- Whether it was rendered in a commercial matter or an urgent matter.
- The names of the judges who heard the pleadings, participated in rendering the judgment, and attended its pronouncement.
- The name of the member of the Public Prosecution who expressed an opinion in the case, where applicable.

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- The names, surnames, capacities, and domiciles of the parties.
- Whether the parties appeared or were absent.

The judgment shall also contain a concise account of the facts of the action, followed by the parties' claims, a brief summary of their pleas and substantive defences, and the opinion of the Public Prosecution. Thereafter, the reasons and operative part of the judgment shall be stated.

A deficiency in the factual reasons of the judgment, a deficiency or serious error in the names or capacities of the parties, or failure to state the names of the judges who rendered the judgment shall result in the nullity of the judgment.

Article (179):

The presiding judge and the hearing clerk shall sign the original copy of the judgment, which shall contain the facts of the action, the reasons, and the operative part, and it shall be retained in the case file.

This shall be completed within twenty-four hours from the deposit of the draft judgment in urgent cases and within seven days in all other cases; otherwise, the person responsible for the delay shall be liable to pay compensation.

Article (180):

A non-certified copy of the original judgment may be issued to any person requesting it, even if that person has no interest in the action, upon payment of the prescribed fee.

Article (181):

The copy of the judgment pursuant to which enforcement is to be carried out shall bear the seal of the court and shall be signed by the Court Registry clerk after being endorsed with the executory formula.

Such copy shall be delivered only to the party who benefits from enforcement of the judgment and only where the judgment is capable of enforcement.

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Article (182):

Where the Court Registry refuses to issue the first enforceable copy, the applicant may submit a petition setting out the complaint to the Judge of Summary Matters at the court that rendered the judgment.

The Judge shall issue an order thereon in accordance with the procedures prescribed in the Chapter governing orders on petitions.

Article (183):

A second enforceable copy may not be issued to the same party except where the first copy has been lost.

The court that rendered the judgment shall determine any dispute concerning the issuance of a second enforceable copy following the loss of the first, pursuant to a statement served by one party upon the opposing party.

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Chapter Two: Costs of Proceedings

Article (184):

When rendering a judgment that terminates the proceedings before it, the court shall, of its own motion, determine the costs of the action.

The party against whom judgment is rendered shall be ordered to pay the costs of the action, which shall include an amount in respect of lawyers' fees.

Where judgment is rendered against multiple parties, the court may order that the costs be divided equally among them or in proportion to each party's interest in the action, as assessed by the court.

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They shall not be jointly and severally liable for the costs unless they were jointly and severally liable in respect of the substantive obligation adjudicated by the judgment.

Article (185):

The court may order the party who prevailed in the action to bear all or part of the costs where the party against whom judgment was rendered had acknowledged the right claimed, where the successful party caused unnecessary costs to be incurred, or where that party left the opposing party unaware of conclusive documents in that party's possession or of the contents of such documents.

Article (186):

Where each party is unsuccessful in respect of some of its claims, the court may order each party to bear the costs incurred by it, divide the costs between them in such proportions as it determines in its judgment, or order either party to bear all the costs.

Article (187):

The costs of intervention shall be awarded against the intervening party where that party submits independent claims and the intervention is declared inadmissible or such claims are dismissed.

Article (188):

The court may award compensation for expenses arising from an action or defence pursued maliciously.

Without prejudice to the preceding paragraph, when rendering its judgment determining the merits, the court may impose a fine of not less than forty Egyptian pounds and not exceeding four hundred Egyptian pounds upon any party who, in bad faith, undertakes a procedural measure or submits a claim, plea, or defence.

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Article (189):

The costs of the action shall be assessed in the judgment where possible.

Otherwise, they shall be assessed by the presiding judge of the panel that rendered the judgment, by an order issued upon a petition submitted by the successful party. Such order shall be served upon the party ordered to pay the costs.

The lapse prescribed under Article (200) shall not apply to such order.

Article (190):

Any party may challenge the order referred to in the preceding Article.

The challenge may be made before the court bailiff at the time the assessment order is served or by a declaration filed with the Registry of the court that rendered the judgment, within the eight days following service of the order.

The court bailiff or the Court Registry, as applicable, shall specify the date on which the challenge will be heard by the court sitting in chambers, and the parties shall be notified thereof at least three days before the scheduled date.

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Chapter Three: Correction and Interpretation of Judgments

Article (191):

The court shall correct any purely material clerical or arithmetical errors appearing in its judgment by an order issued, without pleadings, either of its own motion or at the request of any party.

The court clerk shall record the correction on the original copy of the judgment, and both the clerk and the presiding judge shall sign it.

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An order of correction may be appealed where the court exceeds the authority conferred upon it under the preceding paragraph, through the methods of appeal available against the judgment being corrected.

An order rejecting a request for correction may not be appealed independently.

Article (192):

The parties may request the court that rendered the judgment to interpret any ambiguity or uncertainty contained in its operative part.

The request shall be submitted in accordance with the ordinary procedures for instituting an action.

The interpretative judgment shall, in all respects, be deemed supplementary to the judgment it interprets and shall be subject to the same rules governing ordinary and extraordinary methods of appeal applicable to that judgment.

Article (193):

Where the court omits to adjudicate any substantive claim, the interested party may serve the opposing party with a statement requiring that party to appear before the same court for the hearing and determination of such claim.

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Article (194):

In cases where the law provides that a party may seek the issuance of an order, that party shall submit a petition setting out the request to the Judge of Summary Matters at the competent court or to the presiding judge of the panel hearing the action.

The petition shall be submitted in two identical copies and shall contain the facts and grounds of the request and designate an elected domicile for the applicant in the town in which the court is seated.

It shall be accompanied by the supporting documents.

Article (195):

The judge shall issue the order in writing on one of the two copies of the petition no later than the day following its submission.

The reasons upon which the order is based need not be stated unless the order is inconsistent with a previously issued order. In such case, the reasons requiring the issuance of the new order shall be stated; otherwise, the order shall be null and void.

Article (196):

The Court Registry shall deliver to the applicant the second copy of the petition, bearing a copy of the order, no later than the day following the issuance thereof.

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Article (197):

Interested parties shall have the right to challenge the order before the competent court, unless otherwise provided by law.

The challenge shall be brought before the court in accordance with the ordinary procedures for instituting an action, within ten days from the date on which the order rejecting the application was issued or from the date on which enforcement of the order commenced or the order was served, as applicable.

The court shall determine the challenge by issuing the requested order, upholding, amending, or revoking the order previously issued.

The challenge shall state the grounds upon which it is based; otherwise, it shall be null and void.

Article (198):

The challenge may be brought as an ancillary application in the principal action at any stage thereof, including during oral pleadings at the hearing.

Article (199):

Instead of challenging the order before the competent court, interested parties may challenge it before the same judge who issued it, in accordance with the ordinary procedures for instituting an action.

The pendency of the principal action before the court shall not preclude such challenge.

The judge shall determine the challenge by upholding, amending, or revoking the order, and the judgment rendered thereon shall be subject to the methods of appeal prescribed for judgments.

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Article (200):

An order issued upon a petition shall lapse if it is not submitted for enforcement within thirty days from the date of its issuance.

Such lapse shall not preclude the issuance of a new order.

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Book One: Litigation before the Courts

Part Eleven: Payment Orders

Article (201):

By way of exception to the general rules governing the institution of actions at first instance, the provisions of the following Articles shall apply where the creditor's right is established in writing and is due for payment, and where the entirety of the claim consists of a specified amount of money or movable property specified individually or by type and quantity.

These provisions shall also apply where the holder of the right is a creditor under a commercial instrument and limits recourse to the drawer, maker, acceptor, or the aval guarantor of any of them.

Where the creditor intends to seek recourse against any person other than those mentioned above, the general rules governing the institution of actions shall apply.

Article (202):

The creditor shall first require the debtor to make payment within a period of not less than five days and shall thereafter obtain a payment order from the judge of the District Court within whose territorial jurisdiction the debtor is domiciled, or from the presiding judge of the competent circuit of the Court of First Instance, as applicable, unless the debtor accepts the jurisdiction of another court to determine the dispute.

For the purpose of requiring payment, it shall be sufficient to send a registered letter with acknowledgment of receipt.

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A protest for non-payment shall serve in place of such demand for payment.

Article (203):

A payment order shall be issued upon a petition submitted by the creditor or the creditor's representative, accompanied by the instrument evidencing the debt and proof that the debtor was required to make payment.

The debt instrument shall remain deposited with the Court Registry until the expiry of the period prescribed for challenging the order.

The petition shall be prepared in two identical copies and shall contain the facts and grounds of the application, the debtor's full name and place of residence, and shall be accompanied by the supporting documents.

The applicant shall designate an elected domicile within the territorial jurisdiction of the court. Where the applicant resides outside such jurisdiction, an elected domicile shall be designated in the town in which the court is seated.

The order shall be issued on one of the two copies of the petition within no more than three days from the date on which it is submitted.

The order shall specify the principal amount and interest payable or, as applicable, the movable property ordered to be delivered, together with the costs.

Article (204):

Where the judge considers that not all of the applicant's claims should be granted, the judge shall refrain from issuing the order and shall schedule a hearing for the action before the court, directing the applicant to summon the opposing party to appear thereat.

A refusal to grant the order provisional enforceability shall not constitute a refusal of part of the applicant's claims for the purposes of the preceding paragraph.

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Article (205):

The debtor shall be served personally or at the debtor's domicile with the petition and the payment order issued against the debtor.

The petition and the payment order issued thereon shall be deemed never to have existed if they are not served upon the debtor within three months from the date on which the order was issued.

Article (206):

The debtor may challenge[5] the order within ten days from the date on which it is served.

The challenge shall be brought before the District Court or the Court of First Instance, as applicable, and shall comply with the formalities prescribed for an originating statement of claim.

The challenge shall state the grounds upon which it is based; otherwise, it shall be null and void.

Where the order is subject to appeal, the time limit for appealing it shall commence upon the expiry of the period prescribed for challenging the order or from the date on which the challenge is deemed never to have been brought.

The right to challenge the order shall be forfeited where it is directly appealed.

Article (207):

The party challenging the order shall be treated as the claimant, and the rules and procedures applicable before the court of first instance shall be observed when hearing the challenge.

Where the challenging party fails to appear at the first hearing scheduled for the challenge, the court shall, of its own motion, rule that the challenge be deemed never to have been brought.

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[5] By judgment rendered on 6 December 2009 in Appeal No. 99 of Judicial Year 26, published on 20 December 2009, the Court ruled that Article (206) of the Civil and Commercial Procedure Law was unconstitutional insofar as it restricted the right to challenge or appeal a payment order exclusively to the debtor, to the exclusion of the creditor who applied for the order.

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Article (208):

An application by a creditor for a payment order shall not be admissible unless the petition is accompanied by evidence of payment of the prescribed fee in full.

However, in the cases of attachment provided for under the first paragraph of Article (210), the creditor shall pay one quarter of the fee upon applying for the attachment, and the balance upon applying for the payment order and confirmation of the validity of the attachment.

Article (209):

The provisions governing provisional enforcement shall apply, as applicable and in the circumstances prescribed by law, to a payment order and to the judgment rendered in a challenge thereto.

Article (210):

Where a creditor falling within the scope of Article (201) wishes to attach any property belonging to the debtor and held by a third party, or in cases where the creditor may obtain an order from the judge imposing a conservatory attachment, the attachment order shall be issued by the judge having jurisdiction to issue the payment order, by way of exception to Articles (275), (319), and (327).

Within the eight days following the imposition of the attachment, the creditor shall submit to the said judge an application for payment and for confirmation of the validity of the attachment procedures; otherwise, the attachment shall be deemed never to have existed.

Where the attachment order is challenged on a ground relating to the substantive right, no payment order shall be issued, and a hearing shall be scheduled for determination of the action in accordance with Article (204).

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Chapter One: General Provisions

Article (211):

A judgment may be appealed only by the party against whom it was rendered.

A judgment may not be appealed by a party who accepted it or by a party in whose favour all claims were granted, unless otherwise provided by law.

Article (212):

Judgments rendered during the course of proceedings that do not terminate the proceedings may not be appealed until a judgment terminating the entire proceedings has been rendered.

The foregoing shall not apply to provisional and urgent judgments, judgments ordering a stay of proceedings, judgments capable of compulsory enforcement, or judgments declining jurisdiction and referring the action to the competent court.

In the latter case, the court to which the action is referred shall stay the proceedings until the appeal has been determined.

Article (213):

The time limit for appealing a judgment shall commence from the date on which the judgment is rendered, unless otherwise provided by law.

However, the time limit shall commence from the date on which the judgment is served upon the party against whom it was rendered where that party failed to appear at all hearings scheduled for determination of the action and submitted no defence memorandum before either the court or the expert.

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The time limit shall likewise commence from the date of service of the judgment where that party failed to appear and submitted no memorandum to either the court or the expert at all hearings held after the action was resumed following a stay of proceedings for any reason.

The time limit shall also commence from the date of service of the judgment where a cause of interruption of proceedings arose and the judgment was rendered without joining the person succeeding the party who died, lost the capacity to litigate, or ceased to hold the relevant representative capacity.

The judgment shall be served personally upon the party against whom it was rendered or at that party's original domicile.

The time limit shall run against the person upon whom the judgment has been served.

Article (214):

Notice of an appeal shall be served personally upon the opposing party or at that party's domicile.

It may also be served at the elected domicile stated in the document by which the judgment was served.

Where the respondent to the appeal is the claimant and the claimant did not state an original domicile in the originating statement of claim, notice of the appeal may be served at the elected domicile stated therein.

Article (215):

Failure to comply with the prescribed time limits for appealing judgments shall result in forfeiture of the right to appeal.

The court shall rule that the right to appeal has been forfeited of its own motion.

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Article (216):

The time limit for appeal shall be suspended upon the death of the party against whom the judgment was rendered, the loss of that party's capacity to litigate, or the termination of the representative capacity of the person conducting the proceedings on that party's behalf.

Such suspension shall cease only after the judgment has been served upon the person succeeding the party who died, lost the capacity to litigate, or ceased to hold the relevant representative capacity, and after the expiry of any period prescribed by the law of the deceased's country for assuming the capacity of heir, where applicable.

Article (217):

Where the party in whose favour the judgment was rendered dies during the time limit for appeal, the opposing party may file the appeal and serve notice thereof collectively upon the deceased's heirs, without stating their names or capacities, at the deceased's last domicile.

Once the appeal has been filed and served in the foregoing manner, notice thereof shall be served again upon all heirs, stating their names and capacities, either personally or at the domicile of each heir, before the hearing scheduled for determination of the appeal or within the period specified by the court for that purpose.

Where the party in whose favour the judgment was rendered loses the capacity to litigate during the time limit for appeal, or where the person conducting the proceedings on that party's behalf dies or ceases to hold the relevant representative capacity, the appeal may be filed and served upon the party who lost capacity, the party whose representative died, or the party whose representative capacity ceased, as applicable.

Notice of the appeal shall thereafter be served again upon the person succeeding that party, personally or at that person's domicile, before the hearing scheduled for determination of the appeal or within the period specified by the court for that purpose.

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Article (218):

Except for the provisions governing appeals filed by the Public Prosecution, an appeal shall benefit only the party who files it and may be invoked only against the party against whom it is filed.

However, where the judgment concerns an indivisible subject matter, a joint and several obligation, or an action in which the law requires the joinder of specified persons, any party against whom judgment was rendered who missed the time limit for appeal or accepted the judgment may appeal it during the hearing of an appeal filed within the prescribed time limit by another party against whom the same judgment was rendered, by joining that party in the relief sought.

Where such party fails to do so, the court shall order the appellant to join that party to the appeal.

Where an appeal is filed within the prescribed time limit against one of the parties in whose favour judgment was rendered, the remaining such parties shall be joined to the appeal, even where the time limit has expired in respect of them.

A warrantor and the party who called the warrantor shall also benefit from an appeal filed by either of them against the judgment rendered in the principal action where their defences therein are identical.

Where an appeal is filed against either of them, the other may be joined thereto.

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Article (219):

Except in cases excluded by an express provision of law, the parties may appeal judgments rendered by courts of first instance within their original jurisdiction.

The parties may agree, even before the action is filed, that the judgment of the court of first instance shall be final.

Article (220):

Judgments rendered in urgent matters may be appealed, irrespective of the court that rendered them.

Article (221):

Judgments rendered as final judgments by courts of first instance may be appealed where they violate rules of jurisdiction relating to public order, where the judgment is null and void, or where a procedural nullity affected the judgment.

In such cases, upon filing the appeal, the appellant shall deposit one hundred Egyptian pounds with the treasury of the appellate court as security.

Where there are multiple appellants and they file their appeal by a single petition, one security deposit shall be sufficient, even where the grounds of appeal differ.

A person exempt from payment of court fees shall also be exempt from depositing the security.

The Court Registry shall not accept the appeal petition unless it is accompanied by evidence of such deposit.

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The security shall be forfeited by operation of law where the appeal is ruled inadmissible on the ground that no violation of the rules of jurisdiction or nullity occurred.

Article (222):

All judgments rendered within the final jurisdictional value threshold may also be appealed where the judgment is contrary to an earlier judgment that has not acquired res judicata effect.

In such case, the earlier judgment shall be deemed appealed by operation of law where it had not become final at the time the appeal was filed.

Article (223):

For the purpose of determining whether an action meets the jurisdictional value threshold for appeal, its value shall be assessed in accordance with Articles (36) to (41).

Claims that are not disputed and amounts validly tendered shall not be included in such assessment.

Article (224):

Where the defendant submits an incidental application, the value shall be assessed on the basis of whichever is greater: the principal claim or the incidental application.

However, where the incidental application seeks compensation for the filing of the principal action or for the manner in which it was pursued, only the value of the principal claim shall be taken into account.

Article (225):

Subject to the preceding rules, the value shall be assessed on the basis of the parties' final claims before the court of first instance.

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Article (226):

For the purpose of determining whether judgments rendered before determination of the merits are appealable, regard shall be had to the value of the action.

Article (227):

The time limit for appeal shall be forty days, unless otherwise provided by law.

In urgent matters, the time limit shall be fifteen days, irrespective of the court that rendered the judgment.

The time limit for appeal shall be sixty days for the Public Prosecutor or the person acting in the Public Prosecutor's place.

Article (228):

Where a judgment is rendered on the basis of fraud committed by a party, a forged document, false testimony, or the failure to disclose a decisive document withheld by a party, the time limit for appealing the judgment shall not commence until the date on which the fraud is discovered, the person who committed the forgery admits it or a judgment establishing it is rendered, the false witness is convicted, or the withheld document is discovered, as applicable.

Article (229):

An appeal against a judgment terminating the proceedings shall necessarily extend to all judgments previously rendered in the action, unless they have been expressly accepted, subject to Article (232).

An appeal against a judgment rendered on an alternative claim shall necessarily extend to the judgment rendered on the principal claim.

In such case, the party in whose favour judgment was rendered on the principal claim shall be joined to the appeal, even after the expiry of the time limit for appeal.

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Article (230):

An appeal shall be filed by a petition deposited with the Registry of the court before which the appeal is brought, in accordance with the procedures prescribed for instituting an action.

The petition shall identify the appealed judgment and its date, state the grounds of appeal, and specify the relief sought; otherwise, it shall be null and void.

Article (231):

The Registry of the court before which the appeal is brought shall request the case file from the court of first instance on the day following the filing of the appeal.

The Registry of the court that rendered the judgment shall transmit the case file within no more than ten days from the date of the request. In urgent actions, such period shall be reduced to three days.

The appellate court shall impose upon any person who negligently fails to request or transmit the case file within the prescribed period a fine of not less than twenty Egyptian pounds and not exceeding two hundred Egyptian pounds, by a judgment that shall not be subject to appeal.

Article (232):

The appeal shall transfer the action to the appellate court in the condition in which it stood before the appealed judgment was rendered, but only in respect of the matters challenged by the appeal.

Article (233):

The appellate court shall determine the appeal on the basis of any new evidence, pleas, and grounds of defence submitted before it, together with those previously submitted before the court of first instance.

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Article (234):

Where the appellate court sets aside the judgment rendered on the principal claim, it shall remit the action to the court of first instance for determination of the alternative claims.

Article (235):

New claims shall not be admissible on appeal, and the court shall rule them inadmissible of its own motion.

Nevertheless, wages, interest, salaries, and other ancillary amounts accruing after the submission of the final claims before the court of first instance may be added to the original claim, together with any increase in compensation arising after the submission of such claims.

The cause of the original claim may also be changed or supplemented, provided that its subject matter remains unchanged.

The court may award compensation where the appeal was filed maliciously.

Article (236):

No person who was not a party to the action in which the appealed judgment was rendered may be joined as a party to the appeal, unless otherwise provided by law.

Intervention in the appeal shall be permitted only to a person seeking to join in support of one of the parties.

Article (237):

Until the close of pleadings, the respondent may file a cross-appeal either in accordance with the ordinary procedures for filing an appeal or by submitting a memorandum setting out the grounds thereof.

Where the cross-appeal is filed after the expiry of the time limit for appeal, or after the respondent accepted the judgment before the principal appeal was filed, it shall be deemed an incidental appeal dependent upon the principal appeal and shall lapse if the principal appeal lapses.

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Article (238):

In all cases, the court shall accept the discontinuance of the appeal proceedings where the appellant waives the substantive right or where the time limit for appeal had expired at the time of discontinuance.

Article (239):

A judgment accepting the discontinuance of the principal appeal shall entail a judgment declaring the incidental appeal null and void.

The court shall order such party or parties as it deems appropriate to bear the costs of the incidental appeal, having regard to the circumstances and conditions of the action.

Article (240):

Unless otherwise provided by law, the rules applicable before the court of first instance shall apply to appeals, whether in relation to procedures or judgments.

Civil and Commercial Procedure Law

Book One: Litigation before the Courts

Part Twelve: Methods of Appeal against Judgments

Chapter Three: Petition for Reconsideration

Article (241):

The parties may petition for reconsideration of judgments rendered as final judgments in any of the following circumstances:

- Where fraud committed by the opposing party affected the judgment.
- Where, after the judgment was rendered, the documents upon which it was based were acknowledged to be forged or were judicially declared forged.

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- Where the judgment was based on the testimony of a witness who, after its issuance, was convicted of giving false testimony.

- Where, after the judgment was rendered, the petitioner obtained decisive documents in the action that the opposing party had prevented the petitioner from submitting.

- Where the judgment awarded relief that the parties had not requested or awarded more than they had requested.

- Where the operative provisions of the judgment are mutually contradictory.

- Where the judgment was rendered against a natural or legal person who was not properly represented in the action, except in cases of representation by agreement.

- Where a person against whom the judgment rendered in the action constitutes binding evidence was neither joined to nor intervened in the action, provided that such person establishes fraud, collusion, or gross negligence on the part of the person who represented that person.

Article (242):

The time limit for filing a petition for reconsideration shall be forty days.

In the cases provided for under the first four Items of the preceding Article, such period shall not commence until the date on which the fraud was discovered, the person who committed the forgery admitted it or a judgment establishing the forgery was rendered, the false witness was convicted, or the withheld document was discovered, as applicable.

In the case provided for under Item (7), the period shall commence on the date on which the judgment is served upon the person who properly represents the party against whom it was rendered.

In the case provided for under Item (8), the period shall commence on the date on which the fraud, collusion, or gross negligence was discovered.

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Article (243):

A petition for reconsideration shall be brought before the court that rendered the judgment by a petition deposited with its Registry in accordance with the procedures prescribed for instituting an action.

The petition shall identify the judgment in respect of which reconsideration is sought, state its date, and set out the grounds for reconsideration; otherwise, it shall be null and void.

In the cases provided for under Items (7) and (8) of Article (241) of this Law, the petitioner shall deposit two hundred Egyptian pounds with the court treasury as security.

The Court Registry shall not accept the petition unless it is accompanied by evidence of such deposit.

A person exempt from payment of court fees shall also be exempt from depositing the security.

The court hearing the petition may be composed of the same judges who rendered the judgment.[6]

Article (244):

The filing of a petition for reconsideration shall not stay enforcement of the judgment.

Nevertheless, the court hearing the petition may order a stay of enforcement where such relief is requested and there is a risk that enforcement may cause serious and irreparable harm.

When ordering a stay of enforcement, the court may require the provision of security or order any measure it considers sufficient to preserve the rights of the party against whom the petition is filed.

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[6] In Judgment No. 95 of Judicial Year 43, rendered at the hearing held on 6 January 2024, the Supreme Constitutional Court ruled that the final paragraph of Article (243) of the Civil and Commercial Procedure Law promulgated by Law No. 13 of 1968 was unconstitutional insofar as it applied to Item (6) of Article (241) of the same Law.

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Article (245):

The court shall first determine whether the petition for reconsideration is admissible and shall thereafter schedule a hearing for pleadings on the merits, without the need for fresh service.

The court may, however, determine both the admissibility of the petition and the merits by a single judgment where the parties have submitted their claims on the merits before it.

The court shall reconsider only the claims addressed by the petition.

Article (246):

Where a petition for reconsideration is dismissed in any of the cases provided for under the first six Items of Article (241), the court shall impose upon the petitioner a fine of not less than one hundred and twenty Egyptian pounds and not exceeding four hundred Egyptian pounds.

Where the petition is dismissed in either of the cases provided for under the final two Items of Article (241), the court shall order the forfeiture of all or part of the security deposit.

In all cases, compensation may be awarded where grounds therefor exist.

Article (247):

Neither a judgment dismissing a petition for reconsideration nor a judgment rendered on the merits of the action after the petition has been admitted may itself be challenged by a petition for reconsideration.

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Article (248):

The parties may appeal before the Court of Cassation against judgments rendered by the Courts of Appeal where the value of the action exceeds five hundred thousand Egyptian pounds or where the action is of indeterminate value, in any of the following cases:

- Where the challenged judgment is based on a violation of the law or an error in its application or interpretation.

- Where the judgment is null and void or where a procedural nullity affected the judgment.

Article (249):

The parties may appeal before the Court of Cassation against any final judgment, irrespective of the court that rendered it, where it determines a dispute in a manner contrary to an earlier judgment rendered between the same parties that has acquired res judicata effect.

Article (250):

The Public Prosecutor may file an appeal by way of cassation in the interest of the law against final judgments, irrespective of the court that rendered them, where the judgment is based on a violation of the law or an error in its application or interpretation, in any of the following cases:

- Judgments that the law does not permit the parties to appeal.

- Judgments in respect of which the parties have missed the time limit for appeal or waived their right to appeal.

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Such appeal shall be filed by a petition signed by the Public Prosecutor.

The Court shall hear the appeal in chambers without summoning the parties.

The parties shall derive no benefit from such appeal.

Article (251):

An appeal by way of cassation shall not stay enforcement of the judgment.

Nevertheless, the Court of Cassation may order a temporary stay of enforcement where such stay is requested in the cassation petition and there is a risk that enforcement may cause serious and irreparable harm.

Upon a petition submitted by the appellant, the President of the Court shall schedule a hearing for determination of the stay application. The appellant shall serve the opposing party with notice of that hearing and with the cassation petition, and the Public Prosecution shall be notified thereof.

The Court may deem the stay application never to have been submitted where the opposing party is not served with notice of the scheduled hearing and such failure is attributable to an act of the appellant.

When ordering a stay of enforcement, the Court may require the provision of security or order any measure it considers sufficient to preserve the rights of the respondent.

An order staying enforcement of the judgment shall extend, from the date on which the stay application was submitted, to enforcement measures undertaken by the successful party pursuant to the challenged judgment.

Where the application is dismissed or deemed never to have been submitted, the appellant shall be ordered to bear its costs.

Where the Court orders a stay of enforcement, it shall schedule a hearing for determination of the cassation appeal within a period not exceeding six months and shall refer the appeal file to the Public Prosecution so that it may submit a memorandum setting out its opinion within the period specified by the Court.

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Article (252):

The time limit for filing an appeal by way of cassation shall be sixty days.

Such time limit shall not apply to an appeal filed by the Public Prosecutor in the interest of the law pursuant to Article (250).

Article (253):

An appeal by way of cassation shall be filed by a petition deposited with the Registry of the Court of Cassation or the court that rendered the challenged judgment, and shall be signed by a lawyer admitted to practise before the Court of Cassation.

Where the appeal is filed by the Public Prosecution, the petition shall be signed by a member of the Public Prosecution holding at least the rank of Chief Prosecutor.

In addition to the particulars concerning the names, capacities, and domiciles of the parties, the petition shall identify the challenged judgment and its date, state the grounds upon which the appeal is based, and specify the relief sought by the appellant.

Where the appeal is not filed in the foregoing manner, it shall be null and void, and the Court shall rule that it is null and void of its own motion.

No ground of appeal other than those stated in the petition may be relied upon.

Nevertheless, grounds relating to public order may be raised at any time, and the Court shall consider them of its own motion.

Where the appellant raises a ground of cassation concerning an earlier judgment rendered in the same action before the challenged judgment, the appeal shall be deemed to extend to that earlier judgment unless it has been expressly accepted.

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Article (254):

The appellant shall deposit, as security, with the treasury of the court before which the cassation petition is submitted, an amount of two hundred and fifty Egyptian pounds where the challenged judgment was rendered by a Court of Appeal, or one hundred and fifty Egyptian pounds where it was rendered by a Court of First Instance or a District Court.

Where there are multiple appellants and they file their appeal by a single petition, one security deposit shall be sufficient, even where the grounds of appeal differ.

The Court Registry shall not accept the cassation petition unless it is accompanied by evidence of such deposit.

A person exempt from payment of court fees shall also be exempt from depositing the security.

Article (255):

At the time the cassation petition is submitted, the appellant shall deposit with the Court Registry copies thereof equal to the number of respondents, one additional copy for the Court Registry, and an official instrument evidencing the authority of the lawyer appointed to conduct the cassation appeal.

At the same time, the appellant shall also deposit the following:

First: An official copy or the served copy of the challenged judgment, together with a copy of the first-instance judgment where the challenged judgment refers to it in its reasons; otherwise, the appeal shall be declared inadmissible.

Second: The documents supporting the appeal. Where such documents have been submitted in another appeal, it shall be sufficient for the appellant to provide evidence thereof, and the Court may take such measures as it considers appropriate to inspect those documents.

The Registry of the court that rendered the challenged judgment or the first-instance judgment, as applicable, shall, without requiring advance payment of fees, deliver to any party requesting them, within no more than seven days, copies of judgments, documents, or papers endorsed with the words: "Copy for Submission to the Court of Cassation."

The foregoing shall be without prejudice to the right of the Court Registry subsequently to claim any fees payable in respect of the action or the original documents.

The Court of Cassation may order that the case file in which the challenged judgment was rendered be transmitted to it.

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Where the cassation petition was deposited with the Registry of the court that rendered the judgment, that Registry shall transmit all cassation papers to the Court of Cassation on the day following the date on which the petition was deposited.

Article (256):

The Registry of the Court of Cassation shall register the appeal in the designated register on the date on which the cassation petition is submitted or received.

No later than the following day, it shall deliver the original petition and the copies thereof to the Court Bailiffs' Office for service and return of the original to the Court Registry.

The Court Bailiffs' Office shall serve the cassation petition within no more than thirty days from the date on which it is delivered thereto.

Failure to comply with such period shall not render service of the cassation petition null and void.

Article (257):

The Court of Cassation shall impose a fine of not less than thirty Egyptian pounds and not exceeding two hundred Egyptian pounds upon any employee of the Court Registries or Court Bailiffs' Offices who fails to undertake any of the procedures prescribed under the preceding two Articles within the specified time limits.

Article (258):

Where a respondent wishes to submit a defence to the appeal, the respondent shall, within fifteen days from the date on which the cassation petition is served, deposit with the Registry of the Court of Cassation a defence memorandum accompanied by the instrument evidencing the authority of the lawyer appointed to act on the respondent's behalf and any documents the respondent wishes to submit.

Where the respondent does so, the appellant may, within fifteen days following the expiry of the aforementioned period, deposit with the Court Registry a reply memorandum accompanied by any documents the appellant considers relevant in support thereof.

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Where there are multiple respondents, each of them may, where appropriate and within the latter fifteen-day period, deposit a memorandum replying to the memorandum submitted by the other respondents, accompanied by the instrument evidencing the authority of the lawyer appointed to act on that respondent's behalf.

Where the appellant exercises the right of reply, the respondents may, within a further period of fifteen days, deposit a memorandum containing their observations on such reply.

Article (259):

Before the expiry of the period prescribed under the first paragraph of the preceding Article, the respondents may join to the appeal any party to the action in which the challenged judgment was rendered against whom the appeal was not directed.

Such joinder shall be effected by serving that party with notice of the appeal.

The party so joined may, within fifteen days from the date of service, deposit with the Registry of the Court of Cassation a defence memorandum accompanied by any documents that party wishes to submit.

In such case, the periods for reply prescribed under the second, third, and fourth paragraphs of the preceding Article shall not commence until the expiry of the aforementioned fifteen-day period.

Article (260):

Any party to the action in which the challenged judgment was rendered who was not served with notice of the appeal by the appellant may intervene in the cassation proceedings for the purpose of seeking dismissal of the appeal.

Such intervention shall be effected by depositing with the Court Registry, before the expiry of the period prescribed under the first paragraph of Article (258), a defence memorandum accompanied by the supporting documents.

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Article (261):

Memoranda and bundles of documents deposited in the name of a party shall consist of an original and copies equal to the number of the opposing parties and shall be signed by that party's lawyer admitted to practise before the Court of Cassation.

Article (262):

The Court Registry may not, for any reason, accept any memorandum or document after the expiry of the prescribed period.

It shall instead prepare a record stating the date on which the document was submitted, the name and capacity of the person who submitted it, and the reason for refusing to accept it.

Article (263):

Following the expiry of the periods prescribed under the preceding Articles, the Court Registry shall transmit the appeal file to the Public Prosecution.

The Public Prosecution shall deposit a memorandum setting out its opinion as soon as possible, observing the order in which appeals are entered in the register, unless the General Assembly of the Court of Cassation determines that certain categories of appeals shall be considered before their ordinary turn.

After the Public Prosecution has deposited its memorandum, the President of the Court shall appoint the reporting Counsellor, and the appeal shall be presented to the Court sitting in chambers.

Where the Court considers that the appeal is not legally permissible or is inadmissible because the right to appeal has been forfeited, its procedures are null and void, it is based on grounds other than those specified under Articles (248) and (249), or it relies upon grounds contrary to the Court's established jurisprudence, it shall order that the appeal be declared inadmissible.

Such order shall be recorded in the minutes of the hearing, together with a brief statement of the reason therefor, and the appellant shall be ordered to pay the costs in addition to the forfeiture of the security deposit.

Where the Court considers that the appeal warrants consideration, it shall schedule a hearing for its determination.

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In such case, it may exclude any grounds of appeal that are inadmissible before the Court of Cassation and limit its consideration to the remaining grounds, with a brief statement of the reason for such exclusion.

In all cases, the Court's order shall not be subject to appeal by any method.

Article (264):

The Court Registry shall notify, by registered letter and at least fifteen days before the scheduled hearing, the lawyers of the parties who deposited memoranda of the hearing date.

The case shall be entered on the hearing roll.

The hearing roll shall be posted at the Court Registry at least fifteen days before the hearing and shall remain posted throughout that period.

Article (265):

The Court shall determine the appeal without oral pleadings after the reporting Counsellor reads a report summarising the grounds of appeal and the responses thereto and identifying the points of dispute between the parties, without expressing an opinion thereon.

Article (266):

Where the Court considers oral pleadings necessary, it may hear the lawyers of the parties and the Public Prosecution.

In such case, the parties shall not be permitted to appear personally before the Court of Cassation unless accompanied by a lawyer.

Parties on whose behalf no memoranda have been deposited shall not be entitled to appoint a lawyer to represent them at the hearing.

No oral grounds may be raised at the hearing other than those previously stated by the parties in the filed documents, without prejudice to the third paragraph of Article (253).

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Article (267):

By way of exception, the Court may authorise the lawyers of the parties and the Public Prosecution to deposit supplementary memoranda where, after examining the case, it considers such memoranda indispensable.

In such case, the Court shall adjourn the matter to another hearing and specify the periods within which the supplementary memoranda must be deposited.

Article (268):

Where the Court admits the appeal, it shall quash the challenged judgment in whole or in part and shall determine the costs.

Article (269):

Where the challenged judgment is quashed for violation of the rules of jurisdiction, the Court shall confine its determination to the issue of jurisdiction and shall, where necessary, designate the competent court before which fresh proceedings must be instituted.

Where the judgment is quashed on any other ground, the Court shall remit the case to the court that rendered the challenged judgment for rehearing upon the application of the parties.

In such case, the court to which the case is remitted shall be bound by the ruling of the Court of Cassation on the legal issue determined by it.

No judge who participated in rendering the challenged judgment may sit as a member of the court to which the case is remitted.

Nevertheless, where the Court quashes the challenged judgment and the merits are ready for determination, or where the appeal is brought for the second time and the Court considers that the challenged judgment should be quashed, the Court shall, irrespective of the ground of cassation, determine the merits.

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Article (270):

Where the Court of Cassation rules that the appeal is inadmissible, dismisses it, or determines that it may not be heard, it shall order the appellant to pay the costs and shall order the forfeiture of all or part of the security deposit.

Where the Court considers that the appeal was filed maliciously, it may award compensation to the respondent.

Article (271):

The quashing of a judgment shall result in the cancellation of all judgments, irrespective of the authority that rendered them, and all acts subsequent to the quashed judgment, where that judgment formed the basis thereof.

Where the judgment is quashed only in part, it shall remain effective in respect of the remaining parts, unless those parts are consequential upon the part that was quashed.

Article (272):

Judgments of the Court of Cassation shall not be subject to any method of appeal.

Article (273):

The rules and procedures governing the conduct of hearings shall apply to cassation appeals before the Court of Cassation.

The rules governing judgments shall also apply thereto insofar as they do not conflict with the provisions of this Chapter.

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Chapter One: Enforcement Administration

Article (274):

Enforcement shall be carried out under the supervision of an Enforcement Department established at the seat of each Court of First Instance.

Branches of the Enforcement Department may be established within the territorial jurisdiction of a District Court by a decision of the Minister of Justice.

The Enforcement Department shall be headed by a judge of the Court of Appeal, assisted by a sufficient number of judges thereof, who shall be seconded by the Minister of Justice following the approval of the Supreme Judicial Council, and by judges of the Courts of First Instance holding at least the rank of President of Court, who shall be selected by the General Assembly of the Court.

A sufficient number of enforcement officers and employees shall be attached to the Department. The rules governing their selection and the organisation of their affairs shall be determined by a decision of the Minister of Justice.

The Director of the Enforcement Department, or any assisting judge thereof, may issue decisions and orders relating to enforcement.

A grievance against such decisions and orders shall be submitted by petition to the Director of the Enforcement Department, whose decision on the grievance shall be final.

The organisation of the Enforcement Department shall be regulated by a decision of the Minister of Justice.

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Article (275):

The Enforcement Judge shall have exclusive jurisdiction to determine all substantive and provisional enforcement disputes, irrespective of their value.

The Enforcement Judge shall determine provisional enforcement disputes in the capacity of a Judge of Urgent Matters.

Article (276):

In enforcement against movable property in the possession of the debtor, jurisdiction shall be vested in the Enforcement Court within whose territorial district the movable property is situated.

In an attachment of property belonging to the debtor and held by a third party, jurisdiction shall be vested in the court within whose territorial district the garnishee is domiciled.

In enforcement against immovable property, jurisdiction shall be vested in the court within whose territorial district the immovable property is situated.

Where enforcement concerns immovable properties situated within the territorial districts of multiple courts, jurisdiction shall be vested in any one of those courts.

Article (277):

Judgments rendered by the Enforcement Judge in provisional and substantive enforcement disputes shall be appealable before the Court of First Instance, irrespective of their value.

Article (278):

Each Enforcement Department shall maintain a special register in which enforcement applications submitted to the Director of the Enforcement Department shall be recorded.

A separate file shall be created for each application, in which all documents relating thereto shall be deposited.

The file shall be presented to the Director of the Enforcement Department or any of its judges following each procedure.

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All decisions and orders issued by the Director or such judges, and all judgments rendered by the Enforcement Judge, shall be recorded therein.

Article (279):

Enforcement shall be carried out by enforcement officers, who shall be required to proceed, at the request of an interested party, once the enforceable instrument has been delivered to the Enforcement Department.

Where an enforcement officer refuses to undertake any enforcement procedure, the interested party may refer the matter by petition to the Director of the Enforcement Department.

Where resistance or an assault is directed against an enforcement officer, the officer shall take all necessary conservatory measures and may, after referring the matter to the Director of the Enforcement Department, request the assistance of the public security forces and the local authorities.

Civil and Commercial Procedure Law

Book Two: Enforcement

Part One: General Provisions

Chapter Two: Enforceable Instruments and Related Matters

Article (280):

Compulsory enforcement may be carried out only pursuant to an enforceable instrument for the satisfaction of a right that is established, specified in amount, and due for performance.

Enforceable instruments shall include judgments, orders, authenticated instruments, settlement records approved by courts or Conciliation Councils, and any other instruments to which the law grants enforceable status.

Except in cases expressly excluded by law, enforcement may be carried out only pursuant to a copy of the enforceable instrument bearing the following executory formula:

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"Any authority entrusted with enforcement shall proceed therewith whenever requested to do so, and the competent authorities shall assist in carrying it out, including through the use of force, whenever so requested."

Article (281):

Enforcement shall be preceded by service of the enforceable instrument personally upon the debtor or at the debtor's original domicile; otherwise, the enforcement shall be null and void.

Such service shall include a demand that the debtor perform the obligation, a statement of the relief sought, and the designation of an elected domicile for the enforcement applicant in the town in which the competent Enforcement Court is seated.

Where enforcement is commenced pursuant to an authenticated agreement opening a credit facility, an extract of the debtor's account taken from the creditor's commercial books shall be served together with the instrument.

Enforcement may not be carried out until at least one day has elapsed from the date on which the enforceable instrument was served.

Article (282):

When serving the enforceable instrument or carrying out enforcement, the enforcement officer shall receive the debt where payment is tendered to the officer and shall issue a discharge receipt, without the need for specific authority.

Article (283):

Any person who, by operation of law or by agreement, is subrogated to the creditor's right shall replace the creditor in respect of the enforcement procedures already undertaken.

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Article (284):

Where the debtor dies, loses legal capacity, or the representative capacity of the person conducting the procedures on the debtor’s behalf ceases before enforcement commences or is completed, enforcement may not be carried out against the debtor’s heirs or successor until eight days have elapsed from the date on which the enforceable instrument is served upon them.

During the three months following the debtor’s death, documents relating to enforcement may be served collectively upon the heirs, without stating their names or capacities, at the debtor’s last domicile.

Article (285):

A third party may neither perform the obligation required under the enforceable instrument nor be compelled to perform it unless the debtor has been notified of the intention to carry out such enforcement at least eight days before it takes place.

Article (286):

In urgent matters or cases where delay would cause harm, the court may order that the judgment be enforced pursuant to its draft, without prior service thereof.

In such case, the court clerk shall deliver the draft judgment to the enforcement officer, who shall return it immediately upon completion of enforcement.

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Article (287):

Judgments may not be compulsorily enforced while they remain subject to appeal, unless provisional enforcement is prescribed by law or ordered in the judgment.

Nevertheless, conservatory measures may be undertaken pursuant thereto.

Article (288):

Judgments rendered in urgent matters, irrespective of the court that rendered them, and orders issued upon petitions shall be provisionally enforceable by operation of law without security, unless the judgment or order requires the provision of security.

Article (289):

Judgments rendered in commercial matters shall be provisionally enforceable by operation of law, subject to the provision of security.

Article (290):

Provisional enforcement may be ordered, with or without security, in any of the following cases:

- Judgments ordering the payment of maintenance, wages, or salaries.

- Where the judgment was rendered in implementation of an earlier judgment having res judicata effect or provisionally enforceable without security, or where it was based upon an authenticated instrument that was not challenged as forged, provided that the party against whom judgment was rendered was a party to the earlier judgment or to the instrument.

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- Where the party against whom judgment was rendered acknowledged the creation of the obligation.
- Where the judgment was based upon a private instrument that the party against whom judgment was rendered did not deny.
- Where the judgment was rendered in favour of the enforcement applicant in a dispute relating to enforcement.
- Where delaying enforcement would cause serious harm to the interests of the party in whose favour judgment was rendered.

Article (291):

The characterization of a judgment may be challenged before the appellate court in accordance with the ordinary procedures for instituting an action, and the period for appearance shall be three days.

Such challenge may also be raised at the hearing during consideration of the appeal filed against the judgment.

The challenge shall be determined independently from the merits.

Article (292):

In all cases, the court before which the appeal or challenge is brought may, at the request of an interested party, order a stay of provisional enforcement where there is a risk that enforcement may cause serious harm and the grounds of appeal against the judgment or order make its reversal probable.

When ordering a stay of enforcement, the court may require the provision of security or order any measure it considers sufficient to preserve the rights of the party in whose favour judgment was rendered.

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Article (293):

Where a judgment or order may be enforced only upon the provision of security, the person required to provide such security may elect any of the following:

- Providing a solvent surety.
- Depositing with the court treasury sufficient cash or securities.
- Accepting that the proceeds recovered through enforcement be deposited with the court treasury.
- Delivering the property ordered to be delivered under the judgment or order to a solvent custodian.

Article (294):

Notice of the form of security selected by the person required to provide it shall be served either by the enforcement officer through a separate document or as part of the service of the enforceable instrument or the demand for performance.

In all cases, the notice of election shall designate an elected domicile for the enforcement applicant at which documents relating to any dispute concerning the security may be served.

Article (295):

Within the three days following such notice, any interested party may dispute the solvency of the surety or custodian or the sufficiency of the amount deposited.

The statement initiating the dispute shall be served within that period and shall summon the opposing party to appear before the Enforcement Judge, whose judgment on the dispute shall be final.

Where no dispute is raised within the prescribed period, or where a dispute is raised and dismissed, the surety shall sign an undertaking before the Court Registry to provide the security, or the custodian shall record acceptance of the custodianship.

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The record containing the surety's undertaking shall constitute an enforceable instrument against the surety in respect of the obligations arising from such undertaking.

Civil and Commercial Procedure Law

Book Two: Enforcement

Part One: General Provisions

Chapter Four: Enforcement of Foreign Judgments, Orders, and Authenticated Instruments

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Article (296):

Judgments and orders rendered in a foreign country may be ordered enforced subject to the same conditions prescribed by the law of that country for the enforcement therein of Egyptian judgments and orders.

Article (297):

An application for an enforcement order shall be submitted to the Court of First Instance within whose territorial jurisdiction enforcement is sought, in accordance with the ordinary procedures for instituting an action.

Article (298):

An enforcement order may not be issued unless the following conditions have been verified:

- The courts of the Republic do not have jurisdiction over the dispute in respect of which the judgment or order was rendered, and the foreign courts that rendered it had jurisdiction in accordance with the rules of international judicial jurisdiction prescribed under their law.

- The parties to the proceedings in which the judgment was rendered were duly summoned to appear and were properly represented.

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- The judgment or order has acquired res judicata effect in accordance with the law of the court that rendered it.

- The judgment or order does not conflict with any judgment or order previously rendered by the courts of the Republic and contains nothing contrary to public order or public morals therein.

Article (299):

The provisions of the preceding Articles shall apply to arbitral awards rendered in a foreign country.

The award shall have been rendered in respect of a matter that may be submitted to arbitration under the law of the Republic.

Article (300):

Authenticated instruments executed in a foreign country may be ordered enforced subject to the same conditions prescribed under the law of that country for the enforcement of enforceable authenticated instruments executed in the Republic.

An enforcement order shall be sought by a petition submitted to the Enforcement Judge within whose territorial jurisdiction enforcement is intended to take place.

An enforcement order may not be issued unless it has been verified that the instrument satisfies the conditions required for its authentication and enforceability under the law of the country in which it was executed and contains nothing contrary to public order or public morals in the Republic.

Article (301):

The application of the rules prescribed under the preceding Articles shall be without prejudice to the provisions of treaties concluded, or to be concluded, between the Republic and other States in this regard.

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Article (302):

At any stage of the proceedings before the sale is awarded, an amount of money equal to the debts for which the attachment was imposed, together with interest and costs, may be deposited and allocated exclusively for the satisfaction thereof.

Such deposit shall result in the release of the attached property from the attachment and the transfer of the attachment to the deposited amount.

Where further attachments are subsequently imposed upon the deposited amount, they shall have no effect against the persons for whose benefit the amount was allocated.

Article (303):

At any stage of the proceedings, the person whose property is attached may urgently request the Enforcement Judge to determine an amount to be deposited with the court treasury for the purpose of satisfying the attaching creditor.

Such deposit shall result in the release of the attached property from the attachment and the transfer of the attachment to the deposited amount.

The deposited amount shall become allocated for the satisfaction of the attaching creditor's claim where the claim is acknowledged or established by judgment.

Article (304):

Where the value of the right for which the attachment was imposed is disproportionate to the value of the attached property, the debtor may request the Enforcement Judge to render an urgent judgment limiting the attachment to part of such property.

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The request shall be brought by an action instituted in accordance with the ordinary procedures, and all attaching creditors shall be joined as parties thereto.

The judgment rendered shall not be subject to any method of appeal.

The creditors who imposed attachments before the attachment was limited shall have priority in satisfying their rights from the property to which the attachment is restricted.

Article (305):

No attachment may be imposed upon the bedding and clothing required by the debtor, the debtor's spouse, and the debtor's relatives by blood or marriage in the direct line who reside with the debtor as members of the same household.

Nor may attachment be imposed upon the food required for their subsistence for a period of one month.

Article (306):

The following property may not be attached except for the recovery of its purchase price, maintenance expenses, or adjudicated maintenance:

- Books, tools, equipment, and supplies required by the debtor personally to practise the debtor's profession or trade.

- Female livestock required for the subsistence of the debtor and the debtor's family, together with the fodder required for such livestock for a period of one month.

Article (307):

No attachment may be imposed upon amounts judicially awarded or temporarily allocated as maintenance, amounts designated for expenditure for a specific purpose, or property donated or bequeathed for maintenance purposes.

Nevertheless, attachment may be imposed upon up to one quarter thereof for the satisfaction of an adjudicated maintenance debt.

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Article (308):

Property donated or bequeathed subject to a condition prohibiting its attachment may not be attached by creditors of the donee or legatee whose debts arose before the donation or bequest, except for an adjudicated maintenance debt and within the proportion specified in the preceding Article.

Article (309):

Wages and salaries may not be attached in excess of one quarter thereof.

Where multiple debts compete for satisfaction, one half of the attachable amount shall be allocated to the payment of adjudicated maintenance debts, and the other half shall be allocated to the payment of all other debts.

Article (310):

Where an attachment is imposed upon fruits, crops, or other movable property required to be delivered to the State, a public authority, a public institution, or any economic unit affiliated therewith, the custodian of such movable property shall provide the receiving entity with copies of the attachment records endorsed thereon.

Upon delivery of the movable property together with its attachment record, the attachment shall transfer to the price payable to the debtor, without the need for any further procedure.

Article (311):

Neither the debtor, nor any judge who has considered, in any capacity, the enforcement proceedings or any matter arising therefrom, nor any lawyer representing the person conducting the proceedings or the debtor may bid at the auction, whether personally or through an intermediary acting on that person's behalf; otherwise, the sale shall be null and void.

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Article (312):

Where an objection arises during enforcement and provisional relief is sought, the enforcement officer may suspend enforcement or proceed with it on a precautionary basis, while summoning the parties in either case to appear immediately before the Enforcement Judge, even upon one hour's notice and, where necessary, at the Judge's residence.

With respect to the party raising the objection, it shall be sufficient to record the summons in the enforcement report.

In all cases, enforcement may not be completed before the Judge renders a decision.

The enforcement officer shall prepare copies of the report equal to the number of the parties, together with one copy for the Court Registry, and shall attach thereto the enforcement documents and any documents submitted by the objecting party.

The Court Registry shall register the objection in the designated register on the date on which the copy is delivered thereto.

Where an objection is raised by a person other than the party liable under the enforceable instrument, that liable party shall be joined to the objection, whether the objection is raised before the enforcement officer in the manner specified in the first paragraph or in accordance with the ordinary procedures for instituting an action.

Where the liable party has not been joined, the court shall direct the objecting party to join that party within a period specified by it. Where the objecting party fails to comply with the court's direction, the objection may be declared inadmissible.

The submission of any subsequent objection shall not stay enforcement unless the Enforcement Judge orders such stay.

The preceding paragraph shall not apply to the first objection raised by the party liable under the enforceable instrument where that party was not joined to the previous objection.

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Article (313):

An actual tender shall not stay enforcement where the tender is disputed.

The Enforcement Judge may order a temporary stay of enforcement upon deposit of the amount tendered or such greater amount as the Judge may determine.

Article (314):

Where the parties fail to appear and the Judge orders the objection to be struck off the docket, the suspensive effect on enforcement resulting from the filing of the objection shall cease.

Article (315):

Where the objecting party is unsuccessful in the action, the court may impose upon that party a fine of not less than two hundred Egyptian pounds and not exceeding eight hundred Egyptian pounds, without prejudice to any compensation that may be awarded where grounds therefor exist.

Civil and Commercial Procedure Law

Book Two: Enforcement

Part Two: Conservatory Attachments

Chapter One: Conservatory Attachment of Movable Property

Article (316):

A creditor may impose a conservatory attachment upon the debtor's movable property in any of the following circumstances:

- Where the creditor is the holder of a bill of exchange or promissory note and the debtor is a trader whose signature thereon renders the debtor liable for payment under the Commercial Law.

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- In any case where there is a risk that the creditor may lose the security for the creditor's right.

Article (317):

The lessor of immovable property may impose, against the tenant or subtenant, a conservatory attachment upon the movable property, fruits, and crops situated at the leased premises as security for the privilege granted to the lessor by law.

The lessor may also impose such attachment where the movable property, fruits, or crops have been removed from the leased premises without the lessor's consent, provided that thirty days have not elapsed since their removal.

Article (318):

The owner of movable property may impose a conservatory attachment thereon while it is in the possession of another person.

Article (319):

A conservatory attachment in the foregoing circumstances may be imposed only for the satisfaction of a right that is established and due for performance.

Where the creditor does not hold an enforceable instrument or holds a judgment that is not enforceable, or where the amount of the debt is not specified, the attachment may be imposed only pursuant to an order of the Enforcement Judge authorising the attachment and provisionally assessing the attaching creditor's debt.

The order shall be sought by a reasoned petition.

In the case referred to under the preceding Article, the petition shall contain a sufficient description of the movable property sought to be attached.

Before issuing the order, the Judge may conduct a summary inquiry where the supporting documents are insufficient.

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The Judge may order that the attachment be imposed after granting the person whose property is sought to be attached a period not exceeding three days from the date of the order, except in the case referred to under the preceding Article.

Where an action concerning the substantive right has already been brought before the competent court, authorisation to impose the attachment may be sought from the presiding judge of the panel hearing the action.

Article (320):

The rules and procedures prescribed in Chapter One of Part Three of this Book shall apply to conservatory attachment of movable property, except for those relating to the determination of the date of sale.

The attaching creditor shall serve upon the person whose property is attached the attachment report and the order authorising the attachment, where such order has not previously been served, within no more than eight days from the date on which the attachment was imposed; otherwise, the attachment shall be deemed never to have existed.

Where the attachment is imposed pursuant to an order of the Enforcement Judge, the attaching creditor shall, within the eight-day period referred to in the preceding paragraph, bring before the competent court an action seeking confirmation of the right and validation of the attachment; otherwise, the attachment shall be deemed never to have existed.

Article (321):

Where the action concerning the substantive right has already been brought before another court, the action seeking validation of the attachment shall be brought before the same court so that both actions may be heard together.

Article (322):

Where the attachment is declared valid, the procedures prescribed for sale under Chapter One of Part Three shall be followed, or enforcement shall be carried out by delivery of the movable property in the case referred to in Article (318).

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Article (323):

Where the lessor of immovable property imposes an attachment upon the movable property of a subtenant pursuant to Article (317), service of the attachment upon the subtenant shall also constitute an attachment in the subtenant's possession of the rent payable by the subtenant.

Where the principal tenant is not prohibited from subletting, the subtenant may request the release of the attachment imposed upon the subtenant's movable property, while the attachment of the rent in the subtenant's possession shall remain in effect.

Article (324):

Where a conservatory attachment is declared null and void or is revoked because it lacks legal basis, the court may impose upon the attaching creditor a fine not exceeding eight hundred Egyptian pounds, in addition to awarding compensation to the person whose property was attached.

Civil and Commercial Procedure Law

Book Two: Enforcement

Part Two: Conservatory Attachments

Chapter Two: Garnishment of Property Belonging to the Debtor and Held by a Third Party

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Article (325):

Any creditor whose debt is established and due for payment may attach movable property or debts belonging to the debtor and held by a third party, even where such debts are deferred or subject to a condition.

The attachment shall extend to every debt arising in favour of the debtor against the garnishee up to the time at which the garnishee submits the declaration of indebtedness, unless the attachment is imposed upon a specifically identified debt.

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Article (326):

The attaching creditor may not add to the debt interest that has not yet fallen due in excess of one year's interest.

Nor may the attaching creditor add, in respect of costs, more than one tenth of the amount of the debt, provided that such one tenth shall not exceed forty Egyptian pounds.

Article (327):

Where the creditor does not hold an enforceable instrument or the amount of the debt is unspecified, attachment may be imposed only pursuant to an order issued by the Enforcement Judge authorising the attachment and provisionally assessing the attaching creditor's debt, upon a petition submitted by the applicant for attachment.

Nevertheless, such authorisation shall not be required where the creditor holds a judgment, even if it is not enforceable, provided that the debt established thereby is specified in amount.

Article (328):

The attachment shall be imposed, without the need for prior notice to the debtor, by means of a document served by an enforcement officer upon the garnishee and containing the following particulars:

- A copy of the judgment or authenticated instrument pursuant to which the attachment is imposed, or the Judge's authorisation of the attachment or order provisionally assessing the debt.
- A statement of the principal amount for which the attachment is imposed, together with the interest and costs.
- An order prohibiting the garnishee from paying or delivering to the person whose property is attached anything held by the garnishee, together with sufficient identification of the person whose property is attached so as to eliminate any uncertainty.
- The designation of an elected domicile for the attaching creditor in the town in which the District Court within whose territorial jurisdiction the garnishee is domiciled is seated.

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- A direction requiring the garnishee to submit a declaration of indebtedness within fifteen days.

Where the document does not contain the particulars specified in Items (1), (2), and (3), the attachment shall be null and void.

The Enforcement Officers' Office may not serve the attachment document unless the attaching creditor has deposited with, or for the account of, the treasury of the District Court within whose territorial jurisdiction the garnishee is domiciled an amount sufficient to pay the fee for the record of the declaration of indebtedness.

The deposit shall be endorsed on the original service document and the copy thereof.

Article (329):

Where the attachment is imposed in the possession of collectors or custodians of public funds, notice thereof shall be served upon them personally.

Article (330):

Where the garnishee resides outside the Republic, notice of the attachment shall be served upon the garnishee personally or at the garnishee's domicile abroad, in accordance with the procedures prescribed in the country in which the garnishee resides.

Article (331):

Where the garnishee has multiple branches, the attachment shall produce its effects only in respect of the branch specified by the attaching creditor.

Article (332):

The person whose property is attached shall be notified of the attachment by means of the same attachment document after it has been served upon the garnishee, and the document shall designate an elected domicile for the attaching creditor in the town in which the court within whose territorial jurisdiction the domicile of the person whose property is attached is situated.

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Notice of the attachment shall be given within the eight days following service thereof upon the garnishee; otherwise, the attachment shall be deemed never to have existed.

Article (333):

Where the attachment is imposed pursuant to an order of the Enforcement Judge, the attaching creditor shall, within the eight-day period referred to in the preceding Article, bring before the competent court an action seeking confirmation of the right and validation of the attachment; otherwise, the attachment shall be deemed never to have existed.

Where the action concerning the debt has already been brought before another court, the action seeking validation of the attachment shall be brought before the same court so that both actions may be heard together.

Article (334):

Where the garnishee is joined as a party to the action seeking validation of the attachment, the garnishee may not request to be discharged therefrom.

The judgment rendered in such action shall not be binding upon the garnishee except in respect of the validity of the attachment procedures.

Article (335):

The person whose property is attached may bring an action before the competent Enforcement Judge seeking the release of the attachment.

The institution of such action may not be invoked against the garnishee unless notice thereof has been given to the garnishee.

Notification of the action to the garnishee shall prohibit the garnishee from making payment to the attaching creditor until the action has been determined.

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Article (336):

The attachment shall not suspend the accrual of interest payable by the garnishee and shall not prevent the garnishee from making payment, even where the attachment is alleged to be null and void.

Nor shall the attachment prevent the person whose property is attached from demanding payment from the garnishee.

Payment shall be effected by deposit with the treasury of the court within whose territorial jurisdiction the garnishee falls.

Article (337):

The attachment shall remain in effect over amounts deposited with the court treasury pursuant to the preceding Article.

The Court Registry shall notify the attaching creditor and the person whose property is attached of the deposit within three days, by registered letter with acknowledgment of receipt.

The deposit shall be accompanied by a statement signed by the garnishee specifying:

- All attachments imposed in the garnishee's possession.
- The dates on which such attachments were served.
- The names, capacities, and domiciles of the attaching creditors and the person whose property is attached.
- The instruments pursuant to which the attachments were imposed.
- The amounts for which the attachments were imposed.

Such deposit shall dispense with the requirement to submit a declaration of indebtedness where the deposited amount is sufficient to satisfy the attaching creditor's debt.

Where a new attachment is imposed upon the deposited amount, rendering it insufficient, the attaching creditor may require the garnishee to submit a declaration of indebtedness within fifteen days from the date on which the garnishee is so required.

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Article (338):

Notwithstanding the attachment, the garnishee shall pay to the person whose property is attached any amounts that may not legally be attached, without the need for a judgment authorising such payment.

Article (339):

Where no deposit is made pursuant to Articles (302) and (303), the garnishee shall submit a declaration of indebtedness to the Registry of the District Court having jurisdiction over the garnishee within the fifteen days following service of the attachment.

The declaration shall state:

- The amount and cause of the debt.
- The grounds for its discharge, where the debt has been extinguished.
- All attachments imposed in the garnishee's possession.

The garnishee shall deposit the documents supporting the declaration or certified copies thereof.

Where the garnishee holds movable property belonging to the person whose property is attached, the garnishee shall attach to the declaration a detailed statement describing such property.

The fact that the garnishee is not indebted to the person whose property is attached shall not exempt the garnishee from the obligation to submit the declaration.

Article (340):

Where the attachment is imposed in the possession of a government department, local administrative unit, public authority, public institution, or any company or association affiliated therewith, that entity shall, at the attaching creditor's request, issue a certificate serving in place of the declaration of indebtedness.

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Article (341):

Where the garnishee dies, loses legal capacity, or ceases to hold the relevant capacity, or where the capacity of the person representing the garnishee ceases, the attaching creditor may serve the garnishee's heirs or successor with a copy of the attachment document and require them to submit a declaration of indebtedness within fifteen days.

Article (342):

An action disputing the garnishee's declaration of indebtedness shall be brought before the Enforcement Judge having jurisdiction over the garnishee.

Article (343):

Where the garnishee fails to submit a declaration of indebtedness in the manner and within the period prescribed under Article (339), submits an untrue declaration, or conceals documents required to be deposited in support of the declaration, the garnishee may, pursuant to an action instituted in accordance with the ordinary procedures, be ordered to pay to the creditor who has obtained an enforceable instrument establishing the debt the amount for which the attachment was imposed.

In all cases, the garnishee shall be ordered to bear the costs of the action and pay any compensation arising from the garnishee's default or delay.

Article (344):

Upon the expiry of fifteen days from the date on which the garnishee submits the declaration, the garnishee shall pay to the attaching creditor the amount acknowledged in the declaration, or such part thereof as is sufficient to satisfy the attaching creditor's right, provided that, at the time of payment, such right is established by an enforceable instrument and the procedures prescribed under Article (285) have been observed.

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Article (345):

In all cases, the garnishee may deduct from the amount owed any expenses incurred by the garnishee, after such expenses have been assessed by the Judge.

Article (346):

Where neither payment nor deposit is made, the attaching creditor may enforce against the garnishee's property pursuant to the creditor's enforceable instrument, accompanied by an official copy of the garnishee's declaration of indebtedness.

Article (347):

Where the attachment concerns movable property, such property shall be sold in accordance with the procedures prescribed for the sale of movable property attached in the debtor's possession, without the need to impose a new attachment.

Article (348):

Where the attached property is a debt that has not yet fallen due, it shall be sold in accordance with Article (400).

Nevertheless, where there are no other attaching creditors, the attaching creditor may request that the entire debt, or such part thereof as corresponds to the creditor's right, as applicable, be assigned to the creditor.

Such request shall be brought by an action against the person whose property is attached and the garnishee before the Enforcement Judge having jurisdiction over the garnishee.

A judgment assigning the debt to the attaching creditor shall constitute an effective assignment, and such judgment shall not be subject to any method of appeal.

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Article (349):

A creditor may impose an attachment in the creditor's own possession upon any amount owed by the creditor to the debtor.

The attachment shall be effected by serving upon the debtor a notice containing the particulars required to be stated in the notice informing the debtor of the attachment.

Where the attachment is imposed pursuant to an order of the Enforcement Judge, the attaching creditor shall, within the eight days following service of the attachment upon the debtor, bring before the competent court an action seeking confirmation of the right and validation of the attachment; otherwise, the attachment shall be deemed never to have existed.

Article (350):

An attachment imposed in the possession of a government department, local administrative unit, public authority, public institution, or any company or association affiliated therewith shall remain effective for only three years from the date on which it is served, unless, during that period, the attaching creditor serves notice upon the garnishee maintaining the attachment.

Where such notice is not served, or is not renewed every three years, the attachment shall be deemed never to have existed, irrespective of any procedures, agreements, or judgments undertaken, concluded, or rendered in relation thereto.

With respect to the court treasury, the aforementioned three-year period shall commence only from the date on which the attached amounts are deposited.

Article (351):

At any stage of the proceedings, the Enforcement Judge may, by an urgent judgment rendered against the attaching creditor, authorise the person whose property is attached to collect the debt from the garnishee notwithstanding the attachment, in any of the following circumstances:

- Where the attachment was imposed without an enforceable instrument, judgment, or order.

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- Where notice of the attachment was not given to the person whose property is attached within the period prescribed under Article (332), or where the action seeking validation of the attachment was not brought within the period prescribed under Article (333).

- Where deposit and allocation have been effected in accordance with Article (302).

Article (352):

The garnishee shall be subject to the penalty prescribed under Article (341) of the Penal Code where the garnishee misappropriates shares, bonds, or other movable property attached in the garnishee's possession, to the detriment of the attaching creditor.

Civil and Commercial Procedure Law

Book Two: Enforcement

Part Three: Executory Attachments

Chapter One: Enforcement by Attachment and Sale of Movable Property in the Debtor's Possession

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Article (353):

The attachment shall be effected pursuant to a report prepared at the place where the attachment is imposed; otherwise, the attachment shall be null and void.

In addition to the particulars required to be stated in documents prepared by enforcement officers, the attachment report shall contain the following:

- A reference to the enforceable instrument.

- The elected domicile designated by the attaching creditor in the town in which the District Court within whose territorial jurisdiction the attachment is imposed is seated.

- The place of attachment, the procedures undertaken by the enforcement officer, the obstacles and objections encountered during the attachment, and the measures taken in respect thereof.

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- A detailed inventory of the attached property, stating its type, description, quantity, weight or dimensions, and approximate value.

- The date, time, and place of the sale.

The attachment report shall be signed by the enforcement officer and by the debtor, where the debtor is present.

The debtor's signature alone shall not be deemed acceptance of the judgment.

Article (354):

Fruits attached to plants and standing crops may not be attached more than forty-five days before they mature.

The attachment report shall accurately state the location of the land, the name of the basin, the plot number, its area and boundaries, the type of crops or trees and their number, and the quantity and approximate value of the produce expected to be harvested, gathered, or otherwise obtained therefrom.

Article (355):

The attachment may not be imposed in the presence of the enforcement applicant.

Article (356):

An enforcement officer may not break doors or forcibly open locks for the purpose of imposing an attachment except in the presence of a judicial police officer.

The judicial police officer shall sign the attachment report; otherwise, the attachment shall be null and void.

An enforcement officer may not search the debtor for the purpose of attaching items carried in the debtor's pockets without prior authorisation from the Enforcement Department.

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Article (357):

The attachment shall not require the removal of the attached property from its location.

Article (358):

Where the attachment is imposed upon jewellery or ingots of gold, silver, or any other precious metal, or upon jewels or precious stones, such items shall be weighed and accurately described in the attachment report.

Such items shall be valued by an expert appointed by the Enforcement Department having jurisdiction over the place of enforcement, at the request of the enforcement officer.

Other works of art may be valued in the same manner at the request of the attaching creditor or the person whose property is attached.

In all cases, the expert's report shall be attached to the attachment report.

Where it is necessary to move such items for weighing or valuation, they shall be placed in a sealed container, and this shall be recorded in the attachment report together with a description of the seals.

Article (359):

Where the attachment is imposed upon money or banknotes, the enforcement officer shall state their description and amount in the attachment report and shall deposit them with the court treasury.

Article (360):

Where the attachment cannot be completed in one day, it may be completed on one or more subsequent consecutive days.

The enforcement officer shall take all necessary measures to preserve the property already attached and the property sought to be attached until the report is completed.

The report shall be signed whenever the attachment procedures are suspended.

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Nevertheless, where circumstances require the enforcement officer to continue the attachment procedures beyond the times prescribed under Article (7) of this Law or on official holidays, the officer may complete the report without obtaining judicial authorisation.

Article (361):

Property shall be deemed attached immediately upon being listed in the attachment report, even where no custodian has been appointed over it.

Article (362):

Where the attachment is imposed in the debtor's presence or at the debtor's domicile, a copy of the attachment report shall be delivered to the debtor in the manner prescribed under Article (10).

Where the attachment is imposed outside the debtor's domicile and in the debtor's absence, the debtor shall be served with the attachment report no later than the following day.

Article (363):

Immediately after completing the attachment report, the enforcement officer shall post notices signed by the officer on the door of the place where the attached property was found, on the door of the office of the mayor, village sheikh, or administrative authority having jurisdiction over that place, and on the notice board designated for such purpose at the District Court.

The notices shall state the date and time of the sale and provide a general description of the type and nature of the attached property.

The enforcement officer shall record the completion of such posting in a report appended to the attachment report.

Article (364):

The enforcement officer shall appoint a custodian over the attached property and shall select such custodian where neither the attaching creditor nor the person whose property is attached proposes a suitable person.

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The person whose property is attached shall be appointed as custodian where that person so requests, unless there are reasonable grounds to fear dissipation of the property. Such grounds shall be stated in the report.

The custodian may not be a person employed by the attaching creditor or the enforcement officer, nor the spouse or a relative by blood or marriage of either of them up to the fourth degree.

Article (365):

Where the enforcement officer finds no person at the place of attachment willing to accept the custodianship and the debtor is present, the officer shall appoint the debtor as custodian, and the debtor’s refusal shall have no effect.

Where the debtor is absent, the enforcement officer shall take all possible measures to preserve the attached property and shall immediately refer the matter to the Enforcement Department.

The Enforcement Department shall either order that the property be removed and deposited with a trustworthy person willing to accept the custodianship, selected by the attaching creditor or the enforcement officer, or temporarily appoint an officer of the local administrative authority as custodian.

Article (366):

The custodian shall sign the attachment report and shall be provided with a copy thereof.

Where the custodian refuses to sign the attachment report or to receive a copy thereof, the enforcement officer shall, on the same day, deliver a copy of the attachment report to the administrative authority and shall notify the custodian thereof within twenty-four hours by registered letter.

The enforcement officer shall record all the foregoing in the report at the relevant time.

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Article (367):

A custodian other than the debtor or the possessor shall be entitled to remuneration for the custodianship.

Such remuneration shall enjoy the same privilege as judicial expenses over the attached movable property.

The custodian's remuneration shall be assessed by an order issued by the Enforcement Department upon a petition submitted thereto.

Article (368):

The custodian may not use, exploit, or alter the attached property; otherwise, the custodian shall be deprived of the remuneration for custodianship and shall be liable to pay compensation.

However, where the custodian owns the property or holds a right of usufruct therein, the custodian may use it for the purpose for which it is intended.

Where the attachment is imposed upon livestock, goods, tools, or machinery required for the management or operation of land, a factory, workshop, or establishment, the Enforcement Judge may, at the request of an interested party, direct the custodian to continue such management or operation or replace the custodian with another person who will undertake it.

Article (369):

The custodian may not request release from the custodianship before the date scheduled for the sale except for compelling reasons.

Such request shall be brought by summoning the person whose property is attached and the attaching creditor to appear before the Enforcement Judge upon one day's notice.

The judgment rendered thereon shall not be subject to appeal.

Upon the new custodian assuming the custodianship, the enforcement officer shall prepare an inventory of the attached property in a report signed by the new custodian, who shall be provided with a copy thereof.

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Article (370):

Authorization to gather fruits or harvest crops may be requested from the Enforcement Judge by a petition submitted by the custodian or any interested party.

Article (371):

Where an enforcement officer attends to impose an attachment upon property that has previously been attached, the custodian thereof shall present a copy of the earlier attachment report and produce the attached property.

The enforcement officer shall prepare an inventory of such property in a report, attach any property not previously attached, and appoint the custodian under the first attachment as custodian thereof where the property is situated at the same place.

The report shall be served, no later than the following day, upon the first attaching creditor, the debtor, the custodian where the custodian was not present, and the enforcement officer who imposed the first attachment.

Such service shall preserve the attachment in favour of the second attaching creditor even where the first attaching creditor waives the first attachment.

It shall also constitute an attachment in the possession of the enforcement officer over the proceeds realised from the sale.

Article (372):

Where an attachment imposed upon movable property is null and void, such nullity shall not affect any subsequent attachments imposed upon the same property, provided that such subsequent attachments are valid in themselves.

Article (373):

A custodian who deliberately fails to present a copy of an earlier attachment report to the enforcement officer, thereby causing harm to any attaching creditor, shall be subject to the penalty prescribed for misappropriation.

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Article (374):

A creditor who does not hold an enforceable instrument may impose an attachment in the possession of the enforcement officer over the proceeds realised from the sale, without the need to seek a judgment validating the attachment.

Article (375):

The attachment shall be deemed never to have existed where the sale is not completed within three months from the date on which the attachment was imposed, unless the sale was stayed by agreement of the parties, by court judgment, or by operation of law.

Nevertheless, the parties may not agree to postpone the sale for a period exceeding three months from the date of their agreement.

Where necessary, the Enforcement Judge may order an extension of the time limit for a period not exceeding three months.

Article (376):

The sale may not take place until at least eight days have elapsed from the date on which a copy of the attachment report was delivered to the debtor or served upon the debtor.

The sale may not take place until at least one day has elapsed from the completion of the posting and publication procedures.

Nevertheless, where the attached property is perishable or consists of goods subject to price fluctuations, the Enforcement Department may, upon a petition submitted by the custodian or any interested party, order that the sale be conducted immediately from one hour to the next.

Article (377):

The sale shall be conducted at the place where the attached property is situated or at the nearest market.

Nevertheless, the Enforcement Judge may, upon a petition submitted by an interested party, order that the sale be conducted at another place after due notice thereof has been given.

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Article (378):

Where the value of the property to be sold, as assessed in the attachment report, exceeds ten thousand Egyptian pounds, notice of the sale shall be published in one of the daily newspapers designated for the publication of judicial notices.

The notice shall state the date, time, and place of the sale and provide a general description of the type and nature of the attached property.

Where the amount claimed exceeds five thousand Egyptian pounds, either the attaching creditor or the debtor whose property is attached may request the Court Registry to arrange additional publication at that party's own expense.

Article (379):

In all cases, either the attaching creditor or the person whose property is attached may submit a petition to the Enforcement Department requesting the posting of additional notices, further publication in newspapers or through other media, or a more detailed description in the notices of the property to be sold.

Article (380):

Before jewellery or ingots of gold, silver, or any other precious metal, or jewels or precious stones, are sold, where their assessed value exceeds twenty thousand Egyptian pounds, notice of the sale shall be published before the date of sale in one of the daily newspapers designated for the publication of judicial notices.

Article (381):

Local administrative officers may be entrusted with posting the notices, except for notices required to be posted on the court notice board.

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Article (382):

Posting shall be evidenced by a certificate issued by the enforcement officer or local administrative officers and accompanied by a copy of the notice.

Posting of the notice at the court shall be evidenced by recording it in a special register maintained for that purpose.

Publication shall be evidenced by submitting a copy of the newspaper or a certificate issued by the relevant media entity.

Article (383):

Where the sale does not take place on the date specified in the attachment report, the posting and publication procedures shall be repeated in the manner prescribed under the preceding Articles.

The person whose property is attached shall be served, at least one day before the sale, with the certificate evidencing the posting.

Article (384):

The sale shall be conducted by public auction through bidding called by the enforcement officer, subject to immediate payment of the price.

The enforcement officer shall not commence the sale until the attached property has been inventoried and a report thereof has been prepared, stating any items found to be missing.

Article (385):

Jewellery or ingots of gold or silver may not be sold for less than their intrinsic value as assessed by experts.

Where no person offers to purchase them, they shall be deposited with the court treasury in the same manner as money, so that the attaching creditor’s debt and the debts of other creditors may be satisfied in kind therefrom.

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Article (386):

Where no person offers to purchase jewellery, precious stones, or other appraised property, the sale shall be adjourned until the following day, provided that such day is not an official holiday.

Where no purchaser offers the appraised value, the sale shall be adjourned to another day, and the publication and posting procedures shall be repeated in the manner prescribed under the preceding Articles.

The property shall then be sold to the highest bidder, even where the price is lower than its appraised value.

Article (387):

Where no person offers to purchase property that has not been appraised, its sale shall be adjourned until the following day, unless the attaching creditor agrees to accept it in satisfaction of the debt at the value assessed by an expert appointed by the enforcement officer.

The name of the expert shall be stated in the sale report.

Article (388):

For the purpose of giving notice of the continuation or adjournment of the sale, it shall be sufficient for the enforcement officer to announce it publicly and record it in the sale report.

Article (389):

Where the successful bidder fails to pay the price immediately, the property shall be resold at that bidder's risk in accordance with the foregoing procedure, at any price obtained.

The sale report shall constitute an enforceable instrument against the defaulting bidder in respect of any difference in price.

The enforcement officer shall be liable for the price where the officer fails to collect it immediately from the purchaser and does not promptly arrange for the resale of the property at the purchaser's risk.

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The sale report shall likewise constitute an enforceable instrument against the enforcement officer in respect thereof.

Article (390):

The enforcement officer shall cease proceeding with the sale once the proceeds are sufficient to satisfy the debts for which the attachment was imposed, together with the costs.

Any attachment subsequently imposed in the possession of the enforcement officer, or any other person holding the sale proceeds, shall extend only to the amount remaining after satisfaction of the foregoing debts and costs.

Article (391):

The sale report shall state all procedures undertaken in connection with the sale, any objections or obstacles encountered by the enforcement officer and the measures taken in respect thereof, whether the person whose property was attached was present or absent, the price at which the property was sold, the name of the successful bidder, and the successful bidder's signature.

Article (392):

Where the creditor conducting the proceedings fails to request that the sale be carried out on the date specified in the attachment report, the other attaching creditors referred to in Article (371) may request that the sale proceed after completing the posting and publication procedures prescribed under the preceding Articles.

The certificate evidencing the posting shall be served upon the debtor whose property is attached and the creditor who had been conducting the proceedings at least one day before the sale.

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Article (393):

Where an action for the recovery of the attached property is brought, the sale shall be stayed unless the Enforcement Judge orders the continuation of enforcement, with or without requiring the deposit of the sale proceeds.

Article (394):

An action for the recovery of attached property shall be brought against the attaching creditor, the person whose property is attached, and any attaching creditors who have intervened in the proceedings.

The statement of claim shall contain a sufficient account of the evidence establishing ownership, and the claimant shall, upon filing the statement with the Court Registry, deposit all supporting documents in the claimant's possession.

Otherwise, at the attaching creditor's request, the court shall order the continuation of enforcement without awaiting determination of the action.

Such judgment shall not be subject to appeal.

Article (395):

The attaching creditor may continue enforcement where the court orders that the action be struck off the docket or stayed pursuant to Article (99), where the action is deemed or adjudged never to have been brought, or where a judgment is rendered dismissing the action, declining jurisdiction, declaring it inadmissible, declaring its statement of claim null and void, declaring the proceedings lapsed, or accepting their discontinuance, even where such judgment is subject to appeal.

Article (396):

Where a second action for recovery is brought by another claimant, or where an earlier action brought by the same claimant was deemed or adjudged never to have been brought, struck off the docket, declared inadmissible, dismissed for lack of jurisdiction, declared null and void due to the invalidity of its statement of claim, declared lapsed, or discontinued with the court's approval, the sale shall not be stayed unless the Enforcement Judge orders such stay for serious reasons.

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Article (397):

Where the claimant seeking recovery is unsuccessful in the action, the court may impose upon that claimant a fine of not less than two hundred Egyptian pounds and not exceeding eight hundred Egyptian pounds, all or part of which shall be awarded to the creditor, without prejudice to any compensation that may be awarded where grounds therefor exist.

Civil and Commercial Procedure Law

Book Two: Enforcement

Part Three: Executory Attachments

Chapter Two: Attachment and Sale of Shares, Bonds, Revenues, and Interests

Article (398):

Bearer shares and bonds, and shares and bonds transferable by endorsement, shall be attached in accordance with the procedures prescribed for the attachment of movable property.

Article (399):

Annuities, registered shares, profit distributions payable by legal persons, and the rights of limited partners shall be attached in accordance with the procedures prescribed for the garnishment of property belonging to the debtor and held by a third party.

Attachment of the rights referred to in the preceding paragraph shall extend to their proceeds and interest, whether already due or becoming due up to the date of sale.

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Article (400):

Shares, bonds, and the other rights referred to in the preceding two Articles shall be sold through a bank, broker, or money changer appointed by the Enforcement Judge upon an application submitted by the attaching creditor.

The Judge shall specify in the order the publicity and notice procedures required for the sale.

Civil and Commercial Procedure Law

Book Two: Enforcement

Part Three: Executory Attachments

Chapter Three: Enforcement against Immovable Property

Section One: Notice of Foreclosure, Notice to the Possessor, and Registration Thereof

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Article (401):

Enforcement shall commence by serving the debtor personally or at the debtor's domicile with a notice of foreclosure of the immovable property containing the following particulars:

- The type and date of the enforceable instrument, the amount of the debt required to be paid, and the date on which the instrument was served.
- A warning to the debtor that, if the debt is not paid, the notice will be registered and the immovable property will be compulsorily sold.
- A description of the immovable property stating its location, area, boundaries, plot numbers, the names and numbers of the basins in which it is situated, and any other particulars necessary for its identification in accordance with the Real Estate Registration Law.

The creditor may obtain, by petition, an order authorising the enforcement officer to enter the immovable property to obtain the information required to describe the property and its appurtenances. The officer may be accompanied by any person whose assistance is required for that purpose.

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Such order shall not be subject to challenge.

The designation of an elected domicile for the creditor conducting the proceedings in the town in which the competent Enforcement Court is seated.

Where the foreclosure notice does not contain the particulars specified in Items (1) and (3) of this Article, it shall be null and void.

Where enforcement is pursued against immovable property mortgaged by a person other than the debtor, the foreclosure notice shall be served upon the mortgagor after the debtor has been required to perform the obligation in accordance with Article (281).

Article (402):

The foreclosure notice shall be registered at every Real Estate Registration Office within whose territorial district the immovable properties identified in the notice are situated.

Where it is established that another foreclosure notice has already been registered, multiple enforcement proceedings may not be pursued simultaneously against the same immovable property.

Priority in conducting the proceedings shall belong to the creditor whose foreclosure notice was registered first.

Nevertheless, a creditor whose foreclosure notice was registered subsequently may request the Enforcement Judge to authorise that creditor to replace the first creditor in conducting the proceedings.

Article (403):

Where it is established that an earlier foreclosure notice has been registered against the same immovable property, the Real Estate Registration Office shall endorse the new notice in the margin of the registration of the first notice, stating the date of the new notice, the name of the person who served it, and the enforceable instrument upon which it is based.

The Office shall also endorse the original of the new notice, after its registration, with a statement indicating the existence of the first notice, its registration date, the name of the person who served it, and the enforceable instrument upon which it is based.

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An order authorising substitution in the conduct of the proceedings shall be endorsed in the margins of the registrations of both the earlier and later notices upon a petition submitted to the Real Estate Registration Office.

Article (404):

Registration of the foreclosure notice shall render the immovable property attached.

Article (405):

Any disposition of the immovable property by the debtor, the possessor, or the real surety, and any mortgage, judicial charge, or privilege arising therefrom, shall not be effective against the attaching creditors, even where they are unsecured creditors, the creditors referred to in Article (417), or the successful bidder to whom the sale is adjudicated, where such disposition, mortgage, judicial charge, or privilege was registered after registration of the foreclosure notice.

Article (406):

The fruits and revenues of the immovable property accruing after registration of the foreclosure notice shall be attached thereto.

The debtor may sell fruits attached to the immovable property where such sale constitutes an act of sound administration.

Any creditor holding an enforceable instrument may request, by petition submitted to the Enforcement Judge, an order directing an enforcement officer, a creditor, or another person to harvest the crops, gather the fruits, and sell them.

In both cases, the fruits and crops shall be sold by public auction or by any other method authorised by the Judge, and the proceeds shall be deposited with the court treasury.

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Article (407):

Where the immovable property is not leased, the debtor shall be deemed its custodian until the sale is completed, unless the Enforcement Judge, at the request of the attaching creditor or any creditor holding an enforceable instrument, orders the debtor's removal from the custodianship or restricts the debtor's authority.

A debtor residing in the immovable property may continue to reside therein without payment of rent until the sale is completed.

Where the immovable property is leased, rent accruing for the period following registration of the foreclosure notice shall be deemed attached in the tenant's possession as soon as the attaching creditor, or any creditor holding an enforceable instrument, directs the tenant not to pay it to the debtor.

Where the tenant pays the rent before receiving such direction, the payment shall be valid, and the debtor shall be liable for the amount in the capacity of custodian.

Article (408):

Subject to the provisions of other laws governing the lease of immovable property, lease agreements having a legally established date prior to registration of the foreclosure notice shall be effective against the attaching creditors, the creditors referred to in Article (417), and the successful bidder to whom the sale is adjudicated.

The foregoing shall be without prejudice to the provisions of law governing lease agreements that are required to be registered.

Lease agreements that did not have a legally established date before registration of the foreclosure notice shall not be effective against the aforementioned persons unless they constitute acts of sound administration.

Article (409):

Receipts for rent paid in advance and assignments thereof may be invoked against the attaching creditors, the creditors referred to in Article (417), and the successful bidder to whom the sale is adjudicated where they had a legally established date prior to registration of the foreclosure notice, without prejudice to the provisions of law governing receipts that are required to be registered.

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Where they did not have a legally established date prior to registration of the foreclosure notice, they may be invoked only in respect of a period not exceeding one year.

Article (410):

The penalties prescribed under Articles (341), (342), and (361) of the Penal Code shall apply to a debtor who misappropriates the fruits or revenues attached to the immovable property under attachment, damages such property, or destroys its fruits.

Article (411):

Where the immovable property is encumbered by a real security and has passed to a possessor pursuant to a contract registered before registration of the foreclosure notice, the possessor shall be served with a warning requiring payment of the debt or abandonment of the property; otherwise, enforcement shall proceed against the possessor.

The warning shall be accompanied by service of the foreclosure notice upon the possessor; otherwise, it shall be null and void.

Service of the warning upon the possessor shall render all the provisions of Articles (406) to (410) applicable to the possessor.

Article (412):

The warning shall be registered, and its registration shall be endorsed in the margin of the registration of the foreclosure notice within fifteen days from the date on which the foreclosure notice was registered; otherwise, the registration of the foreclosure notice shall lapse.

Article (413):

Where it is established that an earlier warning has already been registered against the possessor in respect of the same immovable property, Articles (402) and (403) shall apply.

Where the registration of the foreclosure notice lapses, the registration of the warning shall likewise lapse.

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Article (414):

The person conducting the enforcement proceedings shall deposit with the Registry of the Enforcement Court a List of Conditions of Sale within ninety days from the date on which the foreclosure notice was registered; otherwise, the registration of the foreclosure notice shall be deemed never to have existed.

The List shall contain the following particulars:

- A statement of the enforceable instrument pursuant to which the foreclosure notice was served.
- The date of the foreclosure notice, the date of the warning served upon the possessor, where applicable, and the registration numbers and dates of both.
- Identification of the immovable properties specified in the foreclosure notice, including their location, boundaries, area, plot number, basin name and number, and any other particulars necessary for their identification.
- The conditions of sale and the reserve price.

The reserve price shall be determined in accordance with the first paragraph of Article (37).

Division of the immovable property into separate lots, where appropriate, together with the reserve price of each lot.

The record of deposit shall specify the date of the hearing for objections and the date of the sale hearing.

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Article (415):

The following documents shall be attached to the List of Conditions of Sale:

- A certificate stating the real estate tax or building tax assessed upon the attached immovable property.
- The instrument pursuant to which enforcement is being conducted.
- The foreclosure notice.
- The warning served upon the possessor, where applicable.
- A real estate certificate setting out all registered encumbrances up to the date of registration of the foreclosure notice, covering the preceding ten years.

Article (416):

Where the purchaser is dispossessed of the property due to a superior title, the purchaser may recover the price and claim compensation where grounds therefor exist.

The List of Conditions of Sale may not contain any provision exempting the seller from repayment of the price.

Article (417):

Within the fifteen days following deposit of the List of Conditions of Sale, the Court Registry shall notify the debtor, the possessor, the real surety, creditors who have registered foreclosure notices, and creditors holding rights registered before registration of the foreclosure notice.

Where any such creditor has died, notice shall be given collectively to the creditor's heirs at the domicile stated in the relevant registration entry.

Within the eight days following service of the notice, the enforcement officer who effected such service shall notify the Real Estate Registration Office thereof so that it may be endorsed in the margin of the registration of the foreclosure notice.

The creditors referred to in the first paragraph shall become parties to the proceedings from the date of such endorsement.

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Thereafter, registrations and marginal endorsements relating to the proceedings may not be cancelled except with the consent of all such creditors or pursuant to final judgments rendered against them.

Article (418):

The notice shall contain the following particulars:

- The date on which the List of Conditions of Sale was deposited.
- A general identification of the attached immovable properties.
- The reserve price fixed for each lot.
- The date and time of the hearing scheduled to consider any objections that may be submitted against the List, and the date and time of the sale hearing where no objections are submitted.
- A warning requiring the person served to inspect the List and raise any grounds of nullity or observations by way of objection thereto at least three days before the hearing referred to in the preceding Item; otherwise, the right to raise them shall be forfeited.

The notice shall also warn the seller or exchanger of the immovable property that the right to seek rescission of the sale or exchange shall lapse unless the provisions of Article (425) are followed.

Article (419):

The hearing scheduled in the record of deposit of the List of Conditions of Sale for consideration of objections shall be the first hearing occurring after the expiry of thirty days from the expiration of the period referred to in Article (417).

The period between that hearing and the sale hearing shall be not less than thirty days and not more than sixty days.

Where no objections are submitted, the designation of the first of those two hearings shall be deemed never to have existed, and the procedures for publication of the sale shall proceed.

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Article (420):

Failure to comply with Articles (414), (415), and (418) shall result in nullity.

Article (421):

Within the eight days following the final notice of deposit of the List, the Court Registry shall announce its deposit by publication in one of the daily newspapers designated for judicial notices and by posting on the court notice board designated for announcements.

The posting report and a copy of the newspaper shall be deposited in the enforcement file within the eight days following announcement of the deposit.

Any person may inspect the List of Conditions of Sale at the Court Registry but may not remove it therefrom.

Article (422):

The debtor, the possessor, the real surety, and the creditors referred to in Article (417) shall raise all grounds of nullity affecting procedures undertaken before the hearing scheduled for consideration of objections, together with all observations concerning the conditions of sale, by filing an objection to the List of Conditions of Sale with the Registry of the Enforcement Court at least three days before that hearing; otherwise, their right to rely upon such grounds or observations shall be forfeited.

Any interested person other than those referred to in the preceding paragraph may raise grounds of nullity or observations either by objecting to the List or by intervening during the hearing of the objections.

Article (423):

Where enforcement is pursued against an undivided share in immovable property, any creditor holding a registered right created over specifically divided parcels that include such undivided share may declare an intention to pursue enforcement against those divided parcels and may, by objecting to the List of Conditions of Sale, request a stay of the enforcement proceedings relating to the undivided share.

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The judgment ordering the stay of proceedings shall specify the period within which enforcement proceedings against the divided parcels must be commenced.

Article (424):

The debtor, the possessor, or the real surety may, by objecting to the List of Conditions of Sale, request a stay of enforcement proceedings against one or more of the immovable properties specified in the foreclosure notice, upon proving that the value of the property against which the proceedings will continue is sufficient to satisfy the rights of the attaching creditors and all creditors who have become parties to the proceedings pursuant to Article (417).

The judgment rendered on such objection shall specify the immovable properties in respect of which the proceedings are temporarily stayed.

Following the judgment adjudicating the sale, any creditor may proceed with enforcement against those properties where the proceeds of the property sold are insufficient to satisfy that creditor's right.

The debtor may also request, by the same procedure, the postponement of the proceedings for the sale of the immovable property upon proving that the net income generated by the debtor's property over one year is sufficient to satisfy the rights of the attaching creditors and all creditors who have become parties to the proceedings.

The judgment ordering postponement shall specify the date on which the sale proceedings shall commence in the event of non-payment, taking into account the period required to enable the debtor to satisfy such debts.

Where circumstances arise that justify the foregoing applications, they may be submitted at any stage of the proceedings before approval of the successful bid.

Article (425):

Where the seller or exchanger of the immovable property intends, during the enforcement proceedings, to bring an action for rescission due to non-payment of the price or the difference in value, the action shall be instituted in accordance with the ordinary procedures, and a notation thereof shall be entered at the foot of the List of Conditions of Sale at least three days before the hearing scheduled for consideration of objections.

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Otherwise, the seller's or exchanger's right to invoke rescission against the person to whom the sale is adjudicated shall lapse.

Where the action for rescission is brought and a notation thereof is entered at the foot of the List of Conditions of Sale within the period referred to in the preceding paragraph, enforcement proceedings against the immovable property shall be stayed.

Civil and Commercial Procedure Law

Book Two: Enforcement

Part Three: Executory Attachments

Chapter Three: Enforcement against Immovable Property

Section Three: Sale Procedures

Article (426):

The creditor conducting the proceedings and any creditor who has become a party thereto pursuant to Article (417) may obtain an order from the Enforcement Judge fixing a hearing for the sale.

The Judge shall issue the order after verifying that all objections submitted within the prescribed period have been determined by enforceable judgments and that the judgment being enforced has become final.

The Court Registry shall notify the persons referred to in Article (417), by registered letter with acknowledgment of receipt, of the date and place of the sale hearing at least eight days before that hearing.

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Article (427):

The sale shall take place at the court.

The person conducting the proceedings, the debtor, the possessor, the real surety, or any interested person may obtain authorisation from the Enforcement Judge for the sale to take place at the immovable property itself or at another location.

Article (428):

The Court Registry shall advertise the sale not more than thirty days and not less than fifteen days before the date scheduled therefor by posting notices containing the following particulars:

- The name, surname, occupation, and domicile or elected domicile of the person conducting the proceedings, the debtor, the possessor, and the real surety.
- A description of the immovable property as stated in the List of Conditions of Sale.
- The date of the record of deposit of the List of Conditions of Sale.
- The reserve price of each lot.
- The court or other place at which the sale will be conducted, together with the date and time of the auction.

Article (429):

The notices shall be posted at the following places:

- On the door of each immovable property sought to be sold, where it is enclosed or consists of a building.
- On the door of the mayor's office in the village where the properties are situated and on the main entrance of the administrative centre or police district within whose jurisdiction the properties are situated.
- On the notice board designated for announcements at the Enforcement Court.

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Where enforcement concerns immovable properties situated within the territorial jurisdiction of other courts, the notices shall also be posted on the notice boards of those courts.

The enforcement officer shall endorse on the reverse of one copy of the notice a statement confirming that the notice was posted at the aforementioned places and shall submit that copy to the Court Registry for deposit in the enforcement file.

Article (430):

Within the period prescribed under Article (428), the Court Registry shall publish the text of the sale notice in one of the daily newspapers designated for judicial notices.

The boundaries of the immovable property shall not be stated in such notice.

A copy of the newspaper in which the notice was published shall be deposited in the enforcement file, endorsed by the Court Registry with the date on which it was submitted thereto.

Article (431):

The attaching creditor, the debtor, the possessor, the real surety, or any interested person may obtain authorisation from the Enforcement Judge for additional sale notices to be published in newspapers or through other media, or for additional notices to be posted, due to the importance or nature of the immovable property or any other relevant circumstances.

A request for additional publicity shall not, under any circumstances, result in postponement of the sale.

Where appropriate, the extent of the publicity for the sale may also be reduced with the Judge's authorisation.

An order increasing or reducing the extent of publicity shall not be subject to challenge.

Article (432):

Interested parties shall raise any grounds of nullity affecting the sale notice by filing a report with the Court Registry at least three days before the hearing scheduled for the sale; otherwise, the right to raise such grounds shall lapse.

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The Enforcement Judge shall rule on the grounds of nullity on the date scheduled for the sale and before the opening of the auction.

The Judge's ruling shall not be subject to any method of appeal.

Where the advertising procedures are declared null and void, the Judge shall adjourn the sale to a date specified by the Judge and order that such procedures be repeated.

Where the application for nullity is rejected, the Judge shall order the auction to proceed immediately.

Article (433):

Where the Enforcement Judge orders postponement of the sale and repetition of the advertising procedures pursuant to the preceding Article, the expenses of repeating those procedures shall be borne, as applicable, by the court clerk or enforcement officer whose fault necessitated their repetition.

Article (434):

The Enforcement Judge shall assess the costs of the enforcement proceedings, including legal fees, and shall announce the assessment at the hearing before the opening of the auction.

The assessed costs shall be stated in the judgment adjudicating the sale.

No amount exceeding that stated in the order assessing the costs may be claimed, and any agreement to the contrary, in whatever form, shall be invalid.

Article (435):

On the date scheduled for the sale, the Enforcement Judge shall conduct the auction at the request of the person conducting the enforcement proceedings, the debtor, the possessor, the real surety, or any creditor who has become a party to the proceedings pursuant to Article (417), after verifying that they have been notified of the deposit of the List of Conditions of Sale and of the sale hearing.

Where the auction is conducted without a request from any of the aforementioned persons, the sale shall be null and void.

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Article (436):

The auction may be adjourned at the same reserve price, at the request of any interested person, where there are compelling grounds for such adjournment.

The judgment rendered on the application to adjourn the sale shall not be subject to any method of appeal.

Article (437):

The auction shall commence at the sale hearing with the enforcement officer calling out the reserve price and the costs.

Before the auction begins, the Judge shall determine the increments by which bids may be increased in each case, taking into account the amount of the reserve price.

Article (438):

Where no purchaser appears at the sale hearing, the Judge shall order the sale to be adjourned and the reserve price to be reduced by one tenth, repeating such reduction whenever circumstances so require.

Article (439):

Where one or more purchasers appear at the sale hearing, the Judge shall immediately approve the highest bid submitted at the hearing.

A bid that is not exceeded within three minutes shall bring the auction to an end.

Article (440):

The person whose bid is approved by the Judge shall, during the hearing, deposit the full amount of the approved price, together with the costs and registration fees. In such case, the court shall render judgment adjudicating the sale to that person.

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Where the full price is not deposited, the bidder shall deposit at least one fifth thereof; otherwise, the auction shall be reopened at the bidder's risk during the same hearing.

Where the full price is not deposited, the sale shall be adjourned.

Where the bidder deposits the full price at the following hearing, judgment shall be rendered adjudicating the sale to that bidder, unless another person appears at that hearing and offers to purchase the property at a price increased by one tenth, accompanied by deposit of the full increased price. In such case, the auction shall be reopened during the same hearing on the basis of that price.

Where no person offers the additional one tenth and the first bidder fails to deposit the full price, the auction shall immediately be reopened at that bidder's risk. At such hearing, no bid shall be accepted unless accompanied by deposit of its full amount.

Under no circumstances may the List of Conditions of Sale contain any provision contrary to the foregoing.

Article (441):

Every judgment ordering adjournment of the sale shall specify a new hearing date falling more than thirty days and less than sixty days from the date of the judgment.

The sale shall be advertised again within the period and in accordance with the procedures prescribed under Articles (428), (429), and (430).

Where approval of a bid preceded the adjournment of the sale, the advertisement shall also contain the following particulars:

- A general description of the immovable properties in respect of which the bid was approved.
- The name, occupation, and original or elected domicile of the person whose bid was approved.
- The price at which the bid was approved.

Article (442):

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Where the person to whom the sale is adjudicated is a creditor and the amount and ranking of that creditor's debt justify exemption from deposit, the Judge shall grant such exemption.

Article (443):

A defaulting bidder shall be liable for any deficiency in the price of the immovable property, together with interest.

The judgment adjudicating the sale shall order the defaulting bidder to pay any difference in price.

The defaulting bidder shall have no right to any surplus, which shall accrue to the debtor, the possessor, or the real surety, as applicable.

Article (444):

The person to whom the sale is adjudicated may, within the three days following the date of the sale, declare before the Court Registry that the purchase was made as agent for a specified person, provided that the principal approves such declaration.

Article (445):

The purchaser shall designate an elected domicile in the town in which the court is seated where the purchaser does not reside there.

Where the purchaser resides in that town, the purchaser shall provide a precise address.

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Section Four: Judgment Adjudicating the Sale

Article (446):

The judgment adjudicating the sale shall be issued in the form prescribed for judgments and shall include a copy of the List of Conditions of Sale, a statement of the procedures followed in fixing and advertising the date of sale, and a copy of the hearing record.

The operative part of the judgment shall order the debtor, the possessor, or the real surety to deliver the immovable property to the person to whom the sale has been adjudicated.

The original copy of the judgment shall be deposited in the enforcement file on the day following its issuance.

Article (447):

The Court Registry shall, on behalf of the interested parties, apply for registration of the judgment adjudicating the sale within the three days following its issuance.

The registered judgment shall constitute the purchaser's title to the property.

However, it shall transfer to the purchaser only such rights in the sold immovable property as were held by the debtor, the possessor, or the real surety.

Article (448):

Where the sale of the immovable property is adjudicated to its possessor, registration of the judgment shall not be required.

The judgment shall be endorsed in the margin of the registration of the instrument pursuant to which the possessor originally acquired title to the property and in the margin of the registration of the warning served upon the possessor.

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Article (449):

The judgment adjudicating the sale shall not be served.

It shall be compulsorily enforced by requiring the debtor, the possessor, the real surety, or the custodian, as applicable, to appear at the place of delivery on the date and at the time specified therefor, provided that notice thereof is served at least two days before the date fixed for delivery.

Where the immovable property contains movable property subject to rights belonging to persons other than the person whose property was attached, the person requesting delivery shall urgently apply to the Enforcement Judge for the measures necessary to preserve the rights of the interested parties.

Article (450):

Registration of the judgment adjudicating the sale, or its endorsement pursuant to Article (448), shall discharge the sold immovable property from all privileges, judicial charges, official mortgages, and possessory pledges held by persons who were notified of the deposit of the List of Conditions of Sale and informed of the date of the sale hearing in accordance with Articles (417) and (426).

Such persons shall retain only their rights against the sale proceeds.

Article (451):

The judgment adjudicating the sale may be appealed only on the ground of a defect in the auction procedures, a defect in the form of the judgment, or the rendering of the judgment after rejection of an application to stay the proceedings in circumstances where a stay was legally mandatory.

The appeal shall be brought in accordance with the ordinary procedures within the five days following the date on which the judgment was pronounced.

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Article (452):

Where the person conducting the proceedings fails to deposit the List of Conditions of Sale within the forty-five days following registration of the latest foreclosure notice effected by that person, a creditor whose notice was subsequently registered may deposit the List and replace that person in continuing the proceedings.

The person conducting the proceedings shall deposit the documents relating to the proceedings with the Court Registry within the three days following service by an enforcement officer of a formal demand to do so; otherwise, that person shall be liable for compensation.

The expenses incurred by the person conducting the proceedings shall not be reimbursed until the sale has been adjudicated.

Article (453):

Where registration of the foreclosure notice of the creditor conducting the proceedings is cancelled with that creditor's consent, is deemed never to have existed pursuant to Article (414), or is cancelled pursuant to a judgment, the Real Estate Registration Office shall, upon endorsing such cancellation, automatically endorse it in the margin of the registration of every other foreclosure notice concerning the same immovable property.

Within the following eight days, the Office shall notify the creditors who registered those notices.

The creditor whose foreclosure notice was registered first may continue the enforcement proceedings from the last valid procedure, provided that an endorsement evidencing notification of the deposit of the List of Conditions of Sale is entered in the margin of the registration of that notice within ninety days from the date of the endorsement made pursuant to the preceding paragraph; otherwise, registration of that creditor's notice shall be deemed never to have existed.

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Article (454):

A third party may seek the nullification of the enforcement proceedings together with a declaration of entitlement to all or part of the attached immovable property, even after expiry of the period prescribed for objecting to the List of Conditions of Sale.

Such claims shall be brought, in accordance with the ordinary procedures, before the Enforcement Judge against the person conducting the proceedings, the debtor, the possessor or real surety, and the first-ranking registered creditor.

Article (455):

At the first hearing, the Judge shall order a stay of the sale proceedings where the claimant has deposited with the court treasury, in addition to the costs of the action, the amount assessed by the Court Registry to cover legal fees and the expenses required to repeat the proceedings, where necessary, and where the statement of claim contains either a description of the supporting documents, a precise statement of the evidence of ownership, or the facts of possession upon which the action is based.

Where the date fixed for the sale occurs before the Judge has ruled on the stay, the claimant may request that the Judge stay the sale, provided that the request is submitted at least three days before the hearing scheduled for the sale.

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Article (456):

Judgments rendered pursuant to the preceding Article ordering a stay of the sale or the continuation thereof shall not be subject to any method of appeal.

Article (457):

Where the action for recovery of title concerns only part of the attached immovable properties, the sale shall not be stayed in respect of the remaining properties.

Nevertheless, the Judge may, at the request of an interested party, order a stay of the sale in respect of all the properties where compelling grounds so require.

Article (458):

The Judge shall adjust the reserve price where the property required to be sold constitutes part of a single lot.

The same shall apply upon resumption of the sale proceedings after determination of the action for recovery of title, subject to the first paragraph of Article (37).

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Chapter Four: Certain Special Sales

Article (459):

The sale by auction of immovable property belonging to a bankrupt person, immovable property belonging to a person lacking legal capacity whose sale has been authorised, and immovable property belonging to an absent person shall be conducted pursuant to a List of Conditions of Sale deposited with the Registry of the competent court by the trustee in bankruptcy or the representative of the person lacking legal capacity or the absent person, as

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applicable.

Article (460):

The List of Conditions of Sale referred to in the preceding Article shall contain the following particulars:

- The authorisation issued for the sale.
- Identification of the immovable property in the manner prescribed under Article (401).
- The conditions of sale and the reserve price, which shall be determined in accordance with the first paragraph of Article (37).
- Division of the immovable property into separate lots, where circumstances so require, together with the reserve price of each lot.
- A statement of the instruments of title.

Article (461):

The following documents shall be attached to the List of Conditions of Sale:

- A certificate stating the real estate tax or building tax assessed upon the immovable property.
- The instruments of title and the authorisation issued for the sale.
- A real estate certificate covering the ten-year period preceding the deposit of the List.

Article (462):

The Court Registry shall notify the creditors holding possessory or official mortgages, the holders of judicial charges and privileges, and the Public Prosecution of the deposit of the List of Conditions of Sale, in accordance with the procedures and within the periods prescribed under Article (417).

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Such persons may raise any grounds of nullity or observations concerning the conditions of sale by objecting to the List. Articles (422) and (425) shall apply in this respect.

Article (463):

The rules governing the procedures for the sale of immovable property at the request of creditors, as prescribed under Sections Three and Four of Chapter Three, shall apply to the sales referred to in Article (459).

Article (464):

Where the court orders the sale of jointly owned immovable property because it cannot be divided without causing prejudice, the property shall be sold by auction pursuant to a List of Conditions of Sale deposited with the Registry of the competent District Court by any co-owner seeking to expedite the sale.

Article (465):

In addition to the particulars specified in Article (460), the List of Conditions of Sale referred to in the preceding Article shall identify all co-owners and state the domicile of each.

In addition to the documents specified in Article (461), a copy of the judgment ordering the sale shall be attached to the List.

Article (466):

The Court Registry shall notify the creditors referred to in Article (462) and all co-owners of the deposit of the List of Conditions of Sale referred to in the preceding Article.

Such persons may raise any grounds of nullity or observations concerning the conditions of sale by objecting to the List.

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Article (467):

A person who owns immovable property encumbered by a privilege, judicial charge, official mortgage, or possessory mortgage, in respect of which no foreclosure notice has been registered, may voluntarily sell it under judicial supervision pursuant to a List of Conditions of Sale deposited with the Registry of the competent court.

Article (468):

The provisions governing the sale of immovable property belonging to a bankrupt person, a person lacking legal capacity, or an absent person shall apply to the sale of immovable property due to the impossibility of its division and to its voluntary sale, except for the requirement to notify the Public Prosecution of the deposit of the List of Conditions of Sale.

Civil and Commercial Procedure Law

Book Two: Enforcement

Part Four: Distribution of Enforcement Proceeds

Article (469):

Once money in the debtor's possession has been attached, the attached property has been sold, or fifteen days have elapsed from the date of submission of the declaration of indebtedness in a garnishment of property belonging to the debtor and held by a third party, the attaching creditors and all persons deemed parties to the proceedings shall become exclusively entitled to the enforcement proceeds without the need for any further procedure.

Article (470):

Where the enforcement proceeds are sufficient to satisfy all the rights of the attaching creditors and those deemed parties to the proceedings, the person holding such proceeds shall pay each creditor the amount of that creditor's debt upon presentation of the relevant enforceable

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instrument or with the debtor’s consent.

Article (471):

Where there are multiple attaching creditors and persons having the same status, and the enforcement proceeds are insufficient to satisfy their rights, the person holding the proceeds shall deposit them with the treasury of the court having jurisdiction over the garnishee or within whose territorial jurisdiction the place of sale is situated, as applicable.

The depositor shall provide the Court Registry with a statement of all attachments imposed in the depositor’s possession.

Article (472):

Where the person required to make the deposit refuses to do so, any interested person may urgently apply to the Enforcement Judge for an order compelling that person to make the deposit within a specified period.

Where the deposit is not made within that period, compulsory enforcement may be pursued against the personal property of the person who refused to deposit.

Article (473):

Where the enforcement proceeds are insufficient to satisfy the rights of the attaching creditors and those deemed parties to the proceedings, and no agreement is reached among them, the debtor, and the possessor concerning their distribution within the fifteen days following the date on which the proceeds were deposited with the court treasury, the Court Registry shall refer the matter to the Enforcement Department within three days so that the enforcement proceeds may be distributed in accordance with the following procedures.

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Article (474):

Within fifteen days from the date on which the matter is referred to it, the Enforcement Department shall prepare a provisional distribution list, which shall be deposited with the Court Registry.

Immediately upon deposit of the list, the Court Registry shall summon the debtor, the possessor, the attaching creditors, and all persons deemed parties to the proceedings to a hearing scheduled no later than thirty days from the date of deposit of the provisional list, subject to a period of ten days' notice, for the purpose of reaching an amicable settlement.

Article (475):

At the hearing scheduled for the amicable settlement, the interested parties referred to in the preceding Article shall discuss the provisional list, and the Enforcement Department shall order that their observations be recorded in the hearing record.

The Enforcement Department shall have full authority to verify the validity of notices and powers of attorney, admit the intervention of any interested person who was not notified or was not validly notified, consolidate one distribution proceeding with another, and appoint experts to assess the individual values of immovable properties sold collectively.

It may also take any other measure required for the proper conduct of the proceedings.

Article (476):

Where the interested parties appear and reach an agreement on distribution by amicable settlement, the Enforcement Department shall record their agreement in its minutes, which shall be signed by the Department, the hearing clerk, and the attending parties.

Such minutes shall have the force of an enforceable instrument.

Article (477):

The failure of any interested party to attend the hearing shall not prevent the conclusion of an amicable settlement, provided that the entitlement allocated to the absent creditor in the provisional list is not prejudiced.

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A party who fails to attend may not challenge the amicable settlement recorded by the Judge on the basis of the parties' agreement.

Article (478):

Where a settlement is reached, the Enforcement Department shall, within the following five days, prepare the final distribution list stating the amount due to each creditor in respect of principal, interest, and costs.

Where all interested parties fail to attend the hearing scheduled for the amicable settlement, the Enforcement Department shall deem the provisional list to be the final list.

In both cases, the Enforcement Department shall order the issuance of payment orders against the court treasury and the cancellation of registered encumbrances, whether relating to debts included in the list or debts that received no distribution.

Article (479):

Where an amicable settlement cannot be reached due to objections raised by any interested party, the Director of the Enforcement Department shall order that their challenges be recorded in the hearing record and shall refer them to the Enforcement Judge for immediate determination.

No new challenges may be raised after that hearing.

Article (480):

A judgment rendered on a challenge shall not be subject to appeal unless the amount in dispute exceeds thirty thousand Egyptian pounds, irrespective of the value of the challenging creditor's right or the amount of the enforcement proceeds.

The time limit for appealing such judgment shall be ten days.

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Article (481):

All interested parties shall be joined in an appeal against a judgment rendered on a challenge.

Within three days from the issuance of the appellate judgment, the Registry of the appellate court shall notify the Registry of the Enforcement Court whose judgment was appealed of the operative part of the appellate judgment.

Article (482):

Within seven days from the notification referred to in the preceding Article, from the determination of the challenges where the judgment rendered thereon is final, or from the expiry of the time limit for appeal, the Enforcement Department shall deposit the final distribution list, prepared on the basis of the provisional list and in accordance with the judgment rendered on the challenge, where applicable.

The Enforcement Department shall thereafter proceed in accordance with Article (478).

Article (483):

Challenges to the provisional list shall not prevent the Enforcement Department from ordering the issuance of payment orders in favour of creditors ranking ahead of the creditors whose debts are disputed.

Article (484):

Any interested party who was not summoned to appear before the Enforcement Judge may, until the payment orders are delivered, seek the nullification of the proceedings, either by intervening at the settlement hearing or by bringing an original action in accordance with the ordinary procedures.

Nullification shall be ordered only where the claimant’s rights have suffered prejudice.

Where nullification is ordered, the proceedings shall be repeated at the expense of the court employee responsible therefor, who shall also be liable for compensation where grounds therefor exist.

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Article (485):

The bankruptcy of the debtor whose property is attached, after expiry of the period referred to in Article (469), shall not result in a stay of the distribution proceedings, even where the date fixed for cessation of payments precedes the commencement of the distribution proceedings.

Article (486):

Following delivery of the payment orders to those entitled thereto, any person who was neither notified nor joined as a party shall have no right to seek nullification of the distribution proceedings.

Such person may, however, claim compensation, where grounds therefor exist, against the court employee responsible for the omission.

Civil and Commercial Procedure Law

Book Three: Miscellaneous Procedures and Proceedings

Part One: Actual Tender and Deposit

Article (487):

An actual tender shall be made by serving notice upon the creditor through a court bailiff.

The tender report shall contain a description of the property tendered, the conditions of the tender, and whether the tender was accepted or refused.

Where property cannot be delivered at the creditor's domicile, tender shall be effected by requiring the creditor, through a court bailiff, to take delivery thereof.

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Article (488):

Where the tender is refused and the property tendered consists of money, the court bailiff shall deposit it with the court treasury no later than the day following the date of the tender report.

The court bailiff shall serve the creditor with a copy of the deposit report within three days from its date.

Where the property tendered is not money, the debtor whose tender has been refused may apply to the Judge of Urgent Matters for authorisation to deposit it at a place designated by the Judge, where the property is capable of being moved.

Where the property is intended to remain at its existing location, the debtor may request that it be placed under custodianship.

Article (489):

An actual tender may be made at the hearing before the court without formal procedures where the person to whom the tender is made is present.

Where money tendered at the hearing is refused, it shall be delivered to the hearing clerk for deposit with the court treasury. The deposit report shall record the particulars concerning the tender and its refusal as stated in the hearing record.

Where the property tendered at the hearing is not money, the person making the tender shall request the court to appoint a custodian over it.

The judgment appointing the custodian shall not be subject to appeal.

The person making the tender may immediately request a judgment declaring the tender valid.

Article (490):

A tender that is not followed by deposit shall not be declared valid unless the property tendered is deposited together with the interest accrued thereon up to the date of deposit.

When declaring the tender valid, the court shall also declare the debtor discharged from liability as of the date of the tender.

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Article (491):

Where the debtor has not withdrawn the tender, the creditor may accept a tender previously refused and take delivery of the property deposited for the creditor's account, provided that the creditor proves to the depositary that the debtor was notified through a court bailiff of the creditor's intention to take delivery at least three days before doing so.

The creditor shall deliver to the depositary the copy of the deposit report previously provided to the creditor, together with a receipt for the property received.

Article (492):

A debtor may withdraw a tender that has not been accepted by the creditor and recover the deposited property from the court treasury, provided that the debtor proves that the creditor was notified through a court bailiff of the withdrawal and that three days have elapsed since such notification.

Article (493):

The tender may not be withdrawn, nor may the deposited property be recovered, after the creditor has accepted the tender or after a judgment declaring the tender valid has become final.

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Article (494):

An action may be brought against judges and members of the Public Prosecution in any of the following circumstances:

- Where, in the performance of their duties, a judge or member of the Public Prosecution commits fraud, deception, bad faith, or a gross professional error.
- Where a judge fails to respond to a petition submitted to the judge or fails to determine a case ready for judgment, after having been formally warned twice through a court bailiff, with an interval between the two warnings of:
    - Twenty-four hours in respect of orders on petitions.
    - Three days in respect of judgments in district, urgent, and commercial actions.
    - Eight days in respect of judgments in other actions.

An action under this Item may not be brought until eight days have elapsed from the date of the final warning.

In any other circumstances in which the law provides for the judge's liability and the award of compensation against the judge.

Article (495):

An action against a judge or member of the Public Prosecution shall be instituted by a report filed with the Registry of the Court of Appeal to which the judge or member of the Public Prosecution is attached.

The report shall be signed by the applicant or by an agent specifically authorised for that purpose. Upon filing the report, the applicant shall deposit five hundred Egyptian pounds as security.

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The report shall state the grounds of the action and the evidence supporting them, and the supporting documents shall be deposited therewith.

By order of the President of the Court of Appeal, the action shall be referred to one of its circuits after a copy of the report has been served upon the judge or member of the Public Prosecution.

The action shall be considered in chambers at the first hearing held after the expiry of eight days following service. The Court Registry shall notify the applicant of the hearing date.

Article (496):

After hearing the applicant or the applicant's representative, the judge or member of the Public Prosecution against whom the action is brought, as applicable, and the submissions of the Public Prosecution where it intervenes in the action, the court shall determine whether the grounds raised relate to the action and whether the action is admissible.[7]

Where the person against whom the action is brought is a Counsellor at the Court of Cassation, one of the circuits of that Court shall determine the admissibility of the action in chambers.

Article (497):

Where the action is declared admissible and the person against whom it is brought is a judge of a Court of First Instance or a member of the Public Prosecution attached thereto, the judgment shall schedule a hearing for consideration of the merits of the action in open court before another circuit of the Court of Appeal.

The action shall be determined after hearing the applicant, the judge or member of the Public Prosecution against whom the action is brought, and the submissions of the Public Prosecution where it intervenes in the action.

Where the person against whom the action is brought is a Counsellor at a Court of Appeal, the Public Prosecutor, or an Advocate General, the action shall be referred to a special circuit composed of seven Counsellors in order of seniority.

[7] The word "Judge" was replaced with "Counsellor" pursuant to Article One of Law No. 142 of 2006.

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Where the person against whom the action is brought is a Counsellor at the Court of Cassation, the action shall be referred to the combined circuits of that Court.

Article (498):

A judge shall become disqualified from hearing the action from the date on which the action against that judge is declared admissible.

Article (499):

Where the court rules that the action is inadmissible or dismisses it, it shall impose upon the applicant a fine of not less than four hundred Egyptian pounds and not exceeding four thousand Egyptian pounds, order forfeiture of the security, and award compensation where grounds therefor exist.

Where the court upholds the action, it shall declare the act of the judge or member of the Public Prosecution against whom the action was brought null and void and shall order that person to pay compensation and costs.

Nevertheless, the court may not declare null and void a judgment rendered in favour of another party who is not the claimant in the action against the judge or member of the Public Prosecution until that party has been served and given an opportunity to present submissions.

In such case, the court may determine the original action where it considers that action ready for judgment, after hearing the parties' submissions.

Article (500):

A judgment rendered in an action against a judge or member of the Public Prosecution may be challenged only by way of cassation.

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Article (501):

Repealed.

Article (502):

Repealed.

Article (503):

Repealed.

Article (504):

Repealed.

Article (505):

Repealed.

Article (506):

Repealed.

Article (507):

Repealed.

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Article (508):

Repealed.

Article (509):

Repealed.

Article (510):

Repealed.

Article (512):

Repealed.

Article (513):

Repealed.

Book Four: Procedures Relating to Personal Status Matters

Part One: General Provisions

Chapter Two: Procedures for Pleadings and Determination of Actions

Article (868):

Repealed.

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Article (869):

Repealed.

Article (870):

Repealed.

Article (871):

Repealed.

Article (871 bis):

Repealed.

Article (872):

Repealed.

Article (873):

Repealed.

Article (874):

Repealed.

Article (875):

Repealed.

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Article (876):

Repealed.

Article (877):

Repealed.

Article (878):

Repealed.

Article (879):

Repealed.

Article (880):

Repealed.

Article (881):

Repealed.

Article (882):

Repealed.

Article (883):

Repealed.

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Article (884):

Repealed.

Article (885):

Repealed.

Book Four: Procedures Relating to Personal Status Matters

Part One: General Provisions

Chapter Three: Enforcement of Judgments and Decisions

Article (886):

Repealed.

Article (887):

Repealed.

Article (888):

Repealed.

Article (889):

Repealed.

Article (890):

Repealed.

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Book Four: Procedures Relating to Personal Status Matters

Part Two: Special Procedures Relating to the Family System

Chapter One: Marital Relations and the Custody and Care of Children

Article (891):

Repealed.

Article (892):

Repealed.

Article (893):

Repealed.

Article (894):

Repealed.

Article (895):

Repealed.

Article (896):

Repealed.

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Article (897):

Repealed.

Article (898):

Repealed.

Article (899):

Repealed.

Article (900):

Repealed.

Article (901):

Repealed.

Article (902):

Repealed.

Article (903):

Repealed.

Article (904):

Repealed.

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Article (905):

Repealed.

Article (906):

Repealed.

Article (907):

Repealed.

Article (908):

Repealed.

Article (909):

Repealed.

Article (910):

Repealed.

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Article (911):

Repealed.

Article (912):

Repealed.

Article (913):

Repealed.

Article (914):

Repealed.

Article (915):

Repealed.

Article (916):

Repealed.

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Article (917):

Repealed.

Article (918):

Repealed.

Book Four: Procedures Relating to Personal Status Matters

Part Two: Special Procedures Relating to the Family System

Chapter Four: Maintenance

Article (919):

Repealed.

Article (920):

Repealed.

Article (921):

Repealed.

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Article (922):

Repealed.

Article (923):

Repealed.

Article (924):

Repealed.

Article (925):

Repealed.

Article (926):

Repealed.

Article (927):

Repealed.

Article (928):

Repealed.

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Article (929):

Repealed.

Article (930):

Repealed.

Article (931):

Repealed.

Article (932):

Repealed.

Article (933):

Repealed.

Book Four: Procedures Relating to Personal Status Matters

Part Three: Special Procedures Relating to Estates

Chapter One: Establishment of Heirship and Acceptance or Renunciation of Inheritance

Article (934):

Repealed.

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Article (935):

Repealed.

Article (936):

Repealed.

Article (937):

Repealed.

Article (938):

Repealed.

Book Four: Procedures Relating to Personal Status Matters

Part Three: Special Procedures Relating to Estates

Chapter Two: Administration of Estates and Execution of Wills

Article (939):

Repealed.

Article (940):

Repealed.

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Article (941):

Repealed.

Article (942):

Repealed.

Article (943):

Repealed.

Article (944):

Repealed.

Article (945):

Repealed.

Article (946):

Repealed.

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Article (947):

Repealed.

Article (948):

Repealed.

Article (949):

Repealed.

Article (950):

Repealed.

Article (951):

Repealed.

Article (952):

Repealed.

Article (953):

Repealed.

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Article (954):

Repealed.

Article (955):

Repealed.

Article (956):

Repealed.

Article (957):

Repealed.

Article (958):

Repealed.

Article (959):

Repealed.

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Article (960):

Repealed.

Article (961):

Repealed.

Article (962):

Repealed.

Article (963):

Repealed.

Article (964):

Repealed.

Article (965):

Repealed.

Article (966):

Repealed.

Article (967):

Repealed.

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Article (968):

Repealed.

Book Four: Procedures Relating to Personal Status Matters

Part Four: Special Procedures Relating to Guardianship over Property

Chapter One: General Provisions

Article (969):

Repealed.

Article (970):

Repealed.

Article (971):

Repealed.

Book Four: Procedures Relating to Personal Status Matters

Part Four: Special Procedures Relating to Guardianship over Property

Chapter Two: Jurisdiction

Article (972):

Repealed.

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Article (973):

Repealed.

Article (974):

Repealed.

Article (975):

Repealed.

Article (976):

Repealed.

Article (977):

Repealed.

Article (978):

Repealed.

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Part Four: Special Procedures Relating to Guardianship over Property

Chapter Three: Inventory and Preservation of Property, and Appointment of Representatives for Persons Lacking Legal Capacity and Absent Persons, and of Judicial Assistants

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Article (979):

Repealed.

Article (980):

Repealed.

Article (981):

Repealed.

Article (982):

Repealed.

Article (983):

Repealed.

Article (984):

Repealed.

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Article (985):

Repealed.

Article (986):

Repealed.

Article (987):

Repealed.

Article (988):

Repealed.

Article (989):

Repealed.

Article (990):

Repealed.

Article (991):

Repealed.

Article (992):

Repealed.

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Article (993):

Repealed.

Article (994):

Repealed.

Article (995):

Repealed.

Article (996):

Repealed.

Article (997):

Repealed.

Book Four: Procedures Relating to Personal Status Matters

Part Four: Special Procedures Relating to Guardianship over Property

Chapter Four: Litigation Procedures

Article (998):

Repealed.

Article (999):

Repealed.

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Article (1000):

Repealed.

Article (1001):

Repealed.

Article (1002):

Repealed.

Article (1003):

Repealed.

Article (1004):

Repealed.

Article (1005):

Repealed.

Article (1006):

Repealed.

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Book Four: Procedures Relating to Personal Status Matters

Part Four: Special Procedures Relating to Guardianship over Property

Chapter Five: Submission of Accounts

Article (1007):

Repealed.

Article (1008):

Repealed.

Article (1009):

Repealed.

Article (1010):

Repealed.

Article (1011):

Repealed.

Article (1012):

Repealed.

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Article (1013):

Repealed.

Article (1014):

Repealed.

Article (1015):

Repealed.

Article (1016):

Repealed.

Book Four: Procedures Relating to Personal Status Matters

Part Four: Special Procedures Relating to Guardianship over Property

Chapter Six: Decisions, Orders, and Methods of Appeal

Article (1017):

Repealed.

Article (1018):

Repealed.

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Article (1019):

Repealed.

Article (1020):

Repealed.

Article (1021):

Repealed.

Article (1022):

Repealed.

Article (1023):

Repealed.

Article (1024):

Repealed.

Article (1025):

Repealed.

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Book Four: Procedures Relating to Personal Status Matters

Part Four: Special Procedures Relating to Guardianship over Property

Chapter Seven: Registration of Applications and Decisions, Inspection, and Issuance of Copies and Certificates

Article (1026):

Repealed.

Article (1027):

Repealed.

Article (1028):

Repealed.

Article (1029):

Repealed.

Article (1030):

Repealed.

Article (1031):

Repealed.

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Article (1032):

Repealed.

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