Egypt Criminal Procedure Code

Part	Subject	Article	Text of Article
I	Criminal lawsuits	1	The Public Prosecution shall, except in the cases provided for by law, solely have the jurisdiction of filing and handling criminal lawsuits. No criminal law suit may be abandoned, suspended or delayed except in the cases provided for by law
I	Criminal lawsuits	2	The Attorney General shall, directly or through one of the members of the Public Prosecution, handle criminal lawsuits as provided for by law. Other than said, any appointed person, may, by virtue of the law, undertake the role of the Public Prosecution.
I	Criminal lawsuits	3	No criminal lawsuit may be filed unless on the grounds of a written or oral complaint made by the victim or the representative thereof to the Public Prosecution or to a judicial officer for crimes stipulated under articles 307, 306, 303, 293, 292, 279, 277, 185 and 308 of the Penal Code and for all other cases provided for by law. Unless otherwise stated by law, no complaint may be accepted after the elapse of a three-month period as of the date the victim is informed of the crime and of the perpetrator thereof.
I	Criminal lawsuits	4	In the event there is more than one victim, a complaint made by one of said shall suffice. In the event there is more than one person accused and a complaint is made against one of said, the complaint shall be deemed made against all.
I	Criminal lawsuits	5	If the victim of a crime is younger than fifteen years of age or is deemed to be mentally incompetent, the complaint shall be made by the guardian thereof. If the criminal offense is deemed a crime on assets, a complaint shall be accepted from the

			guardian or the caretaker and shall, in both events, be subject to all relevant provisions on complaints.
I	Criminal lawsuits	6	If the interests of the victim come in contradiction with the interests of the representative thereof or if the victim has no representation, the public prosecution shall takeover such task.
I	Criminal lawsuits	7	Any right to making a complaint shall be extinguished upon the death of the victim. If the death occurs after a complaint has been made, the proceedings of the lawsuit shall not be affected.
I	Criminal lawsuits	8	For crimes stated under articles 181 and 182 and for all other cases provided for by law, no criminal lawsuit may be filed and no relevant procedures may be taken except on the grounds of a written request made by the Minister of Justice.
I	Criminal lawsuits	8 (bis)	For crimes stated under article 116 (bis - a) of the Penal Code, no criminal lawsuit may be filed except by means of the Attorney General or State Attorney (provided for under Law No.63 of the year 1975).
I	Criminal lawsuits	9	For crimes stated under article 184 of the Penal Code, no criminal lawsuit may be filed and no relevant procedures may be taken except on the grounds of a written request made by the victimized authority or the head thereof. In all cases, where to file a criminal lawsuit it is conditional by law that a complaint be made or a permission or request be received by the victim or by any other person, no relevant investigative procedures may be taken except after the complaint has been made or the permission or request has been received. For crimes stated under article 185 of the Penal Code and for crimes stated under articles 302, 306, 307 and 308 of such Code, if the victim is a civil servant or a parliamentarian or is appointed to office and

			the commission of the crime was duly as a result of performance of the job thereof, investigative procedures may be taken without the need to make a complaint or request a permission (the second paragraph is provided for under Law No.426 of the year 1954).
I	Criminal lawsuits	10	Any person who has made a complaint or presented a request in the cases stated under the aforementioned articles and any victim of the crimes stated under article 185 of the Penal Code and under articles 302, 306, 307, and 308 of such Code, if a civil servant, a parliamentarian or appointed to office, where the commission of the crime was duly as a result of performance of the job thereof, may, at any time, until the issuance of a final judgment, waive the compliant or the request. The criminal lawsuit shall, by means of waiving, be abated. In the event there is more than one victim, the act of waiving shall not be deemed valid unless made by all complainants (provided for under Law No.426 of the year 1954). A waiver of the complaint made against any person accused shall be deemed a waiver applicable upon all persons accused. The demise of a complainant shall not revert the right to waive the complaint to the heirs thereof unless in cases of adultery where each of the offspring of the complaining husband may waive the complaint made against the complained against husband whereby the lawsuit shall be abated.
I	Criminal lawsuits	11	If the Criminal Court, in a lawsuit filed therebefore, recognizes that there exist accused persons other than the ones against whom the lawsuit is brought, there exist facts other than the facts attributed thereto or there exists a felony or misdemeanor related to the charge presented therebefore, the

			Court may bring a lawsuit against said persons with respect to such facts and may refer the lawsuit to the Public Prosecution to investigate and take action therein in accordance with Part IV of Book I of the present Law. The Court may assign one of the members thereof to undertake relevant investigative procedures. In such case, all provisions applicable upon an investigating magistrate shall apply on the assigned member. If, at the end of the investigation, a verdict is made referring the lawsuit to court, the lawsuit shall be referred to a different court and no justice amongst any of whom issued the verdict to bring the lawsuit may participate in issuing a judgment. If the court did not decide on the original lawsuit and such lawsuit is a part and parcel of the new lawsuit, the entire case shall be referred to a different court (amended by Decree-Law No.353 of the year 1952).
I	Criminal lawsuits	12	The Criminal Division of the Court of Cassation, upon taking cognizance of a matter based on an appeal in the second instance, is entitled to bring a lawsuit in accordance with the provisions of the abovementioned article. If the judgment issued in the new lawsuit is appealed for the second time, no justice amongst any of whom decided to bring the lawsuit may participate therein.
I	Criminal lawsuits	13	The Criminal Court or the Court of Cassation, in the event of taking cognizance of a lawsuit brought therebefore, may, if actions occur that may be detrimental to the orders thereof and/or to the due respect thereto or that may have influence on the rulings thereof or on witnesses, bring a criminal lawsuit against the person accused in accordance with article 11.
I	Criminal lawsuits	14	A criminal lawsuit shall be abated upon the demise of the

			defendant. Abatement of a lawsuit shall not prevent the issuance of a judgment of seizure in the case stipulated under paragraph two of article 30 of the Penal Code if the act of death occurs during the proceedings of the lawsuit.
I	Criminal lawsuits	15	Unless otherwise stated by law, criminal lawsuits shall be abated upon the elapse of a ten-year period as of the date of commission of the crime, under criminal articles, upon the elapse of a three-year period, under misdemeanor articles and upon the elapse of a one-year period, under petty offense articles. With respect to crimes stated under articles 117, 126, 127, 282, 309 (bis) and 309 (bis - a) and for crimes stated under Section I of Part II of Book II of the Penal Code, a criminal lawsuit pertinent thereto shall not be abated with the elapse of time (paragraph two is provided for under Law No..... of the year 1972 and the amendments thereof by Law No.97 of the year 1992). Without prejudice to the provisions of the two aforementioned paragraphs, for crimes perpetrated by civil servants stipulated under Part IV of Book II of the Penal Code, the period of prescription shall not commence except as of the date of end of service or of termination of the capacity thereof, unless an investigation therein has commenced prior to such date (provided for under Law No.63 of the year 1973).
I	Criminal lawsuits	16	The period of prescription shall remain effective under all circumstances.
I	Criminal lawsuits	17	The period of prescription shall be interrupted with investigative procedures, accusation or trial as well as with criminal orders or procedures of gathering evidence if taken against the defendant or if said was officially notified thereof. The period of prescription shall once again be effective as of

			the date of interruption. If the procedures causing an interruption in the period of prescription are numerous, the period of prescription shall commence as of the date of the last procedure (provided for under Law No.340 of the year 1952).
I	Criminal lawsuits	18	If there is more than one person accused, an interruption in the period of prescription with respect to one of said shall be deemed an interruption in the period of prescription for all, unless procedures interrupting the period of prescription have been taken against any thereof.
I	Criminal lawsuits	19	Annulled
I	Criminal lawsuits	20	Annulled
II	Evidence and filing a lawsuit	21	The judicial officer shall search for crimes and perpetrators thereof and shall gather evidence necessary to conduct an investigation with respect to the lawsuit.
II	Evidence and filing a lawsuit	22	Judicial officers shall act under the command of the Attorney General and shall be subject to the supervision thereof with respect to relevant work matters. The Attorney General may request the competent authority to investigate any person who has committed acts in violation of the duties thereof or who has exhibited negligence in the performance of the work thereof and may request a disciplinary action to be brought against said. All such actions shall not prevent the filing of a criminal lawsuit.
II	Evidence and filing a lawsuit	23	The following shall be deemed judicial officers within the jurisdictions thereof: 1) Members of the Public Prosecution and assisting entities. 2) Police officers, policemen, constables and assistants. 3) Heads of police stations. 4) Mayors, heads and chief guards of villages. 5) Railway stationmasters and the deputies thereof (amended by Law No.25 of the year 1971).

			Security heads of governorates and inspectors of the General Inspection Department of the Ministry of Interior may undertake the tasks of judicial officers in the jurisdictions thereof. b) The following shall be deemed judicial officers within the Republic of Egypt: 1) Heads and officers of the General Police Department of the Ministry of Interior and the branches thereof within security departments. 2) Department and section heads, heads of offices, inspectors, police officers and men, constables, assistants and female police researchers working in the General Security Department and in criminal research sections within security departments. 3) Prison guard officers. 4) Heads of the general departments of the railway police and of the transportation police and head officers of police cameleers. 6) Inspectors of the Ministry of Tourism. By virtue of a decision issued by the Minister of Justice, in agreement with the competent minister, some employees may be mandated the capacity to act as judicial officers with a view to dealing with crimes committed within the jurisdictions and related to the jobs thereof. Provisions stipulated under other laws, ordinances and decrees on mandating some employees to act in the capacity of judicial officers shall be deemed decisions issued by the Minister of Justice in agreement with the competent minister.
II	Evidence and filing a lawsuit	24	Judicial officers shall accept reports and complaints made thereto on crimes and shall promptly send such to the Public Prosecution. Judicial officers and the heads thereof shall obtain all necessary information and carry out relevant inspections with a view to facilitating the verification of facts received thereby or known thereto by any means and shall take all

			precautionary measures necessary to maintain and protect evidence related to the crime. All actions taken by judicial officers shall be documented in reports signed thereby, showing the time and place the action was taken. The reports shall also be signed by witnesses and experts who have been heard and shall be sent to the Public Prosecution along with documents and items found.
II	Evidence and filing a lawsuit	25	Any person who has learnt of the commission of a crime for which the Public Prosecution can file a lawsuit without need to receive a complaint or request may inform the Public Prosecution or a judicial officer thereof.
II	Evidence and filing a lawsuit	26	Any civil servant or any person appointed to office who, during the course of performance of the job thereof or as a result of performance of the job thereof, has learnt of the commission of any crime for which the Public Prosecution can file a lawsuit without need to receive a complaint or request shall immediately inform the Public Prosecution or nearest judicial officer thereof.
II	Evidence and filing a lawsuit	27	Any person claiming to have been harmed from a crime may appoint themselves as a civil rights plaintiff in the complaint made thereby to the Public Prosecution or to any judicial officer. In the latter event, the judicial officer shall refer the complaint to the Public Prosecution along with the report written. The Public Prosecution shall, upon referral of the case to the investigating magistrate, refer the aforementioned complaint therewith.
II	Evidence and filing a lawsuit	28	Complaints in which the complainant claims no civil rights shall be deemed a form of report. The complainant shall not be deemed a civil rights plaintiff unless such is stated in the

			complaint thereof or in a document presented thereby later on or if damages are requested thereby in any of such.
II	Evidence and filing a lawsuit	29	Judicial officers may, in the process of gathering evidence, listen to the testimonies of people who have information about the facts of the crime and the perpetrators thereof and may ask the person accused thereabout. Judicial officers may seek the assistant of physicians and other experts and may ask the opinion thereof in oral or written form. Judicial officers may not administer an oath to witnesses or experts unless if feared that it will not be possible to later hear the testimony under oath.
II	Evidence and filing a lawsuit	30	A crime shall be deemed a crime in flagrante delicto in the event caught during the commission or shortly after the commission thereof. A crime shall also be deemed a crime in flagrante delicto if the perpetrator is chased by the victim or the public while crying out after the commission thereof, or if the perpetrator is found shortly after the commission of the crime carrying arms, weapons, baggage, documents or other items proving that said is the perpetrator of or accomplice in the crime, or if there are signs or indications of the guilt thereof.
II	Challenging penal articles under Law No.57 of the year 1959	30	The Public Prosecution, convicted felon and responsible for civil rights and plaintiff may raise an appeal before the Court of Cassation with respect to final judgments issued by the court of last degree on criminal and misdemeanor articles in the following cases: 1) If the challenged judgment has been issued on the grounds of a violation of the law or of an error in the application or interpretation thereof. 2) If the judgment has been deemed null and void. 3) If any of the proceedings have been nullified in such manner that the judgment has been

			impacted. No civil rights plaintiff and/or official may raise an appeal unless with respect to matters pertinent to the civil rights thereof. The established rule is regarding proceedings as having been followed soundly during the trial; nevertheless, the person concerned may, by all means possible, prove negligence or violation in the application of the proceedings if such proceedings fail to be stated in the record of the session or in the judgment. If it has been stated in any of such that the proceedings have been followed soundly, proving the contrary shall only be by means of an allegation of forgery.
II	Evidence and filing a lawsuit	31	A judicial officer, in the event of a situation of flagrante delicto in a crime or misdemeanor, shall move immediately to the scene of the crime, inspect the relevant physical evidence, preserve such evidence, make a statement of facts with respect to the place, individuals and everything that may help reveal the truth and listen to the testimonies of individuals who were present or who may be able to verify information about the crime and the perpetrator thereof. The judicial officer shall immediately inform the Public Prosecution of the act of moving to the scene of the crime. Once informed of a crime in flagrante delicto, the Public Prosecution shall immediately move to the scene of the crime (amended by Decree-Law No.353 of the year 1952).
II	Evidence and filing a lawsuit	32	A judicial officer may, in the event of moving to the scene of a crime in a situation of flagrante delicto, prohibit persons present from leaving or moving far from the scene of the crime until a report is made. The judicial officer may immediately summon any person who can clarify the events of the crime.
II	Evidence and filing a	33	If any of the persons present fails to follow the orders of the

	lawsuit		judicial officer in accordance with the aforementioned article or if any person summoned thereby refrains from appearing, such act shall be stated in the report and the violating person shall be fined a sum of money not exceeding thirty Egyptian pounds (replaced by Law No.29 of the year 1982). A relevant judgment shall be issued by the District Court on the grounds of the report made by the judicial officer.
II	Evidence and filing a lawsuit	34	In the event of situation of flagrante delicto in a crime or misdemeanor punishable by incarceration for a period of time exceeding a three-month period, the judicial officer may order the arrest of the suspect present at the scene of the crime having sufficient evidence thereagainst for the accusation thereof (amended by Law No.37 of the year 1972).
II	Evidence and filing a lawsuit	35	If, in the cases specified in the abovementioned article, the suspect is not present at the scene of the crime, the judicial officer may subpoena said to come in. Subpoenaing the suspect shall be stated in the report. In cases other than the ones specified in the abovementioned article, if sufficient evidence is found to make an accusation against a person for the commission of a crime or misdemeanor of theft, swindling or grave assault or for the forceful or violent resistance of public officials, the judicial officer may take relevant precautionary measures and may request the Public Prosecution to issue a warrant for the arrest of the person concerned. In all cases, subpoenas and precautionary measures shall be enforced by means of a process server or by public officials.
II	Evidence and filing a lawsuit	36	The judicial officer shall immediately listen to the statement of the apprehended person. If the apprehended person fails to make a statement exonerating himself, the judicial officer shall,

			within a twenty four-hour period, refer said to the competent Public Prosecution. The Public Prosecution shall question the apprehended person within a twenty four-hour period then order the arrest or release thereof.
II	Evidence and filing a lawsuit	37	Any person who has witnessed the criminal in a situation of flagrante delicto in a crime or misdemeanor for which said may legally be placed in temporary detention may surrender said to the nearest public official without a need for a warrant.
II	Evidence and filing a lawsuit	38	For misdemeanors caught in flagrante delicto and punishable by incarceration, public officials may bring in the person accused and surrender said to the nearest judicial officer. Public officials may do the same for other crimes caught in flagrante delicto if there is no personal relation with the person accused.
II	Evidence and filing a lawsuit	39	With the exception of the cases stated under article .... (second paragraph) of the present Law, if a crime, that necessitates for a public lawsuit to be filed that a complaint be made, is caught in flagrante delicto, no person accused may be arrested unless a complaint is made by the person concerned. In such cases, the complaint can be made by public officials present (amended by Law No.426 of the year 1954).
II	Evidence and filing a lawsuit	40	No person may be arrested or incarcerated unless by virtue of a warrant issued from the legally competent authorities. Persons shall be treated with dignity and may not be physically or morally abused (amended by Law No.37 of the year 1972).
II	Evidence and filing a lawsuit	41	No person may be incarcerated except in relevant prisons and no warden of any prison may accept any person therein except by virtue of a warrant signed by the competent authority. Incarcerated persons shall not, by the warden, be kept incarcerated for any period of time exceeding that specified

			under the warrant.
II	Evidence and filing a lawsuit	42	Any member of the Public Prosecution and any chief justice of a court of first instance or a court of appeal and any vice president thereof may visit public and central prisons located within the jurisdiction thereof and make sure no person is detained therein illegally. Said may inspect the records of the prison and the warrants of arrest and incarceration and may take a copy thereof. Said may also communicate with any detainee and listen to any relevant complaints therefrom. Prison wardens and employees shall assist said in obtaining any information requested (amended by Decree-Law No.353 of the year 1952).
II	Evidence and filing a lawsuit	43	All prisoners are, at any time, entitled to submit a written or oral complaint to the warden of the prison requesting therefrom that the complaint be notified to the Public Prosecution. The warden shall accept the complaint and immediately make the relevant notification upon making a record thereof in a specially-designed record kept within the prison. Any person who has come to know of a detainee who has been detained illegally or in a place other than the places designated for detention may inform any member of the Public Prosecution, who, once having been informed, shall head immediately to the place where the detainee is kept and shall conduct an investigation and order the release of any detainee kept illegally. A report of the incident shall be made (amended by Decree-Law No.353 of the year 1952).
II	Evidence and filing a lawsuit	44	Article 62 shall be applicable upon the complainant even if no civil rights are claimed.
II /	Evidence and filing a	45	No public official may enter any place of residence unless in the

Chapter IV	lawsuit / entering domiciles		cases stipulated by law, in the event assistance is requested or in instances of fire, drowning or the alike.
II	Evidence and filing a lawsuit	46	In the events where the law permits the arrest of a suspect, said may be searched by a judicial officer. If the suspect is a female, the act of searching shall be conducted by a female appointed by the judicial officer.
II	Evidence and filing a lawsuit	47	In the event of a crime or misdemeanor of flagrante delicto, the judicial officer may search the place of residence of the person accused and may seize any items and/or documents deemed necessary in the revelation of the truth if there are strong indications that such items and/or documents can be recovered from therein (((((the Supreme Constitutional Court in session No.5 of the judicial year 4 (constitutional) held on 2 June 1984 issued a judgment deeming article 47 of the Criminal Procedure Code unconstitutional)).
II	Evidence and filing a lawsuit	48	Annulled by Law No.37 of the year 72
II	Evidence and filing a lawsuit	49	If, during the process of searching the place of residence of an suspect, strong evidence has been found thereagainst or against other persons in the residence supporting that said is concealing something that may assist in the revelation of the truth, said may be subject to search by the judicial officer.
II	Evidence and filing a lawsuit	50	No search may be conducted unless for items relevant to the crime being investigated or for which evidence is being gathered. Nevertheless, if, by way of chance, during the process of searching, items are found that are deemed illegal possessions or that may help in the revelation of the truth in another crime, such may be seized by the judicial officer.
II	Evidence and filing a	51	Whenever possible, the process of searching shall be conducted

	lawsuit		in the presence of the suspect or of any person delegated thereby, otherwise two witnesses shall be present who shall, to the best extent possible, be adult relatives thereof, residing therewith or neighbors thereof. Such shall be recorded in the relevant report.
II	Evidence and filing a lawsuit	52	If, in the place of residence of the suspect, documents sealed or enveloped by any other means are found, such may not be opened by the judicial officer.
II	Evidence and filing a lawsuit	53	Judicial officers may place seals on places where items are found that may assist in the revelation of the truth and may also place guards thereon. The judicial officers shall inform the Public Prosecution of the situation immediately and the Public Prosecution shall, whenever deemed necessary thereby, refer the matter to the district judge for approval (added to Decree-Law No.353 of the year 1952).
II	Evidence and filing a lawsuit	54	The owner of the estate may, by virtue of a petition submitted to the Public Prosecution, file a grievance before the judge against the warrant issued thereby. The Public Prosecution shall immediately submit the grievance to the judge.
II	Evidence and filing a lawsuit	55	Judicial officers may seize documents, arms, machines and everything that may possibly have been used in the commission of the crime, that may have resulted from the commission of the crime or on which or on whom the crime has been committed and everything that may help in the revelation of the truth. Such items shall be presented to the suspect and said shall be asked to make observations thereon. A relevant report shall be made and shall be signed by the suspect or shall state the refusal thereof to sign.
II	Evidence and filing a	56	The items and documents seized shall be placed in a sealed

	lawsuit		case and tied whenever possible. The case shall receive a seal and shall have written thereon the date of the report made with respect to seizure of the items. The matter for which the seizure process was made shall be indicated.
II	Evidence and filing a lawsuit	57	In accordance with articles 53 and 56, no seal may be cut unless in the presence of the suspect or the representative thereof and in the presence of the person where the items have been seized or upon invitation of said.
II	Evidence and filing a lawsuit	58	Any person who, as a result of the process of searching, has come to acquire information on the items and/or documents seized and who has informed any person, other than the ones concerned, or who has made use of such items and/or document by any means possible shall be subject to the punishments specified under article 310 of the Penal Code.
II	Evidence and filing a lawsuit	59	If the person at whom the documents have been seized is in immediate need thereof, a copy of the documents, certified by the judicial officer, shall be given thereto.
II	Evidence and filing a lawsuit	60	Judicial officers may, during the course of performance of the duties thereof, seek direct assistance from the military force.
II	Evidence and filing a lawsuit	61	If the Public Prosecution deems no need to proceed with the case, such shall order the case be dismissed.
II	Evidence and filing a lawsuit	62	If the Public Prosecution orders the dismissal of a case, the dismissal shall be notified to the victim and to the civil rights plaintiff. In the event of the demise of one of said, the notification shall, in the place of residence thereof, be made to all relevant heirs.
II	Evidence and filing a lawsuit	63	If the Public Prosecution deems the lawsuit, under the articles of petty offenses and misdemeanors, valid for filing on the grounds of the evidence collected, the suspect shall be ordered

			to appear directly before the competent court. Under the articles of misdemeanors and crimes, the Public Prosecution may, in accordance with article 64 of the present Law, request the appointment of an investigating magistrate or may, in accordance with article 199 and the proceeding article of the present Law, conduct the investigation directly (amended by Law No.121 of the year 1956). With the exception of the crimes specified under article 123 of the Penal Code, no person other than the Attorney General, State Attorney or head of the Public Prosecution may file a criminal lawsuit against a civil servant, public employer and/or law enforcement officer for crimes or misdemeanors perpetrated thereby during the course of or as a result of performance of the duty thereof. With the exception of the provisions of article 237 of the present Law, a defendant may, when a lawsuit is filed thereagainst by way of direct allegation, delegate, at any point in time during the lawsuit, a representative for the defense thereof without prejudice to the right of the court to order the presence of the defendant in person (paragraphs 3 and 4 of article 36 are amended by Law No.37 of the year 1972. Paragraph 4 was afterwards amended by Law No.174 of the year 1998 – the Official Gazette, issue No.51 (bis), issued on 20 December 1998).
III	Investigations by the investigating magistrate	64	If the Public Prosecution deems that, under the articles of crimes or misdemeanors, conducting an investigation in a lawsuit by means of the investigating magistrate is more relevant with respect to the circumstances of the lawsuit, the Public Prosecution may, at any time during the course of the lawsuit, request from the Chief Justice of the Court of first instance the appointment of one of the judges from the Court

			to conduct the investigation. The defendant or the civil rights plaintiff may, if the lawsuit is not against a civil servant, public employer or law enforcement officer, for a crime committed thereby during the course of performance of the duty thereof, request from the Chief Justice of the Court of first instance to issue a decision with respect to such appointment. The Chief Justice shall, if the reasons stated under the abovementioned paragraph are satisfied, issue the decision upon hearing the statement of the Public Prosecution. The decision shall not be subject to appeal. The Public Prosecution shall continue conducting the investigation until the appointed magistrate takes over if a decision in such regard is issued.
III	Investigations by the investigating magistrate	65	The Minister of Justice may, form the Court of Appeal, request the appointment of a justice to conduct an investigation in a specific crime or in crimes of specific nature. Appointment shall be by virtue of a decision issued by the general assembly. In such case, the appointed justice shall have sole jurisdiction of the investigation process as of the time of commencing the relevant work.
III	Investigations by the investigating magistrate	66	Annulled
III	Investigations by the investigating magistrate	67	No investigating magistrate may conduct investigations in a specific crime unless on the grounds of a request made by the Public Prosecution or unless referred thereto from the other authorities stipulated under the present Law.
III	Investigations by the investigating magistrate	68	Annulled
III	Conducting investigations in the inclusion of the and	69	Once a lawsuit is referred to an investigating magistrate, said shall have sole jurisdiction to investigate therein.

	responsible for civil rights		
III / Chapter II	Conducting investigations in the inclusion of the defendant and responsible for civil rights	70	With the exception of interrogating a suspect, an investigating magistrate may delegate a member of the Public Prosecution or a judicial officer to undertake one or more investigation tasks. The delegated person shall, within the limits of the delegation thereof, have all powers of the investigating magistrate (amended by Ordinance No.353 of the year 1952). If need be that measures outside the jurisdiction of the delegated person be taken, said may delegate a trial judge, a member of the prosecution or a judicial officer having jurisdiction. The appointed judge may, when necessary, therefor delegate a member of the Public Prosecution or a judicial officer in accordance with the provisions of the first paragraph. The investigating magistrate shall move in person to conduct the investigation whenever such is in the best interest of the investigation to so do.
III / Chapter II	Conducting investigations in the inclusion of the defendant and responsible for civil rights	71	An investigating magistrate shall, in all cases where another person is appointed thereby to conduct investigations, specify the matters requiring investigation and the measures needed to be taken. The appointed person may, whenever related to the work for which said is appointed and whenever necessary in the revelation of the truth, undertake any other investigative task or interrogate the suspect when time constraints are feared.
III	Conducting investigations in the inclusion of the defendant and responsible for civil rights	72	An investigating magistrate shall have all jurisdictions of the court with respect to court sessions. Verdicts made by investigating magistrates may, in accordance with the judgments subject to appeal issued by district judges, be appealed.

III	Conducting investigations in the inclusion of the defendant and responsible for civil rights	73	The investigating magistrate shall, in all the proceedings thereof, be accompanied by a court clerk who shall sign on the report therewith. Relevant reports, orders and other documents shall be kept at the court registry.
III	Conducting investigations in the inclusion of the defendant and responsible for civil rights	74	The chief justice of the court shall supervise over the speed of work performed by the magistrates appointed to investigate in specific events and over the compliance thereof with the deadlines specified by law (amended by Law No.107 of the year 1963).
III	Conducting investigations in the inclusion of the defendant and responsible for civil rights	75	Investigation procedures and the results thereof shall be deemed classified and shall not be disclosed by the investigating magistrates, members of the Public Prosecution and assistants thereof including relevant clerks, experts and other persons having taken part in the investigation or having been present thereduring as a result of the job or task thereof. Any person in violation of such shall be subject to punishment in accordance with article 310 of the Penal Code.
III	Conducting investigations in the inclusion of the defendant and responsible for civil rights	76	Any person who has suffered harm from a crime may claim civil rights during the process of investigation in the lawsuit. The investigating magistrate shall permanently be removed in accepting such classification in the investigation.
III	Conducting investigations in the inclusion of the defendant and responsible for civil rights	77	The Public Prosecution, person accused, victim, civil rights plaintiff, responsible for civil rights and the deputies or representatives thereof may attend all investigation procedures. The investigating magistrate may conduct the investigation in the absence of said whenever deemed necessary in the revelation of the truth. Once the necessity elapses, the investigating magistrate shall allow said to inspect the investigation. Nevertheless, the investigating magistrate

			may, in urgent situations, undertake investigation procedures in the absence of the litigants. Litigants are entitled to inspect the registered documents of such procedures. Litigants will always be entitled to be accompanied by the representatives thereof during investigation.
III	Conducting investigations in the inclusion of the defendant and responsible for civil rights	78	Litigants shall be informed of the date on which and the place where the magistrate will commence the investigation procedures.
III	Conducting investigations in the inclusion of the defendant and responsible for civil rights	79	The victim, civil rights plaintiff and responsible for civil rights shall each assign a place in the city where the court at which the investigation is being conducted is located if said does not reside therein. In the event of failure to so do, all relevant notifications made thereto in the registry shall be deemed made.
III	Conducting investigations in the inclusion of the defendant and responsible for civil rights	80	The Public Prosecution may, at any point in time, inspect the documents with a view to being informed of the proceedings of the investigation provided that no delay is caused thereto.
III	Conducting investigations in the inclusion of the defendant and responsible for civil rights	81	The Public Prosecution and remaining litigants may, to the investigating magistrate, present defenses and requests deemed necessary during the investigation process.
III	Conducting investigations in the inclusion of the defendant and responsible for civil rights	82	The investigating magistrate shall, within a twenty four-hour period, make a decision on the defenses and requests presented thereto and shall state the grounds on which such decision was made.
III	Conducting investigations in the inclusion of the	83	The orders of the investigating magistrate shall, if not issued in the presence of the litigants, be notified to the Public

	defendant and responsible for civil rights		Prosecution. The Public Prosecution shall, within a twenty four-hour period as of the date of issuance, notify the litigants.
III	Conducting investigations in the inclusion of the defendant and responsible for civil rights	84	The defendant, victim, civil rights plaintiff and responsible for civil rights may, during the investigation, request the issuance of copies of any type of document at the personal expense thereof, unless the investigation is conducted in the absence thereof based on a relevant decision.
III	Appointing experts	85	If need be that a physician or any other expert be resorted to in order to establish a situation, the investigating magistrate shall be present when the work is being done and observe thereover. If need be that the establishment of the situation be done in the absence of the investigating magistrate as a result of the necessity of said having to undertake preparatory work or repeat attempts or for any other reason, the investigating magistrate shall issue an order stating the types of investigations needed and the establishments that need to be made. In all cases, the expert may carry out the task thereof without the presence of the litigants.
III	Appointing experts	86	Experts shall be sworn in before the investigating magistrate to give a conscientious opinion. Reports made by experts shall be submitted in writing.
III	Appointing experts	87	The investigating magistrate shall specify a timeframe for the expert to submit the report thereof in and may, in the event of failure to so do, substitute said expert with another.
III	Appointing experts	88	The person accused may seek the assistance of a consultant and may request that said inspect the documents and everything presented to the expert appointed by the magistrate provided that no delay in the proceedings of the case is caused.

III	Appointing experts	89	Litigants may refuse the expert if strong grounds are found therefor. A request for the refusal shall be submitted to the investigating magistrate to make a decision thereon. The request shall state the reasons for refusal and the magistrate shall make a decision thereon within a three-day period as of the date of submission. Submission of the request shall entail that the expert no longer continue the work thereof unless in the event of urgency by virtue of an order issued by the magistrate.
III	Moving, searching and seizing items relevant to a crime	90	The investigating magistrate shall move to any scene whenever deemed necessary to establish the condition of places, items and persons, to prove the physical existence of a crime and to establish all situations that need to be established.
III	Moving, searching and seizing items relevant to a crime	91	Searching places of residence is deemed part of an investigation process and shall not be resorted to unless by virtue of a warrant issued by the investigating magistrate on the grounds of an accusation made against a person residing in the place of residence that needs to be searched for the commission of a crime or misdemeanor or for participating in the commission thereof or if presumptions are found proving that said person is in possession of items relevant to the crime. The investigating magistrate may search any place and may seize documents, arms and everything that might have been used in the commission of the crime, that may have resulted from the commission of the crime or on which the crime has been committed and everything that may be useful in the revelation of the truth. In all cases, the search warrant shall be justified.
III	Moving, searching and	92	The search shall, whenever possible, be conducted in the

	seizing items relevant to a crime		presence of the suspect or any person acting on behalf thereof. If the search is conducted in a place of residence other than the place of residence of the suspect, the relevant owner or any person acting on behalf thereof shall, whenever possible, be called upon to be present.
III	Moving, searching and seizing items relevant to a crime	93	Whenever deemed necessary by the investigating magistrate that said move to locations or to conduct searches, said shall notify the Public Prosecution thereof.
III	Moving, searching and seizing items relevant to a crime	94	The investigating magistrate may search suspects and may search persons who are not suspects if there is strong evidence suggesting that said are concealing items that may help in the revelation of the truth. The search shall be conducted without prejudice to the provisions of paragraph two of article 46.
III	Moving, searching and seizing items relevant to a crime	95	The investigating magistrate may order the seizure of all letters, correspondences, newspapers, publications and packages found at post offices and all telegrams found at telegram offices and may order the surveillance of telecommunications or recording of conversations taking place in a specific place whenever deemed necessary for the revelation of the truth in a crime or misdemeanor punishable by incarceration for no less than a three-month period (amended by Law No.37 of the year 1972). In all cases, the acts of seizure, inspection, surveillance or recording shall be on the grounds of a justified warrant, for a period of time no longer than thirty days subject to renewal for another equivalent period or periods of time.
III	Moving, searching and seizing items relevant to a crime	95 (bis)	In the event strong evidence exist against a perpetrator of any of the crimes stipulated under articles 166 (bis) and 207 (bis) of the Penal Code and in the event the perpetrator has, in the commission of the crime, used a specific telecommunication

			device, the chief justice of the competent court of first instance may, on the grounds of a report issued by the Head of the Telegrams and Telephone Department and of a complaint made by the victim of any of the abovementioned crimes, place the relevant device under surveillance for a period of time specified thereby (provided for under Law No.98 of the year 1955).
III	Moving, searching and seizing items relevant to a crime	96	No investigating magistrate may, from the defense or consultant, seize documents submitted by the person accused thereto for the purpose of performing the task with which said were entrusted or seize correspondences therebetween relevant to the case.
III	Moving, searching and seizing items relevant to a crime	97	The investigating magistrate shall have sole inspection over the letters, correspondences, documents and other seized items provided that, whenever possible, the inspection be done in the presence of the person accused and the possessor or the person to whom such were sent. The investigating magistrate shall record any observations made. Whenever necessary, the investigating magistrate may delegate a member of the Public Prosecution to sort the aforementioned documents out and may, according to the results, order the inclusion of such documents to the case file or return such to the possessor or the person to whom such were sent.
III	Moving, searching and seizing items relevant to a crime	98	Items seized shall be subject to the provisions of article 56.
III	Moving, searching and seizing items relevant to a crime	99	The investigating magistrate may order the possessor of items deemed necessary for seizure or inspection to surrender such. The provisions of article 284 shall be applicable on all persons

			in violation of such order except in cases where the law entitles persons to abstain from giving a testimony.
III	Moving, searching and seizing items relevant to a crime	100	Letters and telegrams seized shall be reported to the suspect or the person to whom such were sent or a copy thereof shall be given thereto at the nearest time possible unless the process of investigation will thereupon be harmed (amended by Law No.107 of the year 1962). Any person claiming a right to the items seized may, from the investigating magistrate, request that such be given thereto. In the event of refusal, the person may, before the Consultation Chamber of the Misdemeanor court of appeal, file a grievance and request that the relevant statement be heard thereby.
III	Disposing of items seized	101	The investigating magistrate may order the return of items seized during the investigation, even if before a judgment is issued, so long as the items are not needed to proceed in the case or are not subject to confiscation.
III	Disposing of items seized	102	Return of the items seized shall be to the person who was in possession thereof during the time of seizure. If the items seized are items on which the crime was committed or items resulting from the commission of the crime, the return thereof shall be to the person who lost relevant possession as a result of the crime unless the person with whom the items were seized is, by law, entitled to keep such.
III	Disposing of items seized	103	An order of return shall be issued by the Public Prosecution, the investigating magistrate or the Consultation Chamber of the Misdemeanor court of appeal. The Court may order the return of the items while taking cognizance of the case (amended by Law No.107 of the year 1962).
III	Disposing of items seized	104	The order of return shall not prevent the person concerned

			from demanding the rights thereof before the civil court; nevertheless, such may not apply upon a defendant or a civil rights plaintiff if the order of return has been issued by the court on the grounds of a request made by either party in facing the other.
III	Disposing of items seized	105	The investigating magistrate may order the return of items seized even if no request therefor has been made. The Public Prosecution and/or the investigating magistrate may not order the return in cases of disputes. In such event, or in the event of doubt about who is entitled to receive the items, the matter shall be referred to the Consultation Chamber of the Misdemeanor court of appeal under the Court of first instance based on a request made by the person concerned (amended by Law No.107 of the year 1962).
III	Disposing of items seized	106	The means of disposing of items seized shall be decided when an order is issued to dismiss the case or when no grounds are found to file a lawsuit. Same shall apply when a judgment in the case is issued if a request is made before court to redeem the items.
III	Disposing of items seized	107	The court or the Consultation Chamber of the Misdemeanor court of appeal may issue an order referring the litigants to litigation before the Civil Court if said deem a need therefor. In such case, the items seized may be placed under sequestration or other precautionary measures may be taken (amended by Law No.107 of the year 1962).
III	Disposing of items seized	108	Items seized and not requested by the owners thereof within a three-year period as of the date of termination of the lawsuit shall become the possession of the government without a need for a judgment to be issued in such regard.

III	Disposing of items seized	109	If the item seized will be distorted by time or if storage thereof necessitates value-exceeding expenses, the items may be ordered to sale by means of a public auction whenever the proceedings of the investigation deem relevant. In such case, the person entitled to the items may, within the time period specified under the abovementioned article, demand the value for which the items have been sold.
III	Hearing witnesses	110	The investigating magistrate shall hear the testimony of witnesses requested by the litigants, except if hearing the testimony thereof will result in no benefit. The investigating magistrate may hear the testimony of witnesses deemed necessary thereby on the facts that prove or lead to the proof of the commission of the crime and the circumstances thereof and may charge the suspect therewith or acquit said thereof.
III	Hearing witnesses	111	The Public Prosecution shall notify the witnesses who the investigating magistrate has decided to hear and shall be summoned to appear by virtue of process servers or public officials. The investigating magistrate may hear the testimony of any witness appearing without being requested. In such case, such shall be recorded in the record of the session.
III	Hearing witnesses	112	The investigating magistrate shall hear each witness individually and may confront the witnesses with one another and with the charges made.
III	Hearing witnesses	113	The investigating magistrate shall request each witness to state the relevant name, surname, age, profession, place of residence and relation to the defendant. Such information and testimonies of witnesses shall be recorded free of scrapping and of cramming. No correction, scrapping or deletion shall be approved unless if certified by the magistrate, the clerk and the

			witness.
III	Hearing witnesses	114	The investigating magistrate and the clerk shall sign the testimony. The witness shall also sign the testimony upon having it read thereto and agreeing that said insists thereon. If the witness abstains from signing or sealing the testimony or the status thereof prevents said from so doing, such shall be recorded in the record of the session with the justifications given by the witness. In all cases, the magistrate and clerk shall sign each paper as it comes.
III	Hearing witnesses	115	After hearing the statement of the witness, litigants may make observations thereon and may request from the investigating magistrate to hear the statement of the witness for other points specified thereby. The magistrate may always refuse to pose any question that is not relevant to the case or that is put in such manner in prejudice to others.
III	Hearing witnesses	116	Provisions of articles 283, 285, 286, 287 and 288 shall be applicable on all matters relevant to witnesses.
III	Hearing witnesses	117	Any person summoned to appear before the investigating magistrate to give a testimony shall, on the grounds of the request written thereto, so do otherwise the investigating magistrate may, upon hearing the statement of the Public Prosecution, issue a verdict thereagainst sentencing said to a fine exceeding no more than fifty Egyptian pounds. The investigating magistrate may issue an order summoning said to appear once again on the expense thereof or may issue a relevant subpoena (amended by Law No..... of the year 1982).
III	Hearing witnesses	118	If the witness appears before the magistrate after being summoned for the second time or upon the personal discretion thereof and gives an acceptable excuse, the magistrate may,

			upon hearing the statement of the Public Prosecution, exempt the witness from the fine. The witness may also be exempt from the fine based on a request made thereby if said cannot appear in person.
III	Hearing witnesses	119	If the witness appears before the investigating magistrate and abstains from giving the testimony thereof or from being sworn in, the magistrate shall, upon hearing the statement of the Public Prosecution, sentence said to a fine not exceeding two hundred Egyptian pounds for misdemeanors and crimes. The witness may totally or partially be exempt from the penalty if said decides to no longer abstain prior to the termination of the investigation (amended by Law No.29 of the year 1982).
III	Hearing witnesses	120	Verdicts issued by the investigating magistrate against witnesses may, in accordance with articles 117 and 119, be appealed without prejudice to the rules and conditions stipulated by law.
III	Hearing witnesses	121	If the witness is sick or has a reason preventing said from appearing, the testimony thereof shall be heard in the place where said is present. If the magistrate moves to hear the testimony of the witness and finds that the reason given thereby is not valid, the magistrate may sentence the witness to a fine not exceeding two hundred Egyptian pounds. The sentenced person may, by way of objection or appeal, challenge the verdict issued thereagainst in accordance with the abovementioned articles.
III	Hearing witnesses	122	The investigation magistrate shall, based on a request made by the witnesses, estimate the expenses and damages entitled thereto against the appearance thereof for testimony.
III	Questioning and	123	Upon attendance of a person accused for the first time for an

	confronting		investigation, the investigator shall confirm the identity thereof, inform said of the charge made thereagainst and record the statement thereof in the record of the session. The suspect accused of the commission of the crime of defamation by way of publication in any newspaper or in any other form of publication shall, upon first being questioned or within a period of time no longer than the five following days, present to the investigator evidence of each act attributed to a civil servant, a parliamentarian or a person appointed to office otherwise said shall no longer be entitled to establish the proof referred to in paragraph two of article 302 of the Penal Code. If the person accused is summoned to appear before the court directly and without prior investigation, said shall notify the prosecution and the civil rights plaintiff by showing relevant evidence within the five-day period following the date of notification of being summoned otherwise said shall also no longer be entitled to establish proof. In such events, taking cognizance of the case may not be postponed for more than one time for a period not exceeding thirty days. The verdict shall be pronounced with justifications therefor (amended by Law No.113 of the year 1957) (the Supreme Constitutional Court has, on 8 June 1995, issued a judgment in appeal No.42 of the legal year 16 deeming the text of paragraph two of article 123 unconstitutional).
III	Questioning and confronting	124	In cases other than flagrante delicto and urgency out of fear of loss of evidence, no investigator in a crime may interrogate a suspect or confront said with other suspects or witnesses unless the relevant lawyer, if available, is present. The suspect shall state the name of the lawyer thereof in a report written at the court registry or to the warden of the prison. The lawyer

			may also do so himself. The lawyer may not speak unless given permission by the magistrate. If no permission is given, such shall be documented in the report.
III	Questioning and confronting	125	The lawyer shall be allowed to inspect the investigation on the day prior to interrogation or confrontation unless otherwise decided by the magistrate. In all cases, the person accused may not be separated from the lawyer thereof during the investigation.
III	Summoning and subpoenaing	126	For all articles, the investigating magistrate may, according to circumstances, order the presence of the person accused or subpoena said.
III	Summoning and subpoenaing	127	Any order shall include the name, surname, profession and place of residence of the person accused as well as the charge made thereagainst, the date of the order, the signature of the magistrate and the official seal. In addition, an order summoning the person accused shall also include the specific date said is scheduled to appear. A subpoena shall mandate public officials to arrest the suspect and bring said before the magistrate if the suspect refuses to appear voluntarily right away. An incarceration order mandates the warden of the prison to accept the person accused and to place said in prison, specifying the applicable article of law.
III	Summoning and subpoenaing	128	Orders shall, by a process server or a public official, be notified to the person accused and a copy of the order shall be given thereto.
III	Summoning and subpoenaing	129	Orders issued by an investigating magistrate shall be applicable all over Egyptian territory.
III	Summoning and subpoenaing	130	If the person accused fails to appear after being summoned with no valid reason for so doing, if said is at risk of flight, if said

			has no known place of residence or if the crime is a crime of flagrante delicto, the investigating magistrate my issue an order to arrest the person accused and bring said in if temporary detention can not apply to the case.
III	Summoning and subpoenaing	131	The investigating magistrate shall immediately interrogate the arrested person accused. If such cannot be done, the person accused shall, for a period of time not exceeding twenty four hours, be placed in prison until being interrogated. If the time elapses, the warden of the prison shall surrender the person accused to the Public Prosecution and the Public Prosecution shall immediately request the investigating magistrate to conduct the interrogation. When necessary, the request may be made to the district judge, the chief justice or any other judge appointed by the chief justice otherwise the Public Prosecution shall order the release of the person accused.
III	Summoning and subpoenaing	132	If the person accused is arrested outside the jurisdiction of the court conducting the investigation, said shall be referred to the Public Prosecution in the area where the arrest was made. The Public Prosecution shall verify all personal information of the person accused, inform said of the charge made thereagainst and record the statement thereof.
III	Summoning and subpoenaing	133	If the person accused objects to being transferred or if the medical condition thereof prevents the transfer, the investigating magistrate shall be informed and shall immediately issue an order specifying the action that needs to be taken.
III	Detention orders	135	Temporary detention shall not be permitted for crimes committed by means of newspapers unless the crime is stipulated under articles 173 and 179 and/or under paragraph

			two of article 180 of the Penal Code or if the crime entails matters related to honor or morals (amended by Law No.152 of the year 1951).
III	Detention orders	136	The investigating magistrate shall, prior to issuing an arrest warrant, hear the statement of the Public Prosecution.
III	Detention orders	137	The Public Prosecution may, at any time, request the temporary detention of the person accused.
III	Detention orders	138	When placing an accused person in prison on the grounds of an arrest warrant, a copy of the order shall be given to the warden of the prison after confirming receipt of the order by signing the original copy.
III	Detention orders	139	Any person arrested or placed in temporary detention shall immediately be informed of the reasons thereof. Said person will be entitled to notify someone and to have an attorney. The person shall immediately be notified of the charges made thereagainst. Subpoenas and arrest warrants may not be enforced after the elapse of a six-month period as of the date of issuance thereof unless approved by the investigating magistrate for another period (amended by Law No.37 of the year 1972).
III	Detention orders	140	No warden of a prison may permit any public official to communicate with a detainee within the prison unless with a written permission from the Public Prosecution. The warden shall, in the records of the prison, record the name of the permitted visitor, the time of visitation and the date and content of the permission (amended by Decree-Law No.353 of the year 1952).
III	Detention orders	141	In all cases, the Public Prosecution and investigating magistrate, for cases in which said is appointed to investigate, may, without

			prejudice to the rights of the person accused to always contact the defense thereof without the presence of any person, prohibit communication between the detained person accused and other detainees and prohibit visitations therefor.
III	Detention orders	142	Temporary detention shall end upon the elapse of a fifteen-day period as of the date of incarceration of the person accused. Nevertheless, the investigating magistrate may, upon hearing the statement of the Public Prosecution and the person accused, issue an order extending the period of detention for an extra period or periods that shall not, in total, exceed a 45-day period. In articles of misdemeanors, the detained person accused shall be released upon the elapse of an eight-day period as of the date of interrogation thereof if said has a known place of residence in Egypt, is held for a misdemeanor punishable by law by a maximum punishment of one year and has not been previously convicted and detained for more than a one-year period.
III	Detention orders	143	If the investigation has not been concluded and the investigating magistrate deems it necessary to extend the period of temporary detention for a period of time exceeding that prescribed under the abovementioned article, the documents shall, prior to the elapse of the aforementioned period and after hearing the statement of the Public Prosecution and person accused, be transferred to the Consultation Chamber of the Misdemeanor court of appeal to issue an order extending the period of detention for consecutive periods that shall not exceed forty five days each, if such is necessary for the investigation, or otherwise release the person accused with or without bail. Nevertheless, if decided

			that the person accused will be temporarily detained for a three-month period, the matter shall be presented to the Public Prosecution with a view to taking the measures deemed necessary to conclude the investigation. In all cases, the period of temporary detention shall not exceed a six-month period unless the person accused has been referred to the competent court prior to the elapse of such period. If the person accused is charged with a crime, the period of temporary detention shall not exceed a six-month period unless, prior to the elapse thereof, an order is received from the competent court extending the period of detention for another equivalent period, otherwise, the person accused shall, in all cases, be released (amended by Law No.107 of the year 1962).
III	Temporary release	144	The investigating magistrate may, at any time, directly or on the grounds of request made by the person accused, order the temporary release of the accused, after hearing the statement of the Public Prosecution, if the investigating magistrate was the one who ordered the temporary detention, conditional upon the person accused pledging to appear whenever requested and to serve the sentence that may be issued thereagainst. If the temporary detention order has been issued by the Consultation Chamber of the Misdemeanor court of appeal on the grounds of the Public Prosecution challenging the release order issued previously by the investigating magistrate, no new release order can be issued unless thereby (amended by Law No.107 of the year 1962).
III	Temporary release	145	In cases other than when release is mandatory, the person accused shall not be released with or without guarantee unless after a place is assigned thereto in the area where court is

			located if said is not a resident thereof.
III	Temporary release	146	In cases other than mandatory cases, temporary release may be suspended until bail is made. The amount of bail shall, according to circumstances, be estimated by the investigating magistrate or the Consultation Chamber of the misdemeanor court of appeal. Under the order estimating the amount of bail, a portion thereof shall be allocated to suffice if the person accused fails to appear for any of the procedures of the investigation, lawsuit, serving of the sentence and performance of all other duties imposed thereon. The other portion shall be allocated to the payment of the following, in order: 1) Expenses paid by the government; 2) Financial penalties to which the person accused is sentenced. If bail is estimated without allocation, the bail shall be deemed a guarantee to the person accused appearing and performing all other duties imposed thereon and not fleeing (amended by Law No..... of the year 1962).
III	Temporary release	147	The amount of bail shall be paid by the person accused or by any other person and shall be by way of depositing the estimated amount at the treasury of the court in cash, government bonds or bonds guaranteed by the government. Any person may be accepted to make the pledge of payment of the estimated amount of bail if the person accused violates any of the conditions of release and said shall make a pledge thereto in the investigation report or in a report kept at the court registry. Both reports shall have the power of a due bond.
III	Temporary release	148	If the person accused, without acceptable justification, fails to fulfill the obligations imposed thereon, the first portion of the amount of bail shall go to the government without a need for a

			judgment to be issued in such regard. The second portion shall be returned to the person accused if a judgment is issued that said will not be acquitted.
III	Temporary release	149	If the investigating magistrate deems the person accused capable of making bail, the magistrate may oblige the person accused to make himself available at the police office at the time specified under the release order, without prejudice to the personal circumstances thereof. The investigating magistrate may request the person accused to choose a place of residence other than the place in which the crime has been committed and may prohibit said from visiting specific places.
III	Temporary release	150	A release order shall not prohibit an investigating magistrate from issuing a new arrest order for the accused person or from detaining said if strong evidence have been found thereagainst or if said has violated any of the conditions imposed thereon or if any circumstances come up that necessitate that such measure be taken.
III	Temporary release	151	If a person accused is referred to court, the release thereof, if detained, or the detention thereof, if free, shall be under the jurisdiction of the body to which said is referred. In the event the person accused is referred to the Criminal Court, orders issued when no session is held shall be under the jurisdiction of the Consultation Chamber of the misdemeanor court of appeal which has cognizance over requests of release or detention until the lawsuit is referred to the competent court (amended by Law No.107 of the year 1962, followed by Law No.170 of the year 1981).
III	Temporary release	152	No request to detain a person accused shall be accepted and no statement shall be heard with respect to the release thereof

			from the victim or the civil rights plaintiff.
III	Concluding the investigation and taking action in the lawsuit	153	Upon conclusion of the investigation, the investigating magistrate shall send pertinent documents to the Public Prosecution. The Public Prosecution shall, in writing, submit relevant requests to the investigating magistrate within a three-day period if the person accused is detained or within a ten-day period if the person is free. The investigating magistrate shall inform the remaining litigants to make any relevant statements.
III	Concluding the investigation and taking action in the lawsuit	154	If the investigating magistrate deems the act not punishable by law or that no sufficient evidence exist, said shall issue an order stating that there are no grounds for a lawsuit to be filed. The detained person accused shall be released unless detained for another reason. The order shall be justified and shall be notified to the civil rights plaintiff. If said has passed, notification shall, in the place of residence thereof, be made to all relevant heirs.
III	Concluding the investigation and taking action in the lawsuit	155	If the investigating magistrate deems the act in violation of the law, said shall refer the person accused to the District Court and shall release the accused unless detained for another reason.
III	Concluding the investigation and taking action in the lawsuit	156	If the investigating magistrate deems the act a misdemeanor, said shall refer the person accused to the District Court unless the crime is a misdemeanor committed by way of newspaper or any other form of publication – with the exception of misdemeanors inflicting harm on individuals which shall be referred to the Criminal Court.
III	Concluding the investigation and taking action in the lawsuit	157	Upon issuance of an order to refer the lawsuit to the District Court, the Public Prosecution shall send all pertinent documents to the registry of the Court within a two-day period with a view to notifying the litigants to appear before the Court

			in the nearest session and on the times prescribed.
III	Concluding the investigation and taking action in the lawsuit	158	If the investigating magistrate deems the act a crime and deems there is sufficient evidence against the person accused, the magistrate shall refer the case to the Criminal Court and shall delegate the Public Prosecution to send the pertinent documents immediately to the Court (amended by Law No.107 of the year 1962 followed by Law No.170 of the year 1981).
III	Concluding the investigation and taking action in the lawsuit	159	The investigating magistrate shall make a decision on the order issued referring the case to the District Court or the Criminal Court in terms of continuing to keep the person accused in temporary detention or releasing said or in terms of arresting the person accused and placing such in temporary detention unless already arrested or released (amended by Law No.107 of the year 1962).
III	Concluding the investigation and taking action in the lawsuit	160	The Public Prosecution or the State Attorney may, in the cases specified under paragraph one of article 118 (bis – a) of the Penal Code, refer the case to misdemeanor courts to issue a judgment therein in accordance with the provisions of the aforementioned article (provided for under Law No.63 of the year 1975).
III	Appealing orders issued by the investigating magistrate	161	The Public Prosecution may, even if in the interest of the person accused, file an appeal against all orders issued directly by the investigating magistrate or upon the request of persons present.
III	Appealing orders issued by the investigating magistrate	162	A civil rights plaintiff may appeal orders issued by the investigating magistrate stating that there are no grounds to file a lawsuit unless the order is issued with respect to an accusation made against a civil servant, public employer or a law enforcement officer for a crime committed thereby during

			the course or as a result of performance of the job thereof except if the crime is prescribed for under article 123 of the Penal Code (amended by Law No.37 of the year 1972).
III	Appealing orders issued by the investigating magistrate	163	All litigants may appeal orders on matters of jurisdiction. The appeal shall not be a deterrent to the progress of the investigation and the procedures of an investigation shall not be deemed null and void upon a judgment of lack of jurisdiction.
III	Appealing orders issued by the investigating magistrate	164	The Public Prosecution alone may, in accordance with articles 155 and 156, appeal an order issued referring a matter to the District Court deeming the act a misdemeanor or petty offense. The Public Prosecution alone may also appeal an order issued in a crime granting temporary release to a temporarily detained person accused.
III	Appealing orders issued by the investigating magistrate	165	The appeal shall be by virtue of a report made in the court registry.
III	Appealing orders issued by the investigating magistrate	166	In cases stipulated under paragraph two of article 164, the period of time for an appeal to be filed shall be twenty four hours, and for all other cases, the period of time shall be ten days. The period of time shall commence as of the date of issuance of the order with respect to the Public Prosecution and as of the date of notification with respect to the remaining litigants (amended by Law No.... of the year 1962).
III	Appealing orders issued by the investigating magistrate	167	The appeal shall be filed before the Consultation Chamber of the misdemeanor court of appeal unless the matter appealed is with respect to an order stating that there are no grounds to file a lawsuit in a misdemeanor, in which case the appeal shall be filed before the Consultation Chamber of the Criminal Court.

			If the investigator was, in accordance with article 65, a justice, appeals against orders issued thereby shall not be acceptable unless with respect to matters of jurisdiction or to grounds to filing a lawsuit. In such cases, the appeal shall be filed before the Consultation Chamber of the Criminal Court (articles 164, 165, 166, and 167 amended by Law No.107 of the year 1962). The Consultation Chamber shall, upon cancellation of an order stating that there are no grounds to file a lawsuit, re-inspect the crime, the elements thereof, the perpetrated act and the provisions of the applied law with a view to referring the crime to the competent court. Decisions made by the Consultation Chamber shall, in all cases, be deemed final.
III		168	Under criminal articles, an order granting the temporary release of a temporarily detained person accused may not be executed prior to the elapse of the period of time specified under article 166 to file an appeal or prior to the settlement thereof if the period of time has elapsed.
III	Appealing orders issued by the investigating magistrate	169	If the appeal made by the civil rights plaintiff against an order stating that there are no grounds to file a lawsuit has been denied, the body before which the appeal is filed may, if applicable, sentence the person accused to damages for expenses incurred as a result of filing the appeal (amended by Law No.107 of the year 1962).
III	Returning to the investigation after appearance of new evidence	197	An order issued by an investigating magistrate stating that there are no grounds to file a lawsuit shall prevent returning to the investigation unless new evidence appear prior to the elapse of the period of time specified for the abatement of a criminal lawsuit. Witness testimonies, reports and other documents not presented to the investigating magistrate or the

			accusation chamber and fostering the evidence found insufficient or clarifying the matter for revelation of the truth shall be deemed new evidence. No return may be made to the investigation unless by virtue of a request made by the Public Prosecution (amended by Law No.170 of the year 1981).
IV	Investigations by the Public Prosecution	198	Repealed by virtue of Law No. 353 of the year 1952.
IV	Investigations by the Public Prosecution	199	With the exception of crimes committed within the jurisdiction of the investigating judge, pursuant to the provisions of Article 64, the Public Prosecution shall conduct the investigations in misdemeanor and felony matters according to the decisions issued by the investigating judge, subject to the provisions of the following articles (Amended by virtue of Law No. 107 of 1962).
IV	Investigations by the Public Prosecution	199 (bis)	The person who sustained damage may contest his civil rights during the investigation, and the Public Prosecution shall, within three days of filing the claim, decide on accepting such person as a party to the investigation in this capacity. The person whose claim was rejected may, within three days of the date of the claimant being notified of the decision, challenge such decision before the misdemeanor court of appeal sitting in chambers (Added by virtue of Law No. 353 of the year 1952 and amended by virtue of Law No. 107 of the year 1962).
IV	Investigations by the Public Prosecution	200	Any member of the Public Prosecution conducting the investigation in person may assign to any law officer the performing of some tasks within the jurisdiction of the former.
IV	Investigations by the Public Prosecution	201	The detention order issued by the Public Prosecution may only be valid for four days following the day of arrest or delivering the accused person - if such person has already been arrested -

			to the Public Prosecution. Arrest and detention orders issued by the Public Prosecution may not be executed after six months of their issue date, unless endorsed by the Public Prosecution for another period.
IV	Investigations by the Public Prosecution	202	If the Public Prosecution decides to extend the provisional detention period, the relevant papers must be submitted within four days of the end of the detention period to the magistrate judge to issue a ruling in that respect, after hearing the Public Prosecution and the accused. The magistrate may extend the detention to one or several successive periods such that the total period of detention may not exceed forty five days, where each period may not exceed fifteen days (Amended by virtue of Law No. 353 of the year 1952).
IV	Investigations by the Public Prosecution	203	If the investigation is not concluded by the end of the detention period mentioned in the preceding article, the Public Prosecution must submit the relevant papers to the misdemeanor court of appeal that sits in chambers, to issue a ruling in that respect pursuant to the provisions of Article 143 (as amended by virtue of Law No. 353 of the year 1952, and Law No. 107 of the year 1962).
IV	Investigations by the Public Prosecution	204	The Public Prosecution may release the accused at any time, with or without bail.
IV	Investigations by the Public Prosecution	205	The magistrate judge may set bail for releasing the accused whenever the Public Prosecution requests an extension of the detention period, taking into account the provisions of Articles 146 to 150 (as amended by virtue of Law No. 37 of the year 1972). The Public Prosecution may, if the investigation necessitates, appeal the ruling issued by the magistrate judge for the release of the accused who is provisionally detained,

			taking into account the provisions of the second paragraph of Article 164, and Articles 165 to 168 of the present law (added by virtue of Law No. 174 of the year 1998, official gazette, issue No. 51 (bis), 20th December 1998)
IV	Investigations by the Public Prosecution	206	The Public prosecution may not search a person other than the accused or search the house thereof, unless compelling evidence indicate that such person possesses things related to the crime. If useful for the establishment of the truth in relation to a felony or a misdemeanor punishable with imprisonment for more than three months, the Public Prosecution may seize all letters, messages, newspapers, printed matters, and parcels at post offices, as well as all telegrams at telegraph offices; monitor telecommunication conversations; and tape conversations made in a private place. To conduct any of the previous procedures, an anticipatory reasoned warrant to that effect must be secured from a magistrate judge upon taking cognizance of the papers. In all cases a seizure, search, or monitor warrant shall be valid for a period not exceeding thirty days and the magistrate judge may renew this warrant for an equal period or periods. The Public Prosecution may examine seized letters, messages, and other papers and records, provided that such an examination be carried out, whenever possible, in the presence of the accused and the possessor or receiver of the seized matters and any notes made by the same shall be documented. Upon the outcome of such examination, the Public Prosecution may order the inclusion of said documents in the case file, or return them to the possessor or the recipient thereof (as amended by virtue of Law No. 37 of the year 1972).

IV	Investigations by the Public Prosecution	207	Repealed by virtue of Law No. 353 of the year 1952
IV	Investigations by the Public Prosecution	208	The law provisions applied to witnesses in an investigation conducted by the Public Prosecution are the same provisions that shall be applied before an investigating judge. A witness who declines to appear before the Public Prosecution, or appears and declines to answer when questioned, shall be subject to a ruling by the magistrate judge in the jurisdiction where the summoning took place, as the case may be.
IV	Investigations by the Public Prosecution	208 (A) Bis	In cases where sufficient evidence is established as to the gravity of an accusation in any of the crimes prescribed in Chapter IV of Book II of the Penal Code, in other crimes related to funds owned by the state, authorities, public institutions, and affiliated units, or any other public legal persons, and in crimes where the law requires that the court order, on its own motion, the return of the funds or the value of objects subject of the crime, or the compensation of the victim, and the Public Prosecution deems necessary to undertake precautionary measures to retain the funds owned by the accused person, including preventing him from the disposal or the management of such funds, the Public Prosecution must submit the matter to the competent criminal court to issue an order to this effect so as to ensure the execution of any such fine, restitution, or compensation that shall be ordered by the trial court. In cases of necessity or urgency, the Public Prosecution may issue a temporary injunctive order to prevent the accused, the spouse, or children thereof from disposing of or managing their funds. The injunctive order must include the appointment of a syndic

			to take charge of the retained funds, and in all cases the Public Prosecution must submit the injunctive order to the competent criminal court within a maximum of seven days from the date of issue, requesting the court to render a judgment to prevent the disposal or the management of the funds, otherwise the said temporary injunctive order shall be deemed to never have been issued. The criminal court shall render a judgment in such cases after hearing the account of the persons concerned, within a maximum period of fifteen days from the day of submitting the said request to the court. The court shall decide on whether to extend the injunctive order mentioned in the preceding paragraph, whenever it deems it pertinent to postpone the examination of the request made by the Public Prosecution. The court judgment must include the reasons upon which it is founded, and prevention of managing the funds must include the appointment of a syndic to take charge of the retained funds, after seeking the opinion of the Public Prosecution. Upon a request from the Public Prosecution, the court may in its judgment include any funds owned by the spouse or minor children of the accused person in the injunctive order, where sufficient evidence indicates that such funds were obtained from the crime subject of the investigation, and devolved to such spouse or minor children from the accused person. The appointed syndic shall assume possession of and initiate auditing of the retained funds in the presence of the persons concerned and a representative of the Public Prosecution or an expert mandated by the court. Provisions of Articles 965 and 989 of the Civil and Commercial Procedure Law shall be followed in the audit. The appointed

			syndic shall be committed to properly manage and duly return the funds with the accrued revenue, in pursuance with the provisions prescribed in the Civil Code on the agency in the acts of management, deposit, and sequestration as regulated by the decree issued by the Minister of Justice (added by virtue of Law No. 43 of the year 1967, the official gazette, issue No. 83, 12th October 1967, and repealed and replaced by virtue of Law No. 174 of the year 1998, the official gazette, issue No. 51 (bis), 20th December 1998).
IV	Investigations by the Public Prosecution	208 (B) Bis	Any person against whom a judgment was rendered, preventing the same from disposing of or managing of funds/properties, may lodge a petition before the competent criminal court after a lapse of three months from the date of such judgment. If the petition is dismissed, such person may lodge a new petition after the lapse of three months from the date of the dismissal of his petition. Any person against whom a judgment was rendered, preventing the same from disposing of or managing funds/properties, and any person concerned, may petition against the execution procedures of such judgment. The petition shall be reported at the registry of the competent criminal court. The head of the court shall schedule a hearing for the petition and shall notify the complainant and all persons concerned. The court shall decide on the petition within a maximum period of fifteen days from the date of reporting such petition. During the case, the competent court may, on its own motion, or upon a request from the Public Prosecution or the persons concerned, order the termination of the injunctive order issued or amend the scope or execution procedures thereof. The order of disposal in the criminal case or the

			judgment issued therein must stipulate the steps to be followed with regard to the precautionary measures referred to in the preceding Article. In all cases, the injunctive order shall end upon the issuance of a final exoneration ruling or upon the complete execution of the financial penalties or compensations ordered. When a ruling is being executed to pay a penalty for the refund, or the restitution of the value of objects subject of the crime, or for compensating the victim, as the case may be, any act in contravention of the order or ruling referred to in the previous article may not be invoked, as from the date of registering either one in a special record regulated by a decree from the Minister of Justice, where any person concerned is entitled to consult such record (added by virtue of Law No. 43 of the year 1967, and repealed and replaced by virtue of Law No. 174 of the year 1998, the official gazette, issue No. 51 (bis), 20th December 1998).
IV	Investigations by the Public Prosecution	208 (C) Bis	When ordering the refund of the value of objects subject of the crimes referred to in article 208 (A) bis, or the compensation of the victim, the court may, upon a request from the Public Prosecution or the civil claimant, as the case may be, and after hearing the account of the persons concerned, decide that such judgment shall be executed on the funds of the spouse and minor children of the accused person where it is established that such funds have devolved to them from the accused and were obtained from the crime subject of the said judgment (added by virtue of Law No. 43 of the year 1967, and amended by virtue of Law No. 174 of the year 1998, the official gazette - issue No. 51 (bis), 20th December 1998).

Amal 4/17/2014 4:11 PM
Comment [1]: " OR" seems to be missing in the PDF

IV	Investigations by the Public Prosecution	208 (D) Bis	The expiry of criminal lawsuits as a result of a demise before or after the case referral to the court may not prevent the court from ordering the refund in relation to the crimes prescribed in Articles 112, 113 - paragraphs I, II, and IV, Article 113 (bis) paragraph I, and Articles 114 and 115 of the Penal Code. The court shall order the refund be paid by the heirs, legatees, and anyone who seriously benefited from the crime, to return the respective amounts acquired from such funds. The court must commission a counsel to defend those addressed by the refund order, in case they have not appointed one. (Added by virtue of Law No. 63 of the year 1975).
IV	Investigations by the Public Prosecution	208 (Bis) Repealed	Repealed by virtue of Law No. 353 of the year 1952.
IV	Investigations by the Public Prosecution	209	The Public Prosecution shall, upon concluding from the investigation that there is no case, issue an order to that effect requesting the release of the accused person, unless there are other grounds for his detention. The order to dismiss the case in felonies may only be issued by the Attorney General or those acting on his behalf. Such order must include the reasons for its issuance, and shall be notified to the civil claimant or, in case of his demise, the heirs shall be notified in their totality of the said order, and the notification shall be sent to the residence address of the demised claimant (Amended by virtue of Law No. 107 of the year 1962 and Law No. 170 of the year 1981).
IV	Investigations by the Public Prosecution	210	The civil claimant may challenge the order issued by the Public Prosecution to dismiss the case, unless such order is issued against a public official/civil servant or an impounding/ a law officer regarding a crime committed during or as a result of

			performing their duties, as long as the said crime is not among the ones referred to in Article 123 of the Penal Code (Amended by virtue of Law No. 37 of the year 1972). The challenge shall be reported to the court registry within ten days from the date of notifying the civil claimant of the said order. The challenge shall be referred to the criminal court sitting in chambers to consider criminal matters, and to the misdemeanor court of appeal sitting in chambers to consider misdemeanor matters and petty offenses. Provisions specified in appealing orders issued by an investigating judge shall be applied for the filing and ruling of such appeals (Replaced by virtue of Law No. 107 of the year1981).
IV	Investigations by the Public Prosecution	211	The Public Prosecutor may cancel the said order within three months after the issuance of such, unless the criminal court or the misdemeanour court of appeal sitting in chambers – as the case may be - rejects the appeal filed against such order (Amended by virtue of Law No. 107 of the year 1962 and Law No. 170 of the year 1980).
IV	Investigations by the Public Prosecution	212	Repealed by virtue of the Decree under Law No. 170 of the year 1981.
IV	Investigations by the Public Prosecution	213	If new evidence emerges, pursuant to Article 197, the Public Prosecution's order to dismiss the case does not prevent the resumption of the investigation according to article 209.
IV	Investigations by the Public Prosecution	214	The Public Prosecution shall, upon concluding from the investigation that the incident is a felony, a misdemeanor, or a petty offense, and that there is sufficient evidence against the accused person, file a lawsuit to the competent court. In matters related to petty offenses and misdemeanors, by summoning the accused person to appear before the

			magistrate court, unless the crime is committed by means of newspapers or other publishing media - with the exception of misdemeanors causing damage to individuals, in such a case the Public Prosecution shall directly refer them to criminal courts (replaced by virtue of Law No. 113 of the year 1957 and Law No. 170 of the year 1981). Criminal cases shall be referred by the Attorney General or the person acting on his behalf in the form of an indictment report submitted to the criminal court, stating the crime and elements thereof, all aggravating or mitigating circumstances, and the legal articles to be applied; an account of witnesses statements and prosecution evidence are to be attached to such report. The Attorney General shall, on his own motion, appoint a counsel for each person accused of a felony and against whom an order is issued for referral to the criminal court if the accused person has not appointed own defense counsel. The Public Prosecution shall notify the litigants of the committal order issued to refer the case to the criminal court within ten days from the day of issuance of such, and in all cases subject to the provision of the last paragraph of Article 63. Where the investigation covers several interrelated crimes within the jurisdiction of courts of the same level, all the crimes shall be referred by one committal order to the court having jurisdiction to hear one of such crimes. Where the crimes fall within the jurisdiction of different courts of different levels, such crimes shall be referred to the highest court. In cases of multiple interrelated crimes, where the lawsuit must be filed for all crimes before one court, and where some crimes fall within the jurisdiction of regular courts and some others fall

			under the jurisdiction of special courts, such lawsuit shall be filed for all crimes before a regular court, unless otherwise prescribed by the law (replaced by virtue of Law No. 170 of the year 1981, the official gazette - issue No. 44 (bis), November 1981).
IV	Investigations by the Public Prosecution	214 (Bis)	Where necessary, after the issuance of a referral order, the Public Prosecution shall conduct a supplementary investigation and submit the report to the court.
IV	Investigations by the Public Prosecution	214 (A) bis	The case file shall be dispatched forthwith to the registry of the court of appeal, and where the defense counsel applies for an adjournment to examine the case file, the head of the court shall specify a maximum period of ten days during which the case file shall remain with the court registry where the defense counsel can examine the file without moving it from the registry. The litigants shall notify , by a process-server, their witnesses who have not been mentioned in the above mentioned list, so that they attend the hearing scheduled for the case. The litigants shall bear the cost of the notification and shall deposit the witnesses' travel expenses (articles 214 (bis) and 214 (A) bis, added by virtue of Law No. 170 of the year 1981).
IV	Jurisdiction of Criminal Courts in Criminal Articles	215	The magistrate court shall rule on any act deemed by law a petty offense or a misdemeanor, except for misdemeanors committed by means of newspapers or other publishing media against non-individuals (Amended by virtue of Law No. 107 of the year 1962).
Book II - Part I / Chapter	Jurisdiction of Criminal Courts in Criminal Articles	216	The criminal court shall rule in any act deemed by law a felony, and in misdemeanors committed by means of newspapers or other publishing media, save for misdemeanors that cause

Amal 4/17/2014 4:11 PM
Comment [2]: This article is under Part IV, but the subject belongs to that of Book II, Part I, Ch. I below!

I			damage to individuals, and other crimes falling by law within its jurisdiction (Amended by virtue of Law No. 303 of the year 1953).
Part I / Chapter I	Jurisdiction of Criminal Courts in Criminal Articles	217	Jurisdiction shall be determined according to the area where the crime was committed, or where the accused resides or is arrested.
Part I / Chapter I	Jurisdiction of Criminal Courts in Criminal Articles	218	In the case of attempting to commit a crime, it shall be deemed committed in every place where an act initiating the commission of such crime is carried out. In continuing crimes, any place where the state of continuity occurred shall be deemed a crime scene. In the cases of habitual and successive crimes, any place where any act which is part of such crime is committed shall be deemed a crime scene.
Part I / Chapter I	Jurisdiction of Criminal Courts in Criminal Articles	219	If a crime, to which the provisions of Egyptian law applies, is committed abroad, and the perpetrator has no residence in Egypt nor was he arrested therein, the criminal lawsuit shall be filed against such perpetrator before the Cairo Criminal Court; whereas in misdemeanors, a lawsuit shall be filed against the same at the Abdeen Misdemeanor Court.
Part I / Chapter II	Jurisdiction of Criminal Courts in Civil Matters	220	A civil action, no matter the resulting amount, to compensate for the damage caused by the crime, may be filed before criminal courts to be heard in conjunction with the criminal lawsuit.
Part I / Chapter II	Jurisdiction of Criminal Courts in Civil Matters	221	Criminal courts shall have jurisdiction to adjudicate all matters whereupon depends the ruling in the criminal lawsuit brought before such courts, unless otherwise stated by law.
Part I / Chapter II	Jurisdiction of Criminal Courts in Civil Matters	222	If deciding a criminal lawsuit depends on the adjudication of another criminal lawsuit, the former must be suspended until a decision is reached on the second lawsuit.

Part I / Chapter II	Jurisdiction of Criminal Courts in Civil Matters	223	If deciding the criminal lawsuit depends on the adjudication of a personal status claim, the criminal court may suspend the lawsuit and set a date for the accused, the civil rights plaintiff, or the victim, as the case may be, to bring said claim before the competent body. Suspension of a lawsuit shall not hinder necessary or urgent procedures or precautionary measures. (Amended by virtue of Law No. 107 of the year 1962).
Part I / Chapter II	Jurisdiction of Criminal Courts in Civil Matters	224	If the date referred to in the preceding article lapses, and the case was not brought before the competent body, the court may disregard the suspension of the lawsuit and decide it. The court may, also, set another date for the litigant, if it considers there are reasonable grounds so justifying.
Part I / Chapter II	Jurisdiction of Criminal Courts in Civil Matters	225	The criminal court shall, in non-criminal matters which the court decides in connection with a criminal lawsuit, follow the rules of evidence stipulated in the law on the said matters.
Part I / Chapter III	Conflict of jurisdiction	226	If a lawsuit is filed regarding one crime, or several interrelated crimes, to two different investigating or adjudicating bodies affiliated to one court of first instance, and where each body issued a final ruling deciding whether it has jurisdiction or not, and both bodies have exclusive jurisdiction to hear the case, the request to designate the body to hear the case shall be filed to the circuit of the misdemeanor court of appeal in the court of first instance.
Part I / Chapter III	Conflict of Jurisdiction	227	If two rulings on the question of jurisdiction are issued by two bodies affiliated to two courts of first instance; by two courts of first instance; or by two criminal, regular, or appeal courts, the request to designate the competent court shall be filed to the court of cassation.

Part I / Chapter III	Conflict of Jurisdiction	228	Each litigant in the lawsuit may file a petition, with all supporting documents, for the designating court competent to decide on such a lawsuit.
Part I / Chapter III	Conflict of Jurisdiction	229	Upon taking cognizance of such application, the court shall order the deposit of the documents at the court registry so that the rest of litigants may review them, and submit a memorandum with their statement within ten days from the date of being notified of the depositing of said application. The deposit order shall result in the suspension of the lawsuit in question, unless the court decides otherwise.
Part I / Chapter III	Conflict of Jurisdiction	230	Upon cognizance of the documents, the court of cassation or the court of first instance shall designate the court or body which shall proceed with the case, and shall also decide on the procedure and rulings that may have been issued by the other courts that decided that they lacked jurisdiction.
Part I / Chapter III	Conflict of Jurisdiction	231	If the request is dismissed, the applicant - other than the Public Prosecution or those performing the functions thereof at the appellant judicial bodies - may be issued a fine not exceeding five Egyptian pounds.
Part II / Chapter I	Serving Notice on Litigants	232	The lawsuit shall be referred to the court of misdemeanors and petty offenses upon an order issued by the investigating judge or the misdemeanor court of appeal sitting in chambers, or upon a direct summons served by a member of the public prosecution or by the civil rights plaintiff, for the accused person to appear before the court. Such summons may be dispensed with if the accused person appears before the court, faces the charge imposed by the Public Prosecution, and accepts the trial. However, the civil rights plaintiff may not bring an action to the court by directly

			summoning the accused person to appear in two cases. First: If the investigating judge or the public prosecution decided that there was no case to answer, and the civil rights plaintiff did not appeal such ruling in due time, or did challenge the decision, and the misdemeanor court of appeal sitting in chambers sustained the decision (Amended by virtue of Law No. 107 of the year 1962, then amended by virtue of the Law No. 170 of the year 1981). Second: If the lawsuit is against a public officer, a civil servant, or an arresting officer, for a crime committed during the course of performing his duties or on account thereof, save for crimes referred to in Article 123 of the Penal Code (Amended by virtue of Law No. 37 of the year 1972).
Part II / Chapter I	Serving Notice on Litigants	233	Litigants shall, upon an application made by the public prosecution or the civil rights plaintiff, be summoned to appear before the court one full day before holding the hearing in petty offenses, and three full days, at least, before holding the hearing in misdemeanors, excluding travel time. The summons notice shall state the charge and the articles of law stipulating the punishment. In the event that the accused is caught in the act, or provisionally detained for a misdemeanor, the summons may be issued without specifying a date. If the accused appears before the court and requests adjournment of the hearing to prepare his defense, the court shall set the date as specified in the first paragraph (Third paragraph is replaced by virtue of Law No. 174 of the year 1998, official gazette, issue No. 51 (bis), 20th December 1998).
Part II / Chapter I	Serving Notice on Litigants	234	The summons document shall be served on the notified in person, or sent to the residence address thereof, by the means specified in the Law of Civil and Commercial Procedure. If the

			search does not result in identifying the place of residence of the accused, the summons notice shall be delivered to the administrative authority where the accused person had last resided in Egypt. The crime scene shall be deemed the last residence address of the accused unless proven otherwise. The summons notice may be served by public officers in the cases of petty offenses, and in the cases of misdemeanors specified by virtue of a decree issued by the Minister of Justice, upon the approval of the Minister of Interior (Added by virtue of Law No. 279 of the 1953).
Part II / Chapter I	Serving Notice on Litigants	235	The summons notice shall be addressed to the prison officer or those acting on his behalf in the instance of detainees, and to the army administration in the instances of in-service officers, non-commissioned officers, and soldiers. The recipient of the copy of such notice, in both instances mentioned, must sign the original notification document, and in the event of declining to receive or sign the same, a fine not exceeding five Egyptian pounds shall be imposed by the magistrate judge on the declining recipient. If the said recipient further insists on declining, then a copy thereof shall be delivered to the Public Prosecution in the court to which the summoner belongs.
Part II / Chapter I	Serving Notice on Litigants	236	Litigants may review the lawsuit file once they receive the summons to appear before the court.
Part II / Chapter II	Appearance of Litigants	237	A person accused of a misdemeanor punishable with imprisonment with immediate effect must appear in person before the court. As regards other misdemeanors and petty offenses, the accused may appoint an attorney to present his defense, without prejudice to the right of the court to order the

			accused to appear in person (Amended by virtue of Law No. 170 of the year 1981).
Part II / Chapter II	Appearance of Litigants	238	In case the litigant who is summoned by law fails to appear before the court on the date specified in the summons notice, and does not send an attorney in the cases so permitted, a default judgment may be rendered after taking cognizance of the case files, unless the summons notice was delivered to him in person and the court concludes that there were no grounds justifying such an absence, the judgment shall be deemed to have been rendered in presence. Rather than entering a default judgment, the court must adjourn the case hearing, and order the re-serving of the summons notice to the litigant in their domicile, warning such litigant that the judgment shall be deemed in presence should he fail to appear at the re-scheduled hearing; in such a case where the court concludes that there is no justification for such absence, the judgment shall be deemed to have been issued in their presence (Amended by virtue of Law No. 170 of the year 1981).
Part II / Chapter II	Appearance of Litigants	239	The judgment shall be deemed to have been made in the presence of every litigant present in the court, upon calling for the case, even if such litigant leaves the hearing afterwards, or fails to appear at the hearings to which the case is adjourned without presenting reasonable justification.
Part II / Chapter II	Appearance of Litigants	240	If the lawsuit is filed against several persons regarding one incident, where some appear and others fail to appear before the court, despite being duly served according to the law, the court must adjourn the case to a following hearing, and that the summons notice be re-issued to those who failed to appear in their domicile, warning them that the judgment shall be

			deemed to have been made in their presence should they fail to appear at such hearing; in such a case where they fail to appear, and the court concludes that there is no justification for their failure to appear, the judgment shall be deemed to have been made in their presence (Replaced by virtue of Law No. 170 of the year 1981).
Part II / Chapter II	Appearance of Litigants	241	In the above-mentioned cases where the judgment is deemed to have occurred in the presence of the litigant, the court must investigate the case as if the litigant was present. In such cases, the judgment entered may not be opposed unless the convicted person provides proof that there was an excuse that hindered his appearance, which he was not able to produce before the judgment was rendered, and such judgment is not appealable.
Part II / Chapter II	Appearance of Litigants	242	If the litigant appears before the end of the hearing during which the default judgment was rendered, the case must be re-heard in his presence.
Part II / Chapter III	Maintaining Order in Courtroom	243	The presiding judge shall be in charge of controlling and directing the session, for the purposes of which the judge may expel from the hearing room any person disrupting its order. In the event that such person refuses to leave the courtroom and persists in such disorderly behavior, the court may issue an order to remand said person in custody for 24 hours or impose a ten pounds penalty. Such an order may not be challenged. If such disruption is committed by one of the court's staff, the court may, in the course of the hearing, impose upon such person disciplinary punishments similar to those that may be imposed by the superior thereof (Replaced by virtue of Law No. 29 of the year 1982). The court may, before the end of the

			session, rescind the order issued by the same.
Part II / Chapter III	Maintaining Order in Courtroom	244	If a misdemeanor or a petty offense is committed in the hearing, the court may immediately try the accused and render a judgment after hearing the Public Prosecution and the defense counsel. In such case, filing a lawsuit does not depend on a complaint or a claim if the crime committed is one of the crimes stated in Articles 3, 8 and 9 of the present law; whereas if a felony is committed, the presiding judge shall issue an order to refer the accused to the public prosecution without prejudice to the provision of Article 13 of the present law (Amended by virtue of Law No. 353 of the year 1952). In all cases, the presiding judge shall write a procès-verbal and, if necessary, order the arrest of the accused.
Part II / Chapter III	Maintaining Order in Courtroom	245	In addition to the provisions stated in the two preceding articles, if the defense counsel performed, or caused to occur, in the course of performing their duties in the hearing, an act that may be deemed as jeopardizing the order of the courtroom, or that may raise his criminal accountability, the presiding judge shall write a procès-verbal regarding such incident. The court may decide to refer said counsel to the Public Prosecution to investigate the matter if what was committed raises criminal accountability of such counsel, and to the president of the court if the same raises disciplinary accountability (Amended by virtue of Law No. 353 of the year 1952). In either case, neither the presiding judge nor any of the judges who are members of the same hearing, where the incident took place, may be a member of the tribunal hearing the case related thereto.
Part II /	Maintaining Order in	246	Crimes committed during the hearing , against which the court

Chapter III	Courtroom		does not bring a case during the same hearing, shall be heard according to the normal rules.
Part II / Chapter IV	Recusal and Challenge of judges	247	The judge shall refrain from taking part in hearing a case if said judge was personally the victim of the crime, or was involved in the case in the capacity of law officer, public prosecutor, defense counsel of a party, a witness, or an expert. Further, the judge shall refrain from taking part in the rendering of a judgment if said judge was involved in the investigation or committal procedures of such case, and from taking part in deciding the appeal motion if the challenged judgment was rendered by the same.
Part II / Chapter IV	Recusal and Challenge of Judges	248	Litigants may challenge the judge in the cases mentioned in the preceding article, and in all other cases stated in the Civil and Commercial Procedure Law. Members of the Public Prosecution and law officers may not be challenged. The victim shall be deemed a party to the case with regard to the challenge request.
Part II / Chapter IV	Recusal and Challenge of Judges	249	The judge must disclose to the court if there are grounds for his recusal, so that the court decides thereupon in chambers, and the magistrate judge must submit the same to the president of the court. With the exception of recusal grounds specified by law, the judge may, if he has reasons causing him to be uncomfortable to hear the case, present the matter of his recusal to the court or the presiding judge, as the case may be, to decide upon.
Part II / Chapter IV	Recusal and Challenge of Judges	250	In considering and deciding upon a motion to recuse a judge, the rules stated in the Civil and Commercial Procedure Law shall apply (Replaced by virtue of Law No. 85 of the year 1976) (Second and third paragraphs are repealed by virtue of Law No.

			23 of the year 1992).
Part II / Chapter V	Civil Actions	251	A person who sustained damage may act as a civil rights plaintiff before the court hearing the criminal case, at any stage of the proceedings until the closing argument pursuant to Article No. 275; however, such claim may not be accepted before the court of appeal. The civil claim shall be served to the accused person by a process-server, or by a request made during the case hearing if the accused is present; otherwise, the case must be adjourned and the claimant shall be mandated to serve a notice of his claims upon the accused. If such a civil rights plaintiff was previously accepted in the investigation in such capacity, the referral of the criminal case to the court shall include the civil action. The intervention of the civil rights plaintiff may not result in delaying the adjudication of the criminal case; otherwise, the court shall decide not to accept the intervention of said claimant.
Part II / Chapter V	Civil Actions	251 (bis)	Civil claims filed under the provisions of the present law may only be for personal damage directly resulting from the crime and certain to be sustained in the present or in the future.
Part II / Chapter V	Civil Actions	252	If the person who sustained damage is incapacitated and has no legal representative, the court that hears the criminal case may, upon a request from the Public Prosecution, commission an attorney to present the civil rights claim to the court on behalf of such person, and the civil rights plaintiff may not be charged with the judicial costs as a consequence thereto.
Part II / Chapter V	Civil Actions	253	Civil actions for remedial compensation shall be filed against the person accused of the crime if said person was of legal age, or against his representative if he is incapacitated. In case said person has no representative, the court must commission an

			attorney in accordance with the preceding article. Civil actions may also be filed against civil rights respondents affected by the act committed by the accused. The Public Prosecution may implicate civil rights respondents, even if the case has no civil rights plaintiff, so that such respondent be ordered to pay the judicial costs due to the government. An insurance lawsuit may not be filed before criminal courts, and only the respondents to civil rights claims, the persons responsible for civil rights, and the insurer may be implicated in the case (Replaced by virtue of Law 85 of the year 1976).
Part II / Chapter V	Civil Actions	254	A civil rights respondent may willingly intervene in the criminal case at any stage of the proceedings, and the Public Prosecution and the civil rights plaintiff may oppose the acceptance thereof.
Part II / Chapter V	Civil Actions	255	The civil rights plaintiff must designate a residence address in the town where the court seat is, unless said claimant already resides therein. Such designation shall be done by so reporting to the court registry; otherwise, the notification of the case documents shall be deemed to have been duly served to the claimant by handing it to the court registry.
Part II / Chapter V	Civil Actions	256	The civil rights plaintiff shall pay the judicial fees and deposit in advance the security assessed by the Public Prosecution, the investigating judge, or the court, as an advance payment of the fees due to experts, their expenses, and those of witnesses and others, and shall also deposit the ancillary security that may be required during the proceedings.
Part II / Chapter V	Civil Actions	257	The accused person, the civil rights respondent, and the Public Prosecution may challenge in the hearing the acceptance of the intervention of civil rights plaintiff, if his claim is inadmissible or

			unacceptable. The court shall, after hearing the litigant statements, decide on the challenge.
Part II / Chapter V	Civil Actions	258	The decision issued by the investigating judge to not accept the civil claim may not prevent the civil rights plaintiff from filing a subsequent civil action before the criminal court, or from filing the same before the civil courts. The decision issued by the court to accept a civil action may not result in the nullification of the procedures in which the civil rights plaintiff did not take part. The decision issued by the investigating judge to accept the civil rights plaintiff is not binding on the court before which the case is heard.
Part II / Chapter V	Civil Actions	258 (bis)	The civil action may be brought against the insurer before the court hearing the criminal case to compensate the damage resulting from the crime, and all provisions on civil rights respondents, stated in the present law, shall apply to such insurer (Added by virtue of Law 85 of the year 1976).
Part II / Chapter V	Civil Actions	259	The civil action shall abate after the end of the term prescribed in the Civil Code; nevertheless, the civil action resulting of the crimes stated in the second paragraph of Article 15 of the present law, and committed after the enforcement date of the same, may not abate by limitation. If the criminal case expires after being filed, for reasons associated therewith, this shall have no effect on the continuation of the civil action filed with such criminal case (Amended by virtue of Law 37 of the year 1972).
Part II / Chapter V	Civil Actions	260	The civil rights plaintiff may abandon his claim at any stage of the case, and shall be obliged to pay the judicial expenses incurred before such stage, without prejudice to the right of the accused to compensation if well-founded. Such abandonment

			may have no effect on the criminal case. However, if the criminal case is brought before the court by the civil rights plaintiff directly, the court must rule that the criminal case be abandoned, equally where the civil rights plaintiff abandons or is considered to have abandoned the civil action, unless the Public Prosecution requests that the criminal case be decided. Upon issuing the ruling that the criminal case was abandoned, the right of the civil rights plaintiff to file a civil action at the criminal court for the same act shall expire (the second paragraph is replaced by virtue of Law 174 of the year 1998, official gazette, 51 (bis), 20th December 1998).
Part II / Chapter V	Civil Actions	261	The claimant, failing to appear before the court without an acceptable excuse after being served a notice in person, and failing to send an attorney, or failing to submit any claims in the hearing, shall be deemed to have abandoned his case.
Part II / Chapter V	Civil Actions	262	The civil rights plaintiff, abandoning his case brought before criminal courts, may file the same case at civil courts, unless said claimant has expressly stated that he abandoned his rights upon which the case was filed.
Part II / Chapter V	Civil Actions	263	If the civil rights plaintiff abandons his civil action, or is not accepted as a civil rights plaintiff, the civil rights respondent shall be excluded from the said case, if the inclusion of said claimant was based upon the request of the civil rights plaintiff.
Part II / Chapter V	Civil Actions	264	If the person who sustained damage brings an action for compensation at the civil court, and subsequently a criminal lawsuit is filed, said person may abandon the civil action at the civil court, and bring the same to be heard with the criminal lawsuit at the criminal court.
Part II /	Civil Actions	265	If the civil action is filed at a civil courts, it must be suspended

Chapter V			until a final judgment is rendered in the criminal lawsuit initiated before or during the proceedings of such civil action. However, if the adjudication of the criminal case is suspended because of the insanity of the accused person, the civil action shall, nonetheless, be decided.
Part II / Chapter V	Civil Actions	266	The procedures prescribed in the present law shall be applied in deciding civil actions filed before criminal courts.
Part II / Chapter V	Civil Actions	267	The accused may claim compensation from the civil rights plaintiff for damages sustained as a consequence of filing the civil action before the criminal court, where such claim is established, and may also bring a direct action against the civil rights plaintiff, before the same court, for false accusation, where such claim is established, by summoning such civil rights plaintiff to appear before the court. The said summons may be dispensed with if the civil rights plaintiff attends the hearing and the accused addresses the former with such charge, and the latter accepts trial (Replaced by virtue of Law 174 of the year 1998, official gazette, issue No. 51 (bis), 20th December1998).
Part II / Chapter VI	Case Hearing and Procedure Arrangement in Session	268	The court hearing must be public; however, the court may, in consideration of public order and observation of morals, order the case to be heard in a secret hearing, wholly or partially, or to prevent specific groups from attending the hearing.
Part II / Chapter VI	Case Hearing and Procedure Arrangement in Session	269	A member of the Public Prosecution must attend criminal court hearings, and the court must hear such member and decide on the requests thereof.
Part II / Chapter	Case Hearing and Procedure Arrangement in	270	The accused person shall attend the hearings without restraints or shackles; yet such accused shall be under necessary

VI	Session		supervision, and may not be removed from the courtroom while the case is being heard, unless he causes disturbances necessitating his removal. In such a case, proceedings shall continue until such time that the hearing can be conducted once again in the presence of the accused, and the court must inform him of the procedures that took place in his absence.
Part II / Chapter VI	Case Hearing and Procedure Arrangement in Session	271	The investigation shall commence at the hearing by calling the litigants and witnesses. The accused person shall be asked his forename, family name, profession, place of residence, and date of birth, and subsequently the charge brought against him by committal order or writ of summons, as the case shall be recited. The Public Prosecution and the civil rights plaintiff, if present, shall then submit their requests. Thereafter, the accused shall be asked to enter a plea. If the accused pleads guilty, the court may be satisfied by such plea and shall render a judgment without hearing the witnesses; otherwise, the court shall hear the prosecution witnesses, who shall be first examined by the Prosecution, then the victim, followed by the civil rights plaintiff. The Public Prosecution, the victim, and the civil rights plaintiff may re-examine said witnesses in order to clarify the incidents for which they provided testimony during the examination.
Part II / Chapter VI	Case Hearing and Procedure Arrangement in Session	272	After hearing the prosecution witnesses, the defense witnesses shall be heard and examined first by the accused person, then by the civil rights respondent, followed by a cross-examination by the public Prosecution, then the victim, then the civil rights plaintiff. The accused and the civil rights respondent may re-examine said witnesses to clarify the incidents for which they gave testimony during the examination. Each of the litigants

			may request to re-hear the testimony given by said witnesses to clarify or ascertain the incidents for which they testified, or may request to hear other witnesses for the same purpose.
Part II / Chapter VI	Case Hearing and Procedure Arrangement in Session	273	The court may, at any stage of the proceedings, ask the witnesses any question it deems necessary to establish the truth, or may permit the litigants to do the same. The court must prevent questions posed to the witness if irrelevant to the case or unacceptable. The court must protect the witness from explicit or allusive statements and from any hints causing such witness confusion or intimidation, and may decline hearing the testimony of witnesses for incidents which the court considers to be sufficiently clear.
Part II / Chapter VI	Case Hearing and Procedure Arrangement in Session	274	The accused may not be examined unless his consent is given. If some incidental matters emerge during the pleading and debate, where it is necessary to ask the accused person to clarify such matters so as to establish the truth, the judge shall draw the attention of the accused to such matters, and shall authorize the same to give the said clarifications. If the accused declines to answer, or his statement in the hearing contradicts his statement in the fact-finding or investigation procès-verbal, the court may order the recitation of the first statements of the accused.
Part II / Chapter VI	Case Hearing and Procedure Arrangement in Session	275	After hearing the testimonies of the prosecution and defense witnesses, the Public Prosecution, the accused, and all other parties to the case may speak and, in any case, the accused shall be the last to speak. The court may prevent the accused or their counsel from expanding on the pleadings if the same are diverted from the case subject or reiterate their accounts. The court shall thereafter issue a decision to close the debate, and

			shall subsequently render its judgment after deliberation.
Part II / Chapter VI	Case Hearing and Procedure Arrangement in Session	276	A procès-verbal of all trial proceedings must be drafted, and the presiding judge and the clerk must on the following day, at the latest, sign one page thereof. Such record shall include the date of the hearing, indicating whether it was public or secret; the names of judges, court clerks, members of the Public Prosecution present at the hearing, and litigant names and their counsels. It shall also include witness testimonies, litigant statements, and papers read out must be mentioned, as well as all other procedures undertaken, claims submitted during the hearing, any decisions on secondary matters, operative parts of judgments rendered, and any other matters taking place in the hearing.
Part II / Chapter VI	Case Hearing and Procedure Arrangement in Session	276 (bis)	Juvenile cases related to crimes stated in Books I and II, Parts I, II, II(bis), III, IV, and XIV of the Penal Code; and crimes stated in Articles 302, 303, 306, 307, and 308 of the Penal Code if such crimes are committed by means of newspapers, and under Law No. 394 of the year 1954 on Arms and Ammunitions, amended by virtue of Law No. 546 of the year 1954, shall be tried expeditiously. Summoning the accused to appear before the court in the cases specified in the preceding paragraphs shall take place one full day prior to the hearing in misdemeanors, and three full days prior to the hearing date in felonies, excluding travel time. The summons may be served by a process-server or a public officer, and the case shall be heard in a hearing to be convened within two weeks from the day of the case referral to the competent court. If such case is referred to the criminal court, the president of the competent court of appeal shall determine a date for the hearing within the

			timeline previously mentioned (Added by virtue of Law 113 of the year 1957).
Part II / Chapter VII	Witnesses and Other Evidence	277	Witnesses shall be summoned to appear before the court, upon the request of litigants, by a process-server or an arresting officer 24 hours before the hearing date - excluding travel time, except in cases where the accused person is caught in the act., In which case, witnesses may be summoned, at any time, even orally, by a law officer or an arresting officer. Witnesses may attend the hearing without a notice upon a request from the litigants; and the court may, during the hearing, summon any person to testify even by issuing an arrest warrant, if necessity so requires, and may order their summons to appear at another hearing. The court may hear the testimony of any person who willingly attends the hearing to present information related to the case.
Part II / Chapter VII	Witnesses and Other Evidence	278	Witnesses shall be called out by their names, and upon answering they shall be escorted to a room which they may only exit successively to testify before the court. Witnesses who testified shall remain in the courtroom until the closing of the pleading, unless the court authorizes them to leave. Where necessary, a witness may be removed whilst another witness is being heard, and the confrontation of witnesses is warranted.
Part II / Chapter VII	Witnesses and Other Evidence	279	A witness failing to appear before the court after being summoned may be issued, upon hearing the Public Prosecution, a fine not exceeding ten pounds for misdemeanors, and not exceeding fifty pounds for felonies (Replaced by virtue of Law 29?? of the year 1982). The court may, if it deems the testimony of such witness necessary, adjourn the case to re-summon the said witness to appear

Author 4/17/2014 4:11 PM
Comment [3]: Law No. 29 of the year 1982. it was used in article (243) before

			before the court, and may issue an order to arrest the same to be brought before the court. If the witness appears before the court willingly or after being re-summoned and offered an acceptable excuse for his absence, he may be exempted from the fine, after hearing the Public Prosecution. If such witness does not appear after being re-summoned, he may be issued by the court a fine not exceeding double the maximum fine set out in the preceding article. The court may issue an order to arrest such witness to be brought before the court at the same hearing or at another one to which the case is adjourned.
Part II / Chapter VII	Witnesses and Other Evidence	280	If the witness appears before the court willingly or after being re-summoned and offered an acceptable excuse for his absence, he may be exempted from the fine, after hearing the Public Prosecution. If such witness does not appear after being re-summoned, he may be issued by the court a fine not exceeding double the maximum fine set out in the preceding article. The court may issue an order to arrest such witness to be brought before the court at the same hearing or at another one to which the case is adjourned.
Part II / Chapter VII	Witnesses and Other Evidence	281	The court may, if the witness offers acceptable excuses for not being able to appear, move to his whereabouts and hear his testimony after notifying the Public Prosecution and the rest of the litigants, who may attend in person or through their counsels, and examine the witness with the questions they deem necessary.
Part II / Chapter VII	Witnesses and Other Evidence	282	If the witness fails to appear before the court until the rendering of the judgment, said witness may challenge the fine via the usual means.
Part II /	Witnesses and Other	283	Witnesses who have attained the age of fourteen may take an

Author 4/17/2014 4:11 PM
Comment [4]: A duplication of Art. 280 that seems to be a typing error?!

Chapter VII	Evidence		oath prior to testifying -- that they will say the truth and nothing but the truth; whereas witnesses under the age of fourteen may testify without taking an oath, as a matter of inference.
Part II / Chapter VII	Witnesses and Other Evidence	284	If the witness abstains from taking an oath or from answering in circumstances other than those in which he is permitted by law to do, said witness shall be issued, in petty offenses, a fine not exceeding ten pounds, and in misdemeanors and felonies, a fine not exceeding two hundred pounds (Replaced by virtue of Law 29 ??? of the year 1982). If the witness reconsiders his abstention, before closing the debate, he shall be exempted from the fine imposed, wholly or partially.
Part II / Chapter VII	Witnesses and Other Evidence	285	Witnesses may never be challenged for any reason whatsoever.
Part II / Chapter VII	Witnesses and Other Evidence	286	Persons related to the accused by ties of lineal and collateral kinship, by ties of affinity to the second degree, and by marriage even after the dissolution thereof, may abstain from testifying against such an accused person, unless the crime was committed against the witness or against a person related thereto by lineal kinship or by ties of affinity, or unless the witness was the person reporting such crime, or there was no other substantiating evidence
Part II / Chapter VII	Witnesses and Other Evidence	287	The rules specified in the Law of Procedure shall apply before criminal courts to prevent or exempt witnesses from testifying.
Part II / Chapter VII	Witnesses and Other Evidence	288	The civil rights plaintiff shall be heard as a witness and shall take an oath.

Author 4/17/2014 4:11 PM
Comment [5]: most likely: Law No. 29 of the year 1982. it was used in article (243) before.

Part II / Chapter VII	Witnesses and Other Evidence	289	The court may decide that the testimony given in the preliminary investigation or the fact-finding report, or before the expert, be read out if hearing the witness was not possible for any reason, or if the accused or his counsel so accepts (Replaced by virtue of Law No. 113 of the year 1957).
Part II / Chapter VII	Witnesses and Other Evidence	290	If the witness decides that he can no longer remember an incident, said witness may read out his testimony given during the investigation, or his statements in the fact-finding report relevant to the incident, and the same shall apply in case the testimony given by the witness at the hearing contradicts his previous testimony or statements.
Part II / Chapter VII	Witnesses and Other Evidence	291	The court may, even on its own motion, in the course of hearing the case, order the submission of any evidence it deems necessary to establish the truth.
Part II / Chapter VII	Witnesses and Other Evidence	292	The court may, either on its own motion or upon a request from the litigants, appoint one or more expert to the case.
Part II / Chapter VII	Witnesses and Other Evidence	293	The court may, either on its own motion or upon a request from the litigants, order to serve a notice to the experts to present in the hearing clarifications on the reports submitted by them at the preliminary investigation or before the court.
Part II / Chapter VII	Witnesses and Other Evidence	294	If it is not possible to examine an evidence before the court, the court may delegate one of the members thereto, or another judge to carry out the examination.
Part II / Chapter VIII	Ancillary Forgery Lawsuits	295	The Public Prosecution and all other litigants may, at any stage of the proceedings, challenge any paper submitted in the case file for forgery.
Part II / Chapter	Ancillary Forgery Lawsuits	296	The challenge shall be made by reporting it at the registry of the court before which the case is being heard, and the paper

VIII			contested to be forged as well as the supporting evidence must be designated in the report.
Part II / Chapter VIII	Ancillary Forgery Lawsuits	297	If the body hearing the case deems it justifiable to proceed with the investigation in the forgery allegation, it shall refer the papers to the Public Prosecution. It may suspend the case until such competent authority decides upon the forgery allegation, if deciding the case before it depends upon the contested paper.
Part II / Chapter VIII	Ancillary Forgery Lawsuits	298	In the event of suspending the case for the judgment or decision issued that there was no forgery, shall impose upon the party alleging the forgery a fine of twenty five pounds.
Part II / Chapter VIII	Ancillary Forgery Lawsuits	299	If a judgment is issued that an official document was forged, wholly or partially, the court that issued the judgment of forgery shall order that the said document be invalidated or rectified as the case may be, and a procès-verbal shall be made to such effect whereby the paper is marked.
Part II / Chapter IX	The Judgment	300	The court may not be restricted by the content of the preliminary investigation or fact-finding report, unless otherwise stated by law.
Part II / Chapter IX	The Judgment	301	Reports made in petty offenses shall be deemed an evidence in regard to the incidents established by the competent law officer until otherwise proven.
Part II / Chapter IX	The Judgment	302	The judge shall rule in the case according to a conviction that has been formed in full discretion; however, the judge may not base judgment on any evidence that was not submitted during the hearing, and any statement proven to have been produced by an accused or a witness under duress or threat of duress shall not be relied on (Amended by virtue of Law No. 37 of the year 1972).

Part II / Chapter IX	The Judgment	303	The judgment shall be rendered in a public hearing, even if the case was heard in secrecy, and must be entered in the record of the hearing and signed by the presiding judge and the court clerk. The court may order the necessary measures to prevent the accused from leaving the courtroom prior to pronouncing the judgment, or to ensure the presence of the same in the hearing to which pronouncing the judgment is adjourned, even if by means of issuing an order to detain the accused if provisional detention is permitted regarding the incident subject of the trial.
Part II / Chapter IX	The Judgment	304	If the incident is not proven or not punishable by law, the court shall pronounce the accused innocent and release him if said accused was detained solely for such incident. If the incident is proven and punishable by law, the court shall sentence the accused to the punishment stated by law.
Part II / Chapter IX	The Judgment	305	The magistrate court , upon finding that the incident is a felony or a misdemeanor committed by means of newspapers or other publishing media against non-individuals, shall rule that it lacks jurisdiction and shall refer the case to the Public Prosecution to take the necessary actions (Added by virtue of Law No. 107 of the year 1962).
Part II / Chapter IX	The Judgment	306	Repealed by virtue of Law No. 107 of the year 1962.
Part II / Chapter IX	The Judgment	307	The accused person may not be punished for an incident other than the one stated in the committal order or the summons, and no judgment may be issued against persons other than the accused against whom the case is brought.
Part II /	The Judgment	308	The court may, in its judgment, change the legal description of

Chapter IX			the act ascribed to the accused person, and may amend the charge by adding aggravating circumstances established from the investigation or the pleading at the hearing, even if such circumstances were not mentioned in the committal order or the summons. The court may also correct any clerical error, and rectify any omission in the indictment wording that may have occurred in the committal order or the summons. The court must draw the attention of the accused to such change, and grant the accused time to prepare his defense according to the new description or amendment, if the accused so requests.
Part II / Chapter IX	The Judgment	309	Any judgment issued in the criminal lawsuit must determine the damages requested by the civil rights plaintiff or the accused, unless the court deems that such decision on damages require conducting a special investigation, the decision in the criminal lawsuit will be postponed, at which point the court shall refer the civil claim to the civil court without fees.
Part II / Chapter IX	The Judgment	310	The judgment must include the reasons upon which it was drawn. Any conviction must state the punishable incident and the particular circumstances during which it occurred, and must indicate the text of law upon which the judgment was based.
Part II / Chapter IX	The Judgment	311	The court must decide on the claims submitted by the litigants and clarify the reasons on which such court relies.
Part II / Chapter IX	The Judgment	312	The full judgment, together with its reasons, shall be issued - as much as possible, within eight days from the date of pronouncing such judgment, and shall be signed by the presiding judge and the clerk of the court. In the event that the presiding judge is not able to sign the judgment, one of the judges who took part in the issuance thereof shall sign the

			same. If the judgment was issued by a magistrate court, and the magistrate who pronounced the judgment wrote the reasons in in his own handwriting, the head of the court of appeal or the court of first instance, as the case may be, may sign the copy of the judgment, or delegate a judge to sign the same, based on the said reasons. However, if the said magistrate did not write the reasons in his own handwriting, the judgment shall be null for want of reasons (Amended by virtue of Law No. 107 of the year 1962). Signing the judgment may not be delayed beyond the stated eight days unless for compelling reasons; in any case, the judgment shall be revoked if thirty days pass without signing the same, unless it was ruling for the innocence of the accused. The court clerk shall provide the person concerned, upon his request, with a certificate that the judgment was not signed on the date mentioned above.
Part II / Chapter X	Fees	313	Every accused who is convicted of a crime may bear the costs incurred, wholly or partially.
Part II / Chapter X	Fees	314	If the court of appeal upheld the judgment of the magistrate, the appellant may be obliged to bear all or some of the appeal costs.
Part II / Chapter X	Fees	315	If the person accused in absentia, upon opposing the judgment, is found innocent, he may be obliged to bear all or some of the costs of the default judgment or the procedures thereof.
Part II / Chapter X	Fees	316	The court of cassation may rule that the convicted person bear all or some of the appeal costs, whether the application of the convicted was accepted or rejected.
Part II / Chapter	Fees	317	If a judgment is rendered against several accused persons for one crime, whether they were perpetrators or accomplices, the

X			costs ordered in the judgment shall be equally borne by them, unless the judgment states that the said costs should be differently apportioned, or to be jointly borne.
Part II / Chapter X	Fees	318	If the accused is not ordered to bear all the costs, the judgment must specify the amount to be borne by the same.
Part II / Chapter X	Fees	319	The civil rights plaintiff shall be obliged to pay the government the cost of his claim, and the assessment and mode of payment of such claim shall be in accordance with the judicial costs by-law.
Part II / Chapter X	Fees	320	If the accused is convicted of the crime, he must be ordered to pay the civil rights plaintiff the costs borne by the latter; however, the court may reduce the amount of such costs if it sees that some of these costs were not necessary. Nevertheless, if the civil rights plaintiff is not awarded any damages, said claimant shall bear the costs of his intervention in the case; whereas if the judgment awarded the said claimant the compensation requested, such costs may be assessed at a percentage to be specified in the judgment record.
Part II / Chapter X	Fees	321	The civil rights respondent shall receive the same treatment as the accused, with respect to the costs of the civil claim.
Part II / Chapter X	Fees	322	If the judgment ordered the accused to pay all or some of the costs of the criminal lawsuit, the civil rights respondent must held responsible with the accused by such order; in such case, the costs ordered shall be jointly paid by both the accused and the civil rights respondent.
Part II / Chapter	Fees	323	The Public Prosecution may, in misdemeanors not punishable with imprisonment or a fine exceeding one thousand pounds, if

X			the prosecution sees that the crime according to its particular circumstances is sufficiently punishable with a penalty of a maximum of one thousand pounds, in addition to ancillary punishments, damages, and due restitutions and costs, the prosecution may request the competent magistrate judge to impose upon the accused the punishment, by an order issued regarding its request, based upon the fact-finding reports or other substantiating evidence, without conducting an investigation or oral hearing (Amended by virtue of Law No. 170 of the year 1981, then replaced by virtue of the Law No. 174 of the year 1998, official gazette, issue No. 51 (bis), 20th December 1998).
Part II / Chapter XI	Criminal Orders	324	In Criminal orders the court may only rule for a penalty not exceeding one thousand pounds, ancillary penalties, damages, and due restitutions and costs. The court may also acquit the accused, dismiss the civil action, or suspend the execution of the punishment in misdemeanors where penalty does not exceed hundred pounds. (Amended by virtue of Law No. 170 of the year 1981, then replaced by virtue of Law No. 174 of the year 1998, issue No. 51 (bis), official gazette, 20th December 1998).
Part II / Chapter XI	Criminal Orders	325	The judge shall decline to issue an order if said judge finds that: I- The lawsuit cannot be decided in its present state, or without investigation or oral pleading. II- Given the previous convictions of the accused, or any other reason, the incident necessitates ordering a punishment harsher than the fine that may be ordered. The judge shall issue a dismissive decision by so stating and signing on the written application submitted to him, and such

Author 4/17/2014 4:11 PM
Comment [6]: this sentence is not in the text of the same law found in the court of cassations website.

			decision may not be challenged. The dismissive decision shall entail as a consequence that the case must proceed in the normal ways (Amended by virtue of Law No. 133 of the year 1975).
Part II / Chapter XI	Criminal Orders	325 (bis)	Every member of the prosecution who is at least a prosecutor, in the court competent to hear the case, may issue a criminal order for the misdemeanors that are not punishable with imprisonment or a fine of exceeding five hundred pounds, together with ancillary punishments, liabilities, and due restitutions and costs. Issuing such a criminal order is mandatory in petty offenses that the district prosecutor does not decide to set processes, and no punishment other than a fine not exceeding five hundred pounds, ancillary penalties, liabilities, and due restitutions and costs may be ordered. The Attorney General and the Public Prosecutor, as the case may be, may revoke the order for an error of law within ten days from the day of issuing such order; as a consequence, the order shall be deemed to have never been issued and the case shall proceed in the normal manner (Replaced by virtue of Law No. 170 of the year 1981, then by virtue of Law No. 174 of the year 1988, official gazette, issue No. 51 (bis), 20th December 1998).
Part II / Chapter XI	Criminal Orders	326	The order shall, in addition to what it ruled, include the name of the accused person, the incident for which he was punished, and the law article applied thereupon. The order shall be

			served upon the accused person and the civil rights claimant on a form specified by the Minister of Justice. Such notice may be served by a public officer.
Part II / Chapter XI	Criminal Orders	327	The Public Prosecution may express its non-acceptance of the criminal order issued by the judge, and the rest of litigants may express their non-acceptance of the order issued by the judge or the deputy public prosecutor, by means of a report submitted to the court registry within three days from the date of issuing such order in the case of the Public Prosecution, and from the date of serving the notice in the case of the rest of litigants. Such report shall result in the expiry of the order and in considering it as if it has not been existed. The court clerk shall set the date on which the case shall be heard before the court, taking into account the dates specified in Article 233, and shall notify the person filing the report to attend on the date specified in Article 400. The order shall, if not objected to in the manner prescribed, be final and enforceable, and the orders/ruling stated therein with respect to the criminal lawsuit shall not have the *Res judicats* effect before civil courts (the last paragraph is added by virtue of Law No. 174 of the year 1998, official gazette, issue No. 51 (bis), 20th December 1998).
Part II / Chapter XI	Criminal Orders	328	If the litigant who did not accept the criminal order appears at the scheduled hearing, the case shall be heard against such litigant according to normal procedures, and the court may rule, within the limits of the specified punishment, with a fine harsher than the fine imposed in the criminal order. Whereas, if such litigant does not appear, the order shall restore its force, and become final and enforceable (Amended by virtue of Law No. 252 of the year 1953).

Part II / Chapter XI	Criminal Orders	329	If there are more than one accused person against whom a criminal order is issued and they decided not to accept it, and some of them appeared at the scheduled session to hear the case, while some others did not appear, the case shall be heard in the normal ways for those who appeared, and the order shall be final for those who did not appear.
Part II / Chapter XI	Criminal Orders	330	If the accused person claims, on executing the order, that his right to refuse such order is still valid because he was not notified thereof, or due to other reasons, or that there was an inevitable hindrance to his appearance at the hearing scheduled to hear the case; and if another plea arises during the execution, such plea shall be submitted to the judge who issued the order to decide thereupon without a pleading, unless the judge sees it impossible to decide on the plea as is, or without investigation or hearing the parties' pleading. A date shall be set to hear the said plea, according to normal procedures, and the accused person and the other parties shall be summoned to appear on such date. If the plea is accepted, the trial shall be conducted pursuant to Article 328.
Part II / Chapter XII	Nullities	331	Nullity is the consequence of not observing the provisions of law concerning any material procedure.
Part II / Chapter XII	Nullities	332	If nullity is the result of not observing the provisions of law related to the court's formation, jurisdiction to decide on the case, Competence of the court *ratione materia* , or related to any other public order matters, such nullity may be raised at any stage of the proceedings, and the court shall address it even without request.
Part II /	Nullities	333	In the cases other than those referred to in the preceding

Chapter XII			article, the right to contest the nullity of procedures of fact-finding, preliminary investigation, or investigation at the hearing in misdemeanors and felonies, shall expire if the accused person had a counsel present at the time the said procedure was conducted and did not object to the same .With respect to petty offenses, such procedure shall be deemed valid if the accused person does not challenge the same, even if he appears without a counsel. The public prosecution right of plea for nullity shall also expire if such plea was not brought up by the Public Prosecution immediately.
Part II / Chapter XII	Nullities	334	If the accused person appears at the hearing in person or through an attorney, he has no right to insist on the nullity of the summons documents; he may rather request the rectification of such summons or that any omission therein be fulfilled, and an adjournment of the hearing to prepare his defense before the commencement of the hearing the case, and the court shall grant him such his request.
Part II / Chapter XII	Nullities	335	The judge may rectify, on his own motion, every procedure that turns out to be void.
Part II / Chapter XII	Nullities	336	If any procedure is decided to be null, such shall extend to all direct effects resulting therefrom.
Part II / Chapter XII	Nullities	337	If a clerical error occurs in a judgment or an order issued by the investigating judge or the misdemeanors court of appeal sitting in chambers, and does not result in the nullity of such judgment or order, the body that issued the same shall rectify such error on its own motion or upon the request from a litigant after all the such being summoned to appear before court. (Amended

			by virtue of Law No. 107 of the year 1962). Rectification shall be ordered in chambers, after hearing the litigants. The order issued shall be written on the margin of the judgment document or the order, and such procedure shall be followed in correcting the forename and family name of the accused person.
Part II / Chapter XIII	Insane Accused Persons	338	If it is necessary to examine the mental conditions of the accused person, the investigating judge or the magistrate judge may, by way of a request submitted to the Public Prosecution or the court where the case is heard, as the case may be, order to keep such accused person under observation, if he was provisionally detained, in a specialized public facility for one or several period not exceeding in total forty five days, after hearing the Public Prosecution and the defense counsel, if any. If such accused person is not provisionally detained, the investigating judge or the magistrate judge may order to keep him under observation in any another place.
Part II / Chapter XIII	Insane Accused Persons	339	If it is proven that the accused person is not able to defend himself due to a mental handicap that occurred after the commission of the crime, his prosecution or trial shall be suspended until he restores his mental capacity. In such case, the investigating judge or the magistrate judge may, by way of a request submitted to the Public Prosecution or the court where the case is heard, issue an order, if the incident was a felony or a misdemeanor punishable with imprisonment, to detain the accused person in a facility designated for mental disorders until his release is decided (Amended by virtue of Law No. 170 of the year 1981).
Part II /	Insane Accused Persons	340	Suspending the lawsuit may not prevent conducting the

Chapter XIII			investigating procedures deemed urgent or necessary.
Part II / Chapter XIII	Insane Accused Persons	341	In the case prescribed in Articles 338 and 339, the term served by the accused person under observation or in detention shall be deducted from the term of the punishment he is sentenced.
Part II / Chapter XIII	Insane Accused Persons	342	If an order is issued that there is no merit to file the lawsuit or an the accused person is acquitted, due to his mental handicap, the body that issued the order or the judgment shall order the detention of such accused person in a facility designed for mental disorders, if the incident is a felony or a misdemeanor punishable with imprisonment, until such body that issued the order or the judgment providing for his acquittal or release, after reviewing the report of the mental institution's director, and hearing the Public Prosecution, and takes the necessary action to ascertain that the accused person has regained sanity. (as amended by virtue of Law No. 107 of the year 1962).
Part II / Chapter XIV	Juvenile Prosecution	365	Where necessary in any felony or misdemeanor committed against a minor that has not attained the age of fifteen years, an order may be issued to deliver him to a trustworthy person who undertakes to observe and care for him, or to a charitable institution accredited by the Ministry of Social Affairs, until the case is decided. Such order shall be issued by the investigating judge either on his own motion or upon a request from the Public Prosecution, or shall be issued by the magistrate judge upon a request from the Public Prosecution, the committal counselor, or the court hearing the case, as the case may be. If the felony or the misdemeanor is committed against an insane person, an order may be issued to commit him temporarily in a mental institutions or hospital, or to deliver him to a

			trustworthy person, as the case may be (Amended by virtue of Law No. 170 of the year 1981).
Part III / Chapter I	Criminal Courts / Constitution and Sessional Terms	366	One or more criminal courts shall be constituted in each court of appeal, and shall consist of three of the court of appeal justices.
Part III / Chapter I	Criminal Courts / Constitution and Sessional Terms	366 (bis)	One or more of the criminal court circuits shall be designated to hear cases related to bribery, public funds embezzlement, and breach of faith, in addition to other felonies and related crimes as provided for in Parts III, IV, and XVI of Book II of the Penal Code. The lawsuit shall be filed to such circuits directly by the Public Prosecution and shall be expeditiously adjudicated. (Added by virtue of the Law No??. of the year 1973).
Part III / Chapter I	Criminal Courts / Constitution and Sessional Terms	367	The assembly of each court of appeal shall, every year and upon the request of the president thereof, appoint justices mandated to sit at criminal courts. If one of the appointed justices cannot sit at a sessional term of the criminal court, he shall be replaced by another justice delegated by the president of the court of appeal. In cases of urgency, the president of the court of first instance, or his deputy, in the vicinity where the criminal court sits, may replace such appointed justice. In such case no more than one non-justice may take part in the adjudication. (Replaced by virtue of Law No. 535 of the year 1953).
Part III / Chapter I	Criminal Courts / Constitution and Sessional Terms	368	Criminal courts shall sit in any vicinity where there is a court of first instance, and their jurisdiction shall be the same as the court of first instance. If necessary, criminal courts may sit in another place, designated by the Minister of Justice, upon a request from the president of the court of appeal.
Part III /	Criminal Courts /	369	Criminal courts shall sit every month, unless the Minister of

Chapter I	Constitution and Sessional Terms		justice decides otherwise and issues a decree so requiring.
Part III / Chapter I	Criminal Courts / Constitution and Sessional Terms	370	A decree from the Minister of Justice shall set the date of opening each sessional term, at least one month in advance, upon a request from the president of the court of appeal. Such date shall be published in the official gazette.
Part III / Chapter I	Criminal Courts / Constitution and Sessional Terms	371	A trial docket shall be prepared in every term listing all cases to be heard therein. The criminal court shall hold consecutive sessions until all cases listed on the docket are heard.
Part III / Chapter I	Criminal Courts / Constitution and Sessional Terms	372	The Minister of Justice may, if necessary and upon the request of the president of the court of appeal, delegate a president of one of the courts of first instance, or his deputy, to sit at criminal courts for one sessional term, and may delegate the same for more than one term upon the approval of the Supreme Judicial Council. (Amended by virtue of Law No. 335 ?? of the year 1953).
Part III / Chapter I	Criminal Courts / Constitution and Sessional Terms	373	Impliedly repealed by virtue of Law No. 170 of the year 1981 where its provisions became those of Article 214 of the same law. The term "committal justice" was abolished.
Part III / Chapter II	Procedures before Criminal Courts	374	The accused and witnesses shall be summoned to appear before the court at least eight days before the court hearing.
Part III / Chapter II	Procedures before Criminal Courts	375	Except for excuses or hindrances proven to be valid, the attorney, whether commissioned by the investigating judge, the Public Prosecution, the president of the criminal court, or appointed by the accused, must act as defense counsel in the hearing, or appoint a person to act on his behalf; otherwise, such attorney shall be sentenced by the criminal court to pay a fine not exceeding fifty pounds, without prejudice to a

			disciplinary trial, if necessary. The court may exempt the said attorney from such fine upon the same proving that it was impossible for him to attend the hearing. or to appoint someone to act on his behalf.(Amended by virtue of Law No. 107 of the year 1962).
Part III / Chapter II	Procedures before Criminal Courts	376	The attorney commissioned by the investigating judge, the Public Prosecution or the president of the criminal court, may request an assessment for his fees to be paid from the public treasury, if the accused was poor. The court shall include such fees in the judgment, and such assessment may not in any way be challenged. The public treasury may, whenever the state of poverty of the said accused improves, issue an order that such accused pay the mentioned assessed fees. (Amended by virtue of Law No. 107 of the year 1962).
Part III / Chapter II	Procedures before Criminal Courts	377	Attorneys admitted before courts of appeal or courts of first instance shall have sole competence to act before the criminal court.
Part III / Chapter II	Procedures before Criminal Courts	378	The president of the court of appeal must, upon receipt of the case file, determine the term wherein the case must be heard, and must prepare the trial docket of every sessional term and forward copies of the lawsuit files to the justices appointed for the appropriate term. Such president shall order a notice to be served upon the accused and witnesses, of the term and date set to hear the case. If serious reasons require the adjournment of hearing the case, such adjournment must include a specific date, whether in the same term or a following one. (Amended by virtue of Law No. 107 of the year 1962).
Part III / Chapter	Procedures before Criminal Courts	379	The Public Prosecution, the accused, the civil rights claimant and civil rights respondent may object to the hearing of the

II			witnesses whose names were not notified to objecting party.
Part III / Chapter II	Procedures before Criminal Courts	380	The criminal court may, in all cases, order the arrest of the accused, to appear before court. It may also order that such accused be provisionally detained, or the release of the accused who is provisionally detained , with or without a bail.
Part III / Chapter II	Procedures before Criminal Courts	381	All provisions set out for misdemeanors and felonies shall be complied with before criminal courts, unless otherwise stated by law. The criminal court may only issue a death sentence by a unanimous opinion of all the members of the said court, and prior to issuing such sentence the court must solicit the opinion of the Mufti of the Republic after dispatching the said case file to the same. If the opinion of the Grand Mufti is not received by the court within ten days following the dispatch of the case file, the court shall decide the case. In the event of the post vacancy or absence of the Grand Mufti, or any other hindrance, the Minister of Justice shall commission by a decree a person to act on behalf of the Grand Mufti. Judgments issued by criminal courts may only be challenged by way of appeal before the court of cassation or a petition for reconsideration (Amended by virtue of Law No. 107 of the year 1962).
Part III / Chapter II	Procedures before Criminal Courts	382	If the criminal court deems the incident to be a misdemeanor, as outlined in the committal order and prior to examination in the session, it may rule that it lacks jurisdiction and may refer the case to the magistrate court; whereas if the court deems the incident a misdemeanor only after examination, it shall issue a judgment.
Part III / Chapter II	Procedures before Criminal Courts	383	If a misdemeanor related to a felony is referred to a criminal court, and the court sees no such relevance before examination, the said court shall separate and refer the

			misdemeanor to the magistrate court.
Part III / Chapter III	Criminal Procedures in Felonies for Absent Defendants	384	If an order is issued to commit a person accused of a felony to the criminal court and he was absent on the day of the hearing, after being legally notified of the committal order and the summons, the court may issue a default judgment, and may adjourn the case and order to re-summon such accused person. (Amended by virtue of Law No. 535 of the year 1953).
Part III / Chapter III	Criminal Procedures in Felonies for Absent Defendants	385	Repealed by virtue of Law No. 535 of the year 1953.
Part III / Chapter III	Criminal Procedures in Felonies for Absent Defendants	386	The committal order shall be first read out in hearing, followed by the documents proving the notification of the accused . The Public Prosecution, and the civil rights claimant if any, shall present their statements and pleadings. The court shall hear the witnesses if deemed necessary, then issue a judgment on the case. (Amended by virtue of Law No. 353 of the year 1953).
Part III / Chapter III	Criminal Procedures in Felonies for Absent Defendants	387	If the accused person resides outside Egypt, the committal order and the summons notice shall be served upon him at his residence address if known, at least one month before the date set to hear the case, excluding travel time. If such person does not appear after being summoned, a judgment may be rendered in his absence.
Part III / Chapter III	Criminal Procedures in Felonies for Absent Defendants	388	No one may appear before the court to defend or act on behalf of the absent accused person; however, an attorney, a relative or an in-law of such accused may appear before the court and provide his excuse for not attending. If the court deems such excuse acceptable, it shall set a date for the accused to be appear before such court.
Part III /	Criminal Procedures in	389	Repealed by virtue of Law No. 353 of the year 1953.

Author 4/17/2014 6:11 PM
Comment [7]: Is there a clerical error here? Please refer to the highlighted law in Art. 385 above

Author 4/17/2014 6:11 PM
Comment [8]: Same as above comment

Chapter III	Felonies for Absent Defendants		
Part III / Chapter III	Criminal Procedures in Felonies for Absent Defendants	390	Every judgment issued by convicting the accused in his absence shall categorically require that such accused be prevented from disposing of or managing his funds, or from filing a lawsuit in his name. Any act or commitment undertaken by the convicted person shall be proprio motu void. The court of first instance, where the funds of the convicted person are within the jurisdiction thereof, shall appoint a syndic to manage such funds upon a request from the Public Prosecution, or any other stakeholder. The court may oblige the appointed syndic to submit a surety, to report to the said court in all matters related to a sequestration, and to produce an account statement to the same.
Part III / Chapter III	Criminal Procedures in Felonies for Absent Defendants	391	The sequestration shall end upon the issuance of a judgment in presence on the case, or upon the actual or legal death of the accused pursuant to the Personal Status Law. After the sequestration ends, the receiver shall submit an account of the management of the said funds.
Part III / Chapter III	Criminal Procedures in Felonies for Absent Defendants	392	All executable sentences of default judgment shall be enforced.
Part III / Chapter III	Criminal Procedures in Felonies for Absent Defendants	393	The judgment awarding damages may be enforced from the time of its issuance. The civil rights claimant must provide a surety, unless otherwise stated in the judgment, or the court of first instance shall decide to exempt such claimant therefrom. The surety term shall end upon the lapse of five years from the date of issuing the judgment.
Part III /	Criminal Procedures in	394	The default judgment issued by the criminal court in a felony

Chapter III	Felonies for Absent Defendants		may not expire by the lapse of the term thereof; whereas the sentence attached thereto shall expire, and thereupon the judgment shall be final.
Part III / Chapter III	Criminal Procedures in Felonies for Absent Defendants	395	If the person convicted in absentia appears, or is arrested before the expiration of his sentence due to the lapse of its term, the judgment issued shall categorically become void, with regard to the sentence or the damages, and the case shall be re-tried before the court. If the damages awarded in the judgment were executed, the court shall order the return of all or some of the sums of money received. If the person sentenced deceases while he was absent, the awarded damages shall be reconsidered against the heirs of the deceased.
Part III / Chapter III	Criminal Procedures in Felonies for Absent Defendants	396	The absence of an accused may not result in the delay of the judgment on the case with regard to other co-accused .
Part III / Chapter III	Criminal Procedures in Felonies for Absent Defendants	397	If the accused in a misdemeanor filed at the criminal court is absent, the procedures applicable before the court of misdemeanor shall apply, and the judgment issued thereby can be opposed.
Book III / Part I	Ways of Challenging Judgments	398	Opposing default judgments issued in petty offenses and misdemeanors shall be accepted from the accused or the civil rights respondent, within ten days following their notification of such default judgment, excluding legal travel time. The service may be made by a summary of the judgment on the form designated by the Minister of Justice (Amended by virtue of Law No. 170 of the year 1981, then by virtue of Law No. 15 of the year 1983). Nevertheless, if the notice is not served on the accused in person, the date of opposing the judgment, with

			regard to the sentence imposed, shall begin from the day him acknowledging such notice; otherwise, the opposition may be permitted until the expiration of the case due to the expiry of its term. The notice of default judgments and such judgments considered to have been made in presence pursuant to Articles 238 to 241, shall be served by a public officer in the circumstances provided for in the second paragraph of Article 234.
Book III / Part I	Ways of Challenging Judgments	399	Opposition may not be accepted from the civil rights claimant.
Book III / Part I	Ways of Challenging Judgments	400	Opposition shall take place by way of a report deposited at the registry of the court wherefrom the judgment was issued. Such report shall specify the session date for hearing the opposition and shall be deemed a notice served upon the public prosecution, even if the report was submitted by an attorney. The Public Prosecution must summon the rest of the parties to the case and notify the witnesses to attend the said hearing. (Replaced by virtue of Law 170 of the year 1981).
Book III / Part I	Ways of Challenging Judgments	401	Opposing the judgment shall result in re-hearing the case, with respect to the opposition made before the court that issued the default judgment. The opposing party may not be harmed in any way based on his opposition. However, if such person does not attend the hearing set to re--consider the case, the opposition shall be deemed as has never been submitted; in such case, the court may impose on the said person a procedural fine not exceeding a hundred pounds in misdemeanors, and ten pounds in petty offenses. The court may order the provisional enforcement, with respect to the damages awarded in the judgment, even if such judgment has

			been appealed regarding the awarded damages, pursuant to Article 467 of the present law. Opposing a default judgment issued may not in any way be accepted from the person against whom the said default judgment was issued. In such case, the court may impose upon the said person a procedural penalty of no less than fifty pounds and not exceeding two hundred pounds in misdemeanors, and no less than ten pounds in petty offenses. (The second and third paragraphs of Article 401 were replaced by virtue of Law No. 174 of the year 1998, official gazette, issue No. 51 (bis), 20th December 1998).
Book III / Part II	Appeals	402	Both the accused and the Public Prosecution may appeal the judgment issued in criminal lawsuits from the magistrate court in misdemeanors. However, if the judgment is rendered in a misdemeanor punishable with a penalty not exceeding three hundred pounds, in addition to the restitution and expenses, such judgment may not be appealed unless for a violation of the law, an error in its application or interpretation, or in case a nullity occurred in the judgment or procedures compromising the same. Whereas the judgments issued in petty offenses may be appealed; 1- By the accused if the judgment included punishments other than the fines and expenses. 2- By the Public Prosecution, if it requested sentencing the accused with a punishment other than the fines and expenses, and the judgment acquitted the accused or issued a ordered other than what the Public Prosecution requested. With the exception of the above two cases, the appeal may not be filed by the accused or the Public Prosecution unless for a violation of law, an error in its application or interpretation, or in case a nullity occurred in the judgment or procedures compromising the

			same. (Amended by virtue of Law No. 107 of the year 1962, then replaced by virtue of Law No. 174 of the year 1998, issue No. 51 (bis), official gazette, 20th December 1998).
Book III / Part II	Appeals	403	Judgments issued in civil actions by the magistrate court in petty offenses and misdemeanors may be appealed by the civil rights claimant and respondent thereof, only in matters related to the civil rights claims, if the requested compensation exceeds the maximum sums on which the magistrate issues a final judgment.
Book III / Part II	Appeals	404	Judgment issued in non-severable interrelated crimes, in accordance with Article 32 of the Penal Code, may be appealed, even if the appeal is admissible, from the appellant, regarding only some of such crimes.
Book III / Part II	Appeals	405	It is not permitted to appeal against preparatory and preliminary judgments issued on secondary matters may not be appealed, before deciding on the subject matter of the case. Appealing the judgment issued on the subject matter of the case shall categorically result in appealing the said judgments; nevertheless, all judgments declaring want of jurisdiction may be appealed, as well as judgments affirming jurisdiction if the court had no jurisdiction to decide on the case.
Book III / Part II	Appeals	406	The appeal shall be made by depositing a report at the registry of the court wherefrom the judgment was rendered, within ten days from the date of pronouncing the judgment in presence or of serving the notice of default judgment, or from the date of ruling on the opposition in the cases where such is permitted. The Public Prosecution may appeal within thirty days from the date of issuing the judgment, and may report the appeal at the

			registry of the court competent to examine such appeal (Amended by virtue of Law No. 170 of the year 1981).
Book III / Part II	Appeals	407	The date to appeal default judgments as well as judgments deemed issued in the presence of the defendant, pursuant to Articles 238 to 241, shall commence from the date of serving the notice of the said judgment upon the accused.
Book III / Part II	Appeals	408	The court registry shall set for the appellant, in the appeal report, the date of a hearing in which the appeal shall be heard. Such shall be deemed a notification of the said hearing even if the report was submitted by an attorney. Such date may not be set before the lapse of three full days from the date of reporting the appeal at the court registry, and the Public Prosecution shall summon the other litigants to appear. (Amended by virtue of Law No. 170 of the year 1981).
Book III / Part II	Appeals	409	If a litigant lodges an appeal in the specified ten days period, the appeal date shall be extended for five days, for other litigants having the right to appeal, as from the expiry of the mentioned ten days.
Book III / Part II	Appeals	410	The appeal shall be filed to the court of first instance within whose jurisdiction sits the court that issued the judgment. The appeal shall be submitted within thirty days, at most, to the circuit competent to hear appeals in petty offenses and misdemeanors. If the accused is detained, the Public Prosecution is obliged to transfer him in the appropriate time to the prison within proximity to the court of first instance, and the appeal must be expeditiously heard.
Book III / Part II	Appeals	411	A member of the circuit entrusted to decide on the appeal shall issue a report signed by him, this report must include a summary of the case facts, its circumstances, prosecution and

			defense evidence, and all secondary matters raised and procedures carried out. After the report is read out, and before such member who issued the report, or the rest of the tribunal members, express an opinion on the case, the statements of the appellant and the grounds whereupon his appeal is based shall be heard, followed by the rest of litigants who shall then shall have their saying, and the accused shall be the last person to talk. The court shall issue the ruling after taking cognizance of the case file.
Book III / Part II	Appeals	412	The appeal filed by the accused who is sentenced by an enforceable custodial punishment shall expire, if such person does not turn himself to the authorities before the hearing in which the case shall be heard. However, the court may, when hearing the appeal, order to provisionally suspend the punishment, or releasing the convicted on bail or otherwise, until a decision is reached on the appeal (Amended by virtue of Law No. 174 of the year 1998, official gazette, issue No. 51 (bis), 20th December 1998).
Book III / Part II	Appeals	413	The court of appeal shall hear by itself, or delegate a judge to hear the witnesses who should have been heard before the court of first instance, and shall correct all other flaws that occurred in the investigation procedures. In all cases, it may order further investigation or the hearing of the witnesses, as it deems necessary. no witness maybe summoned unless upon an order so requiring to be issued by the court.
Book III / Part II	Appeals	414	The court of appeal shall, upon finding that the incident in question is a felony or a misdemeanor committed by means of newspapers or other publishing media against non-individuals, rule that it lacks jurisdiction and shall refer the case to the

			Public Prosecution to take the necessary actions. (Amended by virtue of Law No. 107 of the year 1962).
Book III / Part II	Appeals	415	Repealed by virtue of Law No. 107 of the year 1962.
Book III / Part II	Appeals	416	If the judgment awarding damages is revoked, and has been temporarily executed, such payment must be restituted upon the said revocation judgment.
Book III / Part II	Appeals	417	If the appeal is filed by the Public Prosecution, the court may uphold, revoke, or amend the judgment, in favor or against the accused. The sentence imposed may not be aggravated, and the judgment issued for acquittal may not be revoked, unless a unanimous opinion is reached by the members of the tribunal; whereas if the appeal was filed by a party other than the Public Prosecution, the court may only uphold or amend the judgment in favor of the appellant. The court may if, it rules that the appeal has expired or decides to not accept or reject the appeal, order the appellant to pay a penalty not exceeding five pounds. (Amended by virtue of Law No. 107 of the year 1962).
Book III / Part II	Appeals	418	The provisions adopted before the courts of first instance regarding default judgments and the opposing thereof shall apply where such is before the court of appeal all follow the rules provided for in upper courts.
Book III / Part II	Appeals	419	If the court of first instance decides on the subject matter of the case, and the court of appeal establishes that there is a nullity of proceedings or judgment, the latter court may rectify such nullity and decide on the case. Whereas if the court of first instance decides that it lacks jurisdiction or decides for the acceptance of a secondary plea that results in the suspension of the case proceeding, and the court of appeal revokes the

			judgment and affirms the jurisdiction of the court of first instance, or rejects the secondary plea and orders the hearing of the case to be resumed, such court of appeal must return the case to the court of first instance to decide on the subject matter of the case.
Book III/ Part IV	Recognizance	441	Recognizance of final judgments sentencing punishments in criminal articles and misdemeanors may be requested in the following cases: 1) If the defendant has been convicted of a crime of murder then the plaintiff finds the person alive. 2) If a judgment is made against a person for a specific act then a judgment is made against another person for the exact same act and the two judgments are in contradiction to one another where the innocence of the person convicted can be deduced. 3) If the witnesses or experts are sanctioned for perjury in accordance with the provisions of Part VI of Book III of the Penal Code or if a judgment is issued deeming one of the documents presented during the lawsuit forged and the testimony, report of the expert or document had an impact on the judgment. 4) If the judgment was based on a judgment made by a civil court or a personal status court and the judgment had been vacated. 5) If any incidents became apparent or occurred after the judgment has been made or if any documents have been presented that were not known of during the trial and such incidents or documents can prove the innocence of the person convicted.
Book III/ Part IV	Recognizance	442	In the first four cases specified under the abovementioned article, the Public Prosecution and the person convicted or the legal representative thereof, if said is not of legal capacity or is lost or the relevant relatives or spouse after the demise

			thereof, are entitled to request recognizance of the final judgment. If the person making the request is someone other than the prosecution, said shall submit the request to the Attorney General by means of a petition stating the judgment necessitating recognizance and the grounds for the request. The request shall be accompanied by supporting documents. The Attorney General shall submit the request, be such made thereby or by another person, along with the investigations deemed necessary thereby to the Court of Cassation by virtue of a report stating the opinion and justifications thereof. The request shall be submitted to the Court within a three-month period following the submission thereof.
Book III/ Part IV	Recognizance	443	In the fifth case under article 441, the right to request recognizance of the final judgment shall be to the Attorney General alone, whether directly or on the request of the persons concerned. If deemed relevant by the Attorney General, the request shall be submitted with the investigations deemed necessary thereby to a committee constituted comprising one of the justices of the Court of Cassation and two of the justices of the Court of Appeal appointed by the general assembly of the relevant court. The request shall specify the incident or document upon which the Attorney General has made the request thereof. The Committee shall decide on the request upon reviewing the documents and completing the necessary investigations and shall refer the matter to the Court of Cassation if deemed valid. No appeal against the decision made by the Attorney General or by the Committee referred to with respect to accepting or not accepting the request shall, by any means, be deemed

			acceptable (amended by Law No.107 of the year 1962).
Book III/ Part IV	Recognizance	444	The Attorney General shall not, from the defendant or from any person acting on behalf thereof, in the first four cases specified under article 441, accept a request of recognizance unless the person making the request deposits a sum of five Egyptian pounds at the treasury of the court as a guarantee to cover the fine specified under article 449, except if exempt therefrom by virtue of a decision made by the Judicial Assistance committee at the Court of Cassation.
Book III/ Part IV	Recognizance	445	The Public Prosecution shall notify the litigants of the session scheduled for cognizance of the request before the Court of Cassation at least three full days prior to the convention of the session.
Book III/ Part IV	Recognizance	446	The Court of Cassation shall decide on the request after hearing the statements of the Public Prosecution and the litigants and after conducting the necessary investigations directly or by means of an entity appointed thereto. If the Court deems the request valid, the Court shall vacate the judgment and rule the defendant innocent, if the innocence thereof is apparent, otherwise the Court of Cassation shall refer the case to the court that has made the judgment constituted of new judges to decide on the matter if said does not consider doing so directly. Nevertheless, if a retrial is not possible, such as in case of death or dementia of the person convicted or in case of abatement of the criminal lawsuit by reason of expiration of the statute of limitations, the Court of Cassation shall take cognizance of the lawsuit and shall not vacate any part of the judgment unless what said deems incorrect.
Book III/	Recognizance	447	If the person convicted becomes deceased and the request has

Part IV			not been made by any of the relevant relatives or the spouse thereof, the Court shall take cognizance of the lawsuit facing someone appointed thereby for the defense of the memory of the deceased. Said shall, to the best extent possible, be a relative. In such case, the Court shall rule the elimination of anything that may tarnish the memory of the deceased.
Book III/ Part IV	Recognizance	448	A request for recognizance shall not entail a stay on execution if the sentence is capital punishment.
Book III/ Part IV	Recognizance	449	In the first four cases stipulated under article 441, if the person requesting recognizance is someone other than the Attorney General, said shall be fined a sum of money not exceeding five Egyptian pounds if the request thereof is not accepted.
Book III/ Part IV	Recognizance	450	Any acquittal resulting from recognizance shall, at the expense of the government, be published in the Official Gazette based on the request of the Public Prosecution and in two other newspapers specified by the person concerned.
Book III/ Part IV	Recognizance	451	A vacation of the appealed judgment shall entail an abatement of any damages and a redemption of any funds spent therefrom without prejudice to the rules governing the extinguishment of rights due to the expiration of the statute of limitations.
Book III/ Part IV	Recognizance	452	If the request for recognizance is denied, the request may not be renewed on the grounds of the same facts.
Book III/ Part IV	Recognizance	453	Judgments made based on a request for recognizance other than such made by the Court of Cassation may be appealed by all means prescribed by law. No convicted person may be sentenced to a punishment more severe than the punishment previously sentenced.
Book III/	Power of final judgments	454	Abatement of a criminal lawsuit filed against a defendant and

Part V			termination of the incidents established thereagainst shall be by virtue of a final judgment of acquittal or conviction. If a judgment is made with respect to the criminal lawsuit, the judgment may not be subject to recognizance unless if appealed as prescribed by law.
Book III/ Part V	Power of final judgments	455	After a final judgment is made, no criminal lawsuit may be reverted as a result of appearance of new evidence or new circumstances or as a result of a change in the description of the crime.
Book III/ Part V	Power of final judgments	456	A criminal judgment made by the Criminal Court on a criminal lawsuit sentencing an acquittal or conviction shall, before civil courts, have the power of a sentenced judgment in lawsuits that have not been settled finally with respect to the commission of a crime, the description thereof and imputation to the perpetrator and a sentence of acquittal shall have such power whether based on the abatement of the accusation or insufficiency of evidence. Such power shall not apply if the act is not punishable by law.
Book III/ Part V	Power of final judgments	457	Judgments made by civil courts shall not, before criminal courts, have the power of the sentenced judgment with respect to the commission of the crime and imputation to the perpetrator thereof.
Book III/ Part V	Power of final judgments	458	Judgments made by personal status courts shall, within the jurisdiction thereof and before criminal courts, have the power of sentenced judgments with respect to matters upon which settlement of criminal lawsuits depend.
Book IV/ Part I	Enforceable judgments	459	No punishment prescribed by law may be enforced unless by virtue of judgment made by a competent court.
Book IV/	Enforceable judgments	460	Unless otherwise prescribed by law, sentences issued by

Part I			criminal courts shall not be executed unless the judgment is final.
Book IV/ Part I	Enforceable judgments	461	Judgments made in criminal lawsuits shall, in accordance with the provisions of the present Law, be executed based on a request made by the Public Prosecution. Judgments made in civil lawsuits shall, in accordance with the provisions of the civil and commercial articles of the Procedural Law, be executed based on a request made by the civil rights plaintiff.
Book IV/ Part I	Enforceable judgments	462	The Public Prosecution shall embark on the execution of enforceable judgments issued in criminal lawsuits. When necessary, the Public Prosecution may seek the direct assistance of the military force.
Book IV/ Part I	Enforceable judgments	463	Judgments issued sentencing the payment of fines and expenses shall immediately be enforceable, even if appealed. Sentences of incarceration for an act of stealing and judgments against repeat offenders or defendants with no fixed place of residence within Egypt as well as other cases shall also be immediately enforceable if the defendant is sentenced to incarceration, unless said guarantees that said will not appeal the judgment and will not flee from the sentence. Any judgment issued in such cases sentencing a punishment of incarceration shall specify an amount of bail. If the plaintiff is in temporary detention, the court may order the execution of the sentence on a temporary basis. Upon sentencing damages payable to the civil rights plaintiff, the court may order a temporary execution, even with an appeal, in accordance with the provisions of article 467.
Book IV/ Part I	Enforceable judgments	464	Freedom-restricting ancillary punishments shall be executed with a punishment of incarceration if the punishment of

			incarceration is executed in accordance with the abovementioned article.
Book IV/ Part I	Enforceable judgments	465	A temporarily detained defendant shall immediately be released if the judgment issued is a judgment of acquittal or a judgment sentencing another form of punishment that does not necessitate incarceration, if a stay on execution is ordered or if the defendant has been detained temporarily for a period of time equivalent to the period of time sentenced for punishment.
Book IV/ Part I	Enforceable judgments	466	In cases other than the aforementioned cases, a stay on execution shall be effective during the period of time prescribed under article 406 for appeal and during cognizance of an appeal filed during the time specified.
Book IV/ Part I	Enforceable judgments	467	A judgment in abstentia may be executed if not objected by the person convicted within the period of time specified under paragraph one of article 398. Upon issuing a judgment giving guarantees to the civil rights plaintiff, the court may order a temporary execution with bail, even if all or part of the sum of money sentenced is objected to or appealed against. The court may also exempt the party in favor of whom the sentence was issued from bail.
Book IV/ Part I	Enforceable judgments	468	When issuing a judgment in abstentia sentencing incarceration for a one-month period or more, the court may, if the defendant has no specific place of residence within Egypt or if sentenced to temporary detention, order the arrest and imprisonment thereof based on a request made by the Public Prosecution. In execution of the order the defendant shall, upon arrest, be imprisoned until a sentence is issued in the objection filed thereby or the period of time for objection

			elapses. The defendant, by no means, may remain in prison for a period of time exceeding the period of time sentenced thereagainst. All such shall apply unless the court before which the objection is filed releases the defendant prior to issuing a judgment therein.
Book IV/ Part I	Enforceable judgments	469	An appeal by challenge shall not entail a stay on execution unless in sentences of capital punishment or if the judgment is made with respect to jurisdiction as in the case stated under the last paragraph of article 421.
Part II	Executing the death penalty	470	Whenever a judgment sentencing capital punishment becomes final, the documents of the case shall immediately be submitted to the President of the Republic through the Minister of Justice. The sentence shall be executed if no pardon is ordered or if no order is issued to change the punishment within a fourteen-day period.
Part II	Executing the death penalty	471	A convicted person sentenced to capital punishment shall be placed in prison based on an order issued by the Public Prosecution on a form specified by the Minister of Justice until the capital punishment is executed.
Part II	Executing the death penalty	472	The relatives of a person sentenced to capital punishment may meet therewith on the day specified for the execution of the sentence provided that such is done far from the place of execution. If the religion embraced by the convicted person necessitates that said make a confession or perform any other religious rituals prior to dying, the necessary measures shall be taken to facilitate a meeting thereof with a man of God.
Part II	Executing the death penalty	473	The execution of a capital punishment shall be within the premises of the prison or in any other concealed place based on the written request of the Attorney General stating the

			fulfillment of the procedures stipulated under article 470.
Part II	Executing the death penalty	474	Execution of a sentence of capital punishment shall be in the presence of one of the deputies of the Attorney General, the warden of the prison and the physician of the prison or any other physician appointed by the Public Prosecution. Persons other than the persons specified may not attend the process of execution unless with a special permission obtained for the Public Prosecution. The defense of the person sentenced shall always be permitted to attend. The pronouncement of the judgment issued sentencing the capital punishment and the crime for which the person convicted is sentenced shall be read in the place of execution of the capital punishment and before all the persons present. If the person convicted is willing to make a statement, the deputy of the Attorney General shall make a report thereof. After execution, the deputy of the Attorney General shall make a relevant report documenting the testimony of the physician confirming the death of the person convicted and the time of occurrence thereof.
Part II	Executing the death penalty	475	No capital punishment may be executed on official holidays and on religious holidays of the person sentenced thereto.
Part II	Executing the death penalty	476	A stay on execution shall be enforced on any pregnant woman until after a two-month period from the date of delivery thereof (amended by Law No.116 of the year 1955).
Part II	Executing the death penalty	477	The body of a person sentenced to capital punishment shall be buried on the expense of the government unless said has relatives requesting to so do. No ceremony shall be held for the burial.
Part III	Executing freedom-restricting sentences	478	The execution of judgments sentencing freedom-restricting punishments shall be within prisons set therefor by virtue of an

			order issued from the Public Prosecution on a form specified by the Minister of Justice.
Part III	Executing freedom-restricting sentences	479	Any person sentenced to incarceration for a period of time not exceeding a three-month period may, in accordance with the provisions of article 250 and the proceeding article, request to be labored outside the prison in lieu of being incarcerated unless the judgment issued denies the person convicted thereof.
Part III	Executing freedom-restricting sentences	480	The day on which execution of the punishment commences shall be included in the period of punishment and the person sentenced shall be released on the day following the day of completion of the punishment at the time specified for the release of prisoners.
Part III	Executing freedom-restricting sentences	481	If the person accused is sentenced to a twenty four-hour period of imprisonment, such period of time shall elapse on the day following the arrest thereof at the time specified for the release of prisoners.
Part III	Executing freedom-restricting sentences	482	The period of time for freedom-restricting punishments shall commence as of the day of the arrest of the person sentenced based on the enforceable sentence, without prejudice to reducing the period of time of temporary detention and arrest therefrom.
Part III	Executing freedom-restricting sentences	483	If a defendant is acquitted of a crime for which said has been detained temporarily, the period of time of temporary detention shall be reduced from any other period of time to which said is sentenced in any other crime committed thereby or having been investigated during the period of temporary detention.
Part III	Executing freedom-	484	Reducing the period of time of temporary detention shall, for

	restricting sentences		multiple freedom-restricting punishments sentenced against the defendant, be from the lesser punishments first.
Part III	Executing freedom-restricting sentences	485	If a female sentenced to a freedom-restricting punishment is six months pregnant, execution of the sentence may be postponed until after delivery and two months of feeding. If execution is deemed necessary or it becomes apparent thereduring that the female is pregnant, said shall be subject to the treatment of persons detained temporarily until the period of time specified under the abovementioned paragraph elapses.
Part III	Executing freedom-restricting sentences	486	If a person sentenced to a freedom-restricting punishment has a life-threatening illness or if execution of the sentence will put the life thereof in jeopardy, execution of the punishment may be postponed.
Part III	Executing freedom-restricting sentences	487	If a person sentenced to capital punishment develops insanity, execution of the punishment shall be postponed until said is cured. The Public Prosecution may order the placement of said person in a mental facility, in which case the period of time spent is such facility shall be reduced from the sentence thereof.
Part III	Executing freedom-restricting sentences	488	If two spouses are sentenced to imprisonment for a period of time not exceeding a one-year period, even if for different crimes, and said have not been previously imprisoned, the punishment sentenced on one of the spouses may be postponed until the release of the other if said are guardians of a child not exceeding exactly fifteen years of age and said have a known place of residence in Egypt.
Part III	Executing freedom-restricting sentences	489	The Public Prosecution may, in cases where it is permissible to postpone the execution of a punishment on a person convicted, request the person to post bail for not fleeing from serving the

			sentence when the reason for postponement no longer exists. The amount of bail shall be estimated under the order of postponement. The Public Prosecution may, against postponement of execution, also stipulate that necessary precautions be taken guaranteeing the prevention of the person convicted from fleeing.
Part III	Executing freedom-restricting sentences	490	In cases other than such specified by law, no convict may be released prior to the elapse of the period of punishment thereof.
Part V	Payment of sentenced sums of money	505	Upon settlement of sums of money payable to the government for fines, refunds, damages and expenses, the Public Prosecution shall, prior to execution, notify the person sentenced of the sum of money unless estimated in the judgment.
Part V	Payment of sentenced sums of money	506	Sums of money payable to the government may be collected by the means specified under the Civil and Commercial Procedure Law or by the administrative means set for the collection of government funds.
Part V	Payment of sentenced sums of money	507	If the person accused fails to pay the government the sum of money due thereto, the Public Prosecution shall issue an order of body execution in accordance with the provisions of article 511 and the proceeding article.
Part V	Payment of sentenced sums of money	508	If a judgment has been made sentencing the payment of a fine, refunds, damages and expenses at the same time and the funds of the person sentenced are not sufficient to cover such payment, relevant funds shall be distributed among persons entitled thereto in the following order: 1) Expenses payable to the government. 2) Money payable to the civil plaintiff. 3) Fines, refunds and damages payable to the government. If a

			person is detained temporarily and is sentenced only to the payment of a fine, a ten-cent amount shall, upon execution, be deducted for each day of detention. If a person is sentenced to incarceration and the payment of a fine at the same time and the period of time said has spent in temporary detention exceeds the period of time sentenced, the abovementioned sum shall, from the fine, be deducted for each extra day of incarceration.
Part V	Payment of sentenced sums of money	509	If a person is in temporary detention and is sentenced only to the payment of a fine, a five-pound sum shall be deducted therefrom upon execution for each day of temporary detention. If a person is sentenced to incarceration and the payment of a fine at the same time and the period of time said has spent in temporary detention exceeds the period of time sentenced, the abovementioned sum shall, from the fine, be deducted for each extra day of incarceration (amended by Law No.174 of the year 1998 – the Official Gazette, issue #51 (bis), issued on 20th December 1998).
Part V	Payment of sentenced sums of money	510	The judge of the District Court in the jurisdiction where the sentence is being executed may, in exceptional cases, grant the defendant, based on a request made thereby and after taking the opinion of the Public Prosecution, a period of time to make payment over installments provided that the period of time does not exceed a nine-month period. The order issued accepting or denying the request may not be appealed. If the defendant is late in making payment of the installments, the remaining installments shall be due and the judge may withdraw the order thereof if deemed necessary.
Part VI	Body execution	511	Body execution may, against the perpetrator of a crime, be

			exercised to collect funds entitled to the government and emanating from the commission of the crime. Body execution shall be by means of imprisonment for a period of time estimated at one day against each five Egyptian-pound sum or less. Nevertheless, under articles of petty offenses, the period of body execution shall not exceed a five-day period for fines and a seven-day period for expenses, refunds and damages. Under articles of misdemeanors and crimes, the period of body execution shall not exceed a three-month period for expenses, refunds and damages (amended by Law No.29 of the year 1982 followed by Law No.174 of the year 1998 – the Official Gazette, issue #51 (bis), issued on 20th December 1998).
Part VI	Body execution	512	Body execution may not be resorted to with respect to convicts who, at the time of commission of the crime, have not completed fifteen years of age or on convicts sentenced to imprisonment with a stay on execution.
Part VI	Body execution	513	The provisions of articles 485 – 488 on resorting to body execution shall apply.
Part VI	Body execution	514	In the event of multiple judgments all issued in acts of petty offense, misdemeanor or crime, execution shall be in the value of the total sum of money sentenced. In such case, the period of body execution shall not exceed double the maximum limit in misdemeanors and crimes and twenty one days in petty offenses. If the acts of crime differ in nature, the maximum limit prescribed for each act shall be taken into consideration. The period of body execution shall, by no means, exceed a six-month period for fines and a six-month period for expenses, refunds and damages.
Part VI	Body execution	515	If the crimes for which a sentence was issued differ in nature,

			the sums of money paid or collected by way of execution on the assets of the person convicted shall first be reduced from the sums of money sentenced in crimes, followed by misdemeanors, followed by petty offenses.
Part VI	Body execution	516	Body execution shall be by virtue of an order issued by the Public Prosecution on the form specified by the Minister of Justice. Execution shall commence at any time as of the time of notification of the defendant, in accordance with article 505 and after said has served the sentenced time for all freedom-restricting punishments.
Part VI	Body execution	517	Body execution shall cease once the sum of money equivalent to the time spent by a sentenced person in body execution, calculated in accordance with the abovementioned articles, is equal to the sum of money demanded after reducing what has been paid by said person or collected therefrom from execution on relevant property.
Part VI	Body execution	518	No person convicted shall, by body execution, be discharged from payment of the expenses, refunds and damages and no discharge from the payment of fines shall apply unless against a five Egyptian-pound sum for each day (replaced by Law No.29 of the year 1982 – the Official Gazette, issue #16, issued on 26th April 1982 then amended by Law No.174 of the year 1988 – the Official Gazette, issue #51 (bis), issued on 20th December 1998).
Part VI	Body execution	519	If the person convicted fails to execute the sentence issued in favor of a party other than the government ordering the payment of damages after being notified to so do, the Court of Misdemeanors having jurisdiction over the location thereof may sentence said to body execution for a period of time that

			shall not exceed a three-month period. No reductions shall be made from the damages against body execution in such case and a lawsuit may be filed by the person in favor of whom the sentence was issued by virtue of the traditional means.
Part VI	Body execution	520	The person convicted may, at any point in time, prior to the issuance of the order of body execution, request the Public Prosecution to replace such with handy work or manufacturing work assigned thereto.
Part VI	Body execution	521	The person convicted shall, for a government entity or municipality, perform such work against no recompense for a period of time equivalent to the sentenced period of time of body execution. The types of work in which a person convicted can work and the administrative entities prescribing such work shall be specified by virtue of an order issued from the competent minister. No person convicted may be employed outside the city in which said resides or outside the district to which said belongs. The work offered daily to the person convicted shall take into consideration the ability thereof to complete the work within a six-hour period according to the physical build thereof.
Part VI	Body execution	522	Any person convicted upon whom article 520 is applicable but fails to appear at the place of work thereof, is absent therefrom or fails to complete the daily work assigned thereto with no justifiable cause accepted by the administration shall be sent to prison to serve the body execution originally sentenced thereupon. Labor completed thereby shall be reduced from the period of time of body execution. A person convicted who has chosen labor in lieu of serving body execution shall, unless beneficial work in which said can perform exists, serve body

			execution.
Part VI	Body execution	523	A five Egyptian-pound sum of money against each day of labor shall, from the fines, refunds, damages and expenses, be deducted from the sum of money payable to the government (replaced by Law No.29 of the year 1982 – the Official Gazette, issue #16, issued on 26th April 1982 then amended by Law No.174 of the year 1988 – the Official Gazette, issue #51 (bis), issued on 20th December 1998).
Part VII	Problems in execution	524	Any problem demonstrated by the person convicted with respect to execution shall be referred to the Criminal Court if the judgment is issued therefrom or to the misdemeanors court of appeal in any other case. In both cases, jurisdiction shall be to the court that has local jurisdiction in taking cognizance of the lawsuit having problems in the execution of the sentence thereof (amended by Law No.107 of the year 1962 – then replaced by Law No.170 of the year 1981).
Part VII	Problems in execution	525	The dispute shall, immediately, be brought before the court by means of the Public Prosecution and the persons concerned shall be notified of the court session scheduled to hear the dispute. The court shall take a decision in the matter in the Consultation Chamber thereof upon hearing the statements of the Public Prosecution and the persons concerned. The court may conduct investigations deemed necessary thereby and may, in all cases, order a stay on execution until the dispute is settled. When necessary, the Public Prosecution may, prior to referring the dispute to court, put a temporary stay on execution.
Part VII	Problems in execution	526	If the dispute is over the identity of the person convicted, the dispute shall be settled by the means and circumstances

			prescribed under the abovementioned two articles.
Part VII	Problems in execution	527	In the event of the execution of financial sentences with respect to the assets of the person convicted, if a dispute arises from some person other than the person convicted with respect to the funds subject to execution of the judgment, the matter shall, in accordance with the provisions of the Procedural Law, be referred to the Civil Court.
Part VIII	Abatement of the punishment as a result of the statute of limitations and the death of the person convicted	528	The statute of limitations for crimes shall expire with the elapse of a twenty-year Gregorian period except for capital punishments where expiration shall be with the elapse of a thirty-year period. The statute of limitations for misdemeanors shall expire with the elapse of a five-year period and for petty offense shall expire with the elapse of a two-year period.
Part VIII	Abatement of the punishment as a result of the statute of limitations and the death of the person convicted	529	The period of prescription shall commence as of the time the judgment has become final unless judgment has been made in absentia by the Criminal Court in a misdemeanor, in which case the period of prescription shall commence as of the day the judgment is issued.
Part VIII	Abatement of the punishment as a result of the statute of limitations and the death of the person convicted	530	The period of prescription shall be interrupted by the arrest of a person convicted and sentenced to a freedom-restricting punishment and by each measure of execution taken in the confrontation thereof or being known thereto.
Part VIII	Abatement of the punishment as a result of the statute of limitations and the death of the person convicted	531	With the exception of the articles of petty offenses, the period of prescription shall also be interrupted if during such period the person convicted commits a crime similar to or the same as the crime for which said was sentenced.
Part VIII	Abatement of the	532	Any matter preventing the execution of the sentence, whether

	punishment as a result of the statute of limitations and the death of the person convicted		legal or physical, shall suspend the period of prescription. If the person convicted is abroad, shall be deemed a matter preventing the enforcement of the period of prescription (replaced by Law No.80 of the year 1997 – the Official Gazette, issue #21 (bis), issued on 25 May 1997).
Part VIII	Abatement of the punishment as a result of the statute of limitations and the death of the person convicted	533	No person sentenced to capital punishment or to hard labor in a crime of murder, attempted murder or beating to death may, after the expiration of the statute of limitations, reside in the area of jurisdiction of the administration or the governorate in which the crime was committed unless the head of the administration or the governor permits said to so do. Any violation shall subject the violator to imprisonment for a period of time not exceeding a one-year period. The head of the administration or the governor may order the permit null and void if deemed necessary and shall instruct the person convicted to find a new place of residence outside the area of jurisdiction of the administration or the governorate within a ten-day period. If the person convicted violates such orders, said shall be punishable by the punishment setforth. In all cases mentioned, the Minister of Interior may assign a place of residence for the person convicted in accordance with the special provisions of police surveillance.
Part VIII	Abatement of the punishment as a result of the statute of limitations and the death of the person convicted	534	Provisions prescribed for the elapse of time under the civil law with respect to sentenced damages, refunds and expenses shall be followed. Nevertheless, no body execution may be enforced after the expiration of the period of prescription.
Part VIII	Abatement of the punishment as a result of	535	In the event of the demise of the person convicted after a final judgment has been issued thereagainst, financial punishments,

	the statute of limitations and the death of the person convicted		damages, refunds and expenses shall be enforced on the estate thereof.
Part IX	Rehabilitation	536	Any person convicted of a crime or misdemeanor may be rehabilitated. A relevant sentence shall, upon the request of the person convicted, be issued from the Criminal Court having jurisdiction over the area where the place of residence thereof is located.
Part IX	Rehabilitation	537	For rehabilitation to be valid, the following shall apply: 1) The punishment must have been fully executed, pardoned or expired as a result of the period of prescription. 2) A six-year period must have elapsed as of the time of execution of the punishment or pardon therefrom, if the punishment is for a crime, or a three-year period, if the punishment is for a misdemeanor. The period of time shall be doubled in cases of return offenders and expiration of the period of prescription.
Part IX	Rehabilitation	538	If the person convicted was placed under the surveillance of the police after having served the original period of punishment, the time period shall commence as of the day the period of surveillance ends. If the person convicted has been released on parole, the period of time shall not commence except as of the date specified for the punishment to end or as of the date the act of release on parole becomes final.
Part IX	Rehabilitation	539	For a judgment of rehabilitation to be issued, the person convicted shall have paid all sentenced fines, refunds, damages or expenses. The government may overlook such condition if the person convicted is able to prove lack of means to fulfill such. If the person in favor of whom the damages, refunds or expenses were sentenced is unavailable or abstains from the

			acceptance thereof, the person sentenced shall deposit the money in accordance with the provisions of the civil and commercial articles of the Procedural Law. The person sentenced may redeem the money if a five-year period elapses without being requested by the person in favor of whom the judgment was issued. If the person sentenced was subject to a combined judgment, said shall pay only the share thereof in the debt. The court shall, when necessary, specify the share to be paid by the person sentenced.
Part IX	Rehabilitation	540	In the event a judgment is issued in a case of criminal bankruptcy, the requestor shall prove that said has received a judgment of commercial rehabilitation.
Part IX	Rehabilitation	541	If the requestor has received several sentences, said shall not receive a judgment of rehabilitation unless the conditions stipulated under the abovementioned articles have been fulfilled for each sentence provided that the most recent of sentences is taken into consideration when calculating the time period.
Part IX	Rehabilitation	542	A request for rehabilitation shall be presented by means of a petition to the Public Prosecution. The petition shall include the data necessary to identify the identity of the requestor, the date of the sentence issued thereagainst and the relevant places of residence since such time.
Part IX	Rehabilitation	543	The Public Prosecution shall conduct an investigation on the requestor with a view to confirming the dates of residence thereof in each place since the sentence was issued and the period of time of residency therein and to looking into the demeanor and livelihoods thereof. In general, the Public Prosecution shall find all the information deemed necessary

			thereby and shall attach the investigation to the request and submit such to the court within a three-month period following the making of the request by means of a report stating the relevant opinion and justifications thereof. The following shall be attached to the request: 1) A copy of the sentence issued against the requestor. 2) His criminal record. 3) A report on his behavior in prison.
Part IX	Rehabilitation	544	The court shall look into the request and make a decision thereon in the Consultation Chamber. The court may hear the statement of the Public Prosecution and may obtain all the information deemed necessary thereby. The requestor shall be notified to appear before court at least eight days prior to the holding of the relevant session. The judgment issued shall not be subject to appeal unless by challenging a mistake in the application or interpretation of the law. The circumstances and deadlines prescribed for the act of appealing by challenge shall apply.
Part IX	Rehabilitation	545	Upon fulfillment of the two conditions stated under article 537, the court shall issue a judgment of rehabilitation if the court deems that the demeanor of the requestor since the issuance of the sentence thereagainst suggests said has experienced self-improvement.
Part IX	Rehabilitation	546	The Public Prosecution shall send a copy of the judgment of rehabilitation to the court that has issued a sentence for endorsement on the margins thereof and shall order a relevant endorsement in the criminal record registry.
Part IX	Rehabilitation	547	A judgment of rehabilitation may only be issued once.
Part IX	Rehabilitation	548	If the request for rehabilitation is denied by reason of the demeanor of the person sentenced, the request may not be

			renewed unless upon the elapse of a two-year period. In other cases, the request may be renewed whenever the conditions necessary are fulfilled.
Part IX	Rehabilitation	549	A judgment of rehabilitation may be vacated if it becomes apparent that other sentences have been issued against the person convicted that were not known to the court or if the person convicted has been condemned in crime perpetrated before the judgment of rehabilitation. In such case, the judgment shall, based on the request of the Public Prosecution, be issued from the court that has ordered the rehabilitation.
Part IX	Rehabilitation	550	Rehabilitation shall, by virtue of law, be enforced if no sentence, that will be recorded in the criminal record registry, is issued against the convicted person during the following time periods for a crime or misdemeanor. 1) For persons convicted of a crime, misdemeanor, act of theft, hiding stolen items, swindling, betraying trust, forgery or attempt of any of such crimes and of the crimes stipulated under articles 335, 356, 367, and 368 of the Penal Code, upon the elapse of twelve-year period as of the time of serving punishment, pardon or expiration (amended by Law No.271 of the year 1955). 2) For persons convicted of a misdemeanor in cases other than the cases stated, upon the elapse of a six-year period as of the time of serving punishment, unless the judgment has deemed the person convicted a repeat offender or in the event of the expiration of the statute of limitations, in which case the time period will be a twelve-year period.
Part IX	Rehabilitation	551	If the person convicted has received several sentences, such shall not be subject to rehabilitation by virtue of the law unless the conditions of each sentence stipulated under the

			abovementioned article have been fulfilled provided that the most recent of sentences is taken into consideration when calculating the time period.
Part IX	Rehabilitation	552	Rehabilitation shall entail an elimination of the of the convicting judgment with respect to the future and an obliteration of all consequential loss of legal capacity, depravation of rights and all criminal impacts.
Part IX	Rehabilitation	553	Rehabilitation of others shall not be used as a pretext with respect to the rights entitled thereto from the conviction, especially with respect to repayment and damages.
General Provisions	Procedures to be followed in the event of loss of documents or judgments	554	If the original copy of the judgment is lost prior to the execution thereof or if all or part of the investigation documents are lost prior to a decision being issued therein, the procedures prescribed under the following articles shall apply.
General Provisions	Procedures to be followed in the event of loss of documents or judgments	555	If an official copy of the judgment is found, such copy shall substitute the original copy. If the official copy is under the possession of a person or entity, the Public Prosecution shall issue an order from the chief justice of the court that has issued the judgment ordering the submission of such copy. The person from whom the official copy has been taken may request a true copy free of charge.
General Provisions	Procedures to be followed in the event of loss of documents or judgments	556	The loss of the original copy of the judgment shall not entail a retrial when the means of appeal have been exhausted.
General Provisions	Procedures to be followed in the event of loss of documents or judgments	557	If the Court of Cassation is taking cognizance of the case and obtaining a copy of the judgment has not been possible, the court shall rule a retrial when all prescribed measures of appeal have been fulfilled.
General	Procedures to be followed	558	If all or some of the investigation documents are lost prior to

Provisions	in the event of loss of documents or judgments		the issuance of a decision therein, an investigation shall, for the parts where documents have been lost, be re-conducted. If the case is filed before court, the court shall conduct the investigations deemed necessary thereby.
General Provisions	Procedures to be followed in the event of loss of documents or judgments	559	If all or some of the investigation documents are lost and the judgment is available and the case is heard before the Court of Cassation, the procedures shall not be repeated unless the Court deems such necessary.
General Provisions	Calculating time periods	560	All time periods stated under the present Law shall be calculated based on the Gregorian calendar.