

**PALESTINIAN NATIONAL AUTHORITY
MINISTRY OF JUSTICE
LEGAL DEVELOPMENT PROJECT**

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**PENAL PROCEDURE CODE
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**PART ONE
PENAL ACTION & COMPILATION OF EVIDENCE & INVESTIGATION**

**CHAPTER ONE
PENAL ACTION**

**SECTION ONE
Who May File A Penal Action**

Article (1)

Public Prosecution only shall have the right to file a penal action and initiate it. No other party may file such an action except as provided in this law.

No action may be stopped, waived, abandoned, obstructed or conciliated except as provided in this law.

Article (2)

The Attorney General himself, or a member of the Public Prosecution, may initiate the penal action. A person appointed from outside the Public Prosecution staff may perform the duties of the Attorney General according to law.

Article (3)

Public Prosecution shall revive the penal action if the injured party acts as a Plaintiff for safeguarding a civil right in accordance with the rules of law.

Article (4)

1. Public Prosecution may not conduct an inquiry or file a penal action, the initiation of which was suspended by law, on the basis of a complaint, civil allegation, request, or permit except through a written or oral complaint. The same applies in the case of a civil allegation submitted by the victim or his private attorney, and in the case of a permission or request submitted by the party concerned.
2. Actions which law restricts their initiation by a victim's complaint or allegation for a civil right may not be withdrawn until a final ruling is issued. If the victims are many, withdrawal shall not be valid unless approved by all of them. Withdrawal of a right by one of the victims shall be considered withdrawal of the rights of the other victims.
3. If the victims are many, a complaint filed by any one of them shall be valid. If the suspects are many and the complaint is filed against any one of them, it shall be considered as filed against all of them.

Article (5)

In all cases, when a victim or a person files a penal action on the basis of a complaint or claim, as required by law, to safeguard a civil right, it shall be done within three months from the date the victim knew of the offense and the offender. The exception shall be if the law stipulates otherwise.

Article (6)

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1. If the victim in the above article is under fifteen years of age, or has a mental disability, his guardian shall file the penal action. If the crime involves money, the lawsuit submitted by the guardian shall be accepted.
2. If there is a conflict of interest between the victim and the person representing him, or if there is no one to represent the victim, Public Prosecution shall represent him.

Article (7)

If the victim dies, the right to file a complaint is lost. If death occurs after the complaint has been filed, the progress of the lawsuit shall not be affected. The victim's right shall be transferred to his heirs except in cases of adultery where each of the Plaintiff husband's children shall withdraw the lawsuit filed against the offending husband, and the case shall be considered closed.

Article (8)

If a penal action is filed against any person, he shall be considered a suspect.

SECTION TWO
Abatement of a Penal Action

Article (9)

A penal action shall be considered abated in any of the following cases:

1. Death of the suspect.
2. Elapse of time.
3. General amnesty.
4. Issuance of a final ruling.
5. Annulment of the incriminating law.
6. Annulment of the other grounds prescribed by law.

Article (10)

Abatement of the penal action shall not be a justification for not confiscating the impounded materials, the possession of which is considered a crime. The party injured by the crime shall have the right to file a case for claiming reimbursement, compensation or recovering the expenses, unless this is not provided for in the law.

Article (11)

The civil action remains within the jurisdiction of the court considering the penal lawsuit. If the penal action was not filed, the competent civil court shall consider the civil action.

Article (12)

1. The penal action and the civil right action in criminal cases shall abate after ten years, misdemeanor cases shall abate after three years, and violation cases after one year, unless otherwise specified by law.
2. The period of limitations of a penal action in all cases shall be computed as of the latest action taken.
3. Without prejudice to the provisions stated in the two paragraphs above, the period for the withdrawal of a penal action regarding the crimes committed by public employees shall only commence from the date of uncovering the crime, termination of service, or withdrawal of the title.

Article (13)

The period of limitations shall cease with taking any of the measures for compiling evidence, investigation, indictment, or trial against the suspect, or if he was officially notified of such measures. The period shall

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become effective again as of the date it ceased. If the measures ceasing the period are numerous, the effective date shall be that of the last measure.

Article (14)

If a period ceases for one suspect, it shall also cease for the others even if no measures ceasing the period were taken against them.

Article (15)

The period during which a penal action is withdrawn shall continue in force under all circumstances.

Article (16)

Conciliation is possible in matters related to violations or misdemeanors that are penalized by the payment of a fine only. When preparing the minutes, the judicial investigation officer shall offer the suspect or his attorney the chance for conciliation and shall document this in his report. With respect to conciliation in misdemeanors, the Attorney General shall initiate such offer.

Article (17)

The suspect accepting conciliation shall pay, within fifteen days from the next day the offer for conciliation was made, an amount equivalent to a quarter of the maximum amount of the fine prescribed for the crime, or the minimum amount thereof, if available, or whichever is less.

Article (18)

A penal action shall be abated upon the payment of the conciliation amount. This shall not have an effect on the civil action.

CHAPTER TWO

Compiling Evidence and Filing the Action

SECTION ONE

Judicial Investigation Officers & Their Duties

Article (19)

1. Judicial investigation officers shall assume the responsibility for investigating crimes and criminals and compiling the necessary evidence.
2. Members of Public Prosecution shall assume judicial investigation each in his area of jurisdiction.

Article (20)

1. The Attorney General shall supervise the judicial investigators who shall be under his control with respect to the performance of their duties.
2. The Attorney General may ask the parties concerned to take disciplinary action against anyone violating work regulations or fails to perform his duties. Such action shall not prevent penal questioning.

Article (21)

Judicial investigators in their areas of jurisdiction shall be:

1. Police Directors and Heads in the Districts.
2. Officers and non-commissioned officers.

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3. Heads of Police and Security Centers.
4. Heads of sea and air boarding areas.
5. Detectives and criminal investigators.
6. Employees with powers vested with law officers by law.

Article (22)

Judicial investigators shall:

1. Accept incoming notifications and complaints regarding crimes and present them immediately to public prosecution.
2. Check, inspect, obtain the necessary clarifications for facilitating investigation, and seek the help of experts and witnesses without asking them to take the oath.
3. Take all the necessary steps for safeguarding the evidence of the crime.
4. Record all the measures taken in an official carrying their signatures and the signatures of those concerned.

Article (23)

Without prejudice to the provisions of Articles 16, 17 and 18 of this Law, the judicial investigators in charge shall refer the records and evidence of violations committed in the area of their jurisdiction to the competent court and shall follow up the case.

Article (24)

When a crime is committed, it shall be communicated to the Attorney General or to any judicial investigator, unless law requires that a complaint or request is necessary for initiating a penal action.

Article (25)

Any public employee or civil servant uncovering the commitment of a crime during the performance of his duties, or in the process of such performance, shall notify the authorities concerned, unless law requires that a complaint or request is necessary for initiating a penal action.

SECTION TWO

Being Caught in the Act

Article (26)

A suspect shall be considered caught in the act in one of the following cases:

1. When the crime is committed or after a short while of its commitment.
2. If the victim or members of the public run immediately after the offender yelling and shouting.
3. If the offender is caught after a short while carrying instruments, weapons, personal effects, papers, or any other things serving as evidence that he committed the crime or participated in it, or if traces or signs of the offense are found on him.

Article (27)

When an offender is caught in a crime or misdemeanor, the judicial investigator shall immediately move to the scene, after notifying the Attorney General, inspect the material evidence, safeguard it, keep the same condition in the site, the people, and anything that may lead to uncovering the facts. He shall listen to the statements of those present in the scene or anyone who may volunteer with information regarding the crime and the offender. The member concerned in the public prosecution shall immediately move to the scene after being informed of such a crime.

Article (28)

When moving to the scene where the offender is caught in the act, the judicial investigator shall prohibit the persons encountered in the scene from leaving the site or moving until recording of the facts is completed. He may also immediately summon anyone who could provide evidence on the crime.

Article (29)

Anyone who violates the provisions of the above article, or refrains from being summoned, shall be either imprisoned for a maximum period of one month or fined an amount not to exceed fifty Jordanian Dinars, or the equivalent in local currency. A competent court shall issue the relevant ruling.

SECTION THREE

Arresting the Offender

Article (30)

No one shall be arrested or imprisoned except by order from a legally authorized party. He shall also be treated with dignity and shall not be physically or morally hurt.

Article (31)

The judicial investigator may arrest, without a subpoena, any person present in the scene, with evidence of indictment, in the following situations:

1. If he is caught in the act of a crime or misdemeanor the penalty for which is imprisonment for a period exceeding six months.
2. If he opposes the judicial investigator while carrying out his duties, and if he runs or tries to run away from the place where he was legally arrested.
3. If he commits a crime or was accused of committing a crime in front of the judicial investigator and refuses to give his name or address, or does not have a known or permanent place of residence in Palestine.

Article (32)

1. If the suspect was not found in the cases stated in the above article, the judicial investigator shall be required to obtain a warrant of arrest and fetch him. The investigator shall document this in the report.
2. If there is enough evidence to accuse someone of committing a crime or a misdemeanor the penalty for which exceeds an imprisonment of six months, the judicial investigator may ask the Attorney General to issue a warrant of arrest.

Article (33)

Anyone who catches an offender in the act of a crime or misdemeanor for which he shall be arrested, may keep him in custody and deliver him to the nearest police station without waiting for a warrant of arrest from the Attorney General.

Article (34)

A person caught in the act for which the initiation of an action should be based on a complaint may not be arrested unless the person concerned authorizes the filing of a complaint. The complaint may be handed to the public prosecution officials present in the scene.

Article (35)

The judicial investigator shall immediately hear the statement of the arrested person. If he finds no justification for setting him free, he shall send him to the deputy attorney in charge within twenty-four hours.

Article (36)

If the person to be arrested resists or tries to escape, the judicial investigator may use all the necessary reasonable means to arrest him.

Article (37)

The judicial investigator, or any other person arresting a suspect, may disarm him and take away any tools from him and hand them to the party in charge where the arrested person shall be brought.

Article (38)

Any person, or a person asked for help, may render reasonable assistance to an authorized judicial investigator for arresting a person or preventing him from escaping.

Article (39)

1. In the cases where a suspect may be legally arrested, the judicial investigator may inspect him and make a list of the items taken. Both shall sign the list that shall be put in the designated place.
2. The arrested person shall be handed a copy of the list, if he so desires.

CHAPTER FOUR

On Inspection

Article (40)

1. Entering homes and inspecting them constitutes part of the investigation procedure. It can only be conducted on the basis of an order from the Public Prosecution Department and under its supervision or presence. Inspection shall be based on an accusation leveled to a person residing in the house to be inspected for committing a crime or a misdemeanor, or for participating in either, or for the existence of a strong evidence that the suspect possesses items related to the crime. The order for conducting an inspection shall be based on a valid justification.
2. The order shall be written in the name of one judicial investigator or more.

Article (41)

The authorities concerned may not enter homes without an order except in one of the following cases:

1. If the residents ask for help.
2. Fire or flood.
3. A criminal caught in the act.
4. Chasing a person for arresting him; or when a person runs away from the place where he was legally detained.

Article (42)

Inspection shall be conducted in the presence of the suspect or the landlord. If the landlord cannot attend, inspection shall be conducted in the presence of two witnesses from his relatives or neighbors. This shall be documented in the inspection report.

Article (43)

Inspection orders shall be signed by the public prosecution member in charge and shall contain the following:

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1. The full name of the landlord of the house to be inspected.
2. The purpose of inspection.
3. The name of the judicial investigator authorized to conduct inspection.
4. Address of the house.
5. The valid period of the inspection order.
6. Date and time of issuing the inspection order.

Article (44)

If it is suspected, for valid reasons, that a person in the place being inspected hides any of the materials searched for, the judicial investigator may inspect him.

Article (45)

If there are other persons in the house being inspected, the inspector may hold them in custody if he believes that they will hinder or obstruct inspection. He shall release them after inspection is completed.

Article (46)

House inspection shall be conducted during the day only unless the criminal is caught in the act, or there is urgency for inspection.

Article (47)

All materials related to the crime and found during inspection shall be impounded, kept, listed and handed to the party concerned.

Article (48)

If the member of public prosecution finds it essential to ask for the presentation of a document or anything related to investigation and the person possessing it refrains from doing so for no valid reason, the prosecutor may order an inspection and impoundment of the item in question.

Article (49)

The Attorney General, or one of his assistants, may request the Post Office to hold all letters, newspapers, magazines, parcels and telexes of a certain person. He may also censor his calls and record the conversations he conducts in a private place for the sake of uncovering truth in a crime or misdemeanor penalized by imprisonment for a period exceeding six months. The order for impoundment, censorship or recording shall be justified and conducted for the duration of a period not exceeding thirty days renewable for another similar period.

Article (50)

If the person to be inspected is a female, she is to be inspected only by an officially authorized female.

Article (51)

Inspection shall only be conducted for things related to the crime being investigated. However, if, during inspection, the inspector finds items the possession of which is a crime, or they may uncover truth in another crime, the judicial investigator may impound them.

If papers kept in a sealed envelope, or sealed in any other way, are found in the house being inspected, the judicial investigator may not open them.

Article (52)

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The person in charge shall prepare the inspection report. He shall list in it the items impounded and where they were found. The report shall be signed by him and by the persons present during inspection.

Article (53)

Invalidity of inspection shall be determined by non-compliance with any provision of the articles related to inspection.

Article (54)

During the performance of their inspection duties, judicial investigators may directly seek the help of the police or military force, if necessary.

Article (55)

The resident, or the person responsible for the place to be inspected, shall allow access to the place and provide the necessary facilities. If he refuses to allow entry, the judicial investigator shall use force to achieve that.

SECTION FIVE

Procedures Followed by Public Prosecution after Compiling Evidence

Article (56)

If the Public Prosecution Department finds that the materials related to violations and misdemeanor are valid for filing an action on the basis of the evidence compiled in the report, it shall ask the suspect to appear directly before the competent court.

Article (57)

No person other than the Attorney General or one of his assistants may file a penal action against an employee, a civil servant or a judicial investigator for a crime or misdemeanor he committed during the performance of his work or as a result of such work.

CHAPTER THREE

INVESTIGATION

SECTION ONE

Initiation of Investigation

Article (58)

Public Prosecution alone shall be in charge of investigating and handling crimes. The Attorney General, or prosecutor, may authorize a competent judicial investigator to conduct any investigation in a certain lawsuit, with the exception of interrogating the suspect.

Article (59)

1. Authorization may not be general.
2. The person authorized shall be entrusted, within the limits of said authorization, with all the powers vested with the prosecutor.

Article (60)

Public Prosecution Department shall commence investigation as soon as it is informed of the crime.

Article (61)

The Deputy Attorney General shall, if it becomes necessary to take a decision outside his area of jurisdiction, ask the prosecutor in another department to be in charge of investigation. He shall have all the powers necessary in that respect.

Article (62)

The prosecutor shall have an aid throughout the investigation procedure to write the reports. Both persons shall sign these reports.

Article (63)

The progress of investigation, or the results thereof, shall be confidential and thus shall not be divulged. Disclosing such information shall be considered a crime penalized as provided in the Penal Law.

Article (64)

Investigation shall be conducted in Arabic. The prosecutor shall hear the testimony of the litigants or witnesses who do not know Arabic through a legal interpreter after taking the oath.

Article (65)

The litigants shall be made known on the day the prosecutor initiates the investigation procedure and assigns the location.

Article (66)

The litigants may introduce the witnesses and submit their demands to the prosecutor for consideration during the investigation procedure.

Article (67)

The suspect, the victim and the civil right defender may request, at their own expense, photocopies of the investigation report or documents.

**SECTION TWO
Delegation of Experts**

Article (68)

The prosecutor shall seek the help of a specialized physician and other experts to prove the committed crime. The authorized physician and the other experts shall take the necessary steps under the supervision of the party in charge of investigation. The investigator shall be present when the experts commence their work if this is viewed in the interest of investigation.

Article (69)

The expert may perform his work in the absence of the litigants.

Article (70)

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The expert shall be bound to submit a technical report on the work performed on the date given by the prosecutor. If perishable materials are involved, the expert shall submit his report within the specified period.

Article (71)

The prosecutor may replace the expert if he fails to perform his work or does not submit his report within the specified period.

Article (72)

The expert shall be asked to take the oath, before he embarks on his work, to perform his duties with integrity and truthfulness.

Article (73)

The expert shall submit his report with the necessary explanation and shall sign each page.

Article (74)

The expert shall be chosen from the legally approved expert list.

Article (75)

The suspect may seek the help of an attorney and ask to review the documents provided this shall not delay the progress of the trial.

Article (76)

The litigants may rebut the expert for very valid reasons. The rebuttal request shall be submitted to the prosecutor. It shall also include the necessary explanation. The prosecutor shall present it to the attorney general, or one of his assistants, for a final decision within three days from the submittal day. The submittal of such a request shall result in the termination of the expert's work, unless decided otherwise. The decision shall include the necessary explanation.

SECTION THREE
Disposing of Impounded Items

Article (77)

1st. Impounded items and documents shall be kept in a closed envelope after writing the necessary description on it. It shall be placed in the storeroom at the Public Prosecution Department.

2nd. If the impounded items are perishable with the passing of time, or if the cost of keeping them exceeds their value, the Public Prosecution Department, or the court, may order that they be sold in an auction, if investigation requirements permit. The proceeds shall be kept in the safe of the court. The owner of these items shall have the right to claim the money within a year from the abatement of the lawsuit, or else it becomes the property of the state.

Article (78)

The items impounded shall become state property if the owners do not claim them within a year from the abatement of the lawsuit. There shall be no need for a ruling in this respect.

Article (79)

The items impounded during investigation may be returned to the person from whom they were impounded even before the pronouncement of the rule, unless they are necessary for the progress of the lawsuit or must be confiscated. If the items impounded were used in committing the crime, or if the crime resulted from such items, they shall be returned to the person from whom they were taken unless he has the right by law to ask that they be kept.

Article (80)

The order to return the items shall be issued by the Public Prosecution Department. The court may order the return of the items while the lawsuit is being considered.

Article (81)

The order to keep the documents, or the ruling issued in the lawsuit, shall contain instructions on how to dispose of the items impounded.

Article (82)

If dispute arises over the items impounded, the litigants may resort to the competent civil courts.

SECTION FOUR
Hearing the Statements of Witnesses

Article (83)

The prosecutor may call all persons whose testimony may serve in uncovering the truth, whether their names appeared in the notifications or complaints or did not appear. He may also hear the statements of any witnesses who volunteer to testify. In this case, their statements shall be recorded in the minutes.

Article (84)

The prosecutor shall ask the parties concerned to notify the witnesses of the need to hear their testimony at least twenty-four hours in advance.

Article (85)

The prosecutor shall verify the identity of the witness, including his name, age, occupation, place of residence, address and his relationship with any of the litigants. He shall record all this information before hearing and recording the statement of the witness.

Article (86)

The witnesses shall testify individually before the prosecutor after taking the oath in the presence of the minutes-taker. Their statements and the questions directed to them shall be recorded.

Article (87)

The statement of the witness shall be read to him and he shall either put his signature or fingerprint as a sign of approval. If he refuses or finds it difficult to do so, it shall be documented. The prosecutor or minutes-taker shall sign the statement instead.

Article (88)

1. The litigants may, when the witness ends his testimony, ask the prosecutor to notify him of issues not mentioned in the statement.
2. The prosecutor may refuse to ask the witness any non-relevant question or a question that does not uncover truth.

Article (89)

1. For the purposes of compiling more evidence, the testimony of children under fifteen shall be heard without requiring them to take the oath, unless the prosecutor feels that they are aware of the meaning of the oath.
2. The ascendants, descendants or spouse of the suspect shall be exempted from taking the oath.

Article (90)

The prosecutor may have witnesses meet one another or meet the suspect, if necessary.

Article (91)

If the witness does not appear after asking him the first time to do so, he shall be asked again. If he does not appear again, the prosecutor may issue him a subpoena.

Article (92)

If the witness cannot appear for health reasons, the prosecutor shall go to his place of residence, if it is within his area of jurisdiction, to hear his statement. If he resides outside the prosecutor's area of jurisdiction, the prosecutor may authorize the prosecutor in that area to do the job. The testimony shall be sent in a sealed envelope to the prosecutor in charge.

Article (93)

If the prosecutor finds out that the witness's health condition does not prevent him from appearing, he may issue him a subpoena.

Article (94)

If the witness appears in court but refrains from testifying or taking the oath for no valid reason, he shall be fined an amount not less than thirty and not to exceed fifty Jordanian Dinars, or the equivalent in local currency. If he changes his mind before the trial is over, he may be exempted from paying the fine.

Article (95)

If the prosecutor is convinced that taking an oath contradicts the religious belief of the witness, his statement may be recorded after he asserts that he will say the truth.

Article (96)

If a religious man is called to testify before the prosecutor or in court, and was asked to take the oath in the presence of his bishop or religious leader, he shall immediately do so and swear that he shall say the truth. He shall also bring an evidence of the oath he has taken so that he may testify in court.

Article (97)

No scratches, deletions or additions shall be allowed in the minutes. If anything of this sort takes place, the prosecutor, minutes-taker and witness shall sign it or else the deletions and additions shall be considered null.

Article (98)

The litigants, their attorneys and the official representing civil right shall have the right to review the minutes, when completed, after obtaining the necessary permission from the Public Prosecution Department.

Article (99)

The prosecutor, at the request of the witnesses, shall estimate the expenses incurred by them in coming to testify.

**SECTION FIVE
Interrogation**

Article (100)

Interrogation is cross-examining the accused person in detail regarding the acts he allegedly committed and facing him with inquiries, questions and suspicions related to the accusation and asking him to give pertinent answers.

Article (101)

The prosecutor shall interrogate the suspects in all crimes and misdemeanors if he so desires.

Article (102)

1. When the suspect appears for the first time in court, the prosecutor shall check his name, address and occupation. He shall interrogate him in the accusation leveled at him and request answers. He shall notify him that he has the right to seek legal advice, and that whatever he says may be used against him as evidence in the trial.
2. The statements of the suspect shall be contained in the minutes of the interrogation session.

Article (103)

1. The suspect shall have the right to stand mute and not answer any questions.
2. The suspect shall have the right to postpone interrogation for a period of 24 hours until the arrival of his attorney. If the attorney does not appear, or the suspect changes his mind and decides not to appoint an attorney, he may be immediately interrogated.

Article (104)

In the cases of catching a person in the act, or in cases of exigency, urgency or the possibility of losing evidence, the prosecutor may interrogate the suspect before calling his attorney. The attorney may, after interrogation is completed, request to review the minutes. The justification for urgency shall be stated in the minutes.

Article (105)

The attorney may have access to the investigation conducted before interrogating the suspect, unless the prosecutor decides otherwise.

Article (106)

Before interrogating the suspect, the prosecutor shall inspect his body and record any injuries found and their cause.

Article (107)

The prosecutor shall, of his own initiative, order a medical and psychological examination of the suspect, if he finds it necessary, or if the suspect or attorney request that.

Article (108)

If the suspect tries to defend himself, the prosecutor shall include this in the minutes and shall write down the names of the witnesses mentioned by the suspect, summon them, put them in a secluded area until the time comes for investigation.

Article (109)

1. Each of the litigants shall have the right to seek the help of an attorney during investigation. The attorney may not talk during investigation except with the prosecutor's permission. If the prosecutor does not allow him to talk, it shall be so stated in the minutes.
2. The attorney may submit a memorandum containing his views and remarks.

Article (110)

The prosecutor may, in criminal cases and for the sake of investigation, decide to prohibit any contact with the detained suspect for a period not exceeding ten days renewable for one time only. This prohibition does not apply to the suspect's attorney who may contact him anytime without any restriction or control.

Article (111)

If the suspect objects to the jurisdiction of the court, the acceptance of the lawsuit or asserts its abatement, the objection shall be referred to the attorney general or one of his assistants for a final decision to be taken within a week of the date of submittal. Such a decision could be appealed before the court of first instance.

Article (112)

Interrogation shall be conducted within twenty-four hours from the time the suspect is sent to the prosecutor, who shall order his arrest or release.

SECTION SIX

Subpoenas

Article (113)

1. The prosecutor may issue a memorandum summoning the suspect for investigation.
2. If the suspect did not appear, and if the prosecutor is concerned that he may run away, the prosecutor may issue him a subpoena.

Article (114)

1. The person in charge of the lock-up room or detention place shall deliver the suspect within twenty-four hours to the Public Prosecution Department for interrogation.
2. The prosecutor shall interrogate the suspect brought on the basis of a subpoena immediately. However, a summoned suspect shall be interrogated within twenty-four hours from his arrest.

Article (115)

The prosecutor may detain the suspect after interrogation for 48 hours. Any extension of the detention period on the part of the court shall be done according to the rule of law.

Article (116)

1. The subpoena or summoning memoranda shall be implemented immediately. They shall remain in force until implementation.
2. The summoning memorandum may not be implemented after the elapse of six months from the date of issue unless the person who issued it approves its extension for another period.

Article (117)

Subpoenas, summoning and detention memoranda shall be signed by the party legally concerned and shall be stamped by the official seal. They shall include the following information:

1. Full name of the suspect and his distinguishing characteristics.
2. The crime he is suspected to have committed and the basis of incrimination.
3. His full address and the period of detention, if available.

Article (118)

1. The judicial investigators shall implement the subpoena and summoning memoranda.
2. The judicial investigators may implement the above memoranda by force, if necessary.

Article (119)

1. The official implementing the memorandum shall notify the person arrested of its contents and shall show it to him.
2. The official implementing the memorandum may enter by force any place he reasonably believes that the person to be arrested is hiding.

Article (120)

The above memoranda shall be valid in all the Palestinian territories any time of the day or the night.

Article (121)

If the health condition of the person to be summoned does not allow him to be moved, the prosecutor shall move to his place of residence for interrogating him. He may also order him to be taken to the hospital, if necessary, for treatment and shall provide the necessary guards if he thinks that he should be arrested.

SECTION SEVEN
Preventive Detention and Imprisonment

Article (122)

The judicial investigator shall immediately deliver the detainee to the police station.

Article (123)

The official in charge of the police station who received the detainee without a warrant of arrest shall immediately investigate in the causes of arrest.

Article (124)

The official in charge of the police station shall arrest the suspect in the following cases:

1. If the suspect committed a serious crime and ran away or tried to run away from the place of detention.
2. If he committed a misdemeanor and has no known or permanent place of residence in Palestine.

Article (125)

1. In cases other than those stated in the above article, the arrested person may be detained or released by a bail bond and a pledge to appear on the specified time and place.
2. In all cases, the period of detention may not exceed twenty-four hours. The public Prosecution department shall be immediately notified of this.

Article (126)

The prosecutor shall interrogate the arrested person after notifying him of the warrant arrest as required by Article 112 of this law.

Article (127)

If, for purposes of investigation, there shall be a need to continue the detention of the arrested person for a longer period, the prosecutor may ask the conciliation judge to extend his detention for a period not to exceed fifteen days.

Article (128)

1. The conciliation judge, after hearing the prosecutor and the person arrested, may either release or arrest him for a period not exceeding fifteen days. He may also renew the period of detention for other periods not exceeding forty-five days in total.
2. No person may be arrested for a longer period unless the attorney general or one of his assistants submit a request to the court of first instance for detaining him a further period not exceeding three months.
3. The Public Prosecution Department shall refer the suspect, before the expiry of the three months mentioned above, to the competent court for trial. The court may extend his detention for other periods until the trial is completed.

Article (129)

No warrant of arrest may be issued in the absence of any suspect unless the judge is convinced, on the basis of medical evidence, that it is not possible to summon him because of his illness.

Article (130)

When a suspect is arrested, a copy of the warrant of arrest shall be delivered to the official in charge of the prison after signing the original copy.

Article (131)

An arrested person shall have the right to contact his relatives and seek the help of an attorney.

Article (132)

The official in charge of prison may not allow any contacts with the person arrested except with a written permission from the Public Prosecution Department. In this case, the official shall write down in the prison logbook the name of the visitor, time of the visit, and date and content of the permit given, without any prejudice to the right of the suspect to meet his attorney in private.

Article (133)

Arrest shall be permitted in a crime committed through newspapers if it constitutes an insult to the Head of the State, defamation, or instigation for ethical corruption. In this case, the Attorney General, or one of his assistants, shall issue the warrant of arrest.

Article (134)

Under all circumstances, the arrest of a suspect may not continue for a period exceeding the penal period prescribed for the crime for which he was arrested.

Article (135)

No person may be arrested or imprisoned except in places designated for that purpose by law. The official in charge of any prison may not admit any person except on the basis of an order signed by the authority concerned. He may not also detain him beyond the prescribed period.

Article (136)

Public Prosecution and heads of the courts of first instance and appeal shall inspect public prisons and detention places existing in their areas of jurisdiction in order to insure that no person is imprisoned or detained illegally. They may also inspect the prison records and the orders of arrest and imprisonment, make photocopies of such orders, contact any person arrested or imprisoned and listen to any complaint he may have. The prison directors and staff shall provide them with any help needed to obtain the required information.

Article (137)

Each person arrested or imprisoned shall have the right to file a written or oral complaint to the Public Prosecution Department through the prison director who shall accept it and communicate it to Public Prosecution after documenting it in the special pris on register.

Article (138)

Any body who hears that a person was illegally arrested or imprisoned, or was detained in a place not designated for that purpose, shall notify the Attorney General, or one of his assistants. The latter shall order an investigation and request the release of the illegally arrested or imprisoned person. He shall also prepare the necessary report.

Article (139)

Each person legally arrested or detained in a prison or a detention place shall go through the process of proving his identity, have his fingerprints taken, be photographed and examined in order to record the distinguishing features for proving his identity.

SECTION EIGHT

Bail Out

Article (140)

A suspect may not be released on bail except after assigning him a place in the area under the jurisdiction of the court if he does not reside there already.

Article (141)

If the suspect was not referred to court, the petition for releasing him on bail shall be submitted to the following parties:

1. The judge who has the right to issue a warrant of arrest.
2. The court with jurisdiction to put him to trial if violence has been used in the crime he is suspected to have committed and for which penalty is imprisonment for ten years or more.

Article (142)

If the suspect has already been referred for trial, the petition for releasing him on bail shall be submitted to the court with jurisdiction to put him to trial.

Article (143)

The petition for releasing a suspect on bail after conviction and pronouncement of the ruling shall be submitted to the court that issued the sentence provided the ruling has been appealed.

Article (144)

A request for reconsidering the sentence issued may be submitted with the petition for the release on bail to the court that issued the sentence in the case of discovering new facts, or if a change in the circumstances accompanying the issuance of the sentence took place.

Article (145)

The order issued regarding the petition for the release on bail may be appealed by the Public Prosecution Department, the detained or convicted person.

Article (146)

The request to appeal the orders issued in petitions for the release on bail shall be submitted to the head of the court with jurisdiction to put the suspect on trial unless a conviction sentence has been issued and appealed. In this case, the petition shall be submitted to the court that shall consider the appeal.

Article (147)

A petition may be submitted to the head of the supreme court to reconsider any order issued on the basis of a request submitted in accordance with the above articles.

Article (148)

The petitions for the release on bail under all circumstances shall only be considered in the presence of the prosecutor and the suspect, or the person convicted and his attorney.

Article (149)

The court to which a petition for the release on bail is submitted, and after hearing both parties, may take one of the following decisions:

1. Release the suspect on bail.
2. Reject the release petition.
3. Reconsider the previous order it issued.

Article (150)

1. Any person to be released on bail shall sign a bail bond in the amount the court believes is sufficient. His sponsors shall also sign the bond, if required by the court.

2. The court may allow the payment of a cash deposit in the amount of the bail bond instead of the requirement of sponsors. This deposit shall be considered a guarantee for implementing the conditions stated in the bail bond.

Article (151)

The court may, if it finds out that the suspect's financial condition does not allow him to pay a deposit, require the suspect, instead, to appear at the police station on the dates specified in the release order, taking into consideration his special circumstances. It may also ask him to choose a place of residence other than the place where the crime had been committed.

Article (152)

The powers of the court with jurisdiction to reconsider the petitions or appeals for the release on bail include the following:

1. Release on bail.
2. Revoke the order for the release on bail and order the re-arrest of the suspect.
3. Alter the previous order.

Article (153)

The sponsor may submit a petition to the court where he wrote the bail bond revoking that bond in whole or the part related to him only. The court shall then issue a warrant of arrest or subpoena for recalling the person released.

Article (154)

The court considering the request submitted by the sponsor may do the following:

1. Revoke the bond in whole or the part related to the sponsor only.
2. Decide to re-arrest the accused unless he provides another sponsor or a cash bail estimated by the court.

Article (155)

If a release decision is issued, the official in charge of arrest and the prison director shall release the person arrested or imprisoned unless he was arrested or imprisoned for another reason.

Article (156)

If a decision was issued *in absentia* indicting a runaway suspect, he may not be released after being arrested.

Article (157)

The bail shall be considered a guaranty for summoning the accused or for insuring that would not evade execution of the sentence that may be issued against him.

Article (158)

If it was proved that the accused had violated the conditions stated in the bail bond or pledge, the concerned court may do the following:

1. Issue a subpoena against the person released or decide to re-arrest him.
2. Pay the amount stated in the bond or pledge if not yet deposited.
3. Confiscate the cash deposit, change it or exempt the accused from paying it.

Article (159)

The execution of the decision issued pursuant to the previous article is mandatory and the injured party may appeal it.

Article (160)

If the sponsor is deceased before confiscation or levy of the bail amount, his heirs shall be released of any obligation related to the bail. The concerned court may decide to re-arrest the accused unless he provides another sponsor or a cash bond estimated by the court.

SECTION NINE
Completion of Investigation and Disposition with the Lawsuit

Article (161)

1. When investigation is over and the prosecutor believes that the deed is not punishable by law; or that the lawsuit is over by abatement, death, or general amnesty; or that the accused was put on trial for the same crime; or that he is not legally responsible being underage or having a mental disability; or that the accompanying circumstances necessitate leaving the case on file for unimportance, he may express his opinion in a memo and send it to the attorney general for a decision.
2. If the attorney general or one of his assistants find out that the prosecutor's opinion is appropriate, he shall issue a decision leaving the case on file and shall order the release of the accused if he was detained.
3. The decision to leave the case on file shall be explained.

Article (162)

If the prosecutor finds out that the deed constitutes a violation of the law, he shall refer the case file to the concerned court for trial.

Article (163)

If the prosecutor finds out that the deed constitutes a misdemeanor, he shall decide to level an accusation against the suspect and refer the file to the concerned court for trial.

Article (164)

1. If the prosecutor finds out that the deed constitutes a crime, he shall decide to level an accusation against the suspect and send the file to the attorney general or one of his assistants.
2. If the attorney general or one of his assistants find out that more investigation is necessary, he shall return the file to the prosecutor to complete the investigation.
3. If the attorney general or one of his assistants finds out that the incrimination decision is correct, he shall order that the accused be referred to the concerned court for trial.
4. If the attorney general or one of his assistants finds out that the deed does not constitute a crime, he shall order that the description of the accusation be altered and that the file be returned to the prosecutor to be submitted to the concerned court.
5. If the attorney general or one of his assistants finds out that the deed is not punishable by law; or that the lawsuit is over by abatement or general amnesty; or that the accused was put on trial for the same crime; or that he is not legally responsible being underage or having a mental disability; or for the lack of evidence; or that the accused is unknown; or that the accompanying circumstances necessitate leaving the case on file for unimportance.
6. If the office of the attorney general decides to leave the case on file, it shall inform the victim and the civil rights plaintiff. In case one of them is deceased, his successors shall be notified in their place of residence.

Article (165)

1. The civil rights plaintiff may file a complaint with the attorney general regarding the decision to leave the case on file.
2. The attorney general shall finally settle the complaint within a month from the date of filing it.
3. The civil rights plaintiff may appeal the attorney general's decision to the concerned court. Its decision shall be final. If the court revokes the decision, the case shall be considered by another court.

Article (166)

The decision to refer a person for trial shall include the plaintiff's name, the suspect's name and surname, his age, place of birth, address, occupation, date of arrest, summary of the act committed, its date, nature, legal details, legal basis of accusation, and evidence.

Article (167)

Without prejudice to the provisions of article (161), the attorney general may revoke the decision to leave the case on file if new evidence is revealed or the suspect is known.

Article (168)

Part of the new evidence is the testimony of the witnesses who could not be summoned by the prosecutor, and the documents and minutes that have not been reviewed, especially if these support the evidence that was considered insufficient during investigation or shed more light towards uncovering the truth.

Article (169)

The crimes shall be considered concurrent in one of the following cases:

1. If committed simultaneously and jointly by a group of persons.
2. If committed by several persons in different times and places by a prior agreement amongst them.
3. If some crimes have been committed as a prelude, or in preparation for and completion of other crimes, or for insuring that the accused would not be punished.
4. If several people participated in hiding all or part of the items robbed or embezzled or obtained through committing a crime or misdemeanor.

Article (170)

If some of the offenses committed concurrently are crimes and others are misdemeanors, the attorney general shall refer the entire case to the court competent to consider the more serious crimes.

SECTION TEN

Stepping Down and Recusal of Judges

Article (171)

A judge shall abstain from participation in considering a case if he was personally a victim of the crime, or if he acted as judicial investigator or prosecutor, or defended one of the litigants, or testified in it, or initiated a professional act.

Likewise, he shall abstain from participation in pronouncing a ruling if he had a role in investigation or in referral. He shall also abstain from objecting to a ruling if he issued that ruling.

Article (172)

Litigants may recuse the judges in the cases stated in the above article and in all recusal cases stated in the Civil Trials Law. Members of prosecution or judicial investigators may not be recused. With respect to the recusal request, the victim shall be considered a litigant in the case.

Article (173)

If a request for the recusal of a judge had been submitted, the judge shall inform the court so as to decide whether to exclude him from the deliberations. With the exception of the recusal cases legally established, the judge may, if he had reasons that make him feel embarrassed to consider the case, request the court or head of the court, as applicable, to be recused.

Article (174)

Notwithstanding the above provisions, the stipulations contained in the Civil Trials Law shall be adhered to with respect to the stepping down or recusal of the judge. When considering the recusal request, the judge may not be questioned or asked to take the oath.

PART TWO
Trials

CHAPTER ONE
(Jurisdiction)

SECTION ONE
Jurisdiction of Penal Courts Regarding Penal Cases

Article (175)

Jurisdiction shall be determined in the place of committing the crime, or in the accused place of residence, or in the place where the accused was arrested.

Article (176)

In the case of attempt, a crime shall be considered as committed in each place where an act of commencing execution takes place.

In continuous crimes, the place of a crime shall be each place a continuous crime is committed. In the case of habitual and consecutive crimes, the place of the crime shall be that place where an act is committed.

Article (177)

If a crime, to which the Palestinian law applies, is committed outside the Palestinian territory and the person who committed it had no place of residence in Palestine, and if he was not caught in the act, an action shall be filed against him in the concerned court in the capital.

Article (178)

If an act is partly committed within the jurisdiction of Palestinian courts and partly outside that jurisdiction, and the act is considered a crime punishable according to Palestinian Penal Law if wholly committed within the jurisdiction of Palestinian courts, a person who committed any part of that act within the jurisdiction of Palestinian courts may be put to trial pursuant to the Palestinian Penal Law as if he committed that act wholly within the jurisdiction of those courts.

Article (179)

Unofficial translation by ARD

The conciliation courts shall consider all violations and misdemeanors falling within its jurisdiction with the exception of those with a special provision entrusting another court with considering them.

Article (180)

The courts of first instance shall consider all crimes, for which the prescribed penalty is less than seven years imprisonment, and concurrent misdemeanors referred to them pursuant to the indictment decision.

Article (181)

1. The criminal court shall consider crimes for which the prescribed penalty is more than seven years.
2. If one act consists of several crimes, or if several crimes were committed for one purpose and the crimes were inter-related and cannot be split, and one of these crimes falls within the jurisdiction of the criminal court, this court shall consider all crimes.

Article (182)

1. If the court of first instance, or the criminal court, believes that the act, as described in the accusation report and before investigation in the session, constitutes a demeanor, it shall issue a ruling that the act does not fall within its jurisdiction and shall refer it to the conciliation court.
2. If the conciliation court believes that the crime in question falls within the jurisdiction of the first instance court or the criminal court, it shall issue a ruling that the act does not fall within its jurisdiction and shall refer it to general prosecution for an appropriate decision.

SECTION TWO

Jurisdiction of Penal Courts Regarding Civil Cases

Article (183)

Without any prejudice to the provisions of Article (209) of this Law, penal courts shall consider civil right cases for compensating the damages resulting from the crime no matter the amount. It shall consider these cases as it does penal cases.

Article (184)

Penal courts shall have the jurisdiction to settle all issues affecting the ruling in the penal actions considered, unless otherwise stipulated by law.

Article (185)

If the ruling in a penal action depends on the result of settling another penal action, the first shall be stopped until settlement of the second lawsuit.

Article (186)

If settlement of a penal action depends on settling a personal status issue, the penal court may stop the lawsuit and fix a time for the civil rights plaintiff or victim to file a lawsuit regarding that issue at the concerned court. This shall not prevent taking the necessary reservation and urgent measures.

SECTION THREE

Jurisdiction Dispute

Article (187)

1. When a crime takes place and two courts are involved in considering it, each claiming that it falls within its jurisdiction, or if the two courts decide otherwise, and if one of them decides that it is incompetent to consider a case referred to it by the Public Prosecution Department, and a dispute arises regarding jurisdiction and results in the interruption of justice because of two contradicting decisions on the same lawsuit, the dispute shall be resolved by appointing the competent court.
2. The provision of this article shall apply if the dispute arises between a regular court and an appeal or special court.

Article (188)

All litigants in a lawsuit may request appointing the competent court through a petition to the Court of Cassation Office with supporting documentation. If the petition involves a jurisdiction dispute between two courts under the same court of first instance, the petition shall be submitted to the office of the latter court.

Article (189)

If the petition to appoint a competent court is submitted by the civil right plaintiff or the civil right defendant, the head of the court receiving the petition shall order that a copy of the petition be given to the litigant. The Public Prosecution Office shall deliver a copy of the petition to each of the disputing courts for their opinion.

Article (190)

The prosecutor, accused, or civil right plaintiff should express their opinion on the petition for appointing the competent court within a week of notification.

Article (191)

If two courts establish their jurisdiction to consider the lawsuit and were notified of the petition to appoint a competent court, they shall stop the trial procedures or issuing a ruling until appointing the competent court.

Article (192)

If a jurisdiction dispute arises over the issuance of two rulings in the same lawsuit, implementation of these rulings shall be suspended until appointing the competent court.

Article (193)

If the civil right plaintiff or the accused had no right to request appointing a competent court, the court receiving the petition may order him to pay a fine not to exceed fifty Jordanian Dinars or to pay the litigant the compensation he requests.

Article (194)

The court receiving the petition shall scrutinize it after seeking the opinion of public prosecution unless it deems otherwise, and shall issue a decision appointing the competent court and approve or disapprove the measures taken by the court found incompetent to consider the case.

SECTION FOUR

Referring a Lawsuit from one Court to Another

Article (195)

Unofficial translation by ARD

The concerned court of appeal may, at the request of the Attorney General, decide to refer a criminal or misdemeanor lawsuit to another court if considering it by the concerned court may have the following repercussions:

1. Breach of public security.
2. Arise suspicion about the soundness of considering the lawsuit.

Article (196)

The court of appeal shall scrutinize the request to refer a lawsuit. If it so decides, it shall express in the same decision its approval of the measures taken by the court that handled the lawsuit.

Article (197)

Rejecting a petition to refer a lawsuit does not prevent from submitting a new one on the basis of new evidence uncovered after the rejection decision.

**CHAPTER TWO
Trial Procedures**

**SECTION ONE
Judicial Notifications
(Announcing Litigants)**

Article (198)

Judicial notifications shall be communicated by the summoner or policeman to the person concerned or to his place of residence as set forth in the rules established in the Civil Trials Law, subject to the special provisions contained in this Law.

Article (199)

Notifying the litigants to appear before the court shall be done one full day before the session with respect to violations and at least three days with respect to misdemeanors, taking into consideration the road distance.

Article (200)

The prison official or his representative shall announce the names of the detained and imprisoned persons. The names of detained or imprisoned officers and soldiers shall be announced by their command.

Article (201)

The litigants may examine the lawsuit documents as soon as they are informed to appear before the concerned court.

**SECTION TWO
Keeping Order During the Sessions**

Article (202)

1. The head of the court shall be in charge of discipline and management of the session.
2. If a person in the audience expressed his approval or disapproval during the session, made any noise, or disrupted order during the session, the head of the court shall order his expulsion.

Unofficial translation by ARD

3. If he refuses to comply, or returned after being expelled, the head of the court shall order his imprisonment for a period not to exceed three days. This decision shall be final.
4. If disorder is caused by one of the court staff, the head of the court may, during the session, take the same disciplinary action that his supervisor would take against him.
5. Before the session is over, the court may recant the decision taken.

Article (203)

1. If, during the session, a person commits a misdemeanor or violation, and it was within the jurisdiction of the court to consider that offense, the court may immediately put him on trial and issue the appropriate ruling after hearing the prosecutor general and the defense of that person. This ruling shall be subject to the objection procedures followed in all the other rulings it issues.
2. If the offense committed does not fall within the jurisdiction of the court, the court shall prepare a report and refer the accused, under detention, to the prosecutor for trial.
3. The prosecution of the accused in this case shall not depend on a complaint, petition or civil allegation if that is a requirement for filing a lawsuit.

Article (204)

If the offense constitutes a crime, the head of the court shall prepare a report, order the arrest of the accused and refer him to public prosecution for completion of the legal measures.

Article (205)

The crimes committed during the session and no ruling is taken immediately shall be considered pursuant to the general rules.

Article (206)

If the lawyer, in the course of performing his duties during a session, commits a violation, or causes a violation to be committed, for which penal or disciplinary action may be sought, the head of the session shall prepare a report on the incident. The court may decide to refer the report to Public Prosecution for investigation if the offense is punishable, and to the head of the bar association if disciplinary action needs to be taken. The head of the court during which the incident took place, or one of its members, may not be a member in the court considering the case.

SECTION THREE
Civil Right Cases

Article (207)

1. Any person suffering damage as a result of a crime may submit a claim to the prosecutor general or to the court considering the case and act in the capacity of a civil right plaintiff for obtaining compensation for the damage incurred.
2. The claim shall be sufficiently explained and justified with the necessary information and evidence.

Article (208)

1. The civil right claim may be filed on the basis of the penal action before the competent court. It may also be filed separately before the civil court. In this case, consideration of the lawsuit shall stopped until final settlement of the penal action is reached unless such a settlement is stopped due to mental disorder of the accused.
2. If the civil right plaintiff files the lawsuit before a civil court, he may not file it again before a penal court unless he withdraws the lawsuit filed at the civil court.

Article (209)

1. A civil right claim may be filed before a first stage court during all the stages of the penal action until pleading time is closed.
2. No civil right claim may be filed if the case is returned to the first stage court for whatever reason.
3. The civil right claim may not cause a delay in settling the penal action, otherwise the court may decide against accepting the claim.

Article (210)

The civil right claimant may renounce his claim irrespective of the stage of the case. This renunciation shall not affect the penal action.

Article (211)

The civil right claimant shall pay the judicial fees and expenses required for the lawsuit unless the court decides to exempt him from such payment or postpone it.

Article (212)

If the General Prosecution Department decides to prevent the trial of the accused or leave the case on file, or if the court decides to acquit him, the civil right claimant may be exempted from paying fees and expenses.

Article (213)

If a decision to prevent the trial or leave the case on file was issued, or the accused was declared innocent, he may file a claim before the concerned court requesting the civil right claimant to pay compensation unless the latter showed good faith.

Article (214)

The concerned court may, at the request of general prosecution, appoint an attorney to the incapacitated, injured party if he has no legal representative to claim civil right on his behalf. He shall not be obligated to pay judicial expenses.

Article (215)

The civil right claimant shall reside in the area of jurisdiction of the court where he filed his claim, unless he already resides there, in order to be notified of the necessary measures.

Article (216)

If the civil action has been filed before the civil courts, settlement shall be delayed until final settlement of the penal case filed before or during consideration of the civil case, unless progress of the penal case has been stopped because the accused is mentally sick.

Article (217)

During the court session, the accused may object to accepting the civil right complaint if the civil case was unlawful or unacceptable.

SECTION FOUR
Evidence

Article (218)

The judge may not issue a ruling based on his personal experience.

Article (219)

1. In penal cases, evidence shall be proven by all means, unless law specifies a certain way for doing that.
2. If no evidence can be proved, the judge shall pronounce the accused innocent.

Article (220)

The ruling shall only be based on evidence provided during the trial and discussed publicly in the presence of the litigants.

Article (221)

Based on the litigants' request, the court may, of its own accord during the progress of the lawsuit, order the provision of any evidence necessary to reveal truth. It may also hear the testimony of anybody coming of his own accord to provide information regarding the lawsuit.

Article (222)

The testimony of an accused person against another shall not be accepted unless supported by another evidence acceptable to the court. The second suspect shall have the right to question the first suspect about the accusations leveled against him.

Article (223)

1. The court shall be obligated to apply the civil evidence rules to the civil right lawsuit filed on the basis of the penal lawsuit.
2. In considering the civil right lawsuit, the procedural rules to be followed are those prescribed in this law.

Article (224)

A fact may not be proved through exchanging letters or through discussion between the accused and his lawyer.

Article (225)

The minutes prepared by the judicial investigators, regarding the misdemeanors and violations they try to prove pursuant to the provisions of relevant laws, shall be considered evidence in terms of the facts stated until the contrary is proved. To prove the contrary, evidence shall be submitted in writing or through witnesses.

Article (226)

In order for the minutes to have an evidential force, it shall meet the following conditions;

1. It should have the proper form.
2. The person who wrote it should have seen the incident personally or reported it.
3. The contents should be within the specialty of the writer while on the job.

Article (227)

Confession is one of the means of evidence subject to the judge's opinion.

Article (228)

For a confession to be valid, it shall meet the following conditions:

1. It should be given voluntarily, without material or moral pressure or coercion, promise or threatening.
2. It should be compatible with the incident circumstances.
3. Commitment of the crime should be clear and definite.

Article (229)

The conclusiveness of the confession shall only be restricted to the accused giving the confession, subject to Article (228) of this Law.

Article (230)

The accused shall have the right to stand mute. Muteness or refraining from giving answers shall not be interpreted as confession.

Article (231)

The accused shall not be punished for incorrect statements uttered in self-defense.

Article (232)

As part of evidence, the fingerprints, palm and footprints may be taken during investigation or trial. Photographs may be accepted as part of evidence in order to identify the identity of the accused and anyone else having anything to do with the crime.

Article (233)

As part of evidence in penal procedures, all reports issued and signed by the official in charge of government laboratories, or officially approved laboratories, containing the result of the chemical test or analysis he has done himself regarding any suspicious material shall be accepted. He shall not be required to testify in this regard.

Article (234)

As an exception to the provisions of the above article, the official or analyst shall appear as a witness in the penal procedures considered by the court if the judge deems it necessary for the sake of justice.

Article (235)

A testimony against the accused from his ascendants, descendants, relatives, second degree sons-in-law or brothers-in-law, and spouse (even after separation) shall not be accepted unless the crime has been committed against anyone of them.

Article (236)

If any of the accused ascendants, descendants or spouse is called to testify in defense of the suspect, the testimony given in this capacity, whether during investigation or interrogation by the attorney general, may be used as an evidence to prove the crime committed by the suspect.

Article (237)

The testimony of someone who notified about a person present during, before or shortly after the commitment of the crime shall be accepted if it is directly related to the incident or to other incidents related to the crime, and was himself a witness in the lawsuit.

Article (238)

1. The testimony of the person who notified about the victim may be accepted if it is related to the incident, or if the notification was communicated at the time of the incident or shortly after it, or when time permitted, or if the person was dying.
2. The fact that the notifying person did not appear as a witness in the lawsuit, or it was difficult for him to attend the hearing, or he was abroad, shall not constitute a barrier in accepting his testimony.

Article (239)

1. The witness, before testifying, shall take the following oath: "I swear before Almighty God to say the truth, all the truth and nothing but the truth".
2. Article (96) of this Law shall apply if the witness is a religious person.
3. If the court is convinced that taking the oath violates the religious beliefs of the witness, his statements may be recorded after confirming that he will say the truth.

Article (240)

1. Statements of witnesses under fourteen years may be taken for fact-finding without having them take the oath if it is believed that they do not understand the essence of the oath.
2. The testimony taken for fact-finding shall not be sufficient in itself for conviction unless supported by another evidence.

Article (241)

The statement given by the suspect to the judicial investigators in which he confesses of committing the crime shall be accepted if the Public Prosecution Department provided evidence regarding the circumstances in which the statement was given, and the court is convinced that it was given voluntarily.

Article (242)

The civil rights plaintiff may be called as a witness and take the oath.

Article (243)

1. The court may decide to read the testimony given in the preliminary investigation after taking the oath if it was difficult to summon the witness for whatever reason, or if the suspect or his attorney accept.
2. If it was difficult to summon the witness before the court for being disable or sick, the court shall move to his place of residence to hear his testimony.
3. If the above witness resides in the area of jurisdiction of another court, the concerned court shall authorize that court to hear his testimony.
4. If the court finds out that the excuses given above were not true, it may refer the suspect to the attorney general to take the necessary legal action.

Article (244)

If the witness decides that he does not remember anymore a certain fact, the part related to that fact in his testimony during investigation or his statement recorded in the evidence report shall be read. This shall also apply if there is a discrepancy between his testimony during the hearing and his previous statements or testimony.

Article (245)

If the witness had been properly notified and did not show up on time, the court shall summon him or issue a subpoena requesting him to testify. It may also decide to fine him fifteen Jordanian Dinars.

Article (246)

If the witness sentenced to pay a fine appears during the hearing or after it and presented an acceptable excuse, the court may exempt him from paying the fine.

Article (247)

If the witness refrains, for no legal justification, from taking the oath or from responding to the questions put forward by the court, the court may order his imprisonment for a maximum of one month. If, while in prison and before concluding the procedures, he accepts to take the oath and answer the questions, he shall be immediately released after that.

Article (248)

1. The court shall judge the value of the testimonies given and may indicate in the minutes the witnesses conduct and behavior.
2. If the testimony is not compatible with the lawsuit, or if the statements of witnesses are contradictory, the court shall take what it believes to be true.

Article (249)

The witness shall give his testimony orally. He may not use notes except if allowed by the head of the court.

Article (250)

The witnesses may not be rebutted for any reason whatsoever.

SECTION FIVE
Rules of Trial at the Courts of First Instance and Criminal Courts

Article (251)

Trial shall be public unless the court decides to keep it closed for purposes of safeguarding public order or morals. Minors or a specific category of people may, under all circumstances, be prevented from attending the trial.

Article (252)

1. The head of the court shall conduct the session and shall take the necessary measures for its smooth progress.
2. The sessions of the court of first instance and the assize court in the presence of the public prosecutor and the clerk.

Article (253)

The prosecutor shall read the accusations contained in the indictment in the presence of the suspect. He may not level accusations not contained in the indictment, otherwise they shall be considered invalid.

Article (254)

No person shall be sent to court in penal actions unless indicted by the Attorney General or his deputy.

Article (255)

The bill of indictment shall include the name of the accused, date of arrest, nature and legal description of crime committed, date committed, details and circumstances of accusation, legal articles applicable, name of victim, and names of witnesses.

Article (256)

The court office shall serve the accused a copy of the bill of indictment at least one week before the trial day, taking the distance into consideration as provided in the Civil Trials Law.

Article (257)

The accused shall attend the trial without fetters or handcuffs but shall be carefully watched. He may not be dismissed from court during the hearing unless he creates disorder. In this case, he shall remain away until he is ready to sit quietly in court. The court shall inform him of any measures taken during his absence.

Article (258)

The court shall ask the accused if he had chosen an attorney to defend him. If he had not done that because of financial reasons, the head of the court shall appoint an attorney for him. This attorney shall have at least five years experience in the profession, or must have worked in the attorney general's office or in the judiciary for at least two years before obtaining the permit to practice the law profession.

Article (259)

Upon completing the trial, the court shall decide the fees of the appointed attorney as per the above article. The fees shall be paid from the court's treasury.

Article (260)

1. The court shall ask the accused about his name, surname, place of birth, age, place of residence and marital status.
2. The court shall draw the attention of the accused that he should listen to what is read to him. The prosecutor shall be entrusted with reading the accusation and the bill of indictment.

Article (261)

If the accused does not appear in court on the day and time shown in the summoning memo, he shall be notified again. If he does not appear, he shall be sent a subpoena.

Article (262)

If separate bills of indictment are issued to the persons committing the same crime, or to some of them, the court shall decide, on its own or pursuant to a request from the general prosecutor or the defending counsel, whether to group the lawsuits filed against them or not.

Article (263)

In non-concurrent crimes, if the court believes, in any stage of litigation, that it is appropriate to put the accused on trial for one accusation or more, it may order to put him on trial separately for each accusation contained in the bill of indictment.

Article (264)

1. After the prosecutor reads the accusation to the accused in a simple language that he can absorb and understand, and after the civil rights plaintiff clarifies his claims, the court shall ask the accused what

he has to say regarding the accusation leveled against him and regarding the claims of the civil rights plaintiff.

2. If the accused confessed of committing the crime, his confession shall be recorded in his own words as much as possible. The court shall have the choice to be satisfied with his confessions unless it believes otherwise.
3. If the accused refuses to answer the court's question stated in item (1) above, it shall be considered as non-confession and it shall be recorded in the minutes.
4. If the accused denies the accusation, refuses to answer questions, or stands mute; or if the court is not convinced of his confession, it shall start hearing evidence.

Article (265)

In any stage of the lawsuit, the court may ask the litigants any question it deems necessary to arrive at truth, and shall give the litigants the same right. It shall not allow asking the witness questions not related to the lawsuit or that are not acceptable. It shall also prevent any explicit or implicit talk or sign directed at the witness that may lead to creating confusion in his thoughts or may intimidate him. It may also refuse to hear the testimony of witnesses regarding facts it deems clear enough.

Article (266)

1. The court may prevent the accused or his attorney from elaborate pleading if he digresses from the subject matter or repeats the same statements.
2. The court may request the prosecutor or defending counsel to submit a written pleading within a specific period of time. The pleading shall be read in the assigned time and shall be attached to the minutes after being signed by the court.

Article (267)

The court clerk shall record all the facts stated during the hearing session in the minutes which he and the court shall sign.

Article (268)

The prosecutor may not call any person to testify unless his name is included in the list of witnesses, and unless the accused or his attorney was notified of the name of the witness to be summoned if they had not already relinquished this right. Exceptions are the following:

1. If the witness is a partner in the accusation and had been previously acquitted or condemned.
2. If a person has been called to prove that the statement of a witness had been taken in the preliminary investigation and could not appear in court because he passed away, fell sick or was absent from Palestine.

Article (269)

The court shall take the necessary measures to prevent witnesses from coming together during the hearing. Each witness shall testify alone.

Article (270)

The court shall ask the witness about his name, surname, age, occupation, place of residence and relationship to the victim. He shall take the oath and then testify orally.

Article (271)

The court shall, at the request of the witnesses, estimate the compensation to be paid to them in return for their appearance in court to testify. The amounts shall be paid from the court's treasury.

Article (272)

1. After hearing the evidence provided by the prosecutor, the court shall ask the accused if he likes to say something, by taking an oath or not, and whether he has witnesses. If he chooses to make a statement after taking an oath, the prosecutor may cross-examine him. If he decides to plea, the court shall listen to him.
2. The court shall call the defending witnesses at the expense of the accused, unless it decides otherwise.

Article (273)

The accused may not be asked a question with the intention of showing that he was condemned in a previous crime, unless he volunteers to give personal information.

Article (274)

The court may, of its own accord and at any time during the hearing, request any person to repeat the testimony, or may order to again hear the testimony of any witness who had already testified before it.

Article (275)

If, during the hearing, it was found out that a witness has testified, after taking the oath, about an incident related to the case and the testimony was substantially contradictory to the one given in the preliminary investigation, he shall commit perjury. The court shall condemn him and punish him according to the prescribed penalty.

Article (276)

The witness may not leave the court hall without the permission of the court head.

Article (277)

The civil right plaintiff may interrogate any prosecution or defense witness regarding the civil right, and may present his evidence after completion of the prosecution plea or any time thereafter during the hearing as ordered by the court. However, he may not provide evidence or address the court with respect to incriminating the accused, interrogate or cross-examine any prosecution witness in this regard except by the court's permission.

Article (278)

1. If the accused, the witnesses, or anyone of them do not speak Arabic well, the head of the court shall appoint a translator not less than eighteen years old. He shall take an oath to translate the testimonies truthfully and faithfully.
2. If the terms of the previous paragraph are not adhered to, the measures shall be void.

Article (279)

The accused and the prosecutor may request the rebuttal of the assigned translator provided they state the reasons for such a request. The court shall finally decide on the issue.

Article (280)

The translator may not be one of the witnesses or a member of the court considering the case even if the accused and the prosecutor agree to that; otherwise, such measures would be considered null.

Article (281)

If the accused or the witness is deaf, dumb and illiterate, the head of the court shall appoint as a translator someone accustomed to talk to him or to people like him through sign language or the other technological means.

Article (282)

If the deaf and dumb person is able to read and write, the court clerk shall write the questions and remarks and give them to him to answer them in writing. The clerk shall read the written information during the session and attach it to the minutes.

Article (283)

1. If the court finds out that when the accused committed the crime he was suffering from a mental disease making him incapacitated to realize what he did, or that it was prohibited to commit the act constituting the crime, the court shall decide his penal irresponsibility.
2. If, during the hearing, the court finds out that the accused is mentally incapacitated or insane and cannot stand trial, it shall issue a decision to arrest him and put him under medical supervision for a period it deems necessary.
3. If, as a result of such medical supervision, it was found out that the arrested person is sane as certified by two government physicians, the court shall put him to trial; otherwise, it shall order to send him to a mental hospital.
4. This article shall be in force in all penal courts.

Article (284)

The court may modify the accusation in accordance with conditions it deems just, provided such modification is not based on facts not included in the evidence provided. If the modification may subject the accused to a more severe penalty, the lawsuit shall be postponed for a period deemed necessary by the court in order to make it possible for the accused to prepare a defense against the modified accusation.

Article (285)

After hearing the evidence, the prosecutor shall make his pleading and the civil right plaintiff shall present his claims. Also, the accused and the person in charge of civil right shall present their plea. Then the hearing shall be closed. Under all circumstances, the accused shall be the last to talk.

SECTION SIX
Ruling

Article (286)

When the hearing is completed, the court shall withdraw into seclusion in the deliberation room and scrutinize the evidence presented and allegations made. It shall issue the ruling unanimously or by a majority vote.

Article (287)

The court shall issue its ruling freely on the basis of the conviction formed. Nevertheless, it may not base its ruling on any evidence not presented during the hearing or was arrived at illegally.

Any statement proved to have been given by an accused or a witness under duress or threatening shall be disregarded and ignored.

The ruling shall be issued in a public session even if the case was heard in a closed session.

Article (288)

The court shall issue a conviction if the act is confirmed, an acquittal in the absence or insufficiency of evidence, and a ruling of non-responsibility if the act does not constitute a crime and does not call for penalty.

Article (289)

If the court decides to issue a conviction, it shall hear the prosecutor and the civil right plaintiff. It shall then hear the convicted and his attorney and declare the penalty and the civil liabilities.

Article (290)

The ruling shall consist of the following:

- ? A summary of the facts stated in the indictment and trial;
- ? A summary of the requests made by prosecution and the civil right plaintiff;
- ? The defense of the accused;
- ? The reasons, or lack of reasons, leading to conviction;
- ? The applicable law in case of conviction;
- ? Prescription of the penalty;
- ? The amount of civil compensation.

Article (291)

The judges shall sign the ruling read in public in the presence of the prosecutor and the accused. The head of the court shall inform the convicted person that he has the right to appeal during the legally prescribed period.

Article (292)

If the court decides to acquit the accused or declare him non-responsible, he shall be immediately released unless arrested for another reason.

Article (293)

The court may obligate the person convicted in a crime, other than that penalized by execution or life imprisonment, to pay the court fees, the relevant expenses and all or part of the expenses incurred by the witnesses. The fees shall be collected the same way fines are collected.

Article (294)

The civil right plaintiff whose claims were rejected shall have to pay the expenses of the lawsuit. He may be exempted from paying all or part of these expenses if his good faith was established and the penal action was not filed as a result of his complaint.

Article (295)

If the court is convinced that the act imputed to the accused does not constitute a serious crime but only a misdemeanor or a violation, it shall rule to modify the accusation and shall issue a ruling accordingly.

Article (296)

1. The issued ruling shall be recorded in the Court's Rulings Register. The original copy of the ruling, together with the case documents, shall be kept at the court.
2. The court shall send a list of the issued rulings to the Attorney General.

Article (297)

If the ruling contained a material error that does not invalidate it, the party that issued the ruling shall correct it of its own accord or at the request of the litigants. It shall also, at the request of the prosecutor, correct every material error contained in the indictment. Correction of such error shall take place in the deliberation room.

SECTION SEVEN
Penal Stay of Execution Procedure

Article (298)

The court may, when issuing a ruling in a serious crime or misdemeanor entailing the payment of a fine or the imprisonment for a period not exceeding one year, order in that same ruling the stay of execution. It may do that if it senses from the morals of the convicted person, his past history, his age, or the circumstances in which the crime was committed that he will not violate law again. The reasons for a stay of execution shall be explained in the ruling. The stay may entail any consequential penalty and all penal effects resulting from that ruling.

Article (299)

The order to stay of execution shall be issued for a period of three years starting from the day when the ruling becomes final.

The order to stay of execution may be annulled in the following cases:

1. If a ruling is issued against the convicted person during the above period for imprisonment for a period exceeding one month for an act committed before the order to stay of execution or after it.
2. If it was found out, during this period, that a ruling as stated in paragraph (1) was issued against the convicted person before the order to stay of execution was issued and the court was not aware of it.

Article (300)

The annulment ruling shall be issued, at the request of public prosecution, by the court that ordered the stay of execution after asking the convicted person to appear in court. If the penalty constituting the basis for annulment was issued after the stay of execution, the annulment ruling may be issued by the court issuing that penalty, whether of its own accord or at the request of public prosecution.

Article (301)

The annulment results in executing the penalty issued and all consequential penalties and criminal effects which may have been stayed of execution.

SECTION EIGHT
Trial of a Run Away

Article (302)

1. If the Attorney General levels an accusation against a person who was not arrested and did not surrender, he shall be served a warrant of arrest.
2. After referring the lawsuit documents to the prosecutor, he shall prepare a bill of indictment containing the names of witnesses and send it to the accused last place of residence for notification. He shall then refer the lawsuit to the court for trial.
3. After receiving the lawsuit file, the court shall issue a decision giving the accused a respite of ten days to surrender to the judicial authorities. This decision shall include the type of crime and the warrant of arrest, and shall call upon anyone who knows his hiding place to notify the court.
4. If the accused does not surrender during the specified period, he shall be considered a run away and the court shall decide to place his movable and immovable property under government management

as long as he remains free. He shall be denied disposal of such property and shall be prevented from filing any lawsuit. Any action taken or obligation pledged by him after that shall be considered null.

Article (303)

1. The decision to give the accused a respite shall be promulgated in the Official Gazette or in one of the local newspapers, and shall be posted on the door of his residence and on the court's bulletin board.
2. The prosecutor shall immediately notify the Land Registration Officer of the above decision so as to put a seizure sign on the real estate of the accused.
3. If the seized property may perish in a short time, or if the court believes that the sale of said property will benefit the owner, it may issue an order to sell it wherever it deems appropriate and the proceeds shall be kept in the court's treasury.

Article (304)

If the accused does not surrender within the period prescribed in Article (302) of this Law, the court shall try him in absentia.

Article (305)

1. No attorney for the accused shall be accepted in the absentia trial.
2. If the accused is out of Palestine and it was difficult for him to attend the trial, his relatives or friends may apologize on his behalf and prove the legality of his absence.

Article (306)

If the court accepts the excuse, it shall decide to postpone the trial. It may also place the suspect's property under the management of the public treasury for the appropriate period.

Article (307)

1. After securing communication and promulgation of the decision to give the accused a respite, the court shall decide to try him in absentia.
2. The prosecutor shall read the accusation and the bill of indictment. The court shall hear the evidence provided by public prosecution and the civil right plaintiff. It shall then issue its ruling in the lawsuit.
3. The run away shall be tried in accordance with the procedure prescribed in this Law.

Article (308)

If the run away was convicted, his property shall be subject to the rules applied in managing the property of the absentees on the date the ruling becomes effective. The property shall not be delivered to him or to his heirs until expiry of the absentia ruling.

Article (309)

The pronouncement of judgement shall be announced by public prosecution within ten days of its issuance in the Official Gazette and in one of the local newspapers. It shall also be posted on the door of the last known residence of the accused and on the court's bulletin board, and shall be communicated to the Land Registration Officer.

Article (310)

The ruling shall become effective on the next day of its proper promulgation. The prosecutor shall have the right to appeal it if the accused was acquitted.

Article (311)

1. If any of the persons accused is absent, the hearing for the other suspects shall not be postponed or delayed.
2. The court shall decide whether or not to return the materials kept in the trust warehouse after concluding the trial to the owners or to those entitled, provided they return them to the court when asked to do so.
3. The court clerk shall, prior to delivering these materials, prepare a list showing their type, number and description.

Article (312)

During the period when the property of the absentee suspect is in public treasury, his wife, children, parents and legal dependents shall receive a monthly alimony, to be decided by the concerned civil court, from the proceeds of his property. The civil right plaintiff may also seek a court decision enabling him to receive a temporary compensation he is legally entitled to, with or without a bail.

Article (313)

If the absentee suspect surrenders or was arrested before the elapse of the penalty period prescribed in accordance with the law of limitations, the ruling and all the measures taken as of the date of issuing the warrant of arrest or the decision to give the respite period shall be considered null by the rule of law. The trial shall be repeated in accordance with the prevailing rules.

Article (314)

If the absentee suspect was not convicted after surrendering and being put to trial again, the court may exempt him from paying the expenses of the absentia trial. It may also decide to promulgate the decision taken in his favor in the Official Gazette.

Article (315)

The provisions of this section shall be applicable to the suspect who flees a prison or does not appear in court after being personally notified or after being informed in his place of residence of the date of the hearing, if he was on bail.

SECTION NINE
Rules of Trial at the Reconciliation Courts

Article (316)

The conciliation court shall consist of a single judge to hear the lawsuits under his jurisdiction.

Article (317)

The conciliation court shall have jurisdiction to consider all violations and misdemeanors, unless otherwise specified.

Article (318)

No person shall be referred for trial before conciliation courts in misdemeanor cases unless public prosecution files in a bill of indictment.

Article (319)

Unofficial translation by ARD

The sessions of conciliation courts considering misdemeanor cases shall be held in the presence of the prosecutor and clerk.

Article (320)

1. When the bill of indictment is deposited at the court office, the clerk shall prepare subpoenas and shall notify the prosecutor, the accused, the civil right plaintiff and the official in charge of property.
2. The subpoena shall contain the date and time of the hearing.

Article (321)

1. If the accused does not appear in court on the day and time specified in the subpoena communicated to him in the proper way, he shall be tried in absentia.
2. If the accused attends the hearing and then withdraws for whatever reason, or if he absents himself after attending one of the sessions, the court may initiate hearing the lawsuit or proceed in hearing it as if the accused were present. No objection may be raised against this ruling except through an appeal.
3. If the accused standing trial according to the above paragraph requests to attend the hearings after that, he shall be denied attendance if settlement of the lawsuit was decided.

Article (322)

The accused in misdemeanor cases for which no penalty of imprisonment is prescribed may send a representative to confess of committing the act or for any other reason unless the court decides that he attends in person.

Article (323)

In hearings conducted by conciliation courts where law does not require prosecution to be represented, the Plaintiff or his attorney may attend the hearing and provide evidence.

Article (324)

The provisions of Section Five of this Chapter shall apply to rulings issued by the conciliation courts.

**SECTION TEN
Brief Procedures**

Article (325)

The brief procedures described in this section shall apply when violating the rules and regulations related to municipalities, health departments and land transportation.

Article (326)

1. When a violation of the above rules and regulations penalized by law is committed, the relevant investigation documents shall be sent to the concerned judge to issue the necessary ruling.
2. The judge shall issue his ruling within ten days unless law prescribes a shorter period for that.

Article (327)

The judge shall accept the truth of the facts recorded in the investigation documents prepared in the proper way.

Article (328)

Unofficial translation by ARD

The penalty ruling shall contain the act committed, its legal description and the text of the applicable penalty.

Article (329)

The convict and public prosecution shall be notified of the ruling in the proper way.

Article (330)

The brief procedures stated in this section shall not be applied when a civil right plaintiff is involved in the lawsuit.

BOOK THREE
Methods of Objecting to Rulings

CHAPTER ONE
Objecting to Default Rulings

Article (331)

The person convicted in absentia in misdemeanor or violation acts may object to the ruling within ten days following notification, taking into consideration the distance of the road.

Article (332)

The objection filed by the civil right plaintiff may not be accepted.

Article (333)

1. The objection shall be submitted to the office of the court issuing the ruling. The convict or his attorney shall sign the petition.
2. The petition shall contain a full description of the ruling to be reconsidered and the justification for objection.

Article (334)

The court issuing the default judgment shall assign a session for considering the objection. The litigants shall be notified of the session.

Article (335)

If the person convicted in absentia passes away before the elapse of the period prescribed for objection or before a decision is taken regarding that objection, the ruling and the penal action shall abate.

Article (336)

1. If the person objecting to the ruling fails to attend the session assigned to consider the objection without a legal excuse, the court shall rebut the objection. He may not object again.
2. The ruling to rebut the objection may be appealed. The appeal period shall start on the day following rebuttal if it was issued in the presence of the objecting person, and from the following day of notification if it was issued in his absence.

Article (337)

Unofficial translation by ARD

The court may not accept the objection if it was submitted after the prescribed period, or if there was lack of qualification, or for any other default in form.

Article (338)

If the court believes that the objection is acceptable in form, it shall decide to annul the ruling and proceed with the lawsuit in accordance with the procedures prescribed by law.

Article (339)

If the court believes that the objection is baseless, it shall rebut it.

Article (340)

The objecting party may not be penalized for filing an objection.

CHAPTER TWO
Appeal

Article (341)

1. The litigants may appeal the rulings issued by the Conciliation Courts, the Courts of First Instance and the Assize Courts