
CHAMBERS GLOBAL PRACTICE GUIDES

Litigation 2024

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Egypt: Law & Practice

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Shehata & Partners



EGYPT

Law and Practice

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Shehata & Partners (S&P) was founded in 1996 and has been driven by a vision to provide unique legal services that cater to the business needs of corporate entities doing business in Egypt. Its core mission is to provide the most trusted and effective legal advice on both dispute resolution and corporate law in Egypt. The

firm is result-driven and delivers exceptional services to clients across various practice areas and multiple industries. S&P continues to achieve the highest client satisfaction rates in the region due to the meticulous implementation of its client-centric approach.

Authors



Mohamed Osama has been part of the Egyptian judiciary and Public Prosecution Office for over two decades, during which he has developed a deep understanding of the judicial perspective. Having adjudicated countless disputes, particularly in the banking, finance and the labour law sectors, Osama has a unique take on the Egyptian courts' approach to these disputes. In 2018, Osama joined Shehata & Partners, and with his judicial experience, adding incredible value and a new perspective to the firm's practice, thus providing clients with a better service by dissecting legal issues from both the lawyer's perspective and the judicial perspective.



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EGYPT LAW AND PRACTICE

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Dina El-Saiedi has been involved with several key start-up accounts and has been able to provide a business mind-set approach when advising Egyptian startups.

Adding to having internships in several top-tier law firms in Egypt, she has also invested her time in learning the different aspects of how the legal and business fields intertwine. Dina has proved to be an integral member of Shehata & Partners through having a keen eye for legal developments within the Egyptian legal field.



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1. General

1.1 General Characteristics of the Legal System

Egypt is a civil law country based on the French Law; however, Article (2) of Egypt's Constitution (the "Constitution") stipulates that Islamic law must serve as the primary source of legislation.

Furthermore, inquisitorial systems are more commonly found in nations with a civil law system, such as France, Germany, and Italy, which is why Egypt also implements the inquisitorial system. This inquisitorial system is based on the belief that justice is best served when a neutral authority, which is the judge in Egypt's case, actively looks into and gathers the facts of the case. It highlights the judge's function and discretionary powers as a truth-seeker seeking to ascertain the unvarnished truth.

1.2 Court System

Egypt has three main supreme courts which are: (i) the Supreme Constitutional Court; (ii) the Court of Cassation; and (iii) the Supreme Administrative Court.

Supreme Constitutional Court

Article (192) of the Constitution states that the Supreme Constitutional Court has the sole authority to interpret the laws and regulations, determine their constitutionality, and resolve disagreements involving the affairs of its members, judicial bodies, and organisations with judicial authority. Further, this court has also the authority to issue rulings in conflicts over the implementation of two conflicting final judgments, one of which is issued by a judicial body and the other by another judicial body.

The Court of Cassation

On 2 May 1931, the Court of Cassation in Egypt established a single court based in Cairo, as the top of the judicial pyramid and the head of the judicial authority with respect to common courts.

Common Courts

The common courts fall under the umbrella of the Court of Cassation. There are three levels to common courts: (i) Courts of First Instance; (ii) Courts of Appeal and; (iii) the Court of Cassation.

Court of First Instance – in civil proceedings, Courts of First Instance are the initial stage of litigation where small claims cases are tried by one judge, whereas cases involving greater sums of money are tried by a panel of three judges.

Court of Appeal – Courts of Appeal handle civil appeals in panels of three judges. There are eight Courts of Appeal in Egypt located in Cairo, Alexandria, Tanta, Mansoura, Ismailia, Beni Suef, Assiut, and Qena. Each Court of Appeal has a separate president and is divided into circuits allocated to hear different kinds of cases. These circuits include those for economic, commercial and criminal.

The Supreme Administrative Court and the State Council

The Supreme Administrative Court is the highest court within the State Council which is considered as an independent judicial system working alongside the normal court system (explained above). In this regard, the State Council is a judicial system that hears cases that involve legal issues concerning administrative law (ie, disputes concerning administrative contracts concluded between private parties and governmental entities).

1.3 Court Filings and Proceedings

The public access to the court, the right of everyone to acquire a copy of the audience record, and the right of the media to publish both the pleadings and the sentences all ensure that cases are made public. The publicising of cases does not automatically imply that the court would be open to everyone as there are some restrictions that may apply. It is worth mentioning that the Egyptian Civil and Commercial Procedures Law No 13/1968 (the “Procedural Code”) states that if the case being public would violate the concerned family’s right to privacy, or the public’s interest, or morality, the court may rule that the hearing be held privately. However, in order to issue a ruling, it must be done in front of an audience, even if the proceedings are private.

1.4 Legal Representation in Court

The Egyptian Bar Law (EBL) states the requirements for appearing before the different levels of courts. The main prerequisite for a lawyer to appear before a court is to be registered with the Egyptian Bar. In this regard, some foreign lawyers (especially from Arab countries) would be eligible to apply for a membership with the Egyptian Bar Association subject to certain conditions.

2. Litigation Funding

2.1 Third-Party Litigation Funding

The Procedural Code is silent on the issue of third-party litigation funding. In this regard, the authors are of the view that the phenomenon of third-party funding is perfectly legal from a Sharia perspective. As a matter of fact, third-party funding agreements could be easily anchored in several nominate agreements under Islamic Sharia. Furthermore, Egyptian law permits contingency fees and alternative fee arrangements

between lawyers and their clients. Accordingly, it would be very hard to argue that typical third-party funding arrangements could fall foul of Egyptian public policy.

2.2 Third-Party Funding: Lawsuits

There are no specific rules on this issue under the Procedural Code. Therefore, it is permissible generally to have third-party funding for most types of cases.

2.3 Third-Party Funding for Plaintiff and Defendant

Third-party funding is generally available for both the plaintiff and the defendant.

2.4 Minimum and Maximum Amounts of Third-Party Funding

There is not enough data in Egypt to be able to determine a minimum and a maximum threshold for third-party litigation funding in Egypt.

2.5 Types of Costs Considered Under Third-Party Funding

There is not enough data in Egypt to be able to discern the type of costs that will be considered for funding by third-party funders.

2.6 Contingency Fees

The EBL allows lawyers to receive contingency fees, and therefore allows them to enter into alternative fee arrangements with their clients. At the time of enacting the EBL, the margin that could be agreed upon between the lawyer and their client was between 5% and 20% of the outcome of the case.

However, the 5% minimum was declared unconstitutional by the Supreme Constitutional Court later on. Accordingly, there is not currently a minimum threshold as a matter of Egyptian law. Furthermore, the Supreme Constitutional Court

ruled that alternative fee arrangements between client and counsel cannot be based on the client's solvency. In practice, it must be noted that contingency fees and alternative fee arrangements are quite popular and are frequently used by several top-tier law firms in Egypt.

2.7 Time Limit for Obtaining Third-Party Funding

Generally, there are no specific deadlines or time limits for a party to the litigation to obtain third-party funding.

3. Initiating a Lawsuit

3.1 Rules on Pre-action Conduct

In some cases, the legislature obliges the plaintiff to notify the defendant before filing a lawsuit, as in the following examples.

- In cases of performance or termination of the contract (Articles 157 and 158, 203 of the Civil Code). The penalty for not notifying the defendant is the inadmissibility of the claim, unless the parties agree to exempt one another from the obligation to notify.
- In claims of compensation for contractual liability (Article 218 of the Civil Code). The penalty for not notifying the defendant is inadmissibility, except that the legislature made exceptions to this (Article 220 of the Civil Code). These exceptions are the situation where the debtor declares in writing that it will not fulfil its obligation or the situation where the performance of the obligation becomes useless or not possible by the acts of the debtor.
- If the creditor's right is fixed by writing, with a determined value and due to be performed, (ie, a commercial paper such as a promissory note), the creditor shall notify the debtor that

the latter has a maximum of five days to fulfil its obligation, and then proceed to request a writ of performance (Articles 201 and 202 of the Procedural Code). The penalty for failure to abide with this requirement is the inadmissibility of the case.

In some other cases, the legislature has also required that the initiation of proceedings require first certain procedures to be followed. For example, the need for the worker or employer to resort to his labour office first to settle the dispute amicably (Article 70 Labor Law) before filing a case against its employer. The penalty for not abiding with this requirement is the inadmissibility of the case.

3.2 Statutes of Limitations

Firstly, all articles referring to statutory limitations in different legislation apply only if raised by the defendant who has an interest. In other words, the court does not rule *sua sponte* concerning issues of statutes of limitation.

It should also be noted that the origin is the expiration of the statute of limitation on the right and/or the obligation in question is 15 years (Article 374 of the Civil Code) unless stated specifically.

The following are some examples of the durations of the statutes of limitation under Egyptian Law.

- A warranty claim's statute of limitation shall be one year from the time of the seller's delivery. This applies even if the buyer has not disclosed the defect until later on, unless the seller accepts the obligation for a warranty for a longer period. However, the seller may not use the lapse of the one-year statute if it is proven that it has deliberately concealed the defect (Article 452 of the Civil Code).

- Generally, any claims arising out of employment contracts have a statute of limitation of one year following the termination of the contract.
- The statute of limitation arising out of shipping contracts, whether on land or planes, shall be one year if the subject of the dispute is the carrier's insurance claim for the death of the passenger or physical damage (Articles 272 and 296 of the Trade Code).
- The claim for compensation arising out of tort liability shall have a statute of limitations of three years from the day on which the injured person was aware of the damage and the person responsible for it (Article 172 of the Civil Code).
- Claims arising out of the insurance contract shall be subject to a statute of limitations of three years from the time of the occurrence of the event resulting from such claims (Article 752 of the Civil Code).
- Claims arising out of commercial papers have a statute of limitation of one to three years depending on the case at hand (Articles 465, 470 and 531 of the Trade Code). Despite the lapse of the statute of limitation for filing for a lawsuit, the holder of the cheque may, however, claim restitution of what was unduly enriched (Article 532 Trade law).
- Taxes due to the state have a statute of limitation of five years (Article 377 of the Civil Code).
- Liability of the architect and the contractor have a decennial liability with respect to structural defects in buildings (Article 651 of the Civil Code).

3.3 Jurisdictional Requirements for a Defendant

The basic rule of territorial jurisdiction is that the plaintiff must summon the defendant before the court of the defendant's domicile at the date

when the action is brought (Article 49/1 of the Procedural Code). According to Egyptian law, the domicile is the place where the person usually resides.

If the defendant has more than one domicile, the plaintiff may choose any of the courts of the defendant's domiciles. If the defendant has no domicile in Egypt they may be summoned before the court of their residence. If the defendant has neither a domicile nor a residence in Egypt, the plaintiff may refer the matter to the court of their domicile, or of their residence. If the plaintiff has neither a domicile in Egypt nor a residence, the jurisdiction would be for the court of Cairo.

If the defendant is a juristic person, the jurisdiction will be for the court of its registered office. If the juristic person has branches, and the case concerns a certain branch, the jurisdiction is for the court of the place where the branch exists.

In case of several defendants, if the object of the claims against them are the same or connected, the plaintiff may refer the matter, at their choice, to the court of domicile of one of them, but if it appears from the circumstances that the case has been brought to a certain court in order to force one of the defendants into a court other than their domicile's court, the court shall decline to entertain it.

The rule *actor sequitur forum rei* has some exceptions, where the law finds another court more suitable to deal with the case. One of these exceptions, for example, is real property actions. In these actions, the court which has jurisdiction is that where the property or part of it is located. The same rule applies to actions concerning possession of real estate. If a case concerns more than one parcel of real property, the action may be brought in any place where any of the

properties is located. This exception applies only to the action which has as its object real property or a possession of it; it does not apply in matters of leases for rent and rural leases.

As for international jurisdiction rules, the Egyptian courts have jurisdiction of claims against Egyptian citizens even if they have no domicile or residence in Egypt.

Further, Article 30 of the Procedural Code enumerates the cases in which the Egyptian courts have jurisdiction for claims raised against a foreigner who has neither domicile nor residence in Egypt. The most important instances are the following:

- if the foreigner has an elected domicile in Egypt for the execution of a legal act;
- if the case concerns a property located in Egypt or concerning an obligation started, executed or has to be executed in Egypt, or concerning a bankruptcy registered in Egypt; and
- if one of the defendants has a domicile or a residence in Egypt.

3.4 Initial Complaint

The plaintiff submits its statement of claims for filing the case with the administration at the competent court and attaches with it the supporting documents (Article 65 of Procedural Code). An estimate of the fees is determined, and after the payment of the fees, the statement of claim shall be registered and shall be given a judicial number, and the date of the first hearing shall be determined.

As to the modification of requests within the proceedings, the litigants may request the judge to amend the requests and/or add new requests before the court of first instance until the closure

of the proceedings (Articles 123, 124 and 125 of the Procedural Code).

3.5 Rules of Service

Any notices shall be done by the court bailiffs at the request of the plaintiff, or the request of the court administration or based on the court order. The plaintiff or their agents shall direct the proceedings and submit their memorandums to the court bailiffs for notification or execution. The memorandums to be notified shall be handed over to the person themselves or at their domicile and may be handed over in the chosen domicile in the circumstances specified by law.

If the court bailiff does not find the person whose notification is sought in their own domicile, the court bailiff must hand over the memorandum to a person who declares to be their agent or their spouse, their relative or their in-law.

If the court bailiff does not find any person to whom the notice may be delivered in accordance with the above or finds such a person but the latter refuses to receive the copy of the memorandum, the court bailiff shall, on the same day, hand the memorandum over to the warden of the police department in which the defendant domicile is located. Within 24 hours, the court bailiff shall send the defendant at their domicile or their chosen domicile a registered letter with another copy of the statement of claim, informing them that the copy has been handed over to the police department. The notice shall have its effect from the time the copy was handed over to the recipient legally as per the above rules.

If the opponent cancels their original or chosen domicile and does not inform their opponent, the notices shall be deemed in effect if service is made to such an original or chosen domicile. The copy shall, where appropriate, be delivered

to the concerned administrative entity in accordance with the above rules.

If the domicile to which the notice should be sent is unknown, the notice must include the last known domicile in Egypt or abroad and submit its copy to the public prosecution office. In all cases, if the court bailiff does not find whoever is eligible to receive the notice or such an eligible person refused to receive the notice, then the court bailiff shall document such an incident in a timely manner and deliver the copy to the Public Prosecution Office (Articles 5, 6, 7, 9, 10, 11, 12, 13, 15, 16, 17 and 18 of the Procedural Code).

As for persons residing outside Egypt, they shall be notified by diplomatic means (Article 13, Paragraph 9 of Procedural Code). The notice shall be considered effective as soon as the copy of the notice is handed over to the Public Prosecutor's Office, which is responsible for notifying abroad through diplomatic means and in accordance with bilateral judicial co-operation treaties.

3.6 Failure to Respond

If the defendant does not appear in the case and the statement of claim has been notified to the defendant in person, the court shall rule on the case. If the notice has not been notified to the defendant in person, the court shall adjourn the hearing of the case to a subsequent hearing to have the defendant re-notified, at which time the court shall rule on the case even in the absence of the defendant. Further, the judgment in this case shall be considered as a judgment that was issued in the legal presence of the defendant (Article 84 Procedural Code).

3.7 Representative or Collective Actions

The provisions and texts of Egyptian law have failed to regulate this matter except as referred to under Article 63 of the Procedural Code,

which stipulates that the proceedings shall be brought before the court at the request of the plaintiff in a statement of claims deposited with the registry of the court. This article basically indicates that the plaintiff is a single individual/entity, except where the plaintiff's legal status is indivisible or inseparable; in this case plaintiffs may legally be multiple, as long as their legal status is the same, and determining such will be within the discretionary powers of the court on a case-by-case basis.

In all cases, it is not preferable to pursue such a course of action by filing collective proceedings because of the difficulty and lengthiness of the proceedings in this scenario, as there will usually be situations where the form of the action will need to be amended or rectified to cater for a situation where one of the parties dies/ceases to exist.

However, in case of collective employees' lawsuits, where there is a collective labour agreement concluded between the employer and the employees, the employees will be eligible to file their case in a class action format (Article 164 of the Labor Code). The same applies to cases where employees collectively sue their employer for their profit share. In this case, the employees may file the suit collectively as long as they share the same legal position in the case (Article 41 of the Companies Law).

3.8 Requirements for Cost Estimate

Neither the Procedural Code nor the EBL obliges a lawyer in Egypt to provide their client with a cost estimate for the case ahead of the litigation proceedings.

4. Pre-trial Proceedings

4.1 Interim Applications/Motions

A creditor may impose a provisional seizure on the movable assets of its debtor in each case where the creditor fears that its right will be lost and wishes to secure it. If the creditor did not acquire a writ of execution, or it had a court decision that is not enforceable yet or the debt was not specified, the provisional seizure will be ordered by the enforcement judge who will authorise the seizure and give a provisional estimate to the client's debt. In these cases, the creditor must, within eight days, bring a case before the competent court in order to establish its right and the validity of the seizure. Otherwise, the seizure shall be considered as if it was never imposed (Articles 316, 319 and 320 of the Procedural Code).

If the case has already been brought before the competent court, the request to allow the seizure can be presented to the head of the panel of the judges.

Furthermore, Egyptian law does not define a system for provisional compensation before the elements of compensation have been fully proven in a substantive trial.

4.2 Early Judgment Applications

The parties may resort to the interim measures judge to rule provisionally, however, without prejudice to the right of the subject matter of the case. This includes requesting the interim measures judge to appoint an expert to prove the status quo of the case or to appoint a judicial sequestrator (Article 45 of the Procedural Code and Article 133 of the Evidence law).

Further, if a party has a right that is established in writing and is due, and this right comprised an

established sum of money, then the concerned party will be entitled to request the competent judge to order the payment of such a sum. If the competent judge decides not to grant such an order, then the judge will be required to set a hearing for adjudicating this matter after notifying the debtor in question. It must be noted that this order is usually rejected in practice and a hearing is usually set for adjudicating this matter (Articles 201, 202, 203, 204 and 209 of the Procedural Code).

4.3 Dispositive Motions

The Egyptian law does not have an equivalent notion to dispositive motions in common law countries. However, Articles 82 and 84 of the Procedural Code discuss cases where the court itself can *sua sponte* dismiss a lawsuit. This can be seen in trials where the plaintiff and the defendant have failed to appear before the court; then the court can issue its ruling on the case if the case be ruled on; otherwise, the court will dismiss the case.

4.4 Requirements for Interested Parties to Join a Lawsuit

Any interested party may join a lawsuit by joining one of the parties or requesting a ruling for themselves in the lawsuit.

This joining shall be through the usual procedures for filing a lawsuit before the day of the hearing or by a request submitted orally during the session in the presence of the parties and is recorded in the hearing minutes. These joining requests may not be accepted after the door for filing memorandums is closed by the court.

4.5 Applications for Security for Defendant's Costs

This notion does not exist under Egyptian law.

4.6 Costs of Interim Applications/ Motions

The plaintiff shall pay the costs of interim measures applications, taking into account that they are mostly fixed fees, and they are usually small fees.

4.7 Application/Motion Timeframe

The Procedural Code sets maximum dates for hearing sessions and their postponements, which are 15 days before the Court of First Instance and eight days before the Partial Courts. In case of necessity, these two periods of time may be reduced to three days and 24 hours, respectively. The time limit for appearance in urgent cases is 24 hours, and in case of necessity this time may be shortened and made to the following hour (Article 66 of Procedural Code). However, there is no specific timeframe for completing the sessions themselves, as the legislature did not specify the number of specific sessions or the time for each session. It should also be noted that in practice, these timeframes are not adhered to, as failure to adhere to them does not result in any penalty in any event.

5. Discovery

5.1 Discovery and Civil Cases

The Egyptian Law does not have a concept equivalent to that of discovery in common law countries. In this regard, each party submits what they deem to be supporting their claims and they are not obliged to produce any documents in their custody to the counterparty unless certain conditions are met cumulatively as follows:

- the document is material to the case;
- the law permits the production of such a document;

- the document is a common document between the parties (such as contracts between the parties); and
- the document was relied upon by the counterparty during any stage of the proceedings.

Further, the applicant must describe the contents of such requested document and the reasoning behind requesting it. In this regard, the judge has full discretionary powers to decide on the production of such documents.

5.2 Discovery and Third Parties

It is possible to obtain facts from a third party other than the claimant or the respondent in the following circumstances:

- a party can request the joining of a third party to the case as long as such a third party could have been a party to the case at the time of initiating the lawsuit;
- a party can request that a third party produces a document in its custody if the conditions mentioned under **5.1 Discovery and Civil Cases**, are met; and
- a party can request the appearance of third parties such as witnesses and experts.

5.3 Discovery in This Jurisdiction

Please refer to **5.1 Discovery and Civil Cases**.

5.4 Alternatives to Discovery Mechanisms

Please refer to **5.1 Discovery and Civil Cases**.

5.5 Legal Privilege

The EBL states that the lawyer must retain the information that their client discloses to them, unless the client asks the lawyer to use it to defend the client's interest.

5.6 Rules Disallowing Disclosure of a Document

Please refer to 5.1 Discovery and Civil Cases.

6. Injunctive Relief

6.1 Circumstances of Injunctive Relief

The most common form of injunctive relief in Egypt would be a provisional seizure of assets. This type of seizure allows for the freezing of the assets of the debtor, for example. In this regard, there are two types of provisional seizure under Egyptian law as follows:

- provisional seizure vis-à-vis the debtor; and
- provisional seizure vis-à-vis a third party.

Further, in the following three events, the creditor would need first to submit an application for a provisional seizure to the judge (which is an ex parte application) and then the creditor would need to notify its counterparty (the debtor or a third party) and file a regular case to prove the validity of the seizure within a period of eight days:

- the creditor does not have a writ of execution;
- the creditor has a judgment issued in its favour, however, it is not enforceable yet; and
- the creditor's value of debt is not determined yet.

Accordingly, if none of the above three situations exist, the creditor would be eligible to apply for the provisional seizure without the need to follow on with filing a regular case to prove the validity of the seizure itself.

6.2 Arrangements for Obtaining Urgent Injunctive Relief

The same timelines indicated under 4.7 Application/Motion Timeframe apply.

6.3 Availability of Injunctive Relief on an Ex Parte Basis

Injunctive relief can be obtained on an ex parte basis. Please refer to 6.1 Circumstances of Injunctive Relief.

6.4 Liability for Damages for the Applicant

In the event of a provisional seizure vis-à-vis the debtor, which has subsequently been ruled as invalid, a fine will be applied against the creditor amounting to EGP800. Further, the debtor will be eligible to request compensation from the creditor according to the general rules under the Egyptian Civil Code.

In addition, under either the provisional seizure vis-à-vis the debtor or vis-à-vis a third party, and where the seizure was proven to be invalid, the debtor/third party will be entitled to request compensation against the creditor on the basis of the rules pertaining to the abuse of the right to justice.

6.5 Respondent's Worldwide Assets and Injunctive Relief

Egyptian courts do not have jurisdiction to grant injunctive relief against worldwide assets of the respondent.

6.6 Third Parties and Injunctive Relief

A provisional seizure can be requested vis-à-vis a third party. Please refer to 6.1 Circumstances of Injunctive Relief for further details.

6.7 Consequences of a Respondent's Non-compliance

In the event of a provisional seizure vis-à-vis the debtor, if the latter fails to comply with the terms of the injunction and disposes of the assets in their custody, then the debtor will be subject to an imprisonment penalty and a fine (Article 342 of the Penal Code).

In the event of a provisional seizure vis-à-vis a third party, if the latter fails to comply with the terms of the injunction, then the third party will be liable for the debt itself in its own money if they did not declare exactly what exists in their custody that belongs to the debtor. Further, if it has been proven that the third party has disposed of the assets in their custody to harm the creditor, then the third party will be subject to an imprisonment penalty and a fine (Article 341 of the Penal Code and Articles 335, 343, 352 of the Procedural Code).

Also, the court may assign one or more experts to examine the case and to submit a technical report, and it may invite the expert to a hearing in order to discuss its report if it deems necessary. In practice, if the court is satisfied with the expert's report, it may seek guidance from it in its judgment. However, the expert's report does not bind the court.

7.2 Case Management Hearings

In general, the Egyptian judicial system does not include the case management hearing system, however, there are specific laws that provide the existence of similar hearings as follows.

- The Preparation and Mediation Authority established under the Law Establishing Economic Courts No 120 of 2008 ("Economic Courts Law"). A body shall be established in each economic court called the Preparation and Mediation Authority which undertakes the preparation and mediation in the lawsuits within the jurisdiction of this court. This does not include criminal cases, appeals, and other cases excluded by this law, or those referred to the economic courts for subject-matter jurisdiction.
- The State Commissioners Authority referred to in the State Council Law No 47 of 1972 ("State Council Law"). The State Commissioners Authority prepares the case for the hearing, and then the commissioner – after completing the case preparation – files a report in which he identifies the facts and legal issues raised by the dispute and expresses their reasoned opinion. Later on, and within three days from the date of filing the report, the State Commissioners Authority will present the file to the president of the court to set the date of the hearing in which the case will be heard.

7. Trials and Hearings

7.1 Trial Proceedings

The lawsuit is registered with the clerk of the competent court. Following the registration and giving it a number, a hearing is scheduled within two weeks from the registration date. The defendant must be notified within that period.

On the day of the hearing, the opponents must appear in person or by proxy. If the defendant is present, the court may set another hearing upon the defendant's request to present their defences and supporting documents. In addition, the opponents must be heard during the hearing, and the memorandums are considered a part of the hearing. It should be noted that in practice in civil matters, written submissions are much more common than oral hearings.

7.3 Jury Trials in Civil Cases

The Egyptian judicial system does not include a jury trial system, it applies only a bench trial system; where only the judges are allowed to make trial decisions.

7.4 Rules That Govern Admission of Evidence

The general rules governing the admission of evidence in Egyptian law exist under the Egyptian Law No 25 of Year 1968 on Evidence in Civil and Commercial Procedures (the “Evidence Law”). The admission of electronic documents as evidence is governed partially by the E-signature Law No 15 of the year 2004 and its executive regulations (the “E-signature Law”).

Generally, every party submits what they consider useful for their claim and are not obligated to submit a document requested by their counter-party unless under the conditions mentioned under **5.1 Discovery and Civil Cases**.

It is also possible to obtain facts from a third party other than the opponents, such as hearing witnesses and experts to examine and research the technical issues.

7.5 Expert Testimony

The parties may request the appointment of an expert during the case. Also, the court may, *sua sponte*, appoint an expert. Following the submission of the expert’s report, the court may invite the expert to a hearing in order to discuss its report if it deems necessary. In addition, the court may address questions to the expert, *sua sponte*, or based on a party’s request if it deems it useful to the case.

7.6 Extent to Which Hearings Are Open to the Public

The hearings are public in Egypt unless the court decides otherwise, either *sua sponte* or upon a party’s request. A private hearing aims primarily to preserve the public order, to respect the morals or the sanctity of the family. However, the judgment pronouncement must be public, otherwise, it becomes invalid.

7.7 Level of Intervention by a Judge

The parties appear before the civil courts and each party submits a memorandum of defence and supporting documents. The judge directs the conduct of the hearings and sets the dates for submitting documents and memorandums. However, the judge cannot direct them to their defence, and the court is not obligated to assign the opponents to provide evidence for their requests.

When the case becomes fully prepared, the judge issues its judgment on the case, and the judgment is either preliminary by one of the evidentiary procedures (such as an obligation to submit a document based on the opponent’s request, hearing witness testimony, or appointing an expert; these judgments cannot be appealed), or a final judgment on the subject matter of the dispute. In this regard, final judgment can be appealed by the losing party.

7.8 General Timeframes for Proceedings

In practice, timeframes for proceedings are in most cases as follows:

- regarding the cases before the courts of first instance (without appointing an expert) the duration of the case is between six and nine months;
- regarding cases before the courts of first instance, in which an expert is appointed, the

duration of the case ranges from a year-and-a-half to two years;

- regarding cases before the Courts of Appeal, the duration ranges from one to one-and-a-half years; and
- regarding cases before the Court of Cassation, the duration of the case varies on a case-by-case basis.

8. Settlement

8.1 Court Approval

In cases where settlement is permitted, the parties may settle, provided that the subject of the settlement is not contrary to the public order and morals. In Egypt, the opponents may request the court, in any stage during the case, to record their settlement in the hearing minutes. The written agreement will be appended to the hearing minutes and its content will be recorded therein. The hearing minutes shall then have the force of a writ of execution.

8.2 Settlement of Lawsuits and Confidentiality

The act of the settlement is public, meaning that the information that both parties have settled is public. However, the content of the settlement agreement remains confidential. Only the parties concerned with the dispute will have access to the hearing minutes, which contain the settlement agreement itself.

8.3 Enforcement of Settlement Agreements

There is nothing specific about settlement agreements when it comes to enforcing them. The judgment including the settlement agreement can be enforced as any regular judgment.

8.4 Setting Aside Settlement Agreements

Settlement agreements are subject to the general provisions governing contracts in the Egyptian Civil Code. Therefore, the Egyptian courts may set aside a settlement agreement if they determine that any of its terms are illegal, violate the public order, or are tainted by fraud, lack of capacity, lack of consent, or lack of interest.

9. Damages and Judgment

9.1 Awards Available to the Successful Litigant

The court grants to the party who wins the case, based on their request, compensation, whether on a contractual or a tortious basis, in addition to legal interest for the delay in executing the concerned obligation. This is in case the subject matter of the obligation is a sum of money.

The court's judgment for tort compensation is based on the existence of the fault, damage, and a causal relationship between both. The basis of contractual compensation is non-performance of the contractual obligation. It should be noted that if the compensation is determined by the contract, the judge will grant that compensation, but this may be reduced if the losing party proves that it is exaggerated or proves that they have fulfilled part of their obligation.

In all cases, the judge cannot grant a higher compensation than the one agreed upon in the contract, unless the concerned party proves that the opponent has committed fraud or a grave error. Here, the provisions for compensation for tortious liability will also apply.

As for delay interest rate; which is compensation for the delay in performing a duty if the subject matter of the obligation is a sum of money of a

determined amount that has become due, the legal interest limit is then 4% annually in civil matters and 5% annually in commercial matters. In case the parties agreed otherwise, this interest rate cannot exceed 7% annually. It should also be noted that, as an exception to this general principle, it is permissible to agree on higher interest rates in banking operations and in some other instances, without being bound by the limits provided by the Civil Code.

9.2 Rules Regarding Damages

The Egyptian legislature has enumerated several cases of punitive damages, including the following.

- It is permissible to impose a threatening fine upon the claimant's request if the defendant refuses to perform their obligation. The judge may also increase the threatening fine to force the defendant to perform their obligation.
- The court may also award compensation and a fine for expenses arising from a lawsuit or defence intended to be malicious. However, the fine in this case is awarded to the benefit of the court.

Regarding the limits of compensation:

- if compensation for contractual liability is determined by the contract, the judge cannot grant a higher compensation, unless the creditor proves the debtor's fraud or grave error. In this case, the rules of tort liability will apply to compensation as well;
- regarding tort liability, there are no maximum limits for compensation, as it is estimated by the judge within the limits of the requests. In this regard, compensation includes the loss incurred and the lost profit by the creditor; and

- regarding interest, the total interest received by the creditor cannot exceed the original amount. This is without prejudice to trade practices and rules, since in banking operations and other instances, the interest may exceed the original debt.

9.3 Pre-judgment and Post-judgment Interest

In respect of delay interest, which is compensation for the delay in performing a duty if the subject matter of the obligation is a sum of money of a determined amount that has become due, the legal interest limit is then 4% annually in civil matters and 5% annually in commercial matters. In case the parties agreed otherwise, this interest rate cannot exceed 7% annually. It should also be noted that, as an exception to this general principle, it is permissible to agree on higher interest rates in banking operations and in some other instances, without being bound by the limits provided by the Civil Code.

Interests are effective from the date of the judicial claim unless provided otherwise by the trade practice or by the party's agreement. The Trade Law No 17 of 1999 (the "Trade Law") stipulates another triggering date for the interest, which is since the day when the obligation became due.

Therefore, interest is due in the pre-judgment phase, whether from the date of the claim or from the due date of the obligation itself. However, in order for the interest to become due before the judgment is issued, the obligation must consist of a payment of a determined amount that has become due. The creditor can also request the interest for the post-judgment phase and until the payment, provided that the total interest does not exceed the original debt. However, in banking operations and some other instances, the interest can exceed the original debt.

9.4 Enforcement Mechanisms of a Domestic Judgment

Egyptian law recognises many mechanisms for enforcing a domestic judgment as follows.

Enforcement is accomplished based on a final judgment with the exequatur appended to it, and after notifying the losing party. Later on, a file regarding this execution will be opened in the execution department of the competent court; ie, in the territory in which the subject of execution is located.

The execution is then supervised by the executive counsellor, who sets the execution dates and ensures that there are no objections regarding the execution from the losing party. If the losing party does not pay voluntarily, their property (if any) will be seized and sold in order for the creditor to recover their rights.

9.5 Enforcement of a Judgment From a Foreign Country

Judgments issued in a foreign country may be enforced under the same conditions provided by the law of this country regarding the enforcement of Egyptian judgments and orders therein. This is called reciprocity. Further, unless there are treaties concluded between the Arab Republic of Egypt and other countries, then the procedures of enforcement provided in those treaties shall be applied instead of the procedures stipulated in the Egyptian Procedural Code.

The request for an execution order shall be submitted to the court of first instance in the jurisdiction of the place where the execution is sought, by the usual proceedings for filing a lawsuit. An execution order may only be requested after verifying the existence of the following conditions:

- the courts of the Egyptian Arab Republic are not competent to adjudicate the subject matter of the foreign judgment and the foreign court has jurisdiction over the subject matter according to its private international law;
- the appearance, representation, and notification procedures have been carried out properly;
- the foreign judgment must have the force of res judicata according to the rules of the court issuing it; and
- the judgment does not violate the public order in Egypt and does not violate a previous judgment issued in Egypt on the same subject matter of the case.

10. Appeal

10.1 Levels of Appeal or Review to a Litigation

Please see below the general rules for appealing court decisions in Egypt.

- Partial Courts – have a subject matter jurisdiction over claims whose value does not exceed EGP100,000, whereby their judgment is final if the value of the lawsuit does not exceed EGP15,000. The appeal here will be before the Courts of First Instance.
- Courts of First Instance – have jurisdiction over all civil and commercial matters that are not covered by the jurisdiction of the Partial Courts, and their judgment is final if the value of the claim does not exceed EGP100,000. They also have jurisdiction over claims with an undetermined value, and the appeal of these judgments shall be before the Court of Appeal.
- Courts of Appeal – the judgments of these Courts are final except in the event that the quantum of judgments exceeds EGP250,000,

or pertain to claims with an undetermined value, in which case a cassation challenge shall be allowed.

Please note that there are some exceptions to the above and there are also some other rules for appeal that apply as an exceptional route (ie, petition for a re-hearing).

10.2 Rules Concerning Appeals of Judgments

An appeal may be filed by the losing party if the court of first instance did not grant any of their requests. The appeal transfers the case in its same state before the appealed judgment was issued, regarding the appealed issues only, the court must consider the appeal on the basis of the new evidence, and defences presented to it.

The Court of Appeal considers both the law and the merits, however, it remains restricted to the requests filed before the Court of First Instance. Thus, new requests are not acceptable before the appeal stage. However, it is permitted at the appeal stage to request interests that are due after submitting the final requests before the court of first instance, and the additional compensations after submitting these requests. Likewise, while the subject matter of the case remains the same, it is permitted to modify its legal bases and to add to it. It must be noted that the court of appeal may award compensation if the appeal was maliciously filed.

Also, it is not possible to introduce a new party to the appeal if that party was not a litigant in this case before the Court of First Instance, except when provided otherwise by the law or in case this party has requested to join one of the litigants before the Court of Appeal.

The Cassation may be filed in case of violation of the law and an error in its application and interpretation exists. The Court of Cassation does not deal with the subject matter of the case, and it is not permitted to consider facts or documents other than those presented before the Court of Appeal.

10.3 Procedure for Taking an Appeal

The winning party or the losing party can appeal all or a part of their requests if they did not accept the judgment of the Court of First Instance. This is done by submitting a statement to the competent Court of Appeal within 40 days in civil and commercial matters and within a period of 15 days in urgent matters.

However, if the judgment was issued based on fraud committed by the opponent, a forged document, false testimony, or due to the failure to present an important document for the case that the opponent withheld, then the timeline for appeal starts from the day on which the fraud was revealed, the withheld document was revealed, or the day where the forger or the false witness was convicted.

Further, the timeframe for Cassation challenges is 60 days.

The triggering event for the appeal is the date when the judgment was issued. This period starts from the date of notifying the judgment to the losing party in case they have failed to attend all the hearings. However, if they attended any of the hearings, the judgment is considered a judgment in *presentia*, and the period starts from the date of judgment issuance. However, if the defendant did not attend, the judgment must be notified to them. The notification shall be either a notification in person or a legal notification to one of their subordinates or one of the residents

with them, and the time limit begins from the date on which the notification was made. As for the presumptive notification that is announced to it administratively in cases where the entity is closed (if the losing party is a juristic person) or in case there is no one to notify the judgment to, in such cases, the timeframe for appeal does not start with the presumptive notification and the timeframe for appeal remains open until the notification is done in person or as a legal notification to one of their subordinates or one of the residents with them.

10.4 Issues Considered by the Appeal Court at an Appeal

The appeal transfers the case with its same state before the appealed judgment was issued, regarding only the issues ruled by the court of appeal, and the court may consider the appeal on the basis of the new evidence, and defences presented to it. The Court of Appeal is, however, restricted to the requests made before the Court of First Instance and to which the appeal was received. Therefore, in no way may the Court of Appeal consider new requests.

10.5 Court-Imposed Conditions on Granting an Appeal

In order to accept the case, the Court of Appeal does not impose any requirements beyond those that are required by law.

10.6 Powers of the Appellate Court After an Appeal Hearing

The Court of Appeal might issue a judgment on the subject matter of the case which will become final and enforceable. On the other hand, the Court of Appeal may also reverse the judgment issued by the court of first instance and refer the case to another court, due to the lack of jurisdiction of the court issuing the appealed judgment. In such a case, the trial will be repeated before

the competent court, as if the appealed judgment of the Court of First Instance has not been issued in the first place.

11. Costs

11.1 Responsibility for Paying the Costs of Litigation

Pre-litigation Stage

The claimant must pay the judicial fees determined by the clerk while submitting their statement of claim. Paying these expenses is necessary for registering the case before the court, taking into account that the Judicial Fees Law No 90 of 1944 ("Judicial Fees Law") has set a maximum limit for the fees to be paid when filing a lawsuit, as these fees are estimated on the basis of claims' amounts so that the fees can never exceed 5% out of EGP10,000, regardless of the value of the claim. Accordingly, these fees are usually small fees.

Post-judgment Stage

When issuing the judgment ending the dispute, the court must rule *sua sponte* regarding the costs of the claim and must award the expenses of the lawsuit to the opponent. However, the court may oblige the winning party to pay all or some of the expenses if the right was granted by the losing party, or if the winning party has caused extra and useless expenses during the case. However, if each one of the parties has lost some of their claims, it is possible to divide the expenses between them or to impose the payment of all the expenses by one party only. The fee is decided by the clerk based on what was granted by the court. Judicial claims are made against the losing person for expenses within the limits of 7.5% of the amount awarded.

It is clear from the above that the real amount of the fee will be paid by the opponent after the judgment is issued; they can also appeal such a determination regarding their obligation to pay the fees in two ways: either by (i) appealing the judgment itself, or by (ii) appealing the claim that will be filed against them for the payment of fees.

Other expenses, such as experts' fees, are estimated by the court and paid by the party that is charged with proof. The court also imposes expenses in exchange for the attorney's fees, which they are obligated to pay. However, the amount of attorney's fees that the court imposes ranges between EGP50 and EGP200, depending on the judicial degree of the present case. These fees are collected by the Ministry of Justice for the benefit of the Bar Association. It should be noted that it is permitted to request the actual fees paid by the client to their attorney as part of the components of the claimed compensation, and it may be awarded by the court as compensation.

11.2 Factors Considered When Awarding Costs

The court usually imposes the costs on the losing party, however, sometimes they may be divided between both parties or imposed on the winning party if they are the one who caused the dispute. However, if the opponents agree on a person being responsible for the fees, the court must implement this agreement.

11.3 Interest Awarded on Costs

The court does not award interest on the ordered fees. This is except for the case where the judgment awarded a compensation (for instance) plus interest until payment is completed. In this case, the awarded amount of compensation will increase with the delay in payment by the debtor (due to the incurred interest). Since the judicial

fees are determined based on the awarded compensation, supplementary fees will be imposed based on the interest incurred on the original debt.

12. Alternative Dispute Resolution (ADR)

12.1 Views of ADR Within the Country

ADR is viewed as an effective and common resolution mechanism in Egypt. It is widely advocated for in the Egyptian jurisdiction whether that be by practice, such as the common inclusion of non-formal amicable negotiation before formal dispute settlement in Egyptian contracts, as well as legally requiring prior mediation in some cases as a preliminary step to formal dispute settlement (please refer to 12.2 ADR Within the Legal System).

Although several ADR institutions in Egypt advocate for different ADR mechanisms, Arbitration remains the only ADR mechanism recognised by a national legislation (Law No 27 of the Year 1994 on Arbitration in Civil and Commercial matters) (EAL). In that regard, there are a few notable Arbitration centres in Egypt that adopt their own arbitration rules, such as: The Cairo regional centre for international commercial arbitral (CRCICA) and The Egyptian Centre for Arbitration and Settlement of non-banking financial Disputes (ECAS).

On another note, CRCICA issued its first mediation rules in 1990, which have been revised ever since, and the current version is dated 2013.

CRCICA has recently adopted in 2021 Dispute Boards Rules for the settlement of construction disputes.

12.2 ADR Within the Legal System

The Egyptian legal system endorses the ADR mechanism. This is evidenced by the wide referral of the disputing parties to ADR committees before resorting to national courts, such as the following examples.

The Family Law No 10 of the year 2004 establishes Family Disputes Settlement Offices to which the disputing parties should preliminarily resort by virtue of an application (except in some matters), before having their case heard by the Family Courts. These Family Disputes Settlement Offices are then in charge of meeting with the disputing parties, hearing their statements, providing them with insight into the possible consequences, and advising them with the aim of facilitating reaching an amicable settlement to preserve the family's entity. If a proceeding has been otherwise initiated by the disputing parties without preliminarily resorting to these Offices, then the Family Court can either deem the claim as inadmissible or choose to refer the parties to the competent Office.

Likewise, the Labor Law No 12 of the year 2003 provides in some cases the requirement for the employer or the employee to resort to the competent Labor Office to amicably settle their disputes.

Moreover, the ECL establishes Preparatory and Mediation Committees which shall offer the disputing parties the possibility of amicably settling their dispute. However, if the parties do not approve the mediation trial, then a substantive hearing shall be scheduled before the competent court.

Furthermore, the Procedural Code establishes a committee that shall reconcile between the disputing parties. If the parties fail to reach an

agreement, then the claim shall be referred to the competent court in order to be heard.

Additionally, Law N. 7 of the Year 2000 establishes Conciliation Committees with the aim of conciliating certain civil, commercial, and administrative disputes in which ministries and public legal persons are involved.

12.3 ADR Institutions

There are a few notable ADR institutions in Egypt, including the following.

CRCICA

CRCICA is an independent, non-profit international organisation established in 1979 by virtue of an international agreement signed between the Egyptian government and the Asian African Legal Consultative Organisation (AALCO), approved by Egyptian Presidential Decree No 399/1987. Thus, CRCICA is recognised as an international organisation enjoying institutional privileges and immunities and most importantly is fully independent of its host state (Egypt), which ensures its independent functioning and full financial autonomy.

The ECAS

The ECAS was established by virtue of the Presidential Decree No 335 of the year 2019, enjoying its own legal personality. It aims to facilitate the settlement of non-banking financial disputes by means of arbitration, mediation, and conciliation.

The Egyptian Sports Settlement and Arbitration Centre

The Egyptian Sports Settlement and Arbitration Centre was established by virtue of the Egyptian Sports Law No 71 of the year 2017. The centre has, however, recently been cancelled due to its unconstitutionality.

13. Arbitration

13.1 Laws Regarding the Conduct of Arbitration

The conduct of arbitration in Egypt is regulated by the EAL. National arbitral awards are enforced in accordance with the provisions of the EAL. On the other hand, the recognition and enforcement of arbitral awards depends on their type. In that regard, foreign arbitral awards are governed by the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958 (the “New York Convention”).

13.2 Subject Matters Not Referred to Arbitration

The EAL does not set out a specific list of non-arbitrable matters. It specifies however, that arbitration is not permitted in matters which cannot be subject to compromise.

In reference to the Egyptian Civil Code, compromise is generally not allowed in matters pertaining to personal status (ie, marriage, divorce, and inheritance) or public policy. It is, however allowed in financial interests resulting from a personal status or committing a crime. Public policy is a broad and elastic term.

On that note, the Egyptian courts have considered the following examples:

- criminal matters are non-arbitrable;
- labour and employment disputes arising with respect to the application of the provisions of the Labor Law are considered non-arbitrable. The Cairo Court of Appeal has however elaborated in 2017 that if the dispute pertained to additional incentives of the employee, then the dispute would be arbitrable;
- tax and social insurance disputes are usually perceived as relating to public policy and

thus are non-arbitrable. However, the Cairo Court of Appeal considered in 2004 that tax and insurance disputes in which administrative authorities are a party cannot be referred to arbitration while those disputes between private persons can in fact be arbitrable;

- competition and antitrust disputes have been considered arbitrable by the Cairo Court of Appeal since 2016;
- corporate disputes are considered by the Cairo Court of Appeal of 2010 as matters not pertaining to public policy and therefore, arbitrable; and
- intellectual property disputes require a subtle distinction. Those disputes with respect to determining whether a patent should be issued or not or has been issued valid would be in-arbitrable. On the other hand, a dispute concerning a compensation claim arising out of violating patents or trademarks could still be arbitrable.

13.3 Circumstances to Challenge an Arbitral Award

The challenge of an arbitral award is regulated by Chapter VI of the EAL which provides an exhaustive list of reasons for which a party may request to annul the arbitral award, as follows:

- if there is no arbitration agreement, if it was void, voidable, or expired;
- if either party to the arbitration agreement was at the time of the conclusion of the arbitration agreement fully or partially incapacitated according to the law governing its legal capacity;
- if either party to the arbitration was unable to present its case as a result of not being given proper notice of the appointment of an arbitrator or of the arbitral proceedings, or for any other reason beyond its control;

- if the arbitral award failed to apply the law agreed upon by the parties to govern the subject matter in dispute;
- if the composition of the arbitral tribunal or the appointment of the arbitrators was done in contradiction to the Arbitration Law or the parties' agreement;
- if the arbitral award dealt with matters not falling within the scope of the arbitration agreement or exceeding the limits of this agreement. However, in the case where matters falling within the scope of the arbitration can be separated from the part of the award which contains matters not included within the scope of the arbitration, the nullity affects exclusively the latter parts only;
- if the arbitral award itself or the arbitration procedures affecting the award contain a legal violation that causes nullity; and
- furthermore, the court adjudicating the annulment may decide on its own to annul the award if the content of the arbitral award is contrary to Egypt's public policy.

A challenge of the arbitral award shall be made within a period of 90 days from the notification of the award to the losing party. It should be noted that in principle, a request for annulment is not an obstacle to the enforcement proceedings.

13.4 Procedure for Enforcing Domestic and Foreign Arbitration

The enforcement of arbitral awards in Egypt is governed by Chapter VII of the EAL as well as the New York Convention which Egypt ratified on 9 March of 1959.

After a judgment of the Egyptian Court of Cassation of 2005, the enforcement of both domestic and foreign arbitral awards follows the same procedural course. The Court of Cassation has considered that the enforcement mechanism

of foreign awards should not be more onerous than the enforcement of domestic ones in view of Article VII of the New York Convention.

In this regard, the enforcement of arbitral awards from the practical stance is as follows:

- if the award is issued in a foreign language, then it is imperative that the award is accompanied by a certified official translation;
- the relevant award shall be notified to the losing party;
- the relevant award shall then be deposited in the registry of the competent court;
- the deposit of the award shall be done along with the certified translation of the award, a copy of the arbitration agreement, and a certified translation of the arbitration agreement;
- the deposit request is communicated to the International Arbitration Office of the Ministry of Justice. In order to approve the deposit of the relevant award, the International Arbitration Office of the Ministry of Justice verifies that the award is well in conformity with public policy and morals and does not contradict any prior arbitral award;
- if the deposit has been approved, then the requesting party shall proceed with requesting the exequatur form by virtue of a petition submitted to the competent court;
- the exequatur request is submitted along with a copy of the deposit receipt, the arbitration agreement, and its certified translation where needed; and
- after obtaining the exequatur, the requesting party shall notify the losing party of the exequatur before the enforcement department of the losing party's address.

In that regard, the competent court depends on the type of the arbitral award.

- If it is an international arbitration award, then the president of the Cairo Court of Appeal is competent to order the enforcement of the arbitral award.
- If it is a national arbitration award, the president of the first instance court that principally has jurisdiction to treat the dispute would be competent.

It should be further noted that the enforcement request cannot be submitted before the lapse of 90 days from the notification of the award to the losing party.

14. Outlook

14.1 Proposals for Dispute Resolution Reform

During the first week of October 2023, the Egyptian House of Representatives discussed a bill submitted by the government pertaining to the

amendment of certain provisions of the Procedural Code. This bill notably deals with the following.

- Raising the jurisdictional value of the Courts of First Instance to hear cases valued by more than EGP200,000 instead of EGP100,000.
- Raising the final quorum of proceedings under the jurisdiction of the Partial Courts with their proceedings to be final if their value does not exceed EGP30,000 instead of EGP15,000.
- Raising the quorum of the Court of First Instance so that its ruling is final if the value of the case does not exceed EGP200,000 instead of EGP100,000.
- Increasing the quorum for appeals before the Court of Cassation to comply with the other above-mentioned proposals, to be EGP500,000 instead of EGP250,000.

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