

laws

Law n° 2010-36 dated 5 July 2010, amending certain provisions of the civil and commercial proceedings code (1).

In the name of the People,

The Chamber of Deputies and the Chamber of Advisors having adopted,

The President of The Republic enacts the following law:

Single article - Are repealed the provisions of the article 113 of the civil and commercial proceedings code and replaced as follows:

Article 113 (new) – The expert mentions the committed costs and fees on the basis of the following elements:

1-The hours invested to study the file, to conduct operations on the spots and establish reports,

2-The travelling expenses,

3-The expenses of the composition of the necessary documents for the expertise and for the convocation of parties,

4-The expenses of others assistance judicially ordered, if they are justified by receipts,

A model is fixed by order of the Minister of Justice. It is filled by the expert and handed over to the president of the tribunal or his delegate for taxation.

The taxation writ takes into account notably the control carried out on the fees elements and their justification, the value of the subject of dispute, the complexity of the required technical operations, and the level of conformity with the mission prescriptions as well as the respect of the deadlines and in case of need, the reasons of their extension.

The expert may postpone the lodging of his report at the clerk's office, as long as he did not entirely paid his duly taxed expenses and fees.

The law herein shall be published in the Official Gazette of the Republic of Tunisia and implemented as law of the State.

Tunis, 5 July 2010.

Zine El Abidine Ben Ali

(1) Preparatory works:

Discussion and adoption by the Chamber of Deputies during its session held on 15 June 2010.

Discussion and adoption by the Chamber of Advisors during its session held on 22 July 2010.

CONSTITUTIONAL COUNCIL (*)

Opinion n° 06-2010 of the constitutional council, on a draft law amending certain provisions of the civil and commercial procedure code.

Opinion n°29-2010 of the constitutional council, on a draft law amending certain provisions of the civil and commercial procedure code.

(*) The opinions are published only in Arabic and French.