

Law n° 2007- 17 dated 22 March 2007, completing some provisions of the penal procedures code (1).

In the name of the people,

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

The President of the Republic promulgates the following law :

Single article - The two following paragraphs are added to article 57 of the penal procedures code, and they shall be enclosed immediately after paragraph one :

Article 57:

Paragraph 2:

If the implementation of the rogatory commission requires the hearing of the suspicious, the officers of the criminal investigation department have to inform him/her that he is allowed access to a lawyer of his/her choice, with an indication of that in the minutes. If the suspicious chooses a lawyer, the latter is immediately, informed by the officer of the criminal investigation department about his/her principal's date of hearing, with an indication of that in the minutes. In this case, the hearing can not be proceeded to unless the lawyer entitled to take a prior cognizance of the proceedings is present, or if the suspicious expressly relinquishes his/her right to be allowed access to legal aid, or if the lawyer fails to turn up at the indicated time, with an indication of that in the minutes.

Paragraph 3 :

The hearing so done does not exempt the examining magistrate, if necessary, from proceeding to the formalities required by article 69 of the code herein, if it was not proceeded to previously.

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

Tunis, 22 March 2007.

Zine El Abidine Ben Ali

(1) preparatory works :

Discussion and adoption by the Chamber of Deputies during its session held on 6 March 2007.

Discussion and adoption by the Chamber of Advisors during its session held on 15 March 2007.

Law n° 2007- 18 dated 22 March 2007, amending some provisions of the civil and commercial code (1).

In the name of the people,

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

The President of the Republic promulgates the following law :

Article one - The provisions of article 182 of the civil and commercial code are repealed and substituted by the following :

Article 182 (new) : The appeal to the court de cassation is made up of a written petition presented by a lawyer to the clerk of the court s office which delivered the contested decision.

The clerk who receives the petition has to countersign it, indicate its reception date and register it in a special register made for this purpose. He delivers a receipt including its reception date, informs immediately the clerk of the court de cassation by all the means leaving a written trace and sends the case' s file.

The proceedings previous to the petition reception are made before the clerk of the court de cassation, who proceeds to the registration of the case on a register made for this purpose.

Art. 2 - The procedures provided for by the law herein are applicable to the appeals made sixty days after its promulgation.

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

Tunis, 22 March 2007.

Zine El Abidine Ben Ali

(1) preparatory works :

Discussion and adoption by the Chamber of Deputies during its session held on 6 March 2007.

Discussion and adoption by the Chamber of Advisors during its session held on 15 March 2007.