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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

LEBANON

DRAFT LAW ON THE ADMINISTRATIVE JUDICIARY

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Draft Law on the Administrative Judiciary

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Book I
Organisation of Administrative Justice

Preamble

Article 1: Judicial independence and guarantees
Administrative justice is part of the judicial authority.
Administrative magistrates carry out their duties in complete independence from both legislative and executive powers, and this independence is not limited by any condition not provided for in the Constitution.
Administrative magistrates enjoy judicial guarantees under the provisions of paragraph E of the preamble to the Constitution, and more specifically article 20.

Article 2: Principles of the organisation of Administrative Justice
Subject to the principles of the independence of the judicial authority, the organisation of administrative justice adopts the following principles:
1- The integrity of administrative justice
- The administrative justice system comprises a Council of State and administrative courts.
- The Council of State is considered the High Council of Administrative Justice and is located in Beirut.
- The Council of State performs the functions set out in this law.
- The Council of State is made up of a president, a government commissioner, presidents of chambers, councillors and deputy councillors.
- The administrative tribunals are made up of chiefs, councillors and deputy councillors and are courts of first instance that hand down their decisions by a chairman and two members for each tribunal.
- Priority is given to the Chairman of the Council, then to the Government Commissioner, followed by the member in the highest category. If the category is the same, priority is given to the highest-ranking member, and if the level is the same, to the oldest member, and if the term is the same, to the oldest member.
- The President of the Council of State exercises his powers as supreme judge over all administrative, financial and disciplinary matters, and exercises the administrative and financial powers attributed by laws and regulations to the Minister, with the exception of constitutional powers.
- The administrative magistrates of the Council of State and the administrative courts are independent in the exercise of their judicial functions and may only be transferred or dismissed or take measures likely to affect their conduct within the limits imposed by this law.
- The number of administrative magistrates and their grades, categories and salaries are set out in tables 1 and 2 attached hereto.
2- A fair trial requires :
- Trial of all plaintiffs with the same status before the same courts, in accordance with the same procedural and legal standards.
- Designation of the judicial authority seized of a particular dispute by virtue of previously determined objective criteria.
- The trial is based on the principles of the validity of the investigation and participation in the hearing.
- Respecting a reasonable timeframe for ruling, by setting a precise date for the publication of the report, reading and judgement, taking into account the investigation procedures, if necessary.
- Enable complainants to exercise any kind of remedy without hindrance.
3- The specialisation of the judge who ***supposedly has the*** professional and disciplinary skills and experience to carry out the judicial task requested by the centre where he or she is appointed.
4- The adoption of the common judicial power composed of the president and the councillors before the administrative courts and the Council of State in all its chambers, except in the cases stipulated exclusively in the present law.
5- The regularity and continuity of the judicial body.
6- Transparency, given that all final judicial decisions and the annual administrative reports of the Council of State and the Council of First Instance are published, together with decisions relating to the administration of their affairs, on the Council's website.
8- Rotation of judges with a view to improving their knowledge in the various specialisations and the smooth running of the courts.
9- Flexibility in the division of courts and their distribution to meet social demands and changes in the number of cases, upwards or downwards.

10- Fair distribution of work among judges.

Article 3: Principles and basis of the administrative procedure
The administrative procedure is based on the principles of a fair trial, while respecting the confidentiality of the hearing. Judgements are justified and rendered in the name of the Lebanese people.

Title one
The High Council of Administrative Justice

Chapter one
General provisions

Article 4: The High Council for Administrative Justice (hereinafter referred to as "the High Council") is an administrative body which, within the scope of its powers, guarantees the independence of administrative justice and its proper functioning, and enjoys complete independence by virtue of the provisions of the law. The High Council is responsible for applying the guarantees granted to administrative magistrates relating to their independence, appointment, movement, composition, continuing education and discipline. It also ensures the proper functioning of the public service within all administrative justice entities.
The allowances provided for by the Council are included in the budget set for administrative justice in the government's general budget, regardless of whether the draft of this budget is prepared by the President of the Council or by a judge appointed by the Council for this purpose.
A chartered accountant attached to the General Secretariat by decision of the Minister of Finance shall perform the duties conferred by the laws and regulations governing chartered accountants.

Article 5: The Board of Governors is composed as follows:
- Ex officio members: President of the Council of State (Chairman) - Government Commissioner to the Council of State (Vice-Chairman) - Head of the Judicial Inspectorate, and their term of office lasts for their entire term of office.
The President of the Council of State and the Government Commissioner are appointed from among the presidents of the chambers or councillors of the Council of State or judges of the fourteenth degree or higher, by a decree of the Council of Ministers following a proposal from the Minister of Justice.
The President of the Council of State chairs the Board of Governors and is considered its legal representative. The Vice-Chairman carries out the duties of the Chairman in his absence or incapacity.
The President of the Council of State exercises, in addition to the functions and duties determined in this law, the administrative activities, the judicial and administrative inspection in person or through one of the members of the Council delegated by the President, and determines the functions of the employees and distributes the work among them, and has the right to delegate part of his administrative functions to the deputy councillor who supervises the administrative departments or any other deputy councillor.
b- Elected members:
Two judges from among the councillors of the Council of State are elected for a three-year term by the President of the Board of Governors and the presidents of the chambers and all the councillors of the Council of State (2 members).
The Electoral Committee meets when convened by the Chairman of the Board of Governors and under his supervision, during the month preceding the date of the end of the Board's term of office. Voting shall be by secret ballot and the two candidates with the highest number of votes from the electorate shall be considered elected. In the event of a tie, the candidate with the highest number of votes shall be considered elected, and in the event of a tie, the oldest candidate shall be considered elected.
The Chairman draws up a report of the result and notifies it to the Minister of Justice.
The measures for the application of this paragraph will be determined by a decree of the Council of Ministers following a proposal from the Minister of Justice and with the consent of the Board of Governors.
c- Appointed members:
- Three judges from among the presidents of the chambers of the Council of State are appointed by decree following a proposal by the President of the Council.
- Two judges from among the presidents of the administrative courts (two members) are appointed by decree following a proposal by the President of the Council.
In the event of a vacancy in the office of one of the members referred to in paragraphs (a) and (b), a replacement member shall be appointed in accordance with the same procedure for the remainder of the term of office, which term may be renewable provided that it does not exceed one and a half years.
The term of office of the members referred to in paragraphs (a) and (b) shall be three years.

Article 6: The Chairman and members of the Board of Governors are required to respect the confidentiality of deliberations and the disclosure of any deliberations shall be deemed to constitute disclosure of the

confidentiality of the deliberations of the courts and the members shall be subject to the penalty referred to in article 579 of the Penal Code.

Article 7: The President and the members of the Superior Council of Administrative Justice shall take the following oath before the President of the Republic in the presence of the Minister of Justice dressed in judicial robes:
"I swear by Almighty God to perform my duties on the Superior Council of Administrative Justice faithfully and in good faith, to commit myself to the confidentiality of hearings and to respect in all my actions the proper functioning of justice, its dignity and its independence".

Chapter Two
The functions of the Board of Governors

Article 8: The Board of Governors shall ensure that administrative justice functions properly, is respected, is independent and works well, and shall take the necessary decisions in this regard.

Article 9: The Board of Governors must be consulted to give its opinion on draft laws and regulations relating to administrative justice and has the right to propose any texts it deems appropriate in this regard. The decisions of the Board of Governors themselves come into force without the need for any other legal text.

Article 10: The Conseil Supérieur shall exercise, by virtue of this law, the powers exercised by the Conseil Supérieur de la Magistrature in respect of judges in relation to the courts of law.

Article 11: The Board of Governors shall meet at the invitation of the Chairman and, in his absence, of the Vice-Chairman.
A meeting of the Board of Governors is only considered legal if the Chairman or Vice-Chairman and half the members of the Board are present.
The invitation shall include the date of the meeting and the agenda, provided that the latter is in principle made available to members at the Secretariat at least 24 hours before the date of the meeting.
- Decisions of the Council shall be taken by an absolute majority of the members present. In the event of a tie, the Chairman shall have the casting vote, and in the event of a decision of the Council with a majority of opinions on the matter, the disputing judge shall state his objection.

Article 12: In addition to the decisions taken by the High Council of Administrative Justice and its opinions pronounced in the cases stipulated in the laws and regulations, it is entrusted with the following powers :
a- Development of the project for the transfer, attachment and individual or collective judicial mandate of administrative magistrates, which is considered to be in force by virtue of the relevant decision.
b- By virtue of the provisions for the appointment of magistrates who, by law, must be designated by a decree of the Council of Ministers, the members of the Superior Council of Administrative Justice are neither transferred nor designated to fill a higher position during their entire term of office.
c- Creation of the Disciplinary Council for Administrative Magistrates.
d- Examine the file of any magistrate and ask the President of the Council to transfer it to the Judicial Inspection Commission in order to carry out the necessary investigations and take the appropriate measures and decisions.
Assessment of magistrates' performance, on an annual basis, by virtue of performance indices and the quality of reports, in accordance with a procedure established by the Board of Governors, and determination of the means of calculating performance as well as the remarks of each chamber president, provided that this report plays an essential role in allocating magistrates to new positions and promoting them while reclassifying them from one category to another.
The assessment covers all magistrates with the exception of the President of the Council of State, the Government Commissioner and the presidents of the Council's chambers, provided that the details of the application of this article are determined by a decree which sets out the indices and criteria for the magistrate's performance and behaviour and the methods for protesting against this assessment.
The assessment is managed by a committee of three magistrates chaired by the Chairman of the Conseil and assisted by two magistrates appointed by members of the Conseil Supérieur for a two-year term.
The committee may listen to the magistrate during the assessment and allow him/her to discuss all the information in his/her file and give his/her comments on it. Documents relating to the magistrate's assessment are added to the file after the magistrate has given his or her comments.
e- Giving an opinion on draft laws and regulations relating to the organisation of administrative justice, and proposing drafts and texts that it deems appropriate in this respect.
f- The Board of Governors has the following functions:

- To give an opinion on drafts and proposals for laws and regulations relating to the organisation of justice and the administration of administrative justice, the powers of administrative courts and the procedures adopted therein, regulations relating to administrative magistrates and laws governing professions connected with administrative justice.
- Preparation of texts relating to the alignment of training programmes for trainee magistrates at the Institute of Judicial Studies (administrative section), and programmes for the development of continuing education for deputy administrative magistrates.
- Gives an opinion on the draft budget for administrative justice transferred to it by the Ministry of Finance.
The Board of Governors discusses the draft budget for administrative justice, as well as other bills and proposals for legislation relating to administrative justice if they have been submitted to the competent committee of the Chamber of Deputies.
g Organisation of the work of the Council of State and the administrative courts and rotation during the judicial holidays, which begin on 15 July and end on 01 October each year.
h- Annual report :
- The chairman of the High Council presents an annual report on its work and that of the administrative magistrates.
The report must contain a detailed description of the situation and the order of justice and information about the working method containing the aims, rules, achievements and difficulties that have thwarted the operation and the approved accounts, the general policy adopted and the projects carried out and not carried out and the cause of their non-execution, and any other proposal that contributes to the progress of the work of administrative justice.
- The Board of Governors invites the presidents of the chambers of the Council of State and the presidents of the administrative courts, as well as three councillors appointed by the Board of Governors for this purpose, to submit any proposals, remarks or reports they consider necessary in order to prepare the annual report.
- The report is submitted to the President of the Republic, the Speaker of Parliament, the Prime Minister and the Minister of Justice by the end of October each year.
-The annual report is published on the Council of State website and by any other means.

Article 13: The Board of Governors shall examine the situation of the administrative magistrate two years after his appointment and may decide to exclude him if it appears that he does not have the skills required for his work. If the magistrate is appointed from among the employees, he/she shall be reinstated.
The Board of Governors decides whether to exclude or retain within a maximum period of 6 months from the date of expiry of the two-year period. If, on expiry of this period, no decision has been taken by the Board of Governors, the magistrate is deemed to have been duly retained, without the need for a legal text.

Article 14: Apart from any disciplinary proceedings, the High Council may decide, at any time and following a proposal from the Judicial Inspection Commission, to disqualify a member of the judiciary, by a reasoned decision taken by a majority of seven of its members, after hearing the allegations of the member concerned.
The magistrate's physical and mental incapacity to perform his duties must be established by medical reports.
The Judicial Inspection Commission verifies the complaints and information received regarding the incapacity of any magistrate, and in the event of its certainty of incapacity, it submits a report to the High Council including its recommendations and investigations in this regard.

Chapter Three
The Secretariat of the Board of Governors

Article 15: A Secretariat shall be set up within the Board of Governors, made up of administrative magistrates of the third degree and above, their number not exceeding three members, appointed by a decision of the Chairman of the Board for a renewable term of three years.

Article 16: The Secretariat shall perform its duties under the control and supervision of the Board of Governors.

Article 17: The necessary number of judicial assistants and bailiffs appointed in accordance with the provisions of article 93 of decree-law N^{0} .150/83 shall be attached to the Secretariat of the High Council, provided that their number does not exceed six. The magistrates mentioned above receive the monthly remuneration granted to magistrates who are civil servants at the Ministry of Justice, under the conditions determined for this function with the exception of exclusivity of work and non-appointment as a court judge, unless they originally received this remuneration. Officials at the Secretariat are bound by an obligation of confidentiality with regard to all information brought to their attention, and any disclosure of information without the written permission of the Board of Governors will be subject to the provisions of article 579 of the Penal Code.

Article 18: In addition to the duties assigned to it by the Board of Governors and those which form part of the nature of its work, the Secretariat carries out the following activities in particular:

Firstly: At the level of judicial administration

1- The administrative and technical preparation of the meetings of the Board of Governors, and the agenda for these meetings and its notification to the members, and oversees the drafting, faxing and printing work.
2- Drawing up serial minutes of Board of Governors meetings and decisions, keeping them and notifying the persons concerned of these decisions.
3- Preparing draft letters, summonses, reports and decisions and submitting them to the Chairman of the Board.
4- Receiving letters, invitations and requests addressed to the Council, as well as monthly reports received from the chambers of the Council and the administrative courts, and reports from the presidents of these courts, and submitting them to the Chairman of the Council.
5- Receiving magistrates' applications and requests and submitting them to the Chairman of the Council.
6- Administrative preparation for the entrance exam to the Administrative Justice.
7- Supervision of the Council's electronic site and its continuous uploading of information.
8- Monitoring the automation of administrative courts, its growth and development.

Secondly: Public and international relations

1- Monitoring the Board's relations with the various judicial, administrative, trade union and educational bodies and authorities and organisations active in the field of justice in Lebanon and abroad, under the supervision of the Chairman.
2- Preparing local and foreign congresses and conferences, monitoring participants, organising protocol for the presence of representatives of the judiciary at official occasions, conferences and seminars and taking the necessary steps to implement the Council's decisions.
3- Assuming the role of media office by monitoring the media and providing them, where necessary, with information and articles, taking into consideration the confidentiality of investigations and the dignity of the judiciary and the freedom of the media, in accordance with the principles and rules laid down by the Board of Governors and under its supervision.
   The aim of the Media Office is to guarantee transparency and objectivity in the work of the judiciary in accordance with the general principles governing communication between judicial bodies and the media. Likewise, it is responsible for communication with the media in all its diversity with regard exclusively to the functioning of the public service of Justice and the independence of administrative justice, and provides the necessary information and articles in this regard.

Thirdly: Archives and studies

1- Keeping and archiving records (paper or electronic where appropriate) of the activities of the courts and the various matters relating to the work of the Council; and preparing files on magistrates and their situations. A general register will be kept in which the expenses and authorisations given to administrative magistrates will be recorded, as well as the remuneration received as a result.
2- To draw up a report every six months on the work of the chambers of the Council and the various courts, and to notify it to the Judicial Inspection Commission, and to prepare a draft report which will be made available to the members of the Council of Governors by the Chairman of the Council at the beginning of each judicial year for discussion and approval.
3- To supervise the Council of State library and ensure that it is kept up to date.
4- To present studies aimed at monitoring technical and logistical progress in relation to the work of the chambers of the Council and the administrative courts.
5- Publish the Board's decisions, reports, court rulings and advisory opinions from the administrative justice system on the Board's website.
6- To carry out the activities requested by the Chairman of the Board within the limits of his duties.

Fourthly: Judicial reviews

1- Any person has the right to register a complaint with the Secretariat, provided that it relates to the functioning of the public service of administrative justice or its independence.
   The complaint must be in writing, dated, signed with the full name of the person submitting it and include a brief description of the facts.
2- Complaints shall not be admitted if they fall within the jurisdiction of another judicial or disciplinary body, or if they relate to a case currently before the courts or to the content of a judgment; nor shall complaints be admitted if their aim can be achieved by the ordinary or extraordinary means of appeal mentioned in the law, or if they have already been decided by the Council, except in the event of a change in the material or legal elements of the case.

The proposals and recommendations issued by the Council in relation to this complaint will be notified to the person who submitted it and published on the website.

Article 19: Office for monitoring the enforcement of judicial decisions and judgments
Subject to the exclusive jurisdiction of the administrative courts in the application of the procedures mentioned in this law, an Office will be set up in the Secretariat of the Board of Governors to monitor the enforcement of decisions and judgements of the Council of State and the administrative courts. The Office provides advice to the Administration in response to a request for clarification from it or from the person concerned on the means of enforcing decisions and judgments that form part of its duties. The Office prepares an annual report on its activities, the content of which will form part of the annual report issued by the Council under the following title: "Follow-up of the enforcement of decisions and judgments of the entities of the Administrative Justice, and indication of the cases of judgments not enforced and the administrations that have not proceeded to their enforcement".

Title Two - Administrative magistrates
Chapter I - General provisions

Article 20: Administrative judges are judicial magistrates within the administrative justice framework in accordance with the tables annexed to this law, as well as all magistrates belonging to the administrative justice.
Permanent magistrates may be appointed from among judicial magistrates and magistrates of the Court of Auditors without changing the grade they held at the time of their transfer to administrative justice after having attended a six-month training session, organised as part of a programme to develop the continuing knowledge of permanent administrative magistrates, while preserving their seniority rights which make them eligible for promotion.

Article 21: On appointment and before commencing work, the administrative magistrate shall take an oath before the High Council: "I swear by Almighty God to perform my duties honestly, in good faith, impartially and conscientiously, to protect the rights of those subject to trial, to keep the hearing secret and to act as an honest and loyal judge".

Article 22: Any collective application for employment must go through the High Council of Administrative Justice.
The staff regulations are applied to the magistrates of the Council of State and the administrative courts, unless incompatible with the provisions of this law.

Article 23: The performance of the duties of a magistrate shall not be compatible with the performance of any public office or any other professional or salaried activity except in accordance with the provisions of this law. Teaching in universities and institutes of higher education is excluded and the High Council shall specify the number of teaching hours and issue a resolution deciding whether teaching is authorised.
Notwithstanding any provision to the contrary, members of the judiciary shall be entitled to engage in teaching activities after their resignation or retirement.

Article 24: In addition to the guarantees stipulated in the laws in force, the State offers administrative magistrates compensation for any damage caused to them or to a member of their family or to their property, because of, during or on the occasion of their work/employment.

Article 25: Any person who interferes in the administrative justice process, through the influence of magistrates and the review of cases still under consideration and without a final judgment, by any means of publication including the means referred to in article 209 of the Penal Code, shall be punished by the penalties set out in article 419 of the Penal Code.

Chapter Two - Trainee magistrates

Section 1: The Institute of Judicial Studies - Administrative Justice Section

Article 26: The Institute of Judicial Studies - General Law Section **is** responsible for :
1- Preparing trainee magistrates to take on judicial work
2- The organisation of training courses for legal aid organisations, legal assistants, notary publics, experts or others designated by the High Council or the Minister of Justice to attend training courses.
3- Preparing non-Lebanese judges to take on judicial work in their country.
Judicial training includes theoretical and practical studies of the science of law and any other science needed to establish the culture essential to the training of magistrates intellectually and morally to take on the role of

magistrate, as well as training in various judicial departments where magistrates take part in hearings and respect their confidentiality.

Article 27: An administrative council is created within the Institute of Judicial Studies, in the administrative justice section, composed of :
a- A Chairman of the High Council of Administrative Justice - Chairman of the Council of State - Chairman
b- A Director General from the Ministry of Justice - Vice-Chairman
c- The President of the Institute - Member
d- The Institute Director - Member
e- At least two magistrates of the seventh level of administrative justice are appointed by a decision of the Minister of Justice after approval by the Superior Council of Administrative Justice for a non-renewable period of three years. The Superior Council of Administrative Justice organises a competitive entrance examination for the Institute while determining the conditions for taking part in the examination and the average admission marks, as well as a jury at the start of each examination made up of magistrates appointed in this respect.

Article 28: The Superior Council of Administrative Justice determines the number of trainee magistrates appointed after obtaining their diplomas to become deputy advisors to the Council of State or the administrative courts.
The Institute's Administrative Board draws up teaching programmes, determines educational and disciplinary assessment methods, organises training courses, selects teachers and contracts with them through the Institute's President.

Article 29: Competitive examinations shall be held to appoint probationary magistrates following an invitation from the Supreme Council announced at least 6 months before the competition is due to take place.

Article 30: The invitation shall include the terms and conditions of the competition.
The Board of Governors appoints the members of the jury before the start of each competition.
The jury is made up of at least six administrative magistrates from among the presidents of chambers and councillors at the Council of State.
During the oral examination, the jury may call in specialists from different fields.

Article 31: In the first instance, the Selection Board will conduct an oral examination for candidates already admitted and will publish the results at the end of the examination.
Candidates admitted following the oral examination sit a written competition in subjects determined by the Board of Governors.
The selection board announces the results of the written competition and immediately communicates them to the Board of Governors, the administrative board of the Institute of Judicial Studies and the Minister of Justice.
The names of successful candidates are published in the Council of State's advertising space and on its website three days after receiving the results.
Successful candidates sit an oral examination before the jury, and the Board of Governors determines the subjects.
The final results are announced and published using the method described in paragraph 3.

Section two: Status of trainee magistrates

Article 32: The Board of Governors shall publish the names of candidates who have the qualifications stipulated in this law and are eligible to take part in the competition at least two months before the competition begins.
The decision to exclude a candidate shall state the reasons for the exclusion.

Article 33: Trainee magistrates are appointed to the Institute of Judicial Studies, by decree and on the proposal of the Minister of Justice, after approval by the Board of Governors, from among the candidates admitted to the competitive examination.

Article 34: Candidates for the competition must meet the following conditions:
1- He must have been Lebanese for at least 10 years.
2- He shall enjoy all civil rights and shall not have been convicted of a felony or serious misdemeanour or an attempt to commit any of them in accordance with the Staff Regulations.
3- Not sentenced to a disciplinary penalty in private or public professional circles by virtue of article 55 of the Staff Regulations.
4- He is physically competent to carry out his judicial duties, taking into account his ability to overcome obstacles.
5- Degree in Lebanese Law.

6- He speaks Arabic and one of the foreign languages (French or English).
7- Under 35 years of age at the start of the competition.
8- Have a good biography, and to verify the availability of this condition, the Board of Governors may carry out the necessary investigations directly or through an official body entrusted with this task, provided that the result of the investigation is filed in the candidate's personal file and can be consulted if necessary.
In the application of this article, the date adopted for the expiry of deadlines or ages is the date of submission of the application.

Article 35: As soon as they are appointed and before they take up their duties, trainee magistrates shall take an oath before the High Council: "I swear by God to respect the confidentiality of hearings and to act honestly and vigilantly in my capacity as a trainee magistrate".

Article 36: The results of the work of all trainee magistrates shall be recorded in their personal file kept at the Institute's Secretariat.
At the end of the probationary period, the Institute's Administrative Council draws up a list of graduates and submits it with its proposals to the High Council for Administrative Justice, which in turn declares the probationary magistrate's eligibility or inability to become a full magistrate.
In this case, the Superior Council declares the trainee magistrate incapacitated and terminates his services without recourse to any other administrative work. If he is employed, he is returned to his original position.
The Council must declare the trainee magistrate incapacitated at the end of each academic year, on the recommendation of the Institute's Council.

Article 37: Trainee magistrates shall be subject to the disciplinary systems applicable to permanent magistrates and to the procedures applied to magistrates in legal proceedings.

Article 38: With the consent of the Institute's Board of Directors, the Minister of Justice shall have the right to admit to the Institute foreigners who are official representatives of their countries without complying with the requirements to which Lebanese trainee magistrates are subject.
The Institute's management organises special courses for the latter, if necessary.

Article 39: Trainee magistrates who have been declared competent and capable shall be appointed as first instance magistrates by a decree issued following a proposal from the Minister of Justice after obtaining the consent of the High Council for Administrative Justice. The decree is published in the Journal Officiel.

Article 40: The decree appointing the permanent magistrates is promulgated in accordance with the provisions of this chapter within one month of notification by the Ministry of Justice of the Superior Council's consent to their appointment. If the decree is not promulgated, they are duly enrolled in the administrative justice system and distributed among the chambers of the Council of State and the administrative courts by decision of the President of the High Council.

Article 41: Upon promulgation of a decree appointing full administrative magistrates from among the graduates of the Institute of Judicial Studies, they shall be duly enrolled as deputy councillors in the chambers of the administrative courts and those of the Council of State by decision of the President, pending their appointment in accordance with the provisions of this law.

Chapter Three - Permanent magistrates

Article 42: A file shall be created for each magistrate containing all data and documents relating to his/her functional position, and filed with the Secretariat of the High Council. The file must contain the magistrate's diplomas as well as his/her skills and qualifications acquired during further training and the results of the assessment as well as the position he/she wishes to fill.
The above-mentioned documents will be included chronologically after they have been registered and recorded according to their receipt.
Every member of the judiciary is entitled to consult his or her file and the documents and data contained therein.
The magistrate concerned also has the right to discuss any document in his or her file by virtue of a written request submitted with the file.

Article 43:
1- Any magistrate of the first degree and above shall be appointed as a member of the administrative courts.
2- Only magistrates of the seventh degree and above may be appointed as councillors to the chambers of the Council of State or deputy government commissioners and must have completed at least 12 years' actual service in the administrative judiciary.

3- Only a magistrate of the eighth degree and above may be appointed president of a chamber of administrative courts.
4- Only a magistrate of the tenth degree and above may be appointed President of a Chamber of the Council of State.
5- Only a magistrate of the fourteenth degree and above may be appointed President of the Council of State or Government Commissioner.
6- The Superior Council may decide to entrust the positions mentioned in this article to a magistrate who does not meet the requirements mentioned above, by proxy and for a period of one year, renewable once.

Article 44: Magistrates are invited to apply for vacant judicial posts. Each magistrate must inform the Secretariat of the Supreme Council of the three posts to which he or she wishes to be transferred and which his or her diploma entitles him or her to occupy, in order of preference. The application is attached to the magistrate's personal file.
During appointments and transfers, the seniority and competence index and diplomas are taken into consideration as well as the skills and qualifications acquired, the assessment results and the wishes expressed by each magistrate under the provisions of this article.
All types of discrimination are prohibited during judicial appointments and transfers.
The Superior Council is responsible for making judicial appointments and transfers, and its decision in this regard is immediately effective for the magistrates concerned.

Article 45: Judicial allowances are granted to magistrates who hold the following positions: President of the Council of State, the president of one of the chambers of the Council of State, the presidents of the chambers of the administrative courts and the Government Commissioner. The value of these allowances is set at 3% of the value of the basic salary.
Compensation for transfers from one region to another is set according to distance from the capital by a decree of the Council of Ministers on a proposal from the Minister of Justice and the consent of the High Council, provided that it does not exceed 25% of the basic salary of the magistrate concerned.

Article 46 : Members of the Council of State who have been appointed full magistrates for more than 6 years have the right to participate for a limited period in work in accordance with their legal qualifications with ministries, administrations and public establishments, provided that they carry out their duties at their place of work at the Council of State without being transferred to the administration where they have been appointed for advisory duties. They may also be appointed abroad.
No member of the judiciary may be entrusted with more than one ministry, public administration or public institution.
The appointment is made by a decision of the President of the Council of State.
Any magistrate in charge of advisory functions for the above-mentioned entities is not entitled to deal with a case relating thereto if it is dealt with in the course of proceedings before the administrative courts.

Article 47: With the exception of job-related committees, it is forbidden to entrust a member of the judiciary with a task in addition to his or her original job, except in cases stipulated by law.
A member of the judiciary may not be assigned to more than one committee, except by a justified decision.

Article 48 : Any councillor of the seventh degree and above of the Council of State may be transferred, with his or her consent, to the posts of a ministry, public administration or public establishment, by virtue of a decree issued by the Council of Ministers on a proposal from the Minister of Justice and the minister concerned, with the consent of the High Council.
Any councillor classified in one of the administrative posts may not be transferred back to the Board of Governors.
The rules of the Staff Regulations are applied to the magistrates of the Council of State unless incompatible with the present law.

Chapter Four: Discipline

Article 49: Any violation of employment obligations and any act affecting honour, dignity or morale constitutes a disciplinary offence.
The following acts in particular are considered as violations:
- Use of judicial capacity to serve personal interests, acceptance of bribes and abuse of power.
- Delay in settling cases and failure to comply with the time limits set by this law for rendering judgments.
- Discrimination between litigants and disclosure of the content of hearings.
- Violation of the obligation of reserve imposed on all magistrates concerning abstention from appearing on the media or social networks without prior authorisation or concerning press statements made directly or through other persons likely to affect the reputation of the judiciary, its dignity and its independence.

Article 50: Outside of any disciplinary procedure, the President of the Council of State has the right to give, if necessary, a remark to any administrative magistrate and it is possible to enter a written remark on the personal file of the said magistrate.

Article 51: The Judicial Inspection Commission is responsible for investigating complaints and requests transferred to it against a magistrate or judicial assistant working within the Council of State or the administrative courts.

Article 52: The Disciplinary Board of Administrative Magistrates is made up of a chamber president at the Council of State - President, and the membership of councillors of the tenth degree and above appointed by the President of the High Council of Administrative Justice at the beginning of each judicial year, and has the right to designate a replacement in the event of absence or incapacity.
The Chairman of the Judicial Inspection Commission or his representative from among the members of the Commission acts as Government Commissioner to the Council.

Article 53: The Chairman of the Supreme Council has the right to suspend the work of a magistrate referred to the disciplinary board on the recommendation of the Judicial Inspection Commission.
The Disciplinary Board decides to adopt decisions on its own initiative or at the request of the Judicial Inspection Commission, after hearing the magistrate in question. The Council has the right to ignore any request for a hearing if it has been impossible to notify the magistrate at his last known place of residence or if he has refrained from attending without legal justification despite having been duly informed.
Members of the judiciary who are suspended from their duties receive half their salary and allowances until the Disciplinary Board has reached a decision. The reduced amounts are reimbursed in the event of acquittal or in the event of a warning or reprimand.

Article 54: The Council shall consider the discipline of a magistrate on the basis of a referral from the Judicial Inspection Commission.
The grounds for recusal and resignation apply to the Chairman and members of the Board as stipulated in the Code of Civil Procedure.
The Superior Council of Administrative Justice will consider the request for resignation within a maximum of three days.

Article 55: The Chairman shall either prepare a report or appoint one of the members to do so.
The decision-maker conducts the necessary investigations and listens to the intervener and the complainant, if necessary, and listens to the statements of witnesses under oath, and submits his report to the Disciplinary Board without delay.

Article 56: The Chairman invites the intervener to consult the file and the decision-maker's report and to appear before the Board during the scheduled hearing.
The trial is held in secret. The decision-maker's report is read and the intervener is asked to present his defence of the convictions attributed to him.
The intervener has the right to have recourse to a single lawyer or one of the magistrates, and in the event of absence, the board bases its decision on the documents alone.
After the hearing, the board delivers its justified decision on the same day or adjourns it for the following day at the most.

Article 57: The decision of the High Council may be contested by the magistrate concerned or the chairman of the Judicial Inspection Commission within 15 days of the date of notification to the High Disciplinary Jurisdiction stipulated in the following article.

Article 58: The High Disciplinary Jurisdiction is made up of the President of the Superior Council of Administrative Justice and its Vice-President - President and 4 members of the twelfth degree or more appointed by the Superior Council at the beginning of each judicial year. In addition, the High Council appoints a deputy to replace them in the event of absence or abstinence.
Legal proceedings before the Disciplinary Board are monitored by the Judicial Inspection Commission.
The decision of the Judicial Inspection Commission cannot be appealed, including by way of cassation, and comes into force as soon as it is notified to the person concerned administratively.
This decision is notified to the Minister of Justice and a copy of the said decision is attached to the magistrate's personal file.

Article 59: All disciplinary proceedings may not be published or declared except for the final decision containing a sanction of dismissal or isolation.

Article 60: Disciplinary penalties may include
1- The warning
2- Blame
3- Delayed grading for up to two years
4- Stopping work without pay for up to one year
5- Degree reduction
6- Category reduction
7- Dismissal
8- Isolation with refusal of redundancy compensation or retirement pension.
In the event of a reduction in grade, the member of the judiciary retains his seniority with regard to grading and in the event of isolation with refusal of redundancy compensation or retirement pension, the retirement reductions are reimbursed.

Article 61: The procedures adopted for the prosecution of members of the Court of Cassation are the same as those designated for the prosecution of presidents of chambers of the Council of State and presidents of administrative courts for acts committed. With regard to councillors and deputy councillors, the procedures adopted for the prosecution of members of the Court of Appeal.
In all cases, the special provisions stipulated in the following article are taken into account.

Article 62: Administrative magistrates shall not be prosecuted for crimes and misdemeanours arising from their employment except with the consent of the High Council and on the proposal of the Minister of Justice, and if the public interest requires their immediate arrest, the Minister of Justice may authorise this following the consent of the President of the Council of State. If administrative magistrates are prosecuted for crimes and misdemeanours not arising from their employment, they must not be arrested except at the request of the Minister of Justice with the consent of the President of the Council of State.

Article 63: Any conviction or acquittal handed down in respect of a felony or misdemeanour against one of the administrative magistrates shall be notified by the Minister of Justice to the President of the Council of State for a ruling on the disciplinary outcome resulting from the acts that led to the criminal proceedings, unless the dismissal has already taken place.

Article 64: Any magistrate prosecuted for a crime or misdemeanour arising from employment shall be suspended from office by decision of the Chairman of the High Council, until a final judgement has been handed down.
In addition, the Chairman of the Superior Council always has the right to suspend the work of any magistrate prosecuted for a crime or misdemeanour not arising from the employment.

Article 65: All administrative magistrates who have worked for a period of 20 years without receiving any disciplinary sanction other than a warning may, by virtue of a decree, be given an honorary position according to their category at the time they stop working. They will then benefit from the privileges stipulated in this law.
All the services exercised by the administrative magistrate within the judicial order, the court of auditors or public departments shall be joined to his administrative justice services as regards the application of this article.

Article 66: With the exception of the cases and principles stipulated in the aforementioned articles and contrary to any other law, it is strictly forbidden to take any action against members of the Council of State and the administrative courts that might prejudice their status.

Title three: Organisation of the courts
Chapter One: Composition of administrative justice

Article 67: Administrative justice comprises the administrative courts and the Council of State.

Article 68: The administrative courts are the regular courts for handling administrative matters. The administrative courts rule on all disputes of an administrative nature unless the law provides otherwise.

Article 69: The Council of State is the highest court dealing with administrative justice. It is also the court of first and last instance for certain cases under the provisions of this law.
The same applies to :
- The cassation reference for judgements handed down by administrative courts and the appeal reference for provisions and decisions handed down by these courts in cases determined by law.
- Appeals against judgements handed down by arbitration boards in administrative cases.

- Reference for appeal or cassation of decisions taken by administrative commissions of a judicial nature.

Section One: Administrative courts
Firstly: Organisation of administrative tribunals

Article 70: The administrative courts are the courts of first instance operating in the regional centres. Their territorial jurisdiction includes the area of Provence where they are located, and they are composed of one or more chambers.
The administrative courts consist of a president and two members, with general jurisdiction to rule on administrative cases that have not been explicitly transferred to other courts.

Article 71: The president of the administrative tribunal is appointed by a decision of the Conseil Supérieur from among councillors of the seventh degree and above.
The member of the administrative tribunal is chosen from among the deputy councillors and appointed by a decision of the Chairman of the Board of Governors.

Article 72: Table no. ( ) attached hereto determines the number of administrative courts, their chambers and their seats.
One or more administrative courts will be established in each Provence, and work in these courts will begin within a period of 6 months from the date of promulgation of this law.
1- The High Council may authorise the chambers of the administrative courts to hold their sessions away from their seats in premises determined by a decision taken following a request from the president of the chamber in the event of circumstances justifying this measure.
2- The judicial chamber is presided over by the president of the court and if the registry is shared by several chambers, the president of the chamber of highest instance is considered to be the president of the judicial chamber and in the event of equality of instance, the president with the most seniority in the judiciary and in the event of equality of seniority, the oldest president, and in the event of equality of age, the president of the chamber is appointed by virtue of a decision of the president of the Council of State.
3- The Head of the Judicial Chamber is responsible for the smooth running of his Chamber and is the administrative head of the Registry's employees, with respect to them the authority granted to the Head and Director by the administrative employees' systems.

Article 73: The President of the Court ensures the independence of his Court and its proper functioning, and carries out all administrative work. He is considered to be the Head of the Judicial Service and informs, when necessary, the President of the Council of all difficulties encountered in this respect, as well as urgent important matters.

Article 74: The Head of the Judicial Service has the right to delegate one of his functions to one of the presidents of the court chambers, provided that the period of delegation does not exceed one month, renewable.

Article 75: The work shall be distributed among the chambers of the Administrative Court by a decision of the President of the High Council on a proposal from the President of the Court.

Article 76: If one of the magistrates affiliated to the administrative court of first instance is prevented from carrying out his duties for any reason, the President of the court may delegate a magistrate from those affiliated to his chamber to replace him and carry out his duties, or ask the President of the Superior Council to appoint an administrative magistrate for this reason.

Article 77: In the absence of the Chairman of the Administrative Tribunal for any reason whatsoever, a replacement must be appointed by a decision of the Chairman of the Board of Governors.
A magistrate may not be appointed to carry out judicial work outside the court where he or she works, except for a fixed period not exceeding two renewable months.
In all cases, no member of the judiciary may be appointed to carry out two judicial tasks other than his or her initial position.
The total period of office may exceed three months in a judicial year with the consent of the Board of Governors.

Secondly: Jurisdiction of administrative courts
a- Ratione loci

Article 78: The Ratione Loci of the administrative tribunal is determined in accordance with the following rules:

1- The claimant's place of residence in disputes involving individual security acts.
2- The location of built and unbuilt properties in disputes concerning property deeds in general.
3- The place of performance of the contract, and if the performance exceeds the scope of the court's jurisdiction, the place where the contract was signed.
4- The claimant's place of residence, if the damage is caused by an administrative act.
5- The location of the incident resulting in damage if caused by general acts or administrative behaviour.
6- The place of appointment in employee matters excluded from the jurisdiction of the Council of State in the first instance.
7- The location of administrative courts in disputes concerning elections.
8- The location of administrative tribunals or public or private establishments in disputes relating to their organisation and operation and in particular with regard to observation and custody decisions taken against them.
9- If it is not possible to apply the above rules, the place of the head office of the authority designated to carry out such work or the place where the contract is signed.
- The court that has jurisdiction to rule on the main claim also has jurisdiction to rule on any claim that is afferent, expository, inverse or related to another and all defences.
- Any administrative court ruling on a case within its territorial jurisdiction becomes competent to rule on related claims falling within the jurisdiction of a second administrative court.
- If reviews are filed with two administrative courts, and there is a match between them, the two proceedings are referred to the President of the Council of State, who takes a decision designating the competent court. The decision of the President of the Council of State is not subject to appeal.
- All the legal procedures in place remain in force before the administrative court or the Council of State.
The court competent to rule on requests for explanation and assessment of the correctness of administrative acts shall be the court competent to rule on the act complained of.

b- Jurisdiction ratione materiae

Article 79: The administrative courts rule at first instance and in particular on :
1- Claims for compensation for damage resulting from general works, public establishments or the implementation of public services or damage resulting from administrative operations.
2- Administrative matters relating to contracts, operations, commitments or administrative privileges.
3- Employee business
4- Matters relating to work on public property.
5- Cases in which the administrative authority points the finger at employees in the event that they commit any error to be judged.
6- Direct or indirect taxes and charges, contrary to any other public or private text.
7- Usurpation and appropriation cases.

Article 80: All objections to direct and indirect taxes, fees and municipal charges established under the various laws relating to taxes and charges are cancelled.
All objections pending before these commissions are transferred administratively to the administrative courts according to their regional jurisdiction within one month of the date on which the work of the administrative courts begins.

Article 81:
1- The administrative courts rule on appeals for abuse of authority of decisions of an administrative nature, whether they relate to individuals or to systems emanating from local public authorities.
2- Disputes relating to the legality of elections to administrative committees such as municipal committees and selection committees.
3- Disputes relating to employee discipline.

Article 82:
The administrative courts rule on urgent matters falling within their territorial jurisdiction by virtue of what is determined in the title devoted to the justice of urgent matters.

Section two: The Council of State

Firstly: The composition of the Council of State

Article 83: The Council of State is composed of a President, a Government Commissioner, Presidents of Chambers, Councillors and Deputy Councillors.

If the conditions for appointment from among administrative magistrates are not met, the President of the Chamber may be appointed by decree on a proposal from the Minister of Justice after consulting the High Council from among judicial magistrates of the tenth degree and above.
The President of the Council of State has the right to delegate all or part of his judicial functions to one of the Presidents of the Chambers, if necessary, provided that the duration of the delegation does not exceed one month, renewable.

Article 84: The Council of State is divided into 7 units:
1- The Council of Cases.
2- 6 chambers: one administrative and 5 judicial.

Article 85: The Council of Cases is composed of:
1- The President of the Council of State as President, and in his absence, the President of the Chamber having priority, by virtue of what is stipulated in article 2 of the present law.
2- The presidents of the chambers, three councillors chosen by the President of the Council of State at the beginning of each judicial year, and members. The President of the Council of State chooses other deputy councillors. Decisions are taken by a committee consisting of a chairman and at least 4 members. In the event of a tie, the chairman has the casting vote.
The principles associated with the decisions of the Council of Cases are taken into account to unify the case law of the chambers of the Council of State.

Article 86: The case is referred to the Business Affairs Committee by decision of the President of the Council of State at any stage of the proceedings before final judgment, and the Chamber lifts its hand duly on the proceedings by a simple decision.
The Government Commissioner or the President of the Chamber may request that the case be transferred to the Council of Cases. The President of the Council of State takes the decision to intervene or reject the request within three days of the date on which the request was submitted.
The Committee Chairman's decision shall be unfounded and shall not be open to appeal.
Magistrates' matters relating to their professional situation and proceedings brought within the meaning of the law are duly considered to fall within the remit of the Council of Cases.
With the exception of the procedures stipulated in the previous paragraph, the President of the Council of State has the right to decide to consider any appeal pending before the committee for matters falling within the competence of a judicial chamber, provided that no report is issued on it.

Article 87: The Council of Cases decides on:
- Any action brought against the State concerning liability arising from the acts of administrative magistrates, provided that the principles stipulated in the Code of Civil Procedure are applied.
- In any appeal pending before the Council of State that is of great importance or its solution raises the determination of a legal principle or likely to allow contradiction with previous provisions.
- In appeals within the meaning of the law, submitted by the Council of Cases to the Ministry of Justice against any administrative or judicial decision, when the said decision is final. And in the event of an appeal, this decision can neither help nor harm the protagonists.
- In the appeal of decisions issued by the Council as determined in this law.

Article 88: The Administrative Chamber is composed of a chairman and two members.
The President of the Council of State chairs the administrative chamber and may be represented by one of the presidents of the chambers. The President or his representative has the right to appoint one or more councillors or deputy councillors to take part in the work of the chamber as a full member.

Article 89: Each judicial chamber is composed of a president and at least two councillors and may include one or more deputy councillors.
The President of the Council must preside over all the judicial chambers in addition to the judicial chamber over which he presides.
In the absence of the President of the Chamber, the highest-ranking councillor replaces him and carries out his duties, and if the degrees are equal, the oldest councillor takes over.
Article 90: In the event of a vacancy in the office of the President of the Council of State or in the event of his absence or inability to carry out his duties, the President of the highest Chamber replaces him and carries out his judicial duties, and if there are two Presidents at the same level, the one who has priority carries out the duties in accordance with article 2 of this law, while the Government Commissioner carries out the administrative duties, and all those who replace and carry out the duties of the President do not benefit from any allowance.

Article 91: The work shall be distributed among the chambers by decision of the High Council of Administrative Justice.
Any councillor or deputy councillor may be a member of no more than two judicial chambers.
If a Chamber is unable to fulfil its duties due to insufficient numbers owing to vacancy, absence or any other reason, the Board of Governors delegates councillors to the other Chambers to create or complete the missing Chambers.

Article 92: A Chamber may not include members of kinship or marriage up to the fourth degree, and no member may take part in proceedings as a party or as the representative of one of his relatives.

Article 93: At the Council of State, the provisions of the Code of Civil Procedure relating to the transfer of proceedings on the grounds of legitimate suspicion, rejection and challenge of magistrates, bearing in mind that the request for transfer on the grounds of legitimate suspicion must be submitted to the Affairs Committee.

Article 94: The chambers of the Council of State are supported by a Government Commissioner who has a maximum of nine councillors appointed from among the councillors and deputy councillors by decision of the Supreme Council.
The Government Commissioner or his delegated assistant presents his opinion, with justification, of all the procedures presented to the Council of State or to the Administrative Court attached to it.
The Government Commissioner presents his opinion personally before the Council of Cases, and if he is unable to do so, he is replaced by his first assistant.

Article 95: The General Assembly is made up of all the members of the Council of State and the administrative courts, and meets once a year in October under the chairmanship of the President of the Council of State and at his invitation.
The General Meeting shall not meet unless at least half of its members are present, and shall take its decisions by an absolute majority of the members present and voting. In the event of a tie, the Chairman shall have the casting vote.
Meetings are confidential and a magistrate from the Secretariat keeps the minutes.
The annual report, which includes the work of the Council of State and the administrative courts in the previous year, as well as legislative, organisational and administrative reforms and developments in case law, is discussed.
The annual report is published on the Council's website.
The President of the Council of State notifies the Minister of Justice via the Secretariat of the Board of Governors of the resolutions of the General Meeting.

Secondly: The powers of the Council of State
Article 96: The Council of State has two types of competence: (a) Competence relating to administrative matters and the preparation of legislative and organisational texts. (b) Judicial jurisdiction by which the Council of State rules on disputes relating to the annulment of administrative decisions or compensation for damage caused by the administration, and other cases to be decided by the Council.

Firstly: The task of the Council of State in administrative and legislative matters
Article 97: The Council of State contributes to the preparation of draft legislation; it therefore gives its opinion on drafts transferred to it by the President of the Court or Ministers and proposes any amendments it considers necessary, and prepares and drafts the texts for which it is responsible.
To this end, it has the right to conduct the necessary investigations and call on experts and opinion leaders.
It may also be consulted on draft international conventions and circulars and on any other important subject on which the Council of Ministers decides to consult it.
It gives its opinion on proposed legislation transferred to it by the President of the Chamber of Deputies before presenting it to the General Assembly.
The Council of State must draw the attention of the public authorities to legislative, organisational or administrative reforms that it considers to be in the public interest.

Article 98: The Council of State must be consulted on draft legislative decrees and draft organisational texts and any other matter stipulated by the laws and regulations for consultation.

Article 99: The competent Minister shall transfer to the Council of State the matters stipulated in the two preceding articles. The General Meeting shall have the right to consult them on the basis of a report from one of its members.
Unlike any other legal text, consultations by the Council of State are public, unless the Chamber decides to keep them confidential by virtue of a justified decision and for reasons relating to its nature.

Article 100 : The Minister of Justice and the chairmen of the committees of the Chamber of Deputies have the right to ask the President of the Council of State to appoint one of the members of the Council to assist the committees mentioned in the preparation of a project as stipulated in Article 97.

Secondly: The task of the Council of State in judicial matters
Article 101: The Council of State shall rule at first and last instance on the following disputes:
1- Legal remedies.
2- Cancellation of decrees issued by the Council of Ministers.
3- Applications to annul naturalisation decrees.
4- Cases concerning the State's responsibility for the work of magistrates.
5- Requests for the annulment of implementing and individual decrees and organisational works issued by ministers on the grounds of abuse of authority.
6- The affairs of employees appointed by decree.
7- Appeals on individual administrative decisions whose scope exceeds the regional authority of a single administrative tribunal
8- Cases of violation of public rights and freedoms, including individual freedom and acquisition.
9- Requests for explanations and assessment of the accuracy of administrative works, which fall within the competence of the Council of State in the first and last instance at the same time.
10- The courts of justice must adjourn the settlement of proceedings brought before them if they require an explanation or an assessment of the accuracy of administrative work that falls outside their jurisdiction.
The party in the greatest hurry submits the case to the Council of State, which gives its opinion while respecting the courts of justice to which the case is subject.
11- Cohesion affairs.

Article 102: Jurisdiction of the Council of State in terms of appeals:
The appeal is a means of recourse which the adversary aggrieved by a decision pronounced by the administrative courts makes use of in the cases mentioned in the present law, or by the administrative commissions of a judicial nature if the law of its creation authorises the appeal of their decisions before the Council of State.
Appeals against judgements handed down at first instance by administrative commissions of a judicial nature are subject to the provisions of this law and the rules stipulated in the laws and rules of the commissions mentioned, and the time limit for appeal is one month from the date of notification in the absence of a contradictory text.

Article 103:
Jurisdiction of the Council of State in terms of the reference of cassation:
The Council of State rules on appeals against decisions handed down by administrative courts.
The Council of State rules in cassation on cases that are decided in the final instance by administrative commissions of a judicial nature.
Judgements handed down at final instance by administrative commissions of a judicial nature may be the subject of an appeal in cassation, in the absence of a contradictory text.
Unlike any other text, the Council of State rules on disputes relating to employee discipline.

Title four - Judicial assistants

Article 104: The registry of the Council of State and the registries of the administrative courts are made up of judicial assistants, information transmitters and bailiffs. Their categories, grades and salaries are determined in the attached tables ( ) and ( ). The President of the Council of State is responsible for supervising them and distributing the work among them. This task is also assumed by the president of the administrative court with regard to the judicial assistants attached to the registry of the court over which he presides.

Article 105: Judicial assistants are the heads of registries, clerks, bailiffs and administrative employees of the registries of the judicial departments. Their numbers, categories, grades and salaries are determined by decrees issued by the Council of Ministers on the proposal of the Minister of Justice and after consulting the opinion of the Conseil Supérieur.
Judicial assistants carry out the registry work stipulated by law and other work required for the smooth running of judicial departments.

Article 106: The Registrar exercises over the employees of the Registry the powers of the Head of Department in public administrations, and is responsible to the Head of the Judicial Department for the proper functioning of the work.

Article 107: The Registrar or his representative shall receive all appeals, summonses, requests and documents and shall issue a receipt therefor and record it in the register on paper and on computer after having received the legal fees.

Article 108: The summons and related documents are delivered to the court clerk in a special file which shows on the cover the name of the court and the names of the parties, the registration number of the summons and the date with the year. All pages are numbered and a list of terminology and numbers is included at the end.
The clerk is responsible for arranging and archiving case files and preparing tables for hearings, minutes of proceedings and special registers for recording proceedings, judgments and decisions, whether judicial or approval-related.
All registers are numbered and the first two pages are initialled by the president of the court or his representative.

Article 109: The provisions stipulated in the law of the judicial order are applied to judicial assistants attached to the administrative judiciary, unless incompatible with this law.
Clerks and bailiffs must not intervene in the lawsuits of their parents, spouses or partners up to the fourth instance, on pain of annulment.

Article 110: Judicial holidays are applied to registries and the on-call system is implemented to ensure continuity of work by decision of the head of the judicial department.

Article 111: The disciplinary council for judicial assistants to administrative justice is made up of three administrative magistrates appointed by a decision of the President of the High Council for a period of three judicial years, renewable once only.
A judicial inspector appointed by the Judicial Inspection Commission assumes the responsibilities of the Government Commissioner.
The provisions of Article 49 et seq. relating to the discipline referred to in Chapter Four of this Act shall apply to the Disciplinary Board.

Article 112 : Decisions of the Disciplinary Board of Judicial Assistants are taken by majority vote and are subject to appeal by way of cassation before the Council of State.

Article 113 : The judicial assistant is transferred to the Disciplinary Board by a decision of the President of the Council of State or a decision of the President of the Judicial Inspection Commission and may be suspended from work by virtue of the same decision. He receives half his salary during the period of suspension from work and the reduced amounts are reimbursed to him in the event of acquittal or in the event of a warning or reprimand.

Article 114: Staff regulations are applied to judicial assistants, unless incompatible with the provisions of this law, and they are subject to disciplinary inspection by the judicial inspectorate.

BOOK II
Administrative Procedures

Article 115: The regular procedures adopted before the Council of State are applied before the administrative courts, provided that the general rules stipulated in the Code of Civil Procedures are followed in the absence of procedural standards applicable before the administrative courts, unless incompatible with the latter.

Title I
Conditions for accepting appeals

Article 116: Recourse to administrative justice is authorised to all those who have a well-founded legal interest, or by means of which they aim to prove a right whose existence has been denied or as a precaution to pay imminent or future damages or to secure a right whose proof may annihilate a dispute relating thereto, with the exception of cases where the law limits the persons who have the right to file a claim, refute it or defend a specific interest.
Any payment, solicitation or defence issued by or against a person without capacity is rejected.

Article 117: Acceptance of the lodging of an appeal is subject to certain conditions, prior to examination of the content. The court must, at each stage of the proceedings, verify the legal capacity and adequate representation of the parties.
It is strictly forbidden to lodge an appeal with the administrative courts other than through a lawyer, unless otherwise stipulated.

Article 118: Acceptance of an appeal before the administrative courts requires the following conditions: (1) the nature of the contested decision. (2) the appellant. (3) the time limit for appeal. (4) The form of the appeal.

First chapter
Conditions relating to the contested decision

Article 119: No one may bring an action before the administrative courts except in the form of an appeal against an explicit or implicit decision issued by the administrative authority.

Article 120: An action for nullity on the grounds of abuse of power of a general nature may be brought against any administrative decision.

Article 121: If the authority has not issued a decision, the person concerned must first apply to the competent authority for a decision. From there, he or she must submit a legal request to the authority, which will give him or her, free of charge, a receipt stating the purpose of the request and the date on which it was received, specifying the time limit and the means of appeal prescribed by law. It is essential to refuse all requests that are different from those mentioned in the request for conflict mitigation measures on which the contested administrative decision was based.
If the authority does not respond to the request within two months from the date of receipt of the above-mentioned request, its silence shall be deemed to constitute a refusal, except in the two cases below :

1- If the authority is one of the decision-making committees that meet only during certain sessions, the time limit is extended to two months, if necessary until the close of the first session held after the request is submitted.
2- If the decision on the subject of the request is subject to the legal time limits in total representing more than two months, the silence of the administration is not considered to be a decision of implicit refusal, except after the aforementioned time limits have elapsed.

Article 122: If the appellant submits a request for measures to settle the dispute to an incompetent authority and appeals against the implied decision issued by that authority, the latter must refer the aforementioned petition to the competent authority. If the petition contains a challenge to the appellant's claims, it is in this case considered to be a preliminary decision that calms the dispute.

Article 123: An application for annulment on the grounds of abuse of power may only be made against administrative decisions which are enforceable and which infringe the law. It is not permissible in all cases to accept an appeal concerning activities of a legislative or judicial nature.

Chapter Two
Conditions relating to the caller

Article 124: Acceptance of an appeal before the administrative courts requires the appellant to have the legal capacity and standing to lodge an appeal, and to have an interest in lodging the appeal. Any appeal lodged by the appellant who has submitted to the administrative decision is not accepted.

Article 125: The appellant must have the necessary capacity to contest before the courts. An action brought by a natural person is refused if the latter is incapable or unconscious, hence the obligation of his representative to bring the action on his behalf.
An action brought by a legal entity will only be accepted if it has legal personality. The defendant must meet the above conditions.

Article 126: Standing is the authority enabling a person to bring an action. The holder of the alleged right enjoys the said capacity, as does his representative in accordance with a legislative provision or an agreement. The appellant and the defendant must have the aforementioned capacity.
The standing of an action for nullity is established as soon as the personal interest is available and the action is brought.

Article 127: Interest is the benefit that the appellant hopes to gain from the legal action. The interest must be legal and legitimate, of state and of time, i.e. available at the time the complaint is lodged. An application for invalidation for exceeding the jurisdictional limit is accepted only by those who can prove a legitimate direct personal interest in invalidating the contested decision. The interest required must be available to accept the proceedings on the date the summons to the Conseil d'État or administrative court is filed, regardless of what may happen to that interest at a later date.

Article 128: The appeal is not accepted in the full jurisdiction proceedings for the party who submitted to the administrative decision. An application for dismissal for abuse of power shall not be accepted from a party who may have recourse to another judicial remedy to achieve the same result. An exception to this rule is the action for nullity of separate administrative acts.

Chapter Three
Conditions relating to the time limit for appeal

Article 129: The time limit for appeals is two months, unless the law stipulates special time limits for certain appeals before the administrative courts and the Council of State.

Article 130: The time limit for appeal begins from the date of publication of the contested decision, unless it is an individual decision, in which case it begins from the date of notification or execution. If the administrative decision constitutes a decision of implicit refusal resulting from the administration's silence, the two-month period provided for in the previous article begins from the expiry date determined in article 121.
If an explicit decision is taken before the expiry of the two-month time limit set for lodging the appeal, the appeal time limit will start to run again from the date of notification of this decision. If the decision is taken after the two-month period has expired, no new time limit may be set.

Article 131: If the time limit for judicial appeal has expired and the interested party lodges an administrative appeal before the same authority or the authority superior to it, the fact that the administration decides to study the case again does not open the door to appeal if the decision handed down following this study is associated with the first decision.
Any complaint lodged after the deadline is rejected.

Article 132: Any action of full jurisdiction is accepted for damage caused to individuals following the pronouncement of organisational decisions after the expiry of the time limit for the action of recourse and this until decimal prescription.
An action of full jurisdiction based on the illegitimacy of any administrative decision, or an action for which the time limit for appeal has expired, is unacceptable if it is based on the same legal grounds on which the action for revocation is based against that decision and if it produces the same financial results as the action for revocation.

Article 133: The period for lodging an appeal shall end :
1- If the person concerned lodges an administrative appeal within the time limit with the same authority or the authority superior to it, and in this case, the time limit starts from the date of notification of the explicit decision or from the date of the implicit decision pronounced on the administrative appeal. The time limit is only interrupted by a single appeal.
2- If the person concerned requests legal aid within the time limit for appeal, in this case the time limit for appeal starts again from the date on which the person concerned is notified of the decision on legal aid.
3- If the person concerned lodges an appeal with an invalid court within the legal time limit set out in Article 130 above, in which case the time limit begins anew on the date of notification of the judgment.
4- In the event that the revocation is rejected in part due to the absence of the common elements of appeal, the period of appeal is interrupted for everything that has been rejected in form and repeats from the date of notification of the judgement by the interested parties.

Article 134: The time limit stops in the event of force majeure or any other cause that may generally make it impossible to present the appeal.

Article 135: The provisions stipulated in chapters 4 and 5 of title 4 of the Code of Civil Procedure are applied to any cause not stipulated in a special text in this title, particularly the methods of notification and the time limits for appeal with their method of calculation.
Lawyers can be notified at the Council's registry.

Chapter Four
Conditions relating to the form of appeal

Part I - General conditions

Article 136: Appeals by individuals shall be submitted by writ of summons lodged at the registry and must include the following:
1- Surname and first name of the appellant, his profession, his place of residence and the surname and first name of the defendant, his profession and his place of residence.
2- The subject of the summons, the statement of facts and the legal points on which the summons is based. The subject of the dispute is determined following the requests of the litigants mentioned in the writ of summons and the motions. It may be modified by urgent applications that comply with the conditions set out in Article 218.
3- Mention the annexes to the summons.
4- Appoint a lawyer whose signature on the summons or petition is deemed to be the selection of the attorney from the place of residence to the address of the lawyer's office.
A legal stamp must be affixed to the summons.

Article 137: The following documents must be attached to the summons:
1- Copies of the summons, authenticated by the appellant and equal in number to the litigants.
2- A certified copy of the contested decision or the receipt stipulated in article 121.
3- A certificate from the judge or the president of the court in charge of the initial proceedings, if the appeal is submitted for an explanation or an assessment of the accuracy of an administrative decision.
4- A copy of the judge's decision to grant the appellant legal aid, if necessary.
5- Receipt confirming payment of legal costs and provision for any proceedings requiring payment.
6- The power of attorney legally prepared by the appellant for his lawyer.

Article 138: All appeals lodged by the State with the administrative courts and the Council of State by virtue of the provisions of the preceding articles are exempt from fiscal stamps and the performance bond.

Article 139: The summonses to appear in court are registered at the registry of the administrative court or the Council on receipt by the registrar and must be sequentially numbered and duly marked. In addition, the case is simultaneously recorded by the court clerk in the relevant register electronically on a computer. All summonses are sealed with a stamp indicating the date of presentation with receipt.

Article 140: The deputy councillor supervising the administrative departments shall notify the appellant within one week of the lack of certain formal requirements in the summons to be able to accept it. This shortcoming must be remedied within 15 days of the notification, and if this period passes without any reform, the Council may take a decision to revoke the summons.

Part two - The common remedy

Article 141: Any appeal lodged by several appellants must be dismissed except where there is a single and common application, or where there is a link between the applications included therein, or where there is a union of legal situations and interests of the appellants or of the subject and grounds on which they are based.
The unavailability of the conditions in the above-mentioned case results in the dismissal of the joint appeal except for the first appellant whose name is listed first in the appeal summons, while the time limit is interrupted for the other appellants.

Article 142: A single appeal lodged by a single appellant cannot be considered as an appeal against several decisions if there is no consistent link between them, otherwise it will be accepted only in respect of the initial claims on which it is based, and in case of doubt, it will always be the first decision mentioned in the appeal.

Article 143: The rules governing joint appeals, i.e. appeals lodged by several appellants with several contested decisions or various claims, must be applied. And this appeal cannot be accepted unless the appellants are legally united and their interests are united.

TITLE II
Legal Aid

Article 144: If one of the litigants is unable to pay the costs, expenses and fees of the proceedings, he may claim the legal aid allowance.

Article 145: Legal aid is granted to all natural persons of Lebanese nationality, as well as to foreigners residing in Lebanon, subject to reciprocity. In exceptional cases, legal aid may be granted to non-profit legal entities whose registered offices are located in Lebanon.

Article 146: Legal aid may be claimed to initiate proceedings before the administrative courts and the Council of State or even for the defence. In addition, it may be claimed, even if presented for the first time, for the use of legal remedies.

Article 147: The application for legal aid shall be made by means of a petition exempt from fees and stamp duty in two copies, and shall be lodged with the clerk of the court hearing the case. In turn, the court clerk keeps one copy and sends another copy to the opponent, who has the right to give his comments in writing within 5 days.

Article 148: A certificate from the import and treasury department of the Ministry of Finance (Direction Générale des Finances) is attached to the file showing the direct taxes paid by the aid applicant and a certificate from any local authority proving his incapacity.

Article 149: Irrespective of the financial situation of the applicant for assistance, his application shall be rejected if it is clear that his summons or defence is dismissed for lack of serious grounds for appeal.
An application for legal aid submitted to the Council of State by way of appeal may be rejected in cassation if the writ of cassation does not state serious grounds for cassation.

Article 150: The court examines the request for assistance in the deliberation chamber and the court clerk notifies the litigants of the content of the absolute decision handed down.

Article 151: The decision granting legal aid is notified to the President of the Bar, who appoints a lawyer to defend the interests of the person receiving the aid.

Article 152: The assistance provided by a lawyer is free of charge and the lawyer must not in any way attempt to collect fees or benefits from the person he is defending.
The court has the right to order the other litigant to pay the lawyer's fees if he loses the case and if legal aid has not been granted.

Article 153: The administrative procedures relating to the subsidised person are free of charge and the costs of the necessary measures relating to the investigation are borne by the public treasury.

Article 154: In all cases, and even if the initial action is accepted, the court granting legal aid has the right to reverse its decision of its own accord or at the request of the Ministry of Finance if the circumstances in which the aid was granted change or prove to be inaccurate. In this case, the aid is cancelled with retroactive effect.

Article 155: Legal aid ceases on the death of the beneficiary and has no retroactive effect.
The beneficiary's heirs have the right to apply for legal aid if necessary.

Article 156: If the subsidised party wins the action, the opposing party shall be liable for all expenses, including those incurred for investigative measures.

Article 157: A litigant who is granted legal aid does not cease to benefit from it until the judgement or defence has been enforced, and this is the case when any means of appeal are used against him or her.

Article 158: If the grantee loses the action, no remuneration shall be paid for the actions carried out in his interest and no reimbursement from the State's treasury shall be required unless there is subsequent proof or verification of his incapacity. If he wishes to appeal, he must submit a new application for assistance.

TITLE III
APPEAL PROCEDURES

Chapter 1
General terms and conditions

Article 159: After the appeal has been submitted to the administrative court or the Council of State, it is submitted to the head of the chamber ruling on the subject of the appeal in accordance with a decision on the allocation of work during the three days following the exchange of applications.
The Chairman shall designate the governing body and the rapporteur to whom he will forward the file in order to carry out the necessary checks, by a decision recorded in the minutes.
The Chairman has the right to act as rapporteur and deliver the report within a maximum period of three months. This period ends if it is decided to have an expert conduct a technical investigation until the report is submitted.
The president of the court hearing the appeal decides to instruct the appellant to rectify all the defects included in the summons, within a period of ten days. If the appellant fails to respond, the court returns the summons to the deliberation chamber.

Article 160: Notifications shall be made in administrative form in accordance with the notification provisions set out in Chapter Four of Part Four of Book One of the Code of Civil Procedure.
The deadline for notification, in exchange for a receipt, is as follows:
Two months to respond to the appeal.
One month to respond to requests.
The time limits mentioned start initially from the date of notification, and as far as the State or public institutions and municipalities are concerned, on the eighth day following the date of delivery of the documents to the head of the judicial authority of the Ministry of Justice or to any person initially designated for this purpose as far as the State is concerned. In addition, the competent registrar in public institutions and municipalities and the employee receiving the papers must sign the acknowledgement of receipt.
The President of the Chamber or the President of the Administrative Tribunal hearing the case may shorten the time limit by any amount, if necessary.
Electronic notification may be adopted subject to the issue of implementing decrees specifying the application of the regular procedures for such notification.

Article 161: The judicial authority shall forward the summons and petitions received from the latter to the competent administration for deliberation without delay and within a period of fifteen days, provided that the judicial authority files all deliberations as soon as they are sent from the Council of State to the competent administration.
If the deliberation takes place before the Judicial Council of the Council of State, the request is made by the Head of the Judicial Service of the Ministry of Justice. The time limits indicated for the other parties start from the date of notification. The interested party will be notified at his actual or chosen place of residence. Service is effected by direct bailiffs of the administrative judiciary. In addition to the aforementioned methods of service, electronic service may be adopted after the application of the principles of such service has been set out in implementing decrees.

Article 162: The appellant does not have the right to submit a motion unless there is new information, with the special authorisation of the rapporteur, who shall write on the motion submitted the following phrase: "Accepted and communicated". The rapporteur is responsible for supervising the notification of the summons, the supplementary motion and the first motion to the defendant or to each of the appellants if there is more than one.
The defendant has the right to reply to this request and always has the right to the last reply. In the event that this last request does not include new grounds or cases, one of the rapporteurs or the court may reject them and is not obliged to point them out to the opponent.

Article 163: The court may, on its own initiative or at the request of one of the litigants, order the deletion of statements that are offensive or contrary to public decency and public order from all the trial papers or order the person who issued them to remove the said papers and replace them with new papers free of these phrases on pain of being removed from the case file.
If the expressions constitute a criminal offence, the head of the authority hearing the case will order the documents to be returned to the public prosecutor's office to initiate the necessary proceedings.

Article 164: Litigants and their lawyers have the right to consult the trial documents at the court registry without transferring them, under the supervision of the supervising Associate Councillor. The documents

may be communicated to the interested party in writing and such notification shall be deemed to be correct and to have legal effect.

CHAPTER TWO
Suspension of execution

Article 165: An administrative decision is self-executing and no appeal to the administrative courts or the Council of State can halt its execution. The same applies to judicial decisions handed down by administrative courts or administrative bodies with jurisdictional capacity.

Article 166: Only final judgements handed down by the administrative courts may be the subject of an application for suspension of execution.

Article 167: The Council of State may decide to halt enforcement at the express request of the appellant if it appears from the case file that enforcement may cause serious irreparable harm to the appellant and that the decision is based on serious and important reasons. Summary rules are applied to rule on the application.
The execution of explicit or implicit refusal decisions may be suspended if they comply with the conditions stipulated in the previous paragraph.
It is up to the Conseil d'État to raise on its own initiative the serious and important ground on which the suspension of enforcement is based, if it relates to public policy.

Article 168: The litigants have a maximum of two weeks in which to respond to the application for suspension of enforcement, and the Council of State must rule on the application within a maximum of two weeks from the date of submission of the opponent's response. The same regular procedures and deadlines apply before the administrative courts to the application for suspension of enforcement.
If the Council of State or the Administrative Court considers that there are grounds justifying the suspension of enforcement, it is therefore granted by a decision issued in its normal form and containing the appropriate explanation in a concise manner.

Article 169: The suspension of enforcement may be partial, i.e. relating to part of the content of the contested administrative decision, and may also be decided for a limited period during which an investigation into the grounds invoked will be carried out.

Article 170: The decision to suspend enforcement is a temporary decision that does not restrict the judicial authority that issued it but has definitive effect and has the force of the convicted case in relation to the decision, as long as the circumstances and grounds on which it was issued have not changed, and it can only be overturned on new serious grounds justifying such an appeal.

Article 171: The pronouncement of a decision to suspend the execution of the contested decision obliges the administration to its content and prevents it from following through with the execution of this decision. The governing body may, even on its own initiative, impose a coercive fine to ensure the enforcement of the penalties pronounced. Coercive fines are considered to be distinct from compensatory indemnities and may be definitive or temporary. Usually, they are considered temporary unless the governing body declares them definitive. In the event of partial or total non-performance or delay in performance, the governing body imposing the fine will liquidate it.
It is not authorised to issue a new administrative decision that would have the effect of deactivating the decision to suspend enforcement.

CHAPTER THREE
Verification of recourse

Article 172: The rapporteur shall determine the form in which the investigative work is carried out, and shall be guided by the principles contained in the Code of Civil Procedure in all matters not provided for by this law, and shall ensure that all acts of verification are complete and thorough, and that the right of defence is respected.
Each party must review the minutes organised at the end of each investigation.

Article 173: The rapporteur may either grant amnesty or, at the request of the litigants, take such measures as he deems necessary for the investigation, such as appointing experts, hearing witnesses on oath, sensory detection, checking restrictions and questioning persons, and may even ask public authorities to submit reports, readings, files and documents and to call in the relevant personnel to obtain clarification on technical and material aspects.

If the witness fails to appear before the rapporteur or the governing body, he or she will be fined ..... If an acceptable excuse is provided, the fine may be waived or the witness may be transferred to another location to give evidence.

Article 174: A litigant may request that the other party be compelled to produce any document relevant to the dispute in the following cases:
1-If the law authorises the obligation to submit or deliver it.
2-If it is common to both parties. Thus, the document is considered to be particularly joint if it is drawn up in the interests of both litigants or if it proves their mutual rights and obligations.
3-If his opponent relies on the said document at any stage of the trial.

Article 175: The appellant must indicate in the application, on pain of rejection:
1- Descriptions of the document and its contents, as detailed as possible.
2 - The fact mentioned in the said document.
3- Proof of the opponent's acquisition.
4- The way in which the opponent is obliged to submit him.

Article 176: If the appellant proves his claim or if the opposing party acknowledges the existence of the document in his possession or tacitly agrees to it, the rapporteur shall order the document to be submitted immediately or within a certain time limit. It all depends on when the governing body gets hold of the file.

Article 177: The rapporteur and the governing body may impose a temporary coercive fine for each day's delay on all those who fail to carry out an order issued by one of them for the submission of a document within a given time limit,
This decision may not be appealed, but the governing body has the right to exempt the offender from the fine if an acceptable excuse is provided.
Article 178: If the litigant fails to hand in the document on the date set, the judicial authority that requested it has the right to take into consideration the appellant's statements in the form in which they were given.

Article 179: Contrary to the general rule that the burden of proof lies with the party claiming the fact or action, if the case is to prove a negative fact undetermined by the appellant, the competent judge or court may shift the burden of proof by making the other party to the dispute prove the opposite positive fact.

Article 180: The decisions taken by the rapporteur are communicated to the litigants and are not justified. They may be appealed to the chamber within five days of the provision of a guarantee equal to three times the minimum wage.
The litigant is invited to submit his observations within forty-eight hours.
The Board rules on the appeal without any procedure within eight days, and the rapporteur takes part in the pronouncement of the judgment.

Article 181: If the appeal lodged by a litigant outside public law against the decision of the rapporteur is aimed solely at delaying the decision on the lawsuit and is not based on any serious grounds, the appellant is therefore ordered to forfeit the performance bond.

Article 182: Once the verification procedure has been completed, the rapporteur shall draw up a report and send it together with the file to the Government Commissioner. This report includes a summary of the case, the facts, the nature of the appeal with an indication of the decision taken against it, the points of law to be resolved and the opinion of the rapporteur.
The rapporteur raises the grounds and arguments relating to public policy on his or her own initiative, submits them for discussion and invites the litigants to comment on them beforehand.
At the end of the course, the rapporteur submits his report, together with the file, to the Government Commissioner.
The opinion of the rapporteur set out in the report does not restrict the governing body, or the advisor-rapporteur, to disposing of the case by means of the judgement issued on it.

Article 183: The Government Commissioner is considered to be a representative of the law and expresses his opinion on the case impartially and independently.
The Government Commissioner examines all the documents sent to him, verifies the contents of the report and gives his opinion on the resolution of the dispute by drafting a written opinion within a maximum of one month from the date of transfer of the request.
The reading includes a discussion of the facts of the case, its legal adaptation and a discussion of all the legal issues raised in it, the Government Commissioner's opinion on them and the solution he proposes to

the dispute, which he then forwards with the file to the head of the chamber examining the case and handing down the judgment.

Article 184: Litigants are invited to consult and read the report and may obtain a copy at their request. The invitation is made by a statement containing the names of the litigants and the case numbers published in the official gazette, a copy of which is hung on the door of the Council of State registry during the first week of each month. In turn, the Chief Registrar arranges for a recording to be made. The declaration is published on the Council's website.
Litigants may submit their written observations on the report and take note of them within one month of the date of publication of the statement in the official gazette.

Article 185: Immediately after the expiry of the time limit set out in the previous article, the Chairman shall invite the governing body to deliberate on the case, provided that judgment is given at a public hearing, the date of which shall be communicated to the litigants within a period not exceeding three months from the date of expiry of the time limit given to the parties to give their comments on the report and to take cognisance of it.

Article 186: If one of the litigants provides a note containing new claims or legal grounds, and the governing body accepts it in its own form, it is therefore considered to be a request that must be communicated to the other litigant with a deadline for response, and the file must be transferred back to the rapporteur so that he can draw up a new report, and then be the subject of a new deliberation by the Government Commissioner.

Article 187: If the rapporteur leaves the governing body after drawing up his report, another councillor-rapporteur should be delegated in his place. If the latter adopts the previous report, it is not necessary to inform the litigants that the report has been filed, but a new deliberation by the Government Commissioner on the trial is required.
Litigants do not have to be notified of the new report and the new deliberation if both have adopted the previous content. However, if there has been a change in the content of the deliberation, despite the adoption of the same report by the new rapporteur, the litigants must be notified to give their comments within ten days.

CHAPTER FOUR
Simplified procedures

Article 188: Simplified procedures are applied:
1- In the appeals provided for in articles 78, 79 and 80 of this law.
2- In full jurisdiction legal actions where the value of the share does not exceed twenty times the minimum wage.
3- In all matters provided for in this law.
The value of the lawsuit is estimated by the appellant, and if his estimate seems out of line, the judicial authority in charge of the action will determine the value using the documents at its disposal or with the help of an expert opinion.

Article 189: When simplified procedures are applied, a regular procedure is applied, with the following exceptions:
1- Individuals have the right to file their lawsuits without a prior decision from the administrative authority and their summons is exempt from the need to appoint a lawyer.
2- The rapporteur must investigate the case as quickly as possible, without delay, and his decisions are not subject to appeal. Litigants shall be allowed a period of not less than eight days and not more than fifteen days in which to submit their defence or motion, and no motion may be submitted or authorised except by decision of the rapporteur.
3- The rapporteur drafts a brief report, which he sends with the case file to the Government Commissioner, who in turn sends it with his conclusions to the Chairman within eight days. Litigants may therefore submit their observations on the rapporteur's decision and consult the Government Commissioner within five days of the date of notification before it is published in the official gazette, and must rule on the case without any delay.

Article 190: The President of the Chamber may authorise by special decision and only by appeal of full jurisdiction, at the request of one of the litigants and following the opinion of the Government Commissioner, the application of simplified procedures if he considers that the case does not cause any prejudice to the defendants, provided that in this case the prior administrative decision remains mandatory.

Article 191: In view of the non-enforceability of the previous decision and consequently the linkage of conflicts with the administration, the submission of an appeal is not subject to any time limit, with the exception of the limitation period.

CHAPTER FIVE
The subject of appeal

Article 192: The Council of State or the Administrative Court shall invalidate the defective administrative acts mentioned below:
1- If they are issued by an incompetent authority.
2- If they are taken contrary to the basic operations stipulated by the laws and regulations.
3- If they are taken contrary to international treaties, the law, regulations, general principles of law or contrary to judicial action.
4- If they are taken for a purpose other than that for which the law authorises the competent authority.

Article 193: In its review, the court must assess the legitimacy of the administrative decision in the light of the legal norms and factual circumstances existing at the time it was issued.

Article 194: If the appeal relates to several administrative decisions, the legitimacy of each of these decisions shall be assessed separately.
The annulment of an administrative decision does not necessarily entail the annulment of another decision unless there is a binding link between the two decisions, or unless the second decision is a legal result of the first decision.
The correlation may be based on several administrative decisions or be caused by the correlation between the texts of a single decision.
If the texts of the administrative decision constitute an indivisible unit, the invalidation of one of these texts entails the invalidation of the decision in its entirety.

Article 195: An administrative decision does not exist if it is vitiated by serious violations of the law, rendering it illegal, and since it is devoid of any effect, giving it no legal effect and devoid of any right.
The judge may decide not to issue such a decision at any time following an appeal submitted to him without delay.

Article 196: A decision is invalidated for exceeding the limit of authority if it is pronounced in violation of the procedures or fundamental formalities stipulated in the legal or organisational text or by general legal principle or which could affect its content.

Article 197: An individual administrative decision is invalid for exceeding the limit of authority in the event of a breach of the legal obligation to justify.
The justification is set out in the bases of the decision, or included in the body of its published reasonable grounds; it is considered invalid if it is not directly linked to the decisive paragraph and does not adopt it.

Article 198: An administrative contract is a contract concluded with a person governed by public law or persons governed by private law who are involved in the management of a public service and whose object is either the performance or management of a public service, or includes extraordinary clauses that are outside the ordinary scope of civil law, regardless of its subject matter.

Article 199: The competence of the administrative justice is to examine the cases related to the administrative contracts and to the attached and detached decisions and the power is distributed between the invalidation and the full jurisdiction according to the general rules in force.

Article 200: Subject to the rules contained in the arbitration section, any clause assigning jurisdiction which withdraws from the Council of State and the administrative courts the power to examine disputes arising from the contract shall be considered absolutely and definitively null and void and it shall be the competent judicial authority which shall pronounce the amnesty of nullity.

Article 201: The eligibility of a public contractor is determined in accordance with the authority conferred on him by law to enter into contracts, while the eligibility of persons governed by private law is determined in accordance with the rules laid down by the Civil Code.

Article 202: The contract may only be concluded once the will of the competent administration and the will of the contractor have been fulfilled, once they have been signed or once the supervisory authority has signed and ratified the contract, if there is a provision to this effect.

Article 203: Defects in consent render the administrative contract null and void and the rules laid down in the Civil Code are applied to it in proportion to the provisions of the Administrative Code.

Article 204: A contract whose object or purpose is illicit or illegal and focuses on matters contrary to public policy and the public interest shall be deemed null and void.

Article 205: Clauses contained in the contract which violate general regularity and mandatory legal rules are null and void and annul the entire contract if it is impossible to separate these clauses from the subject matter of the contract and this ground is invoked by the competent judicial authority.

Article 206: The Council's control in electoral disputes is absolute and includes assessing the validity of the facts and the description presented and whether they justify the measure taken in the light of the temporal, spatial, factual and legal circumstances.

Article 207: Electoral disputes belong to the full jurisdiction where the electoral judge verifies the legitimacy of the administrative acts that preceded and accompanied the elections and also has the power to modify the decisions of the counting commissions in the event of errors, irregularities or fraud. In such cases, a higher judge will be responsible for counting and recounting the votes. His decision thus replaces the decision of the counting commissions.

Article 208: Questions of electoral eligibility are linked to public order and are pardoned by the electoral judge at any stage of the proceedings.

Article 209: It is the responsibility of the electoral court to verify whether the conditions for disqualification of the elected person in question have been met and, if so, to invalidate his election and declare the victory of the second candidate on the list.

Article 210: The simplified procedures provided for by this law shall apply to all cases of electoral dispute relating to the electoral process and its consequences, such as cases of disqualification, objection or availability of membership for any reason whatsoever.

Article 211: The provisions on pending issues set out in this law shall apply to electoral disputes.

Article 212: The validity of elections to administrative councils, such as municipal councils and elective bodies, may be challenged by any voter in the region concerned, by any person who has legally stood as a candidate and by the Minister of the Interior.

Article 213: Objections from voters and candidates shall be submitted under penalty of a reply within fifteen days of the announcement of the election results and shall be limited to a written summons without any further procedure.
The objection is communicated to the State and to the persons whose election is contested.

Article 214: In disciplinary cases, the employee concerned shall lodge an application for annulment or an appeal in cassation within thirty days of notification of the disciplinary decision. The time limit is interrupted if the applicant lodges an administrative appeal within the time limit for appeal in accordance with Article 133.
If the competent authority does not respond within two months of the date on which the administrative appeal was lodged, a tacit refusal decision is issued.
The applicant may appeal against the said implied refusal decision within the thirty-day period provided for in the first paragraph, and if an explicit decision is given within the period for appealing against the implied refusal decision, the thirty-day period will again apply from the date of notification of this decision.

Article 215: The Council of State has the right to examine the appropriateness of the sanction prescribed where there is a clear disproportion between the sanction and the error, in disciplinary cases.

TITLE FIVE
The urgency of the trial

CHAPTER ONE
Urgent requests

Article 216: The principle of immutability of the elements of the dispute means that at the beginning of the trial, following the filing of the writ of summons and the exchange of motions, its elements and framework

cannot be altered from the time the legal action is filed until the final verdict, as they must not change, whether with regard to the litigants, their qualities, the object of the trial or its motive.

Article 217: With the exception of the aforementioned principle, emergency applications may be provided under specific conditions, whether they are supplementary applications presented by the appellant, counterclaims presented by the defendant, or applications for intervention or integration presented by or against third parties outside the framework of the initial relationship of the lawsuit.
Any request provided during the course of the trial that does not aim to elaborate or summarise the subject of the initial request is considered to be an urgent request.

Article 218: The subject matter of the dispute shall be determined by the claims of the litigants contained in the writ of summons and the applications. It may be modified by urgent applications where the following conditions are met:
1- Its examination must complement the functional, qualitative or spatial jurisdiction of the court examining the initial claim and should not fall within the jurisdiction of an arbitral tribunal.
2- Its examination does not fall within the functional, qualitative or spatial jurisdiction of the court examining the initial application.

Section One - Additional applications

Article 219: A supplementary application is an application made by the appellant at the time of the appeal requesting that the initial application be amended.
The appellant has the right to submit emergency applications to correct the initial application, to supplement it or to change the subject matter or grounds.
The new legal ground is the legal basis on which the plaintiff is assigning his claims in the lawsuit or the rights he is asserting, which is in fact different from the legal services he set out in the lawsuit summons.

Article 220: Once the subject of the request and the legal grounds justifying it are specified in the summons, additional requests and new legal grounds formulated by the appellant in the course of the proceedings are considered valid unless the time limit for appeal has not yet expired.
The grounds are divided into two categories: the category of grounds relating to external legitimacy and the category of grounds relating to internal legality. Each of the two categories is considered to be a ground in the broad sense, since the multiple subsidiary grounds included in each of them are merely aspects of the initial ground, and may be invoked at any stage of the proceedings, even after the expiry of the time limit for appeal.

Article 221: With the exception of the stipulations of the first paragraph of the previous article, any supplementary application is accepted if it is linked to the initial application and if its appeal falls within the jurisdiction of the Conseil d'État or the administrative court before which it was submitted, even though it was submitted after the expiry of the time limit for appeal.

Article 222: The filing of a supplementary application unrelated to the initial application will result in a decision to reject it, but the appellant always has the right to submit a new appeal if the administrative authority is allowed to give a prior decision on his application.

Article 223: It is permissible to invoke the illegality of the administrative decision after the expiry of the time limit for appealing against invalidation in order to request the administration to repair the damage caused by its error in issuing it.

Article 224: The judicial authority hearing the case must rule on legal grounds of a public policy nature, even if no one indicates them, provided that the prima facie principle is respected. It is inadmissible to base any judgment on legal grounds that produce their own effects without first inviting the litigants to comment on them.

Section two - Counterclaims

Article 225: A counterclaim is an emergency claim presented by the defendant, the purpose of which is not only to refute the appellant's action, but also to order him to a certain obligation or to a compensation procedure. This claim is only accepted in the context of full jurisdiction, without recourse to invalidation for exceeding jurisdiction.
In all cases, the defendant may bring a counterclaim seeking compensation and damages from the appellant for its bad faith in bringing the claim.

Article 226: The defendant must present urgent claims that meet the conditions of Article 227, and the following claims in a special way:
1- Request for compensation.
2- Claim for compensation for infringement of rights from the initial claim or from one of the legal proceedings.
3- Any request aimed at obtaining a benefit other than the simple reimbursement of deduction requests.

Article 227: The counterclaim may be lodged at any time during the proceedings without observing a certain time limit, until the conclusion of the investigation. However, it must be lodged against the decision contested in the original proceedings and against the original appellant only.

Article 228: Except where the counterclaim seeks to provide compensation and damages for bad faith in the original claim, the acceptance of the counterclaim is linked to the acceptance of the original claim so that it will be dismissed if the latter is not accepted.

Article 229: The fact that the defendant has not lodged a counterclaim in the case established against him on a given subject, prevents him from subsequently lodging a claim independent of this claim for its contradiction with the force of the case condemned in the previous case if the unity of the litigants, subject and grounds proves to be the same in the two cases.

Section three - Requests for assistance and integration

Article 230: A third party may intervene or be inserted into the action, thus becoming a litigant.

Article 231: Intervention is an urgent request made by a third party to the litigants in the action.
There are two types of intervention: voluntary intervention, which is obtained by the intervention of a third party alone in the case, and compulsory intervention or insertion.

Article 232: Each existing party to the dispute as to the nature and subject-matter of the dispute may intervene in the action of its own motion.
A third party may also be admitted to the proceedings at the request of one of the original litigants or by decision of the governing body or the rapporteur.
Intervention and insertion are admissible at all stages of the proceedings, provided that the provisions of Article 227 are available.

Article 233: The intervener or the person seeking insertion must have a personal and legitimate interest for his intervention or insertion to be accepted.

Article 234: The application to intervene shall be made by a separate writ of summons and as regards the intervener, this application may only include the views and claims of the litigants. As for the person sought to be inserted, this application is for a judgment to be rendered against him so that the action may come into force and condemn him or enable him to protect his rights mentioned in the action. The court clerk informs the third party of the insertion decision.

Article 235: The intervener may submit evidence, arguments or reasons that have never been invoked by the litigant, unless he does not base them on a new legal ground.

Article 236: Exceptionally, an application for intervention by independent affiliates may be accepted if the intervention of third parties is possible in order to prove or protect one's rights against a litigant, particularly in cases relating to listed sites and building permits.

Article 237: Third parties may be inserted into the proceedings following a request by one of the litigants to participate in the hearing of the judgment. It may also be inserted in order to be judged on claims inherent in the claims of one of the litigants, or as a guarantee.

Article 238: The request for insertion made against a public administration must be directed against a decision issued by the latter in accordance with the general rule stipulated in Article 210 et seq.
The response of the administration requested to be inserted in the lawsuit, relating to the assignment of the insertion, the merits and the request for its dismissal, are such that the decision that settles the dispute before the administrative judicial authority that rules on the action.

Article 239: The decision handed down by the administrative court during the proceedings requiring the rejection of the request for intervention or insertion may be appealed separately, before the Council of State before the final decision is handed down, within a period of ten days from the date of notification. The

appeal must be decided in accordance with the simplified procedures, the decision is pronounced without any delay, definitively, and is not subject to any means of appeal.

Chapter Two
Inclusion and separation from adversity

Article 240: Inherent adversities may be included.
The commission ruling on the action may, of its own motion or at the request of the litigants, include two or more oppositions, pending before it, if they are related and judged jointly, for the proper functioning of justice.
The aforementioned committee may also decide to split existing adversities into two or more.
It is possible to include or separate the opposing parties by means of a decision provided by the judge-rapporteur.

Article 241: Decisions on the inclusion or separation of adversaries are measures taken by the judicial department.

Article 242: One of the litigants may submit a request for inclusion at any stage of the proceedings.
The commission ruling on the action may decide ex officio to include adversities, and it has absolute power to assess the existence of a correlation and the feasibility of inclusion.
Inclusion does not, in principle, eliminate the identity of each adversity.

Chapter Three
Termination of the proceedings

Article 243: The cessation of proceedings is the suspension of their progress for a specified period for the presence of one of the reasons which justifies or requires the said cessation and apart from cases where the cessation of proceedings is unavoidable.

Article 244: Apart from cases where the law stipulates that the proceedings must or may be terminated, the court may adopt a stay of proceedings for a specified period or in the event of an emergency specified in its decision. It may waive the cessation decision or shorten its duration.
Only litigants in actions of full jurisdiction may agree to cease proceedings for a specified period.
The time limits cease to apply during the period of cessation of the proceedings and do not resume, except after the expiry of the period of cessation.
The litigant may continue with the trial as soon as the reason for termination disappears.

First section
Termination of proceedings as of right
Firstly: Termination of proceedings until resolution of a specific emergency

Part I: The application to have a judge recused

Article 245: The grounds for disqualification of a judge stipulated in article 120 of the Code of Civil Procedure apply to judges of the Council of State and the administrative courts.
One of the chambers of the Council of State rules on the application to challenge the judge.
As soon as the judge in question is notified of the application for recusal, he must cease to rule on the case until the application has been decided. The chamber ruling on the application for recusal may decide, if necessary, to continue the trial without the participation of the judge in question.

Article 246: The judge in question and the litigants must be notified of the application for recusal and each of them may provide their comments within a period of three days. The application must be decided without delay, in the deliberation chamber.

Article 247: A person whose challenge is unfounded shall be liable to a penalty of at least one million Lebanese pounds up to five million Lebanese pounds. He may also be judged by an indemnity to be paid to the judge in question and to the litigant affected by the delay of the trial.

Article 248: The judge must automatically propose its withdrawal in the cases mentioned in Article 120 of the Code of Civil Procedure.
The provisions of the first two paragraphs of Article 245 shall apply to the proposal for withdrawal.
The President of the Council of State and the Presidents of the departments reporting to the Council of State present the withdrawal proposal to the Business Council.

Part two: The application to transfer a trial

Article 249: Proceedings may be transferred from one court to another of the same jurisdiction:

1- If it is impossible to form the court due to a lack of judges or the impossibility of carrying out its business due to force majeure.
2- If there is a relationship or alliance of ascendants or relatives up to the fourth degree between one of the litigants and two judges of the court or its president.
3- If there is any reason to be suspicious of the court's neutrality.

Article 250: The request for transfer must be presented before the council in charge of cases by one of the litigants and must be notified to the judge or judges of the court in question.
The applicant in the third case of the preceding article must attach to his application a receipt attesting to the deposit of a guarantee amounting to two million five hundred thousand Lebanese pounds, which must be forfeited at the time of the challenge judgment.

Article 251: The council in charge of cases decides on the request for transfer as quickly as possible, without the need to include the litigants in the proceedings, and designates in its decision the court to which the proceedings and the case file are transferred, which must be of the same instance and category. In the third case of article 249, the council may ask the judge or judges of the court in question for a statement of their remarks.

Article 252: The termination of the proceedings comes into force as soon as the request for transfer is submitted in the second and third cases of Article 249.

Part Three: Denial of handwriting, signature or fingerprint and compliance

Article 253: Articles 174 to 179 of the Code of Civil Procedure shall apply to the provisions relating to this Part and the Commission ruling on the proceedings shall decide on this urgency and its decision shall not be subject to any appeal.

Part four: The urgent claim of falsification

Article 254: If the litigant alleges falsification of an official document or an administrative decision, as a matter of urgency before one of the departments of the Council of State or the administrative court ruling on the appeal, either of them must cease the proceedings until a ruling has been given on the claim of falsification.

Article 255: The secretary of the council or court ruling on the case must send a copy *of* the summons and the petition to the other litigant. The president of the council must send another copy to the public prosecutor's office.

Article 256: If the claim of falsification requires an investigation, the titular court shall take a decision including a statement of the facts investigated and shall require the original document in question to be deposited with its registry within five days of the date of notification of the decision, if it has still not been deposited. As soon as the decision to conduct an investigation is pronounced, the validity of the deed for execution ceases until the court rules on the falsification, without violating any precautionary measures.

Article 257: The other litigant or his representative may be informed of the original document filed by a copy before the court registry.

Article 258: If the document accused of falsification has not been deposited with the clerk's office within the specified period, the said document shall be removed from the deliberations, unless the governing body decides to grant another period.

Article 259: If the document in question is merely a copy of the original document deposited with an official service, public warehouse or in the possession of a third party, the governing body shall decide whether it is necessary to deposit the original document and the party in possession of the said document shall be notified of the said decision to send it within the specified period.

Article 260: If the civil servant or person in charge of a public service is late in depositing the title with his department, the governing body may contact the public prosecutor's office to take legal action against him.

Article 261: If the person holding the title is late in filing it within the specified time limit, the governing body may order him to pay a fine of between two hundred thousand and two million Lebanese pounds and order him to file it under penalty of a coercive penalty to be determined by it.

Article 262: Within eight days of the deposition of the title in question at the court registry, the description of this title and its cancelled, added and joined parts and other visible advantages, takes place in the presence of the litigants or their representatives under the supervision of the president of the court or the judge delegated for this purpose, by virtue of the decision ordering the deposition. The secretary of the court draws up a report of this description, and the president or delegated judge must put a phrase "cannot be modified" on the title and sign it.

Article 263: Forgery may be demonstrated by means of evidence, in particular by recourse to experts appointed by the governing body or the rapporteur. They may also hear the statements of witnesses and match handwriting or signatures with documents or other evidence.

Article 264: The documents which are entrusted to the correspondence in the forgery proceedings are :

1- Signatures or fingerprints recorded in official documents or certificates.
2- Handwritings and signatures or imprints in recognised ordinary titles.
3- The validity of the uncontested section in the title that is being complied with
4- The handwriting, signature or imprint written or placed before the judge during the enquiry

Article 265 : The defendant convicted of falsification may terminate his claim in all cases where he was required to relinquish the disputed title. The governing body or the rapporteur may decide to seize or keep the title, if the party complaining of falsification so requests for a legitimate interest.

Article 266: If it is decided that the claimant's right to falsification of his claim is lost or rejected, he shall therefore be sentenced to a pecuniary fine of two to twenty million Lebanese pounds, compensation and damages in favor of the other claimant if necessary. None of this is judged if some of these claims are proven.

Article 267: If the judgment handed down by the court shows that the administrative decision has been falsified, it shall be declared null and void.
If the court rules that the administrative decision has been falsified, it will decide whether to damage it, delete or correct the falsified part, or restore its exact text.

Article 268: In all cases, the judgment shall order the return of the documents that were brought to light for comparison.

Article 269: The judgement handed down by the administrative court in proceedings alleging forgery shall not be enforceable until it has been signed.
The above-mentioned judgement may be appealed to the Council of State within ten days of the date of notification.
Appeals are decided in accordance with simplified procedures, the final judgement is handed down without delay and is not subject to any appeal.

Article 270: ***It is*** forbidden to deliver a copy of documents without the permission of the court, as long as these documents accused of falsification are filed with the registry. In all cases, a special explanation indicating the prosecution of the claim of falsification must also be mentioned on all copies.

Article 271: If a criminal complaint is established because of the claim of falsification, the administrative court and the Council of State must cease the proceedings conducted by one or the other until the criminal complaint has been decided, if it is impossible to give judgment on the administrative complaint without invoking the title accused of falsification under criminal law.
Filing a criminal complaint about the falsification with the public prosecutor's office or investigating judges is not sufficient to stop the proceedings before the administrative courts.

Article 272: Acquittal by the criminal court does not prevent one of the litigants in the dispute before the administrative courts from claiming falsification of the document that is the subject of the criminal complaint, if the said judgment shows the innocence of the accused person but does not show the validity of the document itself.

Article 273: The administrative court and the Council of State may order, even if a claim of falsification of the procedures provided has not been presented before either of them, the rejection or invalidity of any decision or title if the falsification proves obvious in its state or in the circumstances of the proceedings.
The judgment rendered by either party must show the circumstances and evidence of the aforementioned falsification.

Part Five: Appeals against decisions handed down by administrative tribunals before the final judgment is handed down

Article 274: Decisions handed down by administrative courts in the course of proceedings may not be appealed until the final judgment has been handed down. They are exempt from :

1- The decision requiring the trial to be discontinued.
2- The decision to reject the request for assistance or integration.
3- Temporary judgments.

An appeal against the aforementioned judgments does not release the administrative court that handed down the judgment in any of the other points or parts of the dispute, nor does it prevent the trial from proceeding in all matters not related to the contested judgment.

Article 275: Appeals against the decisions referred to in the previous article are heard by the courts of appeal before the Council of State, where simplified procedures are applicable and judgement is handed down without delay.

Secondly: Suspension of the trial pending resolution of an intercepted issue

Article 276: Intercepted issues are issues raised in the course of proceedings before the Council of State or the Administrative Court, either of which does not have the functional competence to rule on the aforementioned issues and they must be adjudicated upon before a judgement on the merits can be given. The council or tribunal must then halt the proceedings, pending the competent authority's ruling on the above-mentioned issues.

Article 277: The Council of State and the court may decide, when one of the litigants raises an objection, to delay ruling on the appeal presented to it, pending the competent authority's ruling on the intercepted matter.
The Council of State and the Administrative Court may raise the intercepted question of their own motion.

Article 278: The provocation of the intercepted question does not stop the proceedings before the administrative courts unless the following two conditions are met:

(1) The subject of the intercepted question must be incomprehensible or ambiguous and the dispute in respect of which the judgment is to be given must be a genuine dispute.
(2) The pronouncement of judgment must be linked to the solution of the intercepted question.

Article 279: If the authority ruling on the case (the Council of State or the Administrative Court) finds that the two above-mentioned conditions have been met, it decides to stop the case and orders the most advanced litigant to present the claim before the competent authority within a specified period.

Article 280: If the request is presented late to the competent authority, without a valid excuse, the council or the administrative court shall waive it and shall proceed to pronounce the judgement.

Section two
Termination of proceedings by court order

Article 281: Under conditions other than those stipulated by the law relating to the cessation of proceedings, whether imperatively or optionally, the Council of State or the Administrative Court may decide to cease proceedings for a specified period or in the event of an emergency specified in its decision. It may waive the decision to terminate or shorten the duration.
As soon as the reason for cessation has disappeared, the litigants can continue with the trial.

Article 282: If it transpires that the case file has been lost or damaged due to an emergency, the Council of State or the Administrative Court may reformat the case file by instructing the litigants to submit copies of the summons to appeal, the petitions and the documents in their possession; the proceedings must be halted until such time as the said documents are submitted within a specified period.

Article 283: If the Council of State or the Administrative Court appoints an expert to carry out a lengthy and in-depth technical investigation, it may suspend the proceedings for a specific period of time during which the mission must be completed or it may suspend the proceedings until the expert has completed his mission and submitted a report within a reasonable period of time.

Article 284: If the Council of State or the Administrative Court learns of a criminal investigation into facts relating to the proceedings brought before either of them, and if none of the questions intercepted is based on the rule that "the criminal does not hold the civil in status", either of them may decide to suspend the proceedings until the said investigation has been completed in order to be guided by information relating to the facts included in the investigation.

Article 285: Unless the case is not ready for trial, the Council of State or the Administrative Court will suspend proceedings for one year if it learns of the death of one of the litigants, its disappearance in the case of a legal entity or the resignation or death of its representative. The time limit comes into force after publication of the decision in the official gazette and on the council's website. If the aforementioned time limit expires and the interested parties do not rectify the situation and duly continue the action, the court ruling on the case may decide, in the deliberation chamber, that the summons is null and void. The proceedings may be resumed by means of an informed notification to the heirs of the deceased litigant, to the substitute of the litigant who has lost his legal capacity or to the representative of the litigant who has lost his legal capacity at the request of the other litigant or by means of a request for resumption of the action presented ex officio by all the aforementioned parties. The proceedings shall continue against all the parties mentioned in the previous article from the point at which they left off at the time of its cessation and all the proceedings taken against all the parties shall be deemed to be correct.

Article 286: If an intercepted question arises during the trial, another judicial authority must rule on the said question. If the law does not explicitly mention it or does not stipulate the cessation of the trial in order to rule on the said question, the Council of State or the Administrative Court may order the cessation of the trial, pending the competent authority's ruling on the intercepted question.

Section three: Termination of proceedings by consent of the litigants

Article 287: Only litigants in full jurisdiction may agree during the trial to cease its progress for a specified period in order to either reconcile or transfer the case to arbitration if authorised by law. In this case, the Council of State or the Administrative Court may respond to the request of the litigants and decide to stop the proceedings.
Proceedings may be discontinued on the basis of the litigants' consent to cease proceedings for a period not exceeding six months from the date of adoption of the said decision by the court.

Article 288: For the termination of the action on the basis of consent between the litigants to be accepted, all the parties to the action must agree to the said termination, regardless of whether they are initial or intervening parties and regardless of the type of their intervention.

Article 289: It is not necessary to mention the cause on which the parties agree in order to terminate the proceedings.
The court enjoys discretionary power in accepting or refusing the litigant's request, but it may refuse the request only for genuine and important reasons or in the absence of a serious purpose.

Article 290: The administrative court's decision to discontinue proceedings at the request of the litigants may be appealed, except before the Council of State within ten days of the date of notification. The appeal is decided in accordance with simplified procedures and the decision is handed down without delay.
The Council of State's decision is not subject to appeal.
The decision to discontinue the proceedings does not have the same authenticity as that of the case judged.
The administrative court or the Council of State may waive the said decision, if the grounds for the said waiver are met.

Chapter Four
Waiver of recourse and loss of purpose

Article 291: The appellant may waive the proceedings in any state. Renunciation in actions of full jurisdiction is limited to the existing adversity and does not concern the substance of the right on which it is based. The appellant as assignee enjoys the right to bring a new action based on the same right in the event that the legal or factual circumstances change.

Article 292: The waiver of actions of full jurisdiction is complete only with the consent of the defendant. Such consent is not required unless the defendant, at the time of the waiver, submits an answer containing a pleading on the subject-matter, a ground for dismissal or a counterclaim.
If the defendant accepts the waiver, the plaintiff does not cancel his waiver.

Article 293: It is possible to waive the right of action in dismissal cases, but the governing body must reject the waiver and continue to rule on the appeal relating to the nullity of the regulatory decree, the decision in relation to the protection of public order, public safety, public health or public security.
It is possible to renounce the revocation action at any time if it has not yet been decided.

Article 294: In case of doubt or confusion as to the type of renunciation, it is assumed that it is a renunciation of the action without right.

Article 295: The defendant's challenge shall not be taken into account unless it is based on a legitimate reason.

Article 296: Waiver may be implicit or explicit. The type of renunciation may be deduced from the application or from a note provided by the appellant and this by specified terms or circumstances which demonstrate the obvious intention of the plaintiff to renounce the action. The same applies to the defendant's consent.

Article 297: If the renunciation depends on a requirement, in that case it can only be noted after the requirement has been fulfilled.
The waiver does not apply in the event of non-fulfilment of the requirement, and if it is based on an omission or fault on the part of the applicant, it is immediately considered to be without grounds.

Article 298: Waiver of the action entails the cancellation of all its proceedings, including the summons and the award of costs against the transferee party. However, this does not cancel the effect of the interruption of prescription, nor does it affect the right filed by the action.

Article 299: Waiver of appeal does not require the appellant's consent, unless it is accompanied by reservations or has already been presented by an urgent application or by an auxiliary appeal. Such a waiver is an absolute indication of the appellant's obedience to the judgement, but it is considered non-existent if another litigant subsequently lodges an appeal in accordance with the regular procedures.

Article 300: Waiver of opposition does not require the consent of the original claimant being opposed, unless the latter has already made an additional claim. This unreserved waiver indicates the opponent's obedience to the judgement.

Article 301: If the waiver is limited to certain claims, the judicial authority ruling on the case (the Council of State or the Administrative Court) decides to note it for the claims addressed, whereas for the other claims, it is necessary to rule on their subject matter.
If the waiver is limited to a specified proceeding or trial document, the consent of the other litigant is not required to complete the waiver in the absence of a legitimate interest in that proceeding or document.
This waiver means that the procedure or document is considered as if it did not exist.
In general, waivers are only permitted for reasons of public order.

Article 302: Waiver of a judgment implies waiver of the right set out in the judgment.

Article 303: The appellant may, at any stage of the proceedings, waive the alleged right. Such a waiver results in the loss of the right, the termination of the proceedings and the appellant's liability to pay costs and compensation to the litigant, where applicable. The latter must present the documents relating to the alleged right.
The partial waiver of a right, whether implicit or explicit, does not imply the waiver of that right.

Article 304: If circumstances that have arisen after the appeal has been lodged cause it to lose its purpose, the court ruling on the case shall decide to dismiss the appeal.
The nullity action is devoid of purpose for abuse of the right of appeal, if the contested decision is removed from the legal system retroactively after the submission of the writ of appeal.

Title five
Judgements
Chapter I - The pronouncement of judgments

Article 305: Deliberation is carried out, between the judges constituting the governing body in accordance with article 195, to pronounce the judgement on pain of nullity. This is the case unless the appeal has been lodged with the council responsible for the affairs of the governing body in accordance with article 85 of this law. All the members of the body must take part in the deliberations, which must be confidential, and only the members of the body ruling on the appeal may take part. The party who discloses a secret of the deliberation is liable to the penalty stipulated in article 579 of the Penal Code.

Article 306: Judgements are pronounced unanimously or by a majority. In the second case, the contesting judge must note his or her infraction. The judgement must be signed by the judges before it is pronounced and signed by the secretary as soon as it is pronounced, otherwise the judgement is considered null and void. If a member of the panel is transferred, isolated or dies after the deliberations have expired and before the judgment comes into force, the new panel will have to rule again on the appeal.

Article 307: If the governing body finds that it is impossible to pronounce the final judgement in the present state of the appeal, it decides to conduct an additional investigation into certain facts. The body may itself conduct the investigation or appoint one of its members to do so.

Article 308: The judgment must include the following information:

1- The judgement was handed down in the name of the Lebanese people, and explicitly mentions this expression.
2- The name of the court that issued the ruling.
3- The names of the judges who took part in pronouncing the verdict.
4- The names of the litigants, their titles, their capacities, their residences and their requests.
5- The names of the litigants' representatives.
6- A reference to important documents in the file.
7- A summary of the evidence relied on by the litigants, the legal arguments, the claims and the grounds for them, and the defences presented by the litigants.
8- A reference to the deliberations that took place between the members of the body.
9- The factual and actual grounds for the judgment and their jurisdiction clause.
10- The place and date of delivery of the judgment in a plenary session.

The above information in numbers 2, 4, 7, 8 and 9 is mandatory, failing which the judgement will be null and void.
The judgment must also include, on pain of nullity, a resolution for all the cases presented by the litigants and must state the appropriate grounds.
The omission or invalidity of any of the mandatory data does not lead to the nullity of the judgement, if the minutes of the trial or any other means show that the provisions of the law have indeed been taken into consideration.

Article 309: The operative part of the judgment is limited to the claims presented by the litigants.
The operative part of the judgment must rule on all the claims presented by the litigants, including additional claims and counterclaims, if any. If the litigants present, along with the original claims, auxiliary or subsidiary claims, the court must rule on these claims after a judgment dismissing the original claims.

Article 310: As soon as the president and the members who took part in pronouncing the judgement sign it, the secretary must sign it and record it in the register of judgements in the court registry and the said judgement must be sent ex officio to the government commissioner and to the litigants. Judgments handed down by the Council of State must be published on the Council of State website and made available to the public free of charge. It is forbidden to publish the names of natural persons and is limited to the publication of their initials, if the disclosure of the names of these persons leads to harm to the integrity of these persons or constitutes an outrage to their private life.

Article 311: The decision is limited to the proclamation of legal status constituting the subject matter of the action being dealt with. In principle, the Council of State or the administrative courts cannot replace the valid administrative authority, to deduce from this status the legal consequences that entail and take the necessary decisions. Cases relating to taxes, tariffs, elections, expropriations and the civil service are exempt.

Article 312: Judgment against the defendant is deemed to have been given in absentia by the administrative courts if it is not subject to appeal, if the defendant has not been duly notified or has not submitted a pleading, in which case the judgment is subject to opposition. If the judgment is subject to appeal, the defendant is duly notified or has submitted a pleading, in which case the judgment is deemed to have been delivered in the presence of the defendant.

Chapter Two
Court costs

Article 313: The costs of proceedings include the legal costs and the costs of investigations, including the costs of experts and witnesses, the costs of procedures that have officially specified rates, the rates of the magistrates' mutual fund and lawyers' fees.

Article 314 : The Council of State or the administrative court, when handing down the judgement that puts an end to the adversity, must of its own motion give a judgement on the costs of the proceedings.
The losing litigant is ordered to pay the costs of the trial. If there is more than one unsuccessful litigant, a judgement may be handed down on the apportionment of costs between them on an equal basis or on the basis of the percentage of interest borne by each of them, at the discretion of the Council of State or the Administrative Court. If they are ordered to pay the costs of the lawsuit without defining the percentage borne by each of them, they will be apportioned on an equal basis. The litigants are ordered jointly and severally to pay the costs, if they were originally held jointly and severally liable for the obligation decided.

Article 315: The Council of State or the administrative court must order the winning litigant to pay the costs in full or in part, if the right is acquired by the convicted party before the action is brought, if the winning party has caused additional or interest-free costs through its fault, or if it has left its litigant unaware of the files in its possession which ended the dispute or of the content of these files.

Article 316: If each of the litigants proves to be wrong in their claims, the Council of State or the administrative tribunal may apportion the costs between them in the manner it sees fit or they shall be borne by one of the litigants.

Article 317: The intervener shall be ordered to pay the costs of intervention if his intervention is inadmissible or his claims are rejected.

Article 318 : The lawyer himself may be ordered to pay the costs relating to the trial, the proceedings or the operation by which he exceeded the limits of his mandate.

Article 319: Unjustified costs relating to the trial, proceedings or operation must be borne by the lawyer or bailiff, without prejudice to any compensation claimed.
This also applies to costs relating to the trial, proceedings or operation due to an error made by the lawyer.

Article 320: The authority ruling on the lawsuit must specify the amount of the costs; if the amount has not been specified, the clerk who pronounced the said judgement (the Council of State or the administrative court) must mention it in the appendix to the copy of the judgement with full effect or in a subsequent declaration and it is considered to be a writ of execution.

Article 321: The decision to determine costs may be opposed by the authority that pronounced it, within a period of three days from the date of notification of the judgment or the statement of costs, with a permit from the registry of the Council of State or the administrative court exempt from the tariff.

Article 322: The opposition is provided and decided without delay, according to the simplified procedures in the deliberation chamber, after having taken note of the remarks provided by the litigants, within a period of three days from the date of their notification of the opposition. Remarks provided after the expiry of the aforementioned time limit may be disregarded.

Article 323: Any litigant who is subsidised in court shall not be ordered to pay the costs of the proceedings.

Article 324 : The Council of State or the administrative court may award compensation for any damage resulting from a claim, defence or motive of intrigue. It may, when it deems it necessary to keep the expenses not included in the costs of the proceedings to be borne by one of the litigants, oblige the other litigant to pay him the sum that it has determined.

Article 325: All the provisions stipulated with regard to court fees at first instance mentioned in chapters one, two, four and five of title one of the law on court fees dated 10 November 1950 and its amendments and in articles 80, 81, 82, 86, 87, 88, 89, 91, 92, 93, 99 and 100 of the aforementioned law, are applicable to the Council of State and the administrative courts.

Article 326: Half of the proportional fee due must be reimbursed upon submission of the appeal and the remainder must be reimbursed upon pronouncement of the decision. The lump sum payable to the Council of State is /500,000/ Lebanese pounds and must be reimbursed in full when the appeal is lodged.

Article 327: Requests for interpretation and opinions relating to the validity of an administrative act are subject to a flat-rate fee.

Chapter Three
The effects of judgments

Article 328: The final judgment is resolved on the merits of the dispute as provided for in Article 309 or it rules on one of the parties either on the defence relating to the dispute or on the grounds. It is considered final when it is resolved. The said judgment takes the proceedings out of the hands of the governing body, which may not waive the final judgment even if it proves to involve an infringement in fact or in law.
The final judgment is absolutely certain or definitive if it is no longer subject to any ordinary or extraordinary appeal.

Article 329: Final judgements represent a reason for the rights that have been decided and no evidence that contradicts this argument may be accepted. Indeed, such judgments have such validity only in a dispute existing between the litigants themselves without any change in quality, subject or ground.
The defence of the convict's motive is considered to be one of the arguments for inadmissibility that can be raised at any stage of the trial. It is stipulated that one of the litigants adheres to the authority of the court case. The governing body must automatically defend the non-acceptance arising from the absolute validity of the provisions invalidating the by-laws for their connection with public policy.

Article 330: The Council of State or the Administrative Court is not bound by the criminal judgement, except in respect of the facts mentioned in the judgement which must rule on these facts.

Article 331: Any decision handed down before the substance of the dispute has been decided by dealing with one of the measures of enquiry or evidence is considered preparatory.
The preparatory decision does not enjoy the authenticity of the case pronounced with regard to the merits of the dispute. The governing body must respect it, unless a new or unusual fact occurs or the body detects facts requiring the amendment or renunciation of the preparatory decision.

Article 332: Any decision providing for the taking of a precautionary or emergency measure required by the circumstances is temporary.

Article 333: In the case of judgments which have become final since their publication, the convicted party for each dispute is judged in accordance with article 329. They also enjoy the force of execution in accordance with the provisions of article 339.
The impact of the judgments extends to the successors of the litigants and applies in the interests of the winning partners by joint and several or indivisibility in accordance with the standards set out in this Act.

Article 334: Subject to the provisions of Article 115 of the General Accounting Act, the limitation period for the right in dispute is ten years for the right established in the judgment. The statute of limitations does not apply to a decision that denies the existence of an alleged right, nor to a decision that establishes a right that is inapplicable due to statute of limitations.

Article 335: The judgment is considered, in principle, to declare the right, and its impact is due to the date of its appearance or its administrative or judicial request. A judgement that changes the status of a person or a judgement pronounced in matters relating to application is considered as the sender and only has an impact on the date it is pronounced.
On the other hand, the nullity judgment has a retroactive impact so that the decision that has been annulled must be removed from the legal order and considered as still non-existent.

Chapter Four: Rectification and interpretation of judgments

Article 336: The Council of State and the Administrative Court are responsible for rectifying purely material and written errors or errors of calculation in its judgement, by a decision which they render ex officio or on

the basis of a request after having listened to the comments of the litigants, who must submit them within three days of the date of notification of the request.
There is no charge for rectifying material errors.
The secretary must incorporate the rectification into the original copy of the judgment and sign it, and the president of the court rectifying the judgment must record it in the register and must damage the previously delivered copy once it has been restored. The rectification judgment must be notified as the original judgment.

Article 337: The rectification judgement may be contested if the ruling court exceeds the limits stipulated in the first paragraph of the preceding article, and this by the possible means of appeal of which the judgement is the subject of ratification. The judgment refuting the rectification may not be appealed.

Article 338: If the decision of the Council of State or the Administrative Court contains a material error with impact, the interested party may submit a request for rectification to the Council or the Court. This request must be made within two months of the date of notification of the decision to be rectified. If the clerical error does not have an impact on the outcome of the judgment, either party may submit the request at any time. If the Administrative Council or Tribunal fails to rule on the claims presented, the interested party will have the right to bring a new action concerning the aforementioned claims if the ruling has not been contested within two months of the date of notification of the decision.

Chapter Five - Enforcement of judgements

Article 339: The judgement must acquire the force of execution from the date of issue if it is final and conclusive, unless the defendant has been granted a time limit for execution.

Article 340: Judgements handed down by the Council of State as well as judgements handed down by administrative courts are binding on the administration when they are not subject to appeal. The administrative authorities must adhere to judicial cases as described by these judgements. The legal person under public law and the persons under private law entrusted with the operation of the public service, must execute under their full responsibility, within a reasonable period of time not exceeding six months, the judgments concluded and handed down by the Council of State and the administrative courts and the judgment of damages in accordance with the request of the injured party.

Article 341: Any civil servant who uses his powers and direct or indirect influence to obstruct or delay the execution of a judicial decision. He must also pay a penalty of not less than three months' salary and not more than six months' salary to the Court of Auditors.

Article 342: The competent enforcement department, in accordance with the rules set out in the Code of Civil Procedure, ensures the enforcement of decisions handed down by the Council of State and the administrative courts against individuals who are not authorised by law to be enforced as an administrative measure.

Article 343: The transaction referred to in the previous article must follow the regular procedures set out in the Code of Civil Procedure.

Article 344: The president of the enforcement department decides on the merits of enforcement problems relating to procedures and the administrative court that issued the decision currently being enforced decides on the merits of other problems.
For decisions handed down by the Council of State as an appeal authority, the Council of State is competent to rule on the issue in the event of termination of the contested decision. The administrative court that handed down the decision in the first instance is competent to rule on the issue if the said decision is ratified.
For decisions handed down by the Council of State at first and last instance, it is competent to rule on the said problem.

Article 345: Requests for enforcement of decisions handed down against the administrative authority must be submitted to the President of the Council of State, who forwards them, without delay, together with a valid copy, to the bodies competent to take the appropriate decisions.
If the Chairman is absent, he is replaced by the Head of the Judicial Service, who has priority under Article 90.

Article 346: The court clerk, or the secretary appointed by him, must deliver a copy of the valid judgement, sealed and signed by the State Counsel and appended with the following phrase "valid true copy", to the litigant benefiting from the enforcement of the judgement, after verifying that the judgement is capable of

being enforced. It is forbidden to deliver a second enforceable copy to the same litigant, unless the first is lost. The court handing down the judgement quickly decides on the claim and its disputes after listening to the comments of the litigants, who must submit them within three days of the date of notification of the court's decision.

Article 347: Judgments against persons governed by private law may only be enforced by force if they are informed of the exception stipulated in the law or in the operative part of the judgment, which must be enforced in accordance with the original document.

Article 348 : Proof of the enforcement status of the judgment must be deduced from its content, where it is not subject to an appeal stopping enforcement and no decision to stop enforcement has been issued.
Such proof, in other cases, must be deduced from the submission of the convicted party, or from the notification of the judgment and from a certificate which shows, in contrast to the said notification, that no appeal against the judgment has been lodged within the legal time limit.
Any litigant has the right to ask the court registry to provide him with a certificate showing that no appeal against the judgment has been lodged or showing the date on which the appeal was lodged if it has been lodged.

Article 349: The Council of State and the administrative courts may, ex officio, impose a coercive penalty to ensure the enforcement of judgements handed down by either of them, where the judgement handed down by either of them is not subject to appeal, including a de facto obligation.
The coercive penalty is different from compensation. It may be temporary or definitive. Originally, it was considered temporary unless the governing body that issued the judgement required it to be definitive. If the penalty is not paid in full or in part, or is paid late, the governing body that imposed it must pay it. The governing body may not change the amount of the final penalty when settling it, unless it can be proved that the failure to enforce the judgement was due to force majeure. It may modify or cancel the temporary penalty even if the failure to comply is proven.

Article 350: If the judgement pronounced against the State, public institutions and municipalities guarantees the obligation of the condemned party to pay a sum of money to the appellant or if it is by way of compensation for damages, suffered by him, resulting from errors committed by their employees, the said condemned party must execute the judgement and pay this sum without delay. If the appropriation is not available in the budget, the competent authority must provide it as soon as possible.
The administration must pay, as soon as the supply is available, subject to compensation for late payment on the basis of an action brought by the winning party.

Article 351: If the judgement requires the nullity of an administrative decision, the public authority must abolish it from the legal system and publish this act in the official gazette within a maximum period of two months, subject to the imposition of a coercive penalty by the pronouncing authority.
The number and date of the annulled administrative decision must be entered in the body of the implemented version issued to interested parties.

Article 352: If the decision condemns the public or private entity responsible for the operation of the public service to pay a specific sum of money, the said entity must pay the sum within four months of the date of notification.
If the aforementioned person does not complete the liquidation within the aforementioned period, the Inquisitor General responsible for the liquidation of the sum must pay it immediately.
If the non-performance is due to a lack or unavailability of funds, the administration concerned will be prohibited from concluding, paying or reimbursing any expenditure before liquidating the sums in question.
Any person who concludes, pays or reimburses an expense contrary to the regular procedures stipulated in the preceding article, must pay a fine of at least twenty times the minimum wage and not more than two hundred million Lebanese pounds.

Title six
Appeals against judgments
Section one - General provisions

Article 353: Judgements handed down by the courts may be appealed through the channels prescribed by law.
Subject to the rules mentioned in this chapter, the Council of State adopts the procedures prescribed in the first title of the second book of this law for actions relating to the outcome of appeals brought before it.

Article 354: Judgements handed down by the Council of State and the administrative courts are enforceable by virtue of the law. An appeal against these judgements does not suspend enforcement, unless the Council of State decides to suspend them.
The decision to suspend must include a brief appropriate justification. The Council of State may, at any time, decide, on the basis of a request submitted by the interested litigant, to suspend the contested judgment, if it is clear that the consequences of enforcement exceed reasonable limits given the circumstances of the case or if the grounds for appeal against the judgment could lead to its termination.
The Board may, as soon as it decides on suspension, impose a bond or anything else that is capable of protecting the right of the winning party.
In the event of a dispute, the previous authorities must give evidence to the governing body that received the appeal.

Article 355: An appeal against a judgement may only be lodged by the party convicted or affected by the judgement.
An appeal that has been lodged by the party subject to the judgment or by the party that has received all its claims must be dismissed, unless otherwise stipulated by law.

Article 356: A convicted litigant may submit to the judgement and waive his right to appeal. Submission may be explicit or implicit. In this case, any action taken by the convicted party is useful and demonstrates his confirmed intention to accept the judgment.

Article 357: Any appeal lost by expiry of the time limit must come into force as from the date of notification of the judgment, unless the law stipulates another time limit for entry into force.
The time limit comes into force simultaneously for the party requesting notification and the notifying party.

Article 358: If the judgment is pronounced jointly or indivisibly between the parties condemned, notification by one of the parties shall render the time limit applicable against that party only. If the judgement is in favour of several litigants jointly or indivisibly, each party may invoke the notification made by one of the parties.

Article 359: Failure to take account of the time limits for appeal leads to the loss of the right of appeal and the court must declare the loss ex officio.

Article 360: The time limit ceases to apply upon the death of the party against whom the action has been brought, the loss of his legal capacity or the disappearance of the capacity of his representative in the action. The time limit is valid again only after notification of the person who replaces the deceased litigant, who has lost his legal capacity or his capacity as representative.

Article 361: The time limit for appeal ceases as soon as an application for legal aid is submitted and until notification of the decision ruling on the said application.

Article 362: The litigant alone may take advantage of the right of appeal and the defendant alone may invoke it, if the judgment is given in an indivisible matter, a joint and several liability or an action for which the law provides for the jurisdiction of designated persons. The person sentenced or subject to the judgment who has missed the time limit for appeal provided by law may intervene in the appeal, by affiliating another person who presents it within the said time limit. If the aforementioned person does not intervene in the appeal, the council or the administrative court will order the party to compete for inclusion in the adversity.
If the action is brought against the winning party within the period provided for by law, it must be brought against the other parties.
If one of the convicted persons submits the appeal as part of an indivisible object or a commitment to solidarity and if the decision on this appeal is announced in his favour, the other convicted persons, even if they have not intervened or been included in the appeal, will benefit from the said decision.

Article 363: An error in the description of the judgment handed down by the governing body shall not affect the right of appeal.

Article 364: Decisions relating to the operation of the judicial service are not subject to appeal.

Article 365: In the event that an appeal or defense is filed improperly, the governing body shall ex officio pronounce an indemnity judgment against the party having filed the appeal and a penalty of a minimum of four hundred thousand Lebanese pounds and a maximum of twenty million Lebanese pounds.

Article 366: If the Council of State and the administrative courts pronounce contradictory signed judgements, only the judgement pronounced by the Council of State shall be reliable. Where judgements are handed down by the administrative courts of the same instance, only the most recent judgements will come into force.

Article 367: There are two types of appeal against a judgment:

1- Ordinary remedies: appeal and cassation
2- Extraordinary remedies: opposition, third-party opposition, reopening of proceedings, request for rectification of a material error and request for an explanation of administrative rulings. In principle, these remedies are not liable to suspend enforcement of the ruling.

Article 368: The two types of appeal refer either to the renunciation of the judgment or decision or its withdrawal. The appeal is lodged with the same court that handed down the judgement or decision, to rule again on the dispute as in the case of opposition, reopening of the trial, third-party opposition, rectification of a material error, or amending the judgement and rectifying or correcting it where the judges who handed down the judgement have violated a law or a right. In this case, the appeal is lodged with another court of higher jurisdiction than the one that handed down the judgment, as in the case of appeal and cassation.

Article 369: The judgements of the administrative courts are not subject to any means of appeal except third-party proceedings and cassation and are not also subject to appeal, except in the cases defined by law exclusively. Judgments handed down in nullity actions are not subject to appeal. In actions of full jurisdiction, only electoral and tax actions are subject to appeal.

Article 370 : The decisions of the Council of State are not subject to any form of appeal except for opposition, third party opposition, reopening of the case and rectification of a material error.

Article 371: Subject to the rules set out in this Title, the Council of State adopts the principles set out in the second Title of the third book of this Act for actions of appeal and cassation.

Chapter Two - Ordinary remedies

Section one - The appeal

Article 372: An appeal is an appeal submitted to the Council of State, which rules on the case at second instance in order to set aside or modify the judgment handed down by the court of first instance. For the appeal to be accepted, it must be brought by the litigant at first instance against the other successful litigant.

Article 373: The time limit for appealing against other judgements handed down by the administrative courts and which are subject to appeal is one month from the date of notification of the judgement, except in cases where the time limit for appeal is stipulated by law.
Where the entry into force of the time limit for appeal is not mentioned in a special text, the said time limit is one month from the date of notification of the judgment.
In the event of a plurality of judgements in the same case, it is possible to declare what is appealable separately or to declare it with the final judgement within the time limits stipulated by law.

Article 374: Appeals against judgements handed down, at first instance, by administrative commissions of a judicial nature, are subject to the rules stipulated in the laws and regulations relating to the aforementioned commissions. The time limit for appeal is one month from the date of notification, in the absence of a text to the contrary.

Article 375: Notification of the judgment is necessary for the appeal period to take effect. Such notification may not be substituted by any other procedure that helps the litigant to be notified of the judgment.
Appeals may be lodged as soon as the final judgement has been handed down, and even before it has been notified if the fee has been paid.

Article 376: An appeal shall be decided on the operative part of the judgment requiring the rejection of all the appellant's claims or the acceptance of all the litigant's claims.
The appeal is barred against the operative part of the judgment requiring the acceptance of all the appellant's claims and dismissing all the claims of his litigant for lack of interest.

Article 377: Any litigant involved in the proceedings must lodge an appeal, unless he has waived it. The appeal is admissible only against the litigants in the first instance but this appeal may be brought only against one of the litigants.

Article 378: The appeal having been provided by the party present in the proceedings, at first instance, as an intervener of an affiliated and independent nature, may be accepted.
If the original litigant appeals, the affiliated intervener in the action will also have the right to appeal. The intervener may only appeal against the judgment given in the action in which it intervened. If there are other actions inherent in the aforementioned proceedings in which the intervener did not intervene, he may only lodge an appeal against their judgments by way of third-party proceedings.

Article 379: An appeal lodged within the legal time limit does not stop the execution of the contested judgement, unless the Council of State decides otherwise.

Article 380: The Council of State, as an appeal authority, shall rule exclusively on matters stipulated by law. The administrative courts of first instance or the administrative commissions of a judicial nature are competent to decide the aforementioned cases. If the stipulation mentions that judgments are pronounced in first instance or are subject to appeal, the Council of State will be the ordinary commission to rule on said appeal, unless the stipulation does not designate another commission as an appeals authority.

Article 381: The appeal forwards the judged action once again to the Council of State, which reconsiders and subtracts the action in fact and in law. If the Council of State rules on the action as an appeal authority, it may also be competent to rule on the action provided at the outset and linked to the appeal. In the cases stipulated in the previous paragraph, the judicial authority having been informed that the Council of State is ruling on an action, must interfere and refer it to the Council to conduct the investigations and issue the two judgments together.

Article 382: Preliminary rulings, presumptive rulings and all rulings handed down by administrative courts and administrative commissions of a judicial nature must resolve a point of contention or part of the action that is not subject to appeal until the final ruling on the merits of the action.
The judgments referred to in part five of chapter three are exempt from the provisions of the first paragraph.

Article 383: New requests and legal grounds may not be provided on appeal; the governing body must refuse them. The following are exempt from the provisions of the preceding paragraph New arguments and pleas based on a new legal ground, if they were of public order, if they arose from defects in the proceedings at first instance or if it was impossible to present them at that stage. In cases of full jurisdiction, it is possible to claim a sum of compensation in excess of the sum originally claimed if the damage is aggravated.

Article 384: The defendant must lodge an urgent appeal against the appellant to establish the judgment appealed against even after the judgment has been obeyed or the time limit for appeal has expired.
If there is more than one judgment in the case and the initial appeal deals with only one judgment, the auxiliary appeal may deal with that judgment and the other judgments even after obedience and expiry of the time limit. The auxiliary appeal must be presented in the first motion provided by the appellant. The auxiliary appeal remains linked to the initial appeal, in the event that it is presented after the expiry of the legal time limit set for the acceptance of the initial appeal, so that the rejection or dismissal of the latter may lead to the rejection of the urgent appeal.

Article 385: In cases where reconciliation has taken place, it is possible to waive the right of recourse; waiver is only possible after the action has been brought and is done by explicit agreement before the judgment is pronounced. Once the judgment has been given, he may obey it explicitly or implicitly. Compliance with the judgment must be voluntary without reservation.

Article 386: As soon as the appeal is lodged, the administrative court loses the right to rule on problems of interpretation of its judgement and problems of its execution relating to the subject matter or the rectification of material errors. The Council of State will rule on these matters while the case is under consideration. In the event of ratification of the judgement, the administrative court that handed down the judgement in the first instance has the right to rule on the problems that arose after the judgement was handed down, while in the event of its termination, the Council of State has the right to rule on these problems.

Article 387: An appeal lodged by virtue of a writ of summons must be filed with the registry of the Council of State, where the rules prescribed for writ of summons are observed. It must be signed by the lawyer at the Court of Appeal and contain a statement of the judgment, mentioning the administrative court that handed it down, its date, the claims and the grounds for appeal. It must be accompanied by a true copy of the judgment and the documents in support of the appeal must also be attached, unless they are filed in the file from which the contested judgment was issued. The grounds for the appeal must be explicitly stated; it is not sufficient to refer these grounds to the applications submitted at first instance before the

administrative court. In the event of an initial appeal, the appellant must deposit the security prescribed by the law on legal costs. If the appeal is rejected, this security must be forfeited in the interests of the State's treasury and must be returned to the appellant if he succeeds in his claims or waives the appeal.

Article 388: The clerk's office of the Council of State must request the inclusion of the file of the proceedings that took place before the administrative court, on the day following the day on which the appeal was lodged. The clerk's office of the administrative court that handed down the judgment must send this file for a maximum of fifteen days from the date of the request and this period is reduced to three days for accelerated cases, unless the Council of State decides on shorter periods. The department hearing the appeal shall hand down a non-appealable judgement against the party that fails to include the file or to send it within the prescribed time limit, subject to a penalty of between one hundred and four hundred thousand Lebanese pounds.

Article 389: The rules and principles followed by the Council of State are applicable to appeals, with regard to the exchange of applications, time limits, notification, due process and the pronouncement of judgments, unless the law stipulates otherwise.

Article 390: The Council of State considers only those aspects of the dispute that are explicitly or implicitly dealt with by the appeal and everything attached to it. The case as a whole is displayed before the Council, if the appeal is not limited to only a few aspects, if it leads to the nullity of the judgement or if the subject of the dispute is indivisible.

Article 391: Litigants on appeal may submit grounds, arguments and new defences, and may also submit new documents and evidence, in support of their claims before the administrative courts of first instance. The request for ratification of the judgment provided by the litigant is considered to be an adoption of the grounds of that judgment that are not incompatible with what was declared on appeal.

Article 392: Any new claim is not subject to appeal unless it is a counterclaim, derived from the initial claim or implicitly covered by the said appeal.

Article 393: If a final judgment requiring the dismissal of an action for a reason that does not relate to the subject-matter is appealed, the Council of State must therefore rescind the judgment. The same rule applies in the event of termination of the judgment relating to the subject-matter on the grounds that the proceedings or the judgment are null and void.

Article 394: The judgment handed down by the Council of State having ratified the judgment handed down at first instance by the administrative tribunal, adopts the grounds of this judgment, which are not contradictory to its causes.

Section Two - Cassation

Article 395: Decisions handed down by administrative courts in which the adversity ends may be appealed by way of cassation, unless otherwise provided.

Article 396: Decisions handed down in absentia by the administrative courts may only be appealed to the Supreme Court after the time limit for opposition has expired. Decisions handed down by the Council of State, as an appellate authority, may not be appealed to the Supreme Court.

Article 397: Final judgements handed down by administrative commissions of a judicial nature may be appealed to the Supreme Court if the law does not so stipulate and unless provision is made for appeal.

Article 398: A writ of cassation is admissible only if it satisfies the legal conditions. However, the appellant may rectify his writ of cassation and complete the defects if the time limit for appeal to the Supreme Court has elapsed, otherwise his right to rectify or complete the defects expires.

Article 399: For an appeal to the Court of Cassation to be admissible, the judgment handed down must be prejudicial to the appellant, i.e. require the rejection of his claims or the acceptance of his litigant's claims. It is in the appellant's interest to lodge an appeal, when the appeal puts him in a better position, if the judgment is not appealed to the Court of Cassation.

Article 400: Only the litigant in a dispute which has ended with the pronouncement of the contested judgement has the right to appeal to the Court of Cassation, unless the law has appointed other persons in addition to the litigants.

The appeal in cassation lodged by the intervener may be accepted in the cases stipulated in Articles 231 and 233.

Article 401: An appeal in cassation must be lodged against the other litigant in the main proceedings in which the judgment appealed against was given in his favour.

Article 402: The time limit for appealing to the Court of Cassation is two months from the date of notification of the judgment, unless the law specifies another time limit.
It is possible to appeal to the Court of Cassation before being notified of the decision handed down by the Administrative Court, provided that the costs are paid.

Article 403: An appeal to the Court of Cassation lodged by the person having yielded to the contested judgement shall be dismissed, while obedience shall not be taken into account unless it is not vitiated by uncertainty or ambiguity.

Article 404: The respondent to the appeal may, within a period of thirty days from the date of notification, submit a petition in which it responds to the writ of cassation. The appellant shall have the right of reply within a period of fifteen days and the appellant shall have the right of final reply within a similar period.

Article 405: An appeal in cassation lodged within the legal time limit does not stop the execution of the contested judgement, unless the Council of State decides otherwise.
In all cases, the Council of State may decide, on the basis of a request provided by the litigant concerned, to suspend the contested judgment, if it is clear that the consequences of enforcement exceed a reasonable limit given the circumstances of the case and if the causes of appeal against the judgment may lead to its termination.

Article 406: The Council of State may make the suspension conditional upon the presentation of a bond specifying its type and value.
As soon as it receives the request, the Council of State must notify it to the respondent to the appeal, giving the latter two weeks to reply. The Council of State must rule on the request for suspension within fifteen days of its expiry, otherwise enforcement continues.

Article 407: The registry at the Council of State must request, within two days of placing the writ of cassation, the inclusion of the case file with all its annexes. The clerk's office or the committee that handed down the decision must send the file for a maximum of seven days from the date of the request. The Council of State issues a criminal judgment from... L.L to ... L.L.

Article 408: Any litigant in the case who has not been charged in cassation may intervene, at the request of the respondent to the appeal, even after the expiry of the time limit for appeal in cassation. If the defendant has an interest in the intervention of the aforementioned litigant. The litigant who has intervened in the cassation appeal must file a request for defence with the clerk's office of the Council of State within five days of the date of notification, accompanied by the documents.

Article 409: Any litigant in the case who has not been charged in cassation may intervene in the case to request a judgment of dismissal. This is done by filing a statement with the clerk's office of the Court of Cassation and a request for a defence together with supporting documents, before the appeal is decided.

Article 410: The litigant may lodge an auxiliary appeal in cassation against the judgement handed down by the administrative court or the administrative legal commission requiring the rejection of his claims or the acceptance of his litigant's claims, if the latter lodges an initial appeal in cassation, the auxiliary appeal in cassation shall be possible at any time even after the expiry of the time limit for the initial appeal in cassation, in which case its future depends on the future of the initial appeal in cassation.

Article 411: For an auxiliary appeal in cassation to be admitted, it must be lodged against the judgment contested in the original cassation and must be lodged, by the litigant who was charged in the original cassation, against precisely the litigant who lodged this appeal in cassation.

Article 412: During the three days following the presentation of the writ of cassation, the president of the chamber responsible for ruling on the case must appoint a rapporteur from among its members, who shall observe the procedures and draw the attention of the litigants to any defect in the procedures in order to complete them *within the* legal time limits; he or she shall also draw up, within three months of the expiry of the time limits for communicating the applications, a report setting out the facts of the case, the grounds

for appeal and the legal solutions he or she proposes. The report remains confidential for the litigants until it is published. The Chairman of the Board may himself perform the above tasks.
The same procedures and principles stipulated in chapter three of title three of book two of this law must be adopted.

Article 413: The Council of State shall not consider an appeal in cassation unless it is based on one of the following grounds:

1- If the commission that issued the contested decision does not have jurisdiction.
2- If the contested decision was made contrary to the principal operations stipulated in the laws and regulations.
3- If the contested decision was made contrary to legal rules, regulations or contrary to the court case.

Article 414: An appeal in cassation by the administrative courts of a judicial nature does not refer the case to the Council of State, but the Council only has the right to verify that the commission deduced the results from the legal facts.
Appeals to the French Supreme Court against decisions handed down by the above-mentioned commissions do not have a significant impact on the action.
If the Council of State provides a cassation appeal against the contested decision, it will forward the case to the commission that made it and must respect the Conseil's decision.

Article 415: The Council of State must authentically describe the contested decision or the appeal in cassation provided before it, without taking into consideration the description given to one of the two in an erroneous manner. An appeal against the grounds of the judgement is not acceptable unless they are closely linked to the operative part so that it exists only by its presence.

Article 416: The Council of State only rules on new causes if the causes are purely legal or arise from the contested decision, unless otherwise stipulated.

Article 417: The grounds for cassation are divided into two categories, those relating to external legitimacy and those relating to internal legitimacy. Each category is a cause lato sensu, so that the multiple secondary causes that form part of the said category simply constitute aspects of a single cause.
The presentation before the committee ruling on the merits of one or more cases that are part of the same category does not hinder the possibility of an appeal to the Supreme Court by one or more secondary cases that are part of the same category without considering them as new cases in cassation, to be subsidiary to a single case presented before the judge ruling on the merits. The Council of State, as an authority on appeal to the Supreme Court, must raise grounds relating to public policy and decide them of its own motion after discussion.

Article 418: The following are among the grounds relating to public policy: functional or spatial incompetence, lack of legal capacity, lack of authority of a litigant or of a person present in the proceedings as a representative of the legal person or of the person lacking procedural capacity, lack of capacity or authority for a person representing a litigant, lack of consideration of the time limits for appeal or prohibition of recourse to the means of appeal.
The Council of State must, of its own motion, rule on the ground of rejection resulting from the absence of standing or interest.

Article 419: The Council of State must first rule on the acceptance of the appeal in form and the availability of grounds for appeal to the Supreme Court. If it decides to reject the appeal, it will require the contested decision to be promulgated.
The Council of State may dismiss the appeal by substituting a purely legal ground for an erroneous one in the decision, or it may set aside a purely legal ground prescribed in the said decision, considering it to be excessive.
He may appeal to the Court of Cassation against the contested decision on a purely legal ground relating to public policy.
The provisions of article 242 paragraph 2 must be complied with in the event that the Board adopts a purely legal case ex officio.

Article 420: The Council of State, as an authority on appeal to the Supreme Court, must replace the defective cause in the decision challenged before it, requiring the rejection of the appeal on the merits, with another legal cause leading to the same result.

Article 421: If the Council of State finds that the solution prescribed in the operative part of the judgement is compatible with the provisions of the law, while knowing that the justification underlying the solution is legally erroneous, it will refuse to appeal the judgement and the erroneous argument must be replaced by another legal argument.
In order for the rule mentioned in the previous paragraph to be applicable, the arguments that legally justify the operative part of the judgment must be either based on a case presented before the magistrates or related to public policy. The alternative argument must be derived from the facts set out in the case file presented before the magistrates.

Article 422: The litigants, with regard to the points dealt with by the appeal in cassation, must return to the same state they were in prior to the pronouncement of the decision challenged in cassation.
Cassation entails, without the need for a new decision, the nullity of all the provisions and subsequent procedures of the contested decision. If they were pronounced on the basis of the said decision or with a view to executing or applying it, or if they are inevitably linked to the said decision.
The appellant may apply, from the date of delivery of the contested decision, for the recovery of funds which it has paid to enforce the contested decision and without attributing any fault arising from the enforcement to the respondent to the appeal.
If the cassation is limited to one part of the decision, it remains effective for the other parties, unless the annulled part has no implications for the other parties.

Article 423: In the event that the contested decision is overturned, the Council of State must decide the case directly, if it is fit to stand trial, unless the trial requires the opening of an enquiry. The Council will identify the cases to be investigated and will mandate one of its councillors to carry out the necessary enquiry.
Litigants may present claims, defences and new arguments, insofar as they may be appealed to the Court of Cassation.
The judicial department of the Council of State, which rules on the appeal in cassation, reconsiders the case in fact and in law, in terms of the parts that have been annulled, with the exception of the parts not mentioned in the decision appealed in cassation.

Article 424: The waiver of appeal to the Council of State may not be complete without the consent of the respondent to the appeal, where it contains reservations.
The respondent's challenge is not taken into account unless he or she is summoned on legitimate grounds.
Waiver definitively indicates the defendant's obedience to the request.
This waiver is deemed never to have existed if another litigant subsequently appeals to the Court of Cassation in accordance with due process.
The assignor shall bear the costs of the appeal to the Court of Cassation, which he has waived, unless otherwise agreed.

Article 425: Allegations of falsification of any official or ordinary document presented before the Council of State, when it rules on the appeal by way of cassation, must be subject to the provisions of article 254 et seq.
The judicial department of the Council of State, which is responsible for ruling on the appeal in cassation against the allegedly falsified document, rules on the falsification action.
The decision handed down in the falsification action may be appealed by way of reopening the trial and third-party proceedings.

Article 426: New claims are not acceptable in cassation, and the Council of State is not aware of new cases when it rules on the appeal as an authority in cassation.

Article 427: It is possible to respect the causes, aiming at reinforcing the appeal in cassation, provided that these causes are legal, presented before the judges of the court of first instance or related to the public order. It is also possible to respect causes which could not be presented before the judges of the court of first instance when they are attributed to the judgement challenged in cassation.

Article 428: The rules, consequences and regular procedures are applicable, before the Council of State, to appeals that have been presented before the Council responsible for business, unless otherwise stipulated.

Chapter Three - Extraordinary remedies

Article 429: Opposition, third-party proceedings, reopening of proceedings and rectification are subject to the same rules as those governing the proceedings under which the contested decision is pronounced.
The chamber that handed down the contested decision will rule on these cases.

Article 430: Decisions concerning requests to reopen the case or to rectify a material error are not subject to appeal.

Section I - Opposition

Article 431: Opposition is a means of recourse aimed at retracting a judgment pronounced, in absentia, by the court, following an appeal lodged by the losing party, before the said court.

Article 432: The opposition must be presented by the litigant who has been judged in absentia. The proceedings are considered to be in absentia if the judgement has been pronounced in the absence of a request which must be presented by the litigant in the action brought against him.
The opposition lodged by the appellant, who has appealed against the judgment given in the appeal by virtue of which his claims were obtained, must be dismissed.

Article 433: Where there are several defendants in the same action, the decision may be given either in the presence of certain defendants or in absentia of certain others. The latter do not have the right to oppose the decision if their interests do not differ from those of the remaining parties.

Article 434: The opposition must be lodged within a period of thirty days from the date of notification of the decision rendered in absentia. Any opposition lodged after the expiry of the said period shall be rejected as to form.

Article 435: The opposition must be presented, by virtue of a writ of summons, to the legal authority that handed down the contested judgement (the Council of State or the Administrative Court), taking into account the rules established for the writ of summons, and it must include a statement of the grounds, on pain of nullity.

Article 436: The opposition submits the dispute anew to the commission that rendered a judgement against the points inflicted in the judgement that was rendered in absentia to decide them in fact and in law.
The contested judgment is only set aside by the pronouncement of a retracted judgment.

Article 437: Opposition proceedings are conducted in accordance with the rules and regular procedures followed by the governing body that handed down the judgment under appeal.
The objection does not suspend enforcement, unless the legal authority ruling on the objection (Council of State or administrative court) decides otherwise.

Article 438: The commission ruling again on the opposition considers the acceptance of the appellant's and the opponent's requests, based on the initial request, in accordance with the ordinary rules.

Article 439: A new opposition presented by the person who has been judged once again in absentia, is rejected.

Section two - Third-party proceedings

Article 440: All judgements are subject to third-party proceedings, unless otherwise stipulated.

Article 441: The third party opposition must be presented following the summons, before the legal authority that rendered the contested judgment, the same authority that rendered the contested judgment must rule on the said opposition.

Article 442: Third-party proceedings re-establish the factual and legal position of the dispute, for the parties affected by the judgment, vis-à-vis the opposing party.
The rules and procedures laid down for ruling on the action in which the contested judgment is given must be followed when ruling on the third-party proceedings.

Article 443: Third-party proceedings are a means of recourse aimed at retracting or amending the judgement in favour of the third party opposing the judgement. If the judgement damages a person who has not intervened or been represented in the action, the said person shall have the right to appeal against the judgement by way of third-party proceedings.
The third party objection lodged by a third person who is considered to be the representative at the trial must be rejected, except in the case of fraud perpetrated by the latter.

Article 444: Applications for third-party proceedings must be submitted, on pain of rejection, within two months of the date of notification of the delivery of the judgment, generally not to exceed five years from the date of delivery of the judgment.

Article 445: The party damaged by the decision adopted by the interim relief judge may apply for third-party proceedings before the same legal authority that rendered the decision.
The request must be made within eight days of learning of the decision, generally not to exceed thirty days from the date of delivery of the judgment.

Article 446: In principle, only the opposing party is the beneficiary of the judgment given in the third-party proceedings and it restores him to the situation he was in before the contested judgment was given.

Section three - Reopening the trial

Article 447: The re-opening of proceedings is a remedy sought by the litigant before the same court in which the contested judgment was given, to ask it to set aside this judgment on one of the legal grounds, in order to rule again on the dispute in fact and in law.

Article 448: An application to reopen the trial is acceptable only in the following cases:
1- If the judgment is based on falsified documents.
2- If one of the litigants has been found to have failed to produce a decisive document held by the other litigant.
3- If the main procedures required by law have not been followed during the investigation and trial.
4- A clear error in the explanation or implementation of the law.

Requests to reopen the case must be submitted by contentious complaint in the following cases:
In the first case, within a period of one month from the date of the pronouncement of a judgement concluded by proof of falsification; in the second, third and fourth cases, within a period of two months from the date of notification of the contested judgement.

Article 449: All judgements handed down by the Council of State may be reopened, in accordance with the conditions stipulated in the previous article.

Article 450: Judgements handed down by administrative tribunals and administrative commissions of a judicial nature are not subject to appeal by way of reopening the proceedings, unless an explicit stipulation authorises such appeal and organises its judgements.

Article 451: Only the parties to the proceedings or their representatives, whatever their capacity, may request that the proceedings be reopened.
An independent and admissible intervener in the proceedings may appeal against the judgment by reopening the proceedings.

Article 452: An application by the same litigant to reopen the case against the judgment given in the first instance must be dismissed.

Article 453: The summons to reopen the case must include a statement of grounds and claims. It is forbidden to present new grounds after the expiry of the time limit for reopening the case.

Article 454:
If the application to reopen the case is accepted, both in form and in substance. The judicial authority ruling on the judgement must revoke the contested judgement and issue a new judgement on the merits, replacing the revoked decision, and must also require the applicant to return the deposit.

Article 455: If the appeal is not based on the correct merits and is aimed at procrastination and delay in the execution of the contested judgment, the applicant for reopening the proceedings may submit a counterclaim for damages.
The governing body must automatically demand a penalty of at least four hundred thousand Lebanese pounds and at most twenty million Lebanese pounds from the arbitrary litigant.

Section four:
Rectifying a material error

Article 456: If the decision of the Council of State contains a clerical error that has an impact on the judgement, the interested party has the right to submit a request for rectification to the Council. This request must be made within two months of the date of notification of the decision to be rectified.

Article 457: The request for rectification of a material error is a means of appeal against decisions handed down by the Council of State with the aim of rectifying the material error contained in the contested decision with impact.

Article 458: A request for rectification of a material error submitted to the courts or administrative commissions of a judicial nature concerning the judgments they hand down shall not be accepted if another means of appeal is available.

Article 459: If the interested party does not submit the request, the governing body that issued the judgment does not have the right to rectify the material error of its own motion. The litigant submits the request for rectification of a material error identified in the judgment. The intervening party has the right to make the application.
The request to rectify a material error submitted by the same litigant who committed the alleged error in the judgment is refused.

Article 460: Acceptance of the request for rectification is based on the availability of two conditions:

1- The error to be rectified must be a material error. Any error is considered to be a material error, if it appears in the judgment concerning the material facts, results from spoiling or distorting material facts having an impact on the judgment, as a result of insufficient investigations, the impact of incorrect information that is contrary to the aforementioned facts or the unconsciousness of justice.
2- The material error must have an impact on the judgment so that the rectification leads to a change in the operative part of the judgment and the intended solution. The material error affects the operative part of the judgment if its rectification has an influence on the grounds of the judgment which are closely linked to the operative part by which they gain the force of the trial.

Article 461: The request for rectification must include the justified causes and claims.
The request for rectification must be submitted to the same chamber that handed down the decision to be rectified.
The investigation and judgment are carried out in accordance with the procedures followed in the initial appeal under which the decision to be rectified is made.
If the Board accepts the request for rectification in substance and form, requiring the amendment of the decision to be rectified in the parts containing the material error and those affected by the said error, whether in the facts of the decision, its justification or its operative part. The Board issues a new amended decision based on the previous decision.

Article 462:
The rectification decision must be recorded in a register of decisions of the Council of State in accordance with the rules relating to the rectification of material errors set out in Article 363 et seq.
The secretary of the court must incorporate the rectification into the original copy of the judgment, must be signed by him and his chief, must record it in the margin in the register and must damage the previously delivered copy when restored. The rectification judgment must be notified as the original judgment.

Section five
The interpretation of judgements

Article 463: Litigants may apply to the court that handed down the judgement for an interpretation of the ambiguity or confusion identified in the said judgement, unless the latter has not been contested by one of the means of appeal. The committee that renders the judgment may not decline jurisdiction to rule on the request for interpretation.
The application must be made in accordance with the procedures for bringing an action. The interpretation judgment is a complementary part of the judgment that interpreted it, and the rules concerning remedies are also applicable to the aforementioned judgment.

Article 464: Acceptance of the request for interpretation of the judgment is based on the following conditions:

a- The person requesting the interpretation must have an interest.
b- The judgment to be justified must be incomprehensible or ambiguous in such a way that it is not possible to determine what the court meant by the pronouncement of the said judgment.

The request for interpretation can only be accepted if the ambiguity lies in the operative part of the judgment.

c- The request for interpretation is not intended to amend the judgment or settle an outstanding issue. It is forbidden, under the pretext of interpretation, to undermine the force of the case resulting from the judgment requiring interpretation. The interpretation must be limited to clarifying the ambiguity in the operative part of the judgment without introducing any modification or amendment.

Article 465: If, by way of interpretation, the court finds that the essence of the judgement has been undermined, the interpretative judgement shall be contrary to the law and may be appealed against by means of an administrative appeal.

TITLE SEVEN
Legal recourse

Article 466: The judicial authority within the Ministry of Justice may, of its own motion or at the request of the competent Minister, lodge an appeal within the meaning of the law, against any administrative or legal decision when the said decision is final. If the Council of State demands nullity, the said decision may not be of any use or prejudice to the litigants.

TITLE EIGHT
The Court of Conflicts

Article 467: The tribunal des conflits is composed of :
Chairman:
The President of the Council of State or the First President of the Cour de Cassation.
Members:

1- The Vice-President of the Council of State and the Councillor are appointed by the President at the beginning of each judicial year.
2- The Head of the Judicial Service and Councillor of the Court of Cassation or the President of the Court of Appeal appointed by the President of the Supreme Judicial Council at the beginning of each judicial year.

The Government Commissioner :
The government commissioner at the Council of State or the public prosecutor at the Cour de cassation.
Two additional members :
An advisor to the Council of State and another to the Cour de Cassation have been appointed in accordance with the above-mentioned procedures to complete the committee if necessary.

Article 468 : The presidency of the tribunal des conflits must alternate between the president of the Council of State and the first president of the cour de cassation for a full judicial year. When the President of the Council of State presides over the Tribunal, the Public Prosecutor at the Court of Cassation must perform the function of Government Commissioner, but when the First President of the Court of Cassation presides over the Tribunal, the Government Commissioner at the Council of State must perform this function.
The tribunal des conflits must be convened by its chairman at its place of jurisdiction. It consists of a chairman and four members.
The administrative departments of the Council of State carry out the tasks of the registry.

Article 469 : The Tribunal des Conflicts shall apply the regular procedures of the Council of State and its decisions shall not be subject to any form of appeal.

Article 470: The Tribunal des Conflits shall rule on disputes concerning negative jurisdiction.
The conflict over negative jurisdiction is a conflict caused by two decisions on lack of jurisdiction in the same case, the first decision is handed down by an administrative court and the second is handed down by a judicial court. These two decisions are not given in the final instance.

Article 471: The party concerned shall lodge an appeal. The appeal does not prevent enforcement and may only be lodged within two months of the date of notification of the last decision of lack of jurisdiction.
The Tribunal des Conflits shall deliver its judgement annulling the erroneous decision of lack of jurisdiction and shall redirect the parties to the court deemed to lack jurisdiction.
The court to which the action is referred must respect the decision handed down by the Court of Conflicts.

Article 472: The Tribunal des Conflits shall also rule on inconsistencies between two judgments which result in a failure to give effect to the law.
One judgement must be handed down by the judicial court and the other by the administrative court.
It rules on the merits of the dispute, which has a single object and may not involve the same litigants or the same causes.

Article 473: The appeal must be lodged from the day on which the final judgement is handed down.
The tribunal des conflits decides on the merits of the dispute for all litigants. It can also conduct enquiries if deemed necessary, and it issues a judgement concerning the costs of an action before two administrative and judicial tribunals.

Article 474: The Court of Conflicts shall rule on inconsistencies caused by the diversity of case law between the administrative and judicial courts. The Tribunal shall rule on such cases within the meaning of the law, after which the provisions of Article 448 of this Act shall apply.

Article 475: Appeals lodged with the Court of Disputes shall not be subject to any tax other than stamp duty.

NEW TITLE
Summary proceedings

Article 476: The President of the Council of State or a judge of the Council appointed by him for cases falling within the jurisdiction of this Council, shall rule on urgent cases. The President of the Administrative Court or a judge of the Council appointed by him/her for cases falling within the jurisdiction of this court shall also rule on cases of an urgent nature.
The interim relief judge takes, without delay, on the basis of a petition presented before him, without the need to obtain a prior administrative decision, measures of a temporary nature without jeopardising the merits of the dispute.
The interim relief judge may impose a coercive penalty on a litigant who fails to comply with the decision.

Article 477: The interim relief judge has jurisdiction when the following conditions are met:
1- The availability of an urgent case. The interlocutory judge must verify the presence of an urgent case justifying the taking of protective measures to protect rights and prevent damage. The presence of an urgent case must be assessed in the light of the interests at risk.
2- The presence of an interest prompting the caller to take urgent action.

Article 478: The decision of the interim relief judge is devoid of the authenticity of the case judged in comparison with the origin of the law, but it may not be amended or annulled unless new circumstances that have arisen so require.

Article 479: The decision of the urgent interim relief judge comes into force on the origin without security unless the judge prescribes the presentation of security.
The interim relief judge may, at the request of the litigants or of his own motion, impose a coercive penalty to ensure that his decision is enforced. It may also be temporary in nature.

Article 480: Decisions handed down by the interim relief judge of the administrative courts may be appealed before the chamber hearing the interim relief proceedings before the Council of State, within a period of ten days from the date on which they were notified.
Decisions handed down by the interim relief judge at the Council of State may be appealed to the chamber hearing the case in the interim relief jurisdiction at the Council of State, within ten days of the date on which they were taken cognisance of the decision. The chamber must rule on the appeal within three days.

Article 481: Any party affected by the decision given by the interim relief judge, in accordance with the cases stipulated by this chapter, may lodge a third party claim with the same judicial authority that gave the decision.
The request must be submitted within eight days of the date on which the decision is made, generally not to exceed two weeks from the date on which the decision is made.
The appeal does not stop the execution of the decision unless the Board to which the appeal is lodged decides otherwise in the event that it seriously threatens the public interest or the rights of the appellant.

Chapter 1: Summary proceedings in urgent cases
Section one: Summary proceedings in freedom cases

Article 482: The interim relief judge may take measures to remove the clear violation of the principal freedoms exercised by the public authority.
On the basis of a direct request that meets the condition of haste, the interim relief judge takes the necessary measures to protect a principal freedom that has been affected, in a flagrant manner and by a clear breach of the law, by a person governed by public law or a person governed by private law responsible for the operation of a public service.

The interim relief judge renders his decision within a maximum of 48 hours from the date of submission of the application. The said request must be exempt from the appointment of a lawyer, which does not take into account the rule of early decision.

Section two: the rush to take precautionary measures

Article 483: The interim relief judge shall take, on the basis of a request submitted by the interested party, without the need to obtain a prior administrative decision, all necessary, possible, temporary and useful precautionary measures that will help to maintain rights and prevent damage without threatening the origin of the right.
The interim relief judge delivers his decision within a maximum of one week from the date of submission of the decision.
The interim relief judge does not have the right to take measures leading to the suspension of the performance or prevention of an administrative activity.

Article 484: Any stakeholder may request the interim relief judge, at any time, to amend or terminate the measures previously taken by him. The Referee may respond to the said request if new data are detected or unknown causes appear.

Article 485: Matters of an urgent nature are subject to the following procedures in urgent cases:
- The summary proceedings court must respect the principle of contradiction
- Cases of a hurried nature must be exempted from the prior administrative decision rule.
- Appeals against the precipitation of freedoms must be exempt from the obligation to appoint a lawyer, whereas in other appeals against the precipitation of freedoms, this question depends on the nature of the respective appeal.
- Requests for urgent remedies may be submitted outside working hours and on public holidays.
- The interim relief judge must specify a short deadline for responding to the litigant, ranging from 24 hours to one week, and is entitled to give notice by any means possible.
- The interim relief judge must render his decision without delay from the date of receipt or expiry of the time limit. He may hand down his rulings from home, outside working hours and on public holidays.
- The interim relief judge may grant his decision the conditions for entry into force, from the date of notification or publication, as the case may be.

Article 486: If the judge of summary proceedings finds that the condition of haste is unavailable for the request presented by the appellant or the request concerning a subject which does not fall at all within the competence of the administrative justice. He shall give a reasoned decision rejecting the appeal without respecting the principle of contradiction.

Chapter Two: Summary proceedings in inspections and investigations
Section one: Summary proceedings in the inspection procedure

Article 487: The interested party may present, without the assistance of a lawyer and without the need for a prior administrative decision, before the interim relief judge, a request for the appointment of an expert to inspect the facts subject to appeal before the administrative courts.
Within a week of receiving the request, the interim relief judge must issue a decision to appoint an expert, and must specify the expert's fees in the decision.
This decision must be notified to the potential defendant, who is invited to attend the inspection.
The parties and the expert may, within a period of three days from the date of notification, lodge a formal protest against the decision to fix the expert's fees with the administrative department or council to which the judge who made the decision belongs. The decision rendered must be final and effective as to its origin.

Section two: The summary jurisdiction in the enquiry

Article 488: The interim relief judge may, following a request made directly by the interested party, without the assistance of a lawyer and in the absence of a prior administrative decision, take any useful expert appraisal or investigation procedure.
The principle of contradiction must be respected, so the claim must be notified to the defendant, setting a deadline for submitting the claim, ranging from twenty-four hours to one week.

Article 489: The interim relief judge may decide, following a request presented by one of the parties or a report presented by the expert, to extend the investigation to the part of the technical points to be

investigated or the persons covered by the investigation, or on the other hand, he may limit the investigation, if he thinks that expansion is not useful.
It only takes the decision to extend or limit the investigation after notifying the parties and giving them sufficient time to present their comments on the interest of extending or limiting the investigation for the additional persons covered by the expansion of the investigation.

Article 490: Matters of an urgent nature shall be subject to the following inspection and investigation procedures:
- The summary proceedings court must respect the principle of contradiction.
- Cases of an urgent nature should be exempt from the rule of prior administrative decision and the obligation to appoint a lawyer.
- Requests for recourse may be made outside working hours and on public holidays.
- The interim relief judge must specify a short deadline for responding to the litigant, ranging from 24 hours to one week, and is entitled to give notice by any means possible.
- The interim relief judge must give his decision without delay.
- The hearing must be held at the time and on the day specified by the judge. The time limit for inviting participants is one full day, unless the judge decides to shorten the time limit. He may authorise the summoning of the litigants, within the time limit he designates, to the court, to the place of dispute or to his home, on public holidays and outside official working hours, in which case he shall appoint a bailiff to serve the summons and the decision to shorten the time limit.
- The interim relief judge may grant his decision the conditions for entry into force, from the date of notification or publication, as the case may be.

Article 491: Appeals may be lodged against decisions on summary proceedings in investigations and inspections before the judicial department responsible for ruling on summary proceedings in the Council of State, according to the division of tasks, within a period of one week from notification.

Chapter Three - Summary proceedings on the advance of debts

Article 492: If the debt is not likely to be the subject of a real dispute, the Summary Jurisdiction Judge may, following a request made by the interested party, even before instituting proceedings on the merits, grant him a provisional advance on his debt account. The application must be notified to the litigant, who must be given a period of time in which to submit his application, ranging from twenty-four hours to one week from the date of notification.
The interim relief judge may link the determination of an advance to the presentation of a bank guarantee from a bank that has authorisation from the central bank, to ensure enforcement of the judgment, against the interested party, who demands repayment of the advance with compensation due to early recovery of the advance.

Article 493: If the creditor does not bring an action on the merits, the party ordered to repay the advance may lodge an appeal with the judge hearing the case on the merits, to determine the final value of the debt within two months of being notified of the decision rendered by the interim relief judge.

Chapter Four: Summary jurisdiction in contracts

Article 494: An appeal may be lodged with the interim relief judge in the event of a breach of the obligations to publish and allow competitive tendering to which administrative contracts relating to the execution of public works or public transactions and agreements relating to the operation of a public service are subject.
The persons entitled to lodge an appeal are those involved in concluding the contract and those who may be affected by the said breach, in addition to the State in the case of contracts to be concluded by a municipality, a public institution, a person governed by public law or a person governed by private law entrusted with the operation of a public service.
Litigants must be given a period of between twenty-four hours and one week from the date of receipt of the request to respond to the interested party's request.

Article 495: The appeal must be lodged before the contract is signed. From the date of submission of the appeal, the administration concerned shall refrain from signing the contract until the decision on the appeal has been handed down by the Referee and notified to the administration.
The interim relief judge can order the party in breach to comply with its obligations and to suspend any decision relating to the signing of the contract. He can also annul these decisions and strike out the articles to be incorporated into the contract that are contrary to the obligations mentioned.

BOOK III
Arbitration

Article 496: The public rules of arbitration set out in the Code of Civil Procedure shall apply in the event of a failure to comply with the procedural rules set out in this Book in accordance with those rules.

Article 497: The arbitrator shall apply administrative procedures in all matters contrary to the provisions relating to arbitration.

First title
Arbitration rules in domestic law

Article 498: The contracting parties may incorporate in the contract concluded an article providing that all disputes likely to result in reconciliation arising from the validity of the contract, its interpretation or its performance, shall be resolved by arbitration.
The State and persons governed by public law, whatever the nature of the contract that is the subject of the dispute, may have recourse to arbitration.
The arbitration clause or arbitration agreement is applicable in administrative contracts only after authorisation by a decree issued by the Council of Ministers, following a proposal by the competent minister in the case of the State or the supervisory authority in the case of legal entities governed by public law.

Article 499: An arbitration agreement entered into by a legal person governed by public law or aimed at resolving a dispute relating to the said person shall be deemed absolutely null and void without the authorisation referred to in the preceding article and the legal person governed by public law or its contracting party may respect this nullity. The judicial authority ruling on the dispute may also cause such nullity ex officio.

Article 500: Arbitration is not possible in cases of nullity. Arbitration is only possible in disputes of full jurisdiction. The action must be brought before the arbitration tribunal without resolution of the dispute and pronouncement of a prior administrative decision.

Article 501: Third parties may lodge an appeal with the Council of State against disputes falling within the scope of the arbitration agreement and those relating to the separate work prior to its signature.

Article 502: The arbitration agreement conducted by public institutions of an industrial or commercial nature is possible for contracts concluded with persons governed by private law, to carry out projects of public utility, through the ordinary channels used by institutions governed by private law.

Article 503: An arbitration agreement is not valid unless it is written in the main contract or in a document to which the contract refers, or unless it is mentioned in a subsequent independent contract, or unless it is derived from an exchange of written documents or from a document to which the agreement refers. It must contain the appointment of one or more arbitrators in their personal capacity or the manner in which they are appointed. If the arbitrator appointed in the arbitration agreement refuses the assignment entrusted to him or her, an alternative arbitrator shall be appointed in accordance with the mechanism prescribed by law.

Article 504: The validity of the arbitration clause mentioned in the framework agreement extends to disputes arising from the performance of contracts concluded between the parties executing such an agreement and to third parties responsible for its performance.

Article 505: The President of the Council of State or the judge appointed for the task shall play the role of an arbitration judge in order to support the arbitration process, starting with the formation of the arbitral tribunal and the removal of obstacles to the pronouncement of the arbitration award.
If, after a dispute has arisen, an obstacle to the appointment of an arbitrator or several arbitrators arises because of one of the litigants or when applying the manner in which the arbitrators are appointed, in this case the President of the Council of State is responsible for their appointment or one of the judges appointed by him for this purpose.
If the President of the Council of State or his delegate deems the arbitration clause to be clearly null and void, insufficient to designate the arbitral tribunal, or deals with a non-arbitral subject, he will issue a ruling in which he confirms this and declares that the appointment of the aforementioned arbitrators is impossible.
An arbitration clause that is null and void is deemed not to exist.

Article 506: The request for the appointment of an arbitrator shall be submitted by writ of summons to the President of the Council of State or his delegate.
The summons must be served on the other party, giving it three days to submit its comments on the appointment of the arbitrator.
The President of the Council of State or his delegate shall rule on the request for the appointment of an arbitrator without delay and shall hand down his decision by order on the basis of the request.

Article 507: A decision providing for the appointment of an arbitrator may only be appealed against in the event of abuse of power, if the appointment was made on the basis of an invalid clause or by expiry of its effects.
The appeal must be lodged by the opposition against the decision, which must be presented before the chamber presided over by the president of the Council of State.
If the President of the Council of State or his delegate issues a decision providing that the appointment of one or more arbitrators is impossible for one of the reasons mentioned in paragraph three of article 505, the appeal shall be made by opposition before the chamber presided over by the President of the Council of State.
The Chamber will rule on the opposition in accordance with the accelerated procedures and will issue its decision without delay.

Article 508: The supporting judge shall rule on the urgency of extending the time limit for the arbitration, on the impossibility for the arbitrator to perform his duties and on his resignation. He shall also, on the basis of an application, issue orders to compel one of the third parties, who has no connection with the arbitration proceedings, to present evidence in their possession that is necessary to decide the dispute. The provisions of Article 174 et seq. shall apply.

Article 509: Only a natural person may act as arbitrator; if the arbitration agreement appoints a legal person, his or her mission shall be limited to arbitration. The arbitrator may not be a minor, nor prohibited, nor deprived of his or her civil rights, nor disqualified until he or she has been rehabilitated.

Article 510: The arbitrator's acceptance of the assignment entrusted to him is mandatory and must be established in writing.
The arbitrator must be independent, transparent and neutral.
The arbitrator must inform the litigants of the reasons for his or her challenge, in which case he or she may only accept the assignment with the approval of the litigants.
Once an arbitrator has accepted an assignment, he or she may not resign without a real reason, otherwise he or she may be ordered to pay compensation to the person affected.

Article 511: Arbitrators may only be dismissed with the consent of all the parties, and arbitrators may only be challenged for reasons that arise or become apparent after their appointment.
The challenge must be made on the same grounds as those for challenging the judge, set out in article 120 of the Code of Civil Procedure.
The choice of an arbitrator by one of the litigants in a previous lawsuit is not a ground for challenge, unless the subject matter or reason for that lawsuit is similar to the lawsuit for which the request for challenge was provided.

Article 512: The challenge request must be provided, before the chamber presided over by the President of the Council of State or his delegate, within a period of fifteen days from the date of notification of the challenge request, by the appointment of the arbitrator or from the date of the manifestation of the reason for the challenge. The Chamber's decision to this effect is not subject to appeal.

Article 513: Where there is more than one arbitrator, the number of arbitrators must be odd in all cases, otherwise the arbitration shall be deemed null and void.
If the litigants appoint two arbitrators in an even number, he shall add a third arbitrator appointed as indicated by the litigants, otherwise he shall be chosen by consent of the appointed arbitrators. If the arbitrators are unable to agree, the Council of State or its delegate shall promptly appoint a third arbitrator by virtue of a decision, following a request made by one of the parties or the arbitral tribunal. This decision is not subject to appeal.

Article 514: The Arbitral Tribunal must settle the dispute as from the date of acceptance by all the arbitrators who make it up. This is established by means of a written record, organised in accordance with the procedures.

If the arbitration agreement, whether an arbitration clause or a contract, does not specify a time limit, the arbitrators must complete their assignment within a maximum of six months from the date of acceptance of the last arbitrator among them.
It is possible to extend the time limit of the agreement or the legal time limit either by consent of the litigants or by virtue of a decision pronounced without delay, by the President of the Council of State, following a request provided by one of the litigants or the arbitral tribunal.

Article 515: The arbitration agreement may stipulate that the arbitration shall be ordinary or absolute. It is also possible to mandate the arbitrator(s) to reconcile the parties.

Article 516: If there is any doubt as to the classification of the arbitration, the arbitrator shall treat it as an ordinary arbitration.
In ordinary arbitration, the arbitrator(s) shall apply the rules of law and due process, except those which are contrary to the arbitral procedures.

Article 517: The arbitral tribunal must adhere to the mandatory principles of arbitral proceedings such as speed, confidentiality and integrity, which are imposed on the parties and litigants during the course of the aforementioned proceedings.
Litigants may exempt the arbitrator from the application of some or all of the regular procedures, except those relating to public policy and provided that they comply with the arbitration standards and procedures. The waiver cannot encompass the main principles, in particular compliance with the principle of contradiction and the subject matter of the dispute mentioned in the litigants' claims, or the arbitrator attributing his decision to facts outside the scope of the proceedings.
The aforementioned exemption is only established by virtue of an explicit provision in the arbitration agreement or in an independent agreement.

Article 518: In absolute arbitration, the arbitrator is exempt from the application of the rules of law and due process and decides the dispute on the basis of equity.
Legal rules relating to public order and the necessary principles of due process, in particular those relating to the law of defence and the interpretation of judgments, and rules relating to the rules of arbitration, are exempt from the said expense.
Absolute arbitration is only established by virtue of an explicit provision in the arbitration agreement or in an independent agreement.
Article 519: The joint litigants or one of the litigants who is the most urgent shall present the dispute before the arbitrator.
The Council of State cannot rule on the dispute after it has been submitted to the arbitral tribunal and commenced the arbitration proceedings, unless the agreement is clearly null and void. It must dismiss the appeal if the arbitration clause is adhered to at the start of the proceedings and before any defence on the merits.

Article 520: The Summary Jurisdiction Court remains competent to give judgments on temporary measures and emergency precautions, before the Arbitral Tribunal puts its hand on the dispute, as soon as the condition of urgency is available without prejudice to the origin of the right.
The arbitral tribunal may take temporary or precautionary measures or impose a coercive penalty, where appropriate, to ensure compliance with its decisions. The tribunal must settle the penalty and decide on it with the final award.

Article 521: The arbitrators assembled shall be responsible for the investigation, unless the arbitration agreement allows one of them to be delegated for this purpose.
The arbitrators must hear the submissions of witnesses and third parties without swearing them in.
The arbitral tribunal may order one of the parties to produce the evidence in its possession in accordance with the procedures laid down by the tribunal, or it may impose a coercive penalty on a person who delays in complying with its order to produce a document within the specified time limit.
The arbitrators must return to the President of the Council of State in his capacity as supporting judge or his delegate for this purpose to carry out the following measures:

1- Order one of the witnesses who drags on presenting his case, or one of those who refuses to answer, to pay a penalty of... to...
2- Issue a letter rogatory to request documents from public departments.

Article 522: If one of the parties is in possession of evidence, the arbitrators may order him to present it, subject to a coercive penalty for each day of delay in enforcing the decision.

Article 523: The arbitration dispute shall terminate upon expiry of the arbitration period, without prejudice to any stipulation in a special agreement between the litigants.

Article 524: The arbitration dispute is interrupted, if not already concluded, in the following cases :

1- The death of one of the litigants
2- Loss of legal capacity by one of the litigants
3- The fall of the litigant's status as legal representative
4- The inclusion of a legal entity that is a party to the proceedings with another legal entity that is no longer a party to the proceedings.

The interruption takes effect as soon as the other litigant becomes aware of his case and the trial resumes after the conflict has been corrected.

Article 525: The arbitral proceedings shall cease in the following cases: the arbitrator's failure to perform his duties, his challenge, the arbitrator's inability to perform his duties, the arbitrator's dismissal or resignation.
In any of the above cases, the proceedings shall be suspended until an alternative arbitrator has been appointed. The arbitration proceedings shall continue from the point at which they were halted.

Article 526: The Arbitral Tribunal may suspend the arbitral proceedings either for a specified period of time or until an urgent matter arises. If an expert is appointed to carry out a time-consuming and complicated technical investigation, the Arbitral Tribunal shall specify a specific period of time for him to carry out his mission and shall stop the proceedings for the period of time granted to him.

Article 527: The procedures and investigative measures taken by the Arbitral Tribunal during the arbitral proceedings may in principle lead to the suspension of the time limit, if this is mentioned in the arbitration agreement.
If there is no indication that the time limit for the arbitration proceedings has expired, the arbitral tribunal may issue a decision specifying the time limit for the investigation measures to take effect. If the court decides to terminate the arbitration proceedings, it must therefore terminate the arbitration period within that period, which should generally not exceed six months.

Article 528: Unless otherwise agreed, the arbitrator may rule on the urgency of the verification of the entry in accordance with the provisions of Articles 174 and 178 of the Code of Civil Procedure.

Article 529: If a litigant alleges the falsification of an official document or an administrative decision in relation to the subject-matter of the arbitration of a writ of summons or a petition presented by one of the litigants before the Arbitral Tribunal, the said litigant shall determine the place of the alleged falsification, otherwise his claim shall be null and void.
If the court finds that the allegation of falsification is true, it asks the party making the allegation to lodge an appeal with the Council of State within a period not exceeding ten days, at which point the proceedings will cease until the judicial department of the Council of State, which is responsible for ruling on the falsification in accordance with the decision on the allocation of tasks, is required to resolve this urgent matter by means of a decision.
It will rule on the falsification claim in accordance with accelerated procedures and will hand down judgment without delay.
The time limit for arbitration shall cease and shall not come into force again except after the arbitrators have been notified of the judgment rendered in the falsification claim.

Article 530: If, during the course of the arbitration, an intercepted matter falling outside the jurisdiction of the arbitrators is presented, an appeal against a document is brought, the taking of penal measures related to its falsification or a penal incidence related to the conflict is invoked, the arbitrators shall cease their work and the time limit for the arbitration shall cease until the arbitrators are notified of the judgment rendered in the matter.

Article 531: If one of the litigants disputes before the arbitrator the principle or the extent of his jurisdiction to rule on the case presented before him, he may decide this dispute on the basis of the arbitration agreement.
In the event of a dispute as to the validity of the administrative decisions pursuant to which the arbitration agreement was concluded, the arbitral tribunal shall cease to rule on the proceedings and shall instruct the group that has invoked this urgency to lodge an appeal with the Council of State within a period to be determined by it which shall not exceed two weeks from the date of its notification of the decision. If the appeal is not lodged, the arbitration tribunal will continue to rule on the case.

The Council of State will rule on the appeal in accordance with the procedures described and will hand down its decision without delay.

Article 532: Third parties may not intervene in the dispute before the arbitrators without the consent of the parties.

Article 533: The provisions of Articles 778 and 792 shall apply to the conduct of arbitration proceedings and the rendering of the arbitral award.

Article 534 : In order to give exequatur to the arbitral award, the original award must be deposited with the Council of State, either by one of the arbitrators or by the litigant, and a copy of the arbitration agreement must be annexed to the original award, certified by the arbitrators, a competent official authority, or by the Registrar who examined the original copy. The Secretary of the Board shall draw up a report concerning this deposit.

Article 535: The arbitral award, as soon as it is pronounced, has the authenticity of the lawsuit judged in relation to the conflict in which it was decided.

Article 536: The arbitral award may only be enforced by order of the President of the Council of State. The exequatur must be granted on the basis of a request provided by the interested party, after having examined the decision and the arbitration agreement. The decision to reject the exequatur may be challenged before the Board of Directors within thirty days of its notification and must include a statement of the reasons. The exequatur may not be rejected except on one of the grounds for annulment stipulated in article 542. The grounds for opposition to the decision to reject the exequatur are the same grounds for annulment stipulated in article 542.

Article 537: The exequatur must be placed on the origin of the arbitration award presented by the applicant for the exequatur or annexed in the event of its issue in a separate petition. This origin shall be referred to him together with the petition included in the decision to grant the exequatur immediately.
The procedure relating to the application for exequatur is devoid of any adversarial character.
The decision to grant exequatur in the same way, and in the event that a true copy of the arbitral award is presented, it must contain the conditions necessary to demonstrate its validity and must be certified by the arbitral tribunal or the clerk of the Council of State, its conformity of origin, after having matched the origin of the award with the aforementioned copy.

Article 538: Arbitration awards shall be deemed enforceable and appeals against such awards, either by way of appeal or by way of annulment, shall not cease until the authority ruling on the appeal has issued a stay of execution.

Article 539 : The decision to grant exequatur is not subject to appeal, however the appeal or the annulment appeal against this arbitration award automatically indicates an opposition to the decision to grant exequatur within the limit of the adversity presented before the council in charge of affairs to lodge an appeal against the annulment or before the judicial service before the Council of State, competent to rule on the conflict, without the presence of the arbitration in relation to the appeal.

Article 540: An appeal is a remedy aimed at rectifying or amending the arbitral award. The arbitral award may be appealed, unless the litigants do not waive their right to appeal against the arbitral agreement. An arbitration award rendered on the basis of absolute arbitrariness may not be appealed, unless the litigants explicitly maintain the right to appeal against the arbitration agreement, in which case the judicial department of the Council of State competent to rule on the dispute, without the presence of the arbitrator in the proceedings, is considered to be the absolute arbitrator.

Arbitration 541: Recourse by way of annulment is an ordinary means of recourse against the arbitral award, which may not be waived. Recourse by way of annulment against the award rendered by the arbitrators remains possible for the parties, notwithstanding an agreement to the contrary.

Article 542: An appeal by way of annulment shall be lodged with the council in charge of business and shall not be possible except in the following cases:

1- An erroneous decision by the arbitral tribunal declaring its jurisdiction or lack of jurisdiction to rule on the dispute.
2- The formation of the arbitral tribunal in a manner contrary to legal procedures.
3- The arbitral tribunal's departure from the limits of its mission.
4- The arbitral tribunal's failure to comply with the principle of contradiction.

5- Infringement of public policy by the arbitral tribunal.
6- Lack of explanation of the award.
7- The absence in the award of the date of its promulgation.
8- The absence of the name of the arbitrator or arbitrators who made the award or the absence of their signature.
9- Failure to promulgate the arbitration award unanimously or by a majority.

Article 543: If the Business Council annuls the arbitral award, the arbitrator, within the limits of his or her determined mission, shall rule on the subject matter, unless otherwise agreed by the parties.

Article 544: Appeals and actions for annulment may be lodged from the date of publication of the contested award.
The time limit for appeals or annulments against arbitration awards begins to run from the date of notification, whereas appeals are not accepted if they are lodged thirty days after notification of the enforcement decision.
The parties may agree to notify the arbitral award or the interim decisions taken by the arbitral tribunal, in ruling on the dispute, by registered letter with acknowledgement of receipt or by electronic means.

Article 545 : Appeals and appeals for annulment are presented, examined and decided, in accordance with the rules and procedures stipulated in this law, to be judged before the Council of State and the procedures described are applicable with the exception of the need for the assistance of a lawyer, in order to pronounce the decision without delay.
The decision taken by the Board of Directors or the competent judicial department, before the Council of State in the cases provided for in the first paragraph, must be final and exclude any right of appeal.

Article 546: The total or partial rejection of an appeal or recourse by way of annulment may grant exequatur to the arbitral award or its paragraphs which are not covered by the termination or annulment.

Article 547: The arbitral award shall only be subject to the extraordinary remedies of reopening the proceedings and third-party proceedings, whereas it shall not be subject to opposition or cassation.

Article 548: The third party opposition is presented before the competent department of the Council of State, without the presence of the arbitrator, in accordance with the procedures stipulated in this law. The procedures described in article 481 and the time limit set for lodging this appeal with the interim relief judge apply to this form of appeal.

Article 549: The arbitration award may be reopened for trial on the grounds and under the conditions specified for appeals against judgements by the same procedure. The procedures described and the time limit for lodging an appeal mentioned in the previous article shall apply to this appeal. The appeal shall be lodged with the same arbitral tribunal.
If it is impossible to reconstitute the arbitral tribunal or if the time limit for arbitration expires, the appeal will be made to the department mentioned in the previous article.

Title two
International arbitration
Chapter I - General provisions

Article 550: Arbitration is considered international in the following cases :
- If the transaction that is the subject of the dispute relates to several countries or if it involves the transfer of goods, services or payment of funds across borders.
- If the subject is linked to the interests of international trade.

The term "commerce" is understood in the broadest sense of the word and its definition is not limited solely to the commercial scope set out in the Commercial Code, but also includes trade and production work, construction and investment work and other services, in general any work of an economic nature.
Contrary to the provisions of articles 498 and 499, the State and all legal persons governed by public law may resort to international arbitration without the need for prior authorisation.

Article 551: The standards and procedures stipulated in the provisions of Title I of this Book in accordance with the special provisions relating to international arbitration, which have been mentioned in this Book, shall apply.

Article 552: The arbitration agreement shall not be subject to any formal requirement.

Article 553: The arbitration agreement may include, directly or by reference to the arbitration rules or the procedural rules set out therein, the appointment of the arbitrator or arbitrators or the means of their appointment.

Article 554: The arbitration agreement may determine, directly or by reference to the arbitration rules, the procedures to be followed in the arbitral dispute. It is also possible to subject the dispute to a specific law of the Procedural Code, as defined in the agreement.
If the arbitration agreement does not contain any stipulation, the arbitral tribunal shall apply, where appropriate, the procedures it deems suitable, either directly or by reference to a specific law or the arbitration rules.

Article 555: Whatever measures the litigants agree to adopt, the Arbitral Tribunal must ensure equality between the parties and respect the principle of contradiction. The Tribunal must respect the essential principles of arbitration procedures relating to the General International Rules, notwithstanding the applicable legal standards.
Contrary to the principle that requires arbitration to be confidential, the parties may, in order to guarantee transparency, agree otherwise in the field of international arbitration, particularly that relating to the protection of investments.

Article 556: During the course of an international arbitration, the President of the Council of State or his delegate shall assume the role of supporting judge for arbitration proceedings, unless otherwise agreed, in one of the following cases:

- If the arbitration takes place in Lebanon.
- If the parties agree to submit the arbitration to the procedural rules stipulated in this law.
- If it turns out that one of the parties is exposed to abstention from the realisation of the right.

Article 557: The arbitrator shall decide the dispute in accordance with the legal rules chosen by the litigants, otherwise in accordance with the rules he deems appropriate. He may take commercial usage into account. He settles the dispute as an absolute arbitrator, if the litigants' agreement determines his mission as such.

Chapter Two
Recognition and enforcement of arbitration awards made abroad or in international arbitration.

Article 558: Arbitral awards made outside France shall be recognised and granted exequatur if the person invoking them establishes their existence and if they are not clearly contrary to the general international rules.
The existence of the arbitral award is established by proving its origin, annexed to the arbitration agreement or a true copy of these two documents certified by the arbitrators or a competent authority. If the documents are in a foreign language, they must be translated into Arabic.

Article 559: The provisions of the articles relating to the granting of exequatur mentioned in Title I of this Book shall apply to the arbitral award.
If the arbitration is conducted abroad, a certified copy of the origin of the arbitral award must be presented in order to file and grant the exequatur.

Chapter Three
Recourse against arbitral awards made in international or foreign arbitration
Section one: International arbitral awards made in Lebanon

Article 560: An international arbitral award may be appealed in Lebanon only by annulment.

Article 561: Appeals for annulment must be lodged with the Council responsible for business.
Appeals for setting aside may be lodged as soon as the arbitral award has been made, even before it has been notified. In general, this recourse does not have to be lodged one month after notification of the arbitration award.
Article 562: An international arbitration award may be appealed on one of the following grounds:

1- An erroneous decision by the arbitral tribunal declaring its jurisdiction or lack of jurisdiction to rule on the dispute.
2- The formation of the arbitral tribunal in a manner contrary to legal procedures.
3- The arbitral tribunal's departure from the limits of its mission.
4- Passing sentence without respecting the litigants' right of defence.
5- Violation of a rule related to the general international regulations.

Article 563: The parties may explicitly agree to waive the right to appeal by way of annulment, in which case they may lodge an objection against the decision granting the exequatur, based on one of the grounds mentioned in the previous article.
The objection must be lodged with the issues council within one month of the date of notification of the arbitration award granted exequatur.

Article 564: A decision refusing to recognise or grant exequatur for an arbitration award rendered in Lebanon may be challenged before the Council in charge of affairs within one month from the date of notification.

Article 565 : The decision granting the exequatur is not subject to any appeal, however an appeal by way of annulment against the arbitral award automatically indicates an appeal against the decision granting the exequatur or the release of the judge who made it.

Article 566: In all the cases referred to in the preceding articles, the appeal must be lodged with the Council in charge of affairs within a period of one month from the date of notification of the award.

Section two: Arbitral awards made abroad

Article 567: Decisions ruling on the application for recognition of an arbitration award made abroad or for its enforcement may be challenged before the Council in charge of business affairs within one month of the date of notification.
The recognition or the granting of the exequatur to the arbitral award may only be rejected in the cases stipulated in Article 562.

Section Three: Common Provisions for International Arbitral Awards Rendered in Lebanon and Abroad

Article 568 : An action for annulment or an objection to a decision granting enforcement shall not suspend enforcement.

Article 569 : The President of the Council of State, upon ruling on the opposition, as well as the Council in charge of the issues, may stop the enforcement of the arbitral award, if it appears that it may damage the rights of one of the parties.

Article 570: The procedures of the conflict by ruling on the means of appeal by annulment or by opposition against the decision to grant exequatur, are applicable.
The rejection of the opposition or the rejection in whole or in part of the appeal by way of annulment may grant exequatur to the arbitration award or its paragraphs which are not covered by the termination or annulment.

Final provisions

Article 571: All texts of international treaties and agreements relating to arbitration ratified in Lebanon are attached to this Law.

Article 572: The department attached to the Council of State which has become, by virtue of the provisions of the present law, incompetent to rule on cases pending before it, must transmit these cases, administratively, to the administrative tribunals, unless the proceedings have not been completed and have become fit for trial.

Article 573: The Decree-Law implemented by Decree No. 10443 dated 14 June 1975 with all its amendments and all stipulations contrary to or incompatible with the content of the present law, with the exception of the stipulations that the law retains, while explicitly taking into account the stipulations mentioned in other laws and governing special procedures, must be annulled.

Article 574: This law shall come into force on...

14 April 2021