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**Legislative Decree No. (8) of 1989**

**promulgating the Law of the Court of Cassation**

**We, Isa bin Salman Al Khalifa, Emir of the State of Bahrain,**

Having reviewed the Constitution,

Emiri Order No. (4) of 1975,

The Code of Criminal Procedures of 1966,

Legislative Decree No. (12) of 1971 promulgating the Civil and Commercial Procedures Law and the laws amending it,

Legislative Decree No. (13) of 1971 regarding the Organization of the Judiciary, amended by Legislative Decree No. (17) of 1977 and Legislative Decree No. (25) of 1986,

Legislative Decree No. (3) of 1972 with respect to Judicial Fees, amended by Legislative Decree No. (9) of 1983 and Legislative Decree No. (10) of 1988,

Law No. (4) of 1975 with respect to the Cadre of Judges, amended by Legislative Decree No. (18) of 1977,

Legislative Decree No. (26) of 1980 promulgating the Advocacy Law, amended by Legislative Decree No. (1) of 1981,

And upon the submission of the Minister of Justice & Islamic Affairs,

And after the approval of the Council of Ministers,

**Hereby Decree the Following Law:**

**Article One**

The Law of the Court of Cassation attached to this Law shall be enforced, and all that contradicts its provisions shall be repealed.

**Article Two**

The Minister of Justice & Islamic Affairs shall implement this Law and it shall come into force from the first day of the month following the lapse of six months from the date of its publication in the Official Gazette.

**Emir of the State of Bahrain**

**Isa bin Salman Al Khalifa**

Issued at Riffa Palace:

Date: 15 Ramadan 1409 H

Corresponding to: 20 April 1989

**The Law of the Court of Cassation**

**Part One**

**Establishment, Composition and Jurisdiction of the Court**

**Article - 1 -**

The Court of Cassation shall be established and shall have jurisdiction over issues brought before it in accordance with the law.

It shall be composed of a President, a Deputy President, and three other judges, and it consists of one or more judicial circuits as needed, and its rulings shall be issued by a majority of no less than three judges. If the majority was not attained and the opinions had diverged into more than two opinions, then the team with the least number or the team with the most recent judges shall join one of the two opinions issued by the team with greater number of judges, after taking the opinions a second time.

**Article - 2 -**

The President, Deputy President, and judges of the Court of Cassation shall be appointed and relieved of their positions by a Royal Decree.

Each of them is required to have obtained a Licentiate or LLB Degree practicing for fifteen years in a legal profession or should have been a judge in the Supreme Court of Appeal or the Supreme Sharia Court of Appeal for a period of four years[[1]](#footnote-1).

Other provisions relating to the appointment of judges, their duties, immunities, and discipline are specified in Part Two of the Legislative Decree No. (13) of 1971 with respect to the Organization of the Judiciary shall apply to them.

Their grades and salaries are also subject to the provisions of Law No. (4) of 1975 with respect to the Cadre of Judges, and the Council of Ministers’ Resolution No. (1) of 1983 with respect to Amending the Salaries of Employees and Personal Staff, or any decision that replaces it.

**Article - 3 -**

Pleading before the Court of Cassation shall be accepted only by the lawyers who are registered in the list prepared in this regard - within the general list of lawyers under the name of “The List of Lawyers Before the Court of Cassation”. Only lawyers who meet the requirements set forth in Article (2) of the Advocacy Law promulgated by Legislative Decree No. (26) of 1980 shall be added to this list, provided that, they have been listed in the list of practicing lawyers for eight years or had spent ten years working in a legal profession.

**Article - 4[[2]](#footnote-2) -**

The litigants may appeal, before the Court of Cassation, the final judgments ending all litigation in civil and commercial matters, personal status of non-Muslims, Sharia and criminal matters in accordance with the provisions of this Law.

It is not permissible to appeal, by way of cassation, the judgments issued prior to deciding on the matter, unless it results in the prevention of proceeding with the case.

**Article - 5 -**

The Court of Cassation specializes in reviewing the final criminal judgments issued for punishment in felonies and misdemeanors in the manner set forth in this Law.

**Article - 6 -**

The Court of Cassation exclusively specializes in appointing the competent court if a case is filed on a single subject before the civil judiciary and the Sharia judiciary or before two judicial circuits of Sharia judiciary, and neither of them has relinquished its consideration, or both of them have abandoned it. It also specializes in settling disputes regarding the implementation of two contradictory judgments, one issued by the civil judiciary and the other by the Sharia judiciary, or where both of them are issued by two different Sharia judiciary circuits.

The request shall be filed in a memorandum deposited with the Court’s Clerks Office and shall be notified to the litigants in accordance with the rules related to notification, and they have the right to submit a responding memorandum within the eight days following their notification. After the court’s technical office expresses its opinion regarding the request, it shall be presented to the president of the court to set a session for his consideration, where the litigants shall be informed at least three days prior to its convening.

The filing of the request shall suspend the proceeding of the case submitted in its regard. If it is submitted after the ruling in the case, the Court of Cassation may suspend one or both of the contradictory judgments.

**Article - 7 -**

A technical office is appended to the Court of Cassation and is headed by one of its judges, and it consists of a sufficient number of judges, at least the rank of a Higher Court judge, delegated for this purpose by the Minister of Justice.

This office is concerned with the following matters:

1-Expressing an opinion on the issues that come within the court’s jurisdiction in accordance with the provisions of this Law, and preparing the technical research assigned to it by the court's president.

2- Extracting the legal rules approved by the court through its issued judgments and collecting and classifying these rulings.

**Part Two**

**Appeals by Cassation in Civil, Commercial, Sharia Matters,**

**and Personal Status of non-Muslims[[3]](#footnote-3)**

**Article - 8[[4]](#footnote-4) -**

The litigants may appeal, before the Court of Cassation, the rulings issued by the Supreme Civil or Sharia Court of Appeal, or by the Higher Civil or Sharia Court in its appellate capacity, in the following cases:

1. If the appealed judgment was based on a violation of the law or an error in its application or interpretation.
2. If there is a nullity in the ruling or a nullity in the procedures that affects the ruling.

**Article - 8 bis -**

Repealed[[5]](#footnote-5)

**Article - 9 -**

The litigants may appeal before the Court of Cassation in any final judgment - whichever court issued it - resolving a dispute which contradicts another judgment issued between the litigants themselves and had the force of res judicata.

**Article - 10 -**

The appeal by cassation does not result in suspending the execution of the judgment. However, the Court of Cassation may order a temporary suspension of the execution of the court judgment if it was requested in a writ of objection for cassation and it was feared that the execution would cause a serious and irreparable harm, with the exception of a divorce judgment, which is not implemented until the time for appeal by cassation has passed or with the issuance of the ruling of the Court of Cassation in the event of an appeal, and in this case, the Court of Cassation shall decide on the appeal within a maximum period of four months from the date of the appeal[[6]](#footnote-6).

The court shall decide on the appeal, even in the absence of the litigants.

The court, when ordering a suspension of execution, may require the submission of a surety, or order what it deems necessary to guarantee the protection of the right of the appellee.

The order issued to suspend the execution of the judgment shall extend to the enforcement procedures taken by the person who got the judgment in his favor based on the appealed judgment from the date of the request to suspend the execution.

**Article - 11 -**

The time limit for appeal by cassation is forty-five days from the date of issuing the judgment in presence, unless the convicted person has failed to attend in all the sessions specified for the consideration of the case or has failed to attend in all subsequent sessions to expedite the case after discontinuance of the progress of the case for any reason, hence the date begins from the date of his notification of the ruling.

The date also begins from the date of notification of the judgment if one of the reasons for the interruption of the litigation occurred and the judgment was issued without litigation by whoever represents the litigant who has died or lost his capacity to litigate or whose capacity has ceased to exist.

If the judgment was in absentia, then the date shall only start from the day on which the objection to it becomes unacceptable, or from the day on which it was decided to dismiss the objection due to the failure of the objector to attend.

**Article - 12-**

The appeal shall be filed with a writ submitted to the court cases register office signed by a lawyer registered in the list of lawyers before the Court of Cassation.

In addition to the data relating to the litigants’ names, their capacities and the domicile of each of them, the writ includes a statement of the contested ruling, its date, a statement of the reasons on which the appeal is based, and the requests of the appellant. If the appeal does not take place in such manner, it shall be considered null and the court shall rule on its own to nullify it.

It is not permissible to adhere to the grounds for appeal other than those mentioned in the writ, unless they are related to public policy, where it may be adhered to at any time, and the court may use it on its own.

If the appellant gives a reason for appeal related to a judgment issued before the appealed judgment in the same case, then the appeal shall include the previous judgment unless it was expressly accepted.

**Article - 13-**

The Court’s Clerks Office shall not accept the appeal writ unless it is accompanied by proof that the appellant deposited fifty Dinars in the treasury of the Ministry of Justice as a surety.

Those exempted from paying the fees are exempted from depositing the surety.

The surety shall not be multiplied by the number of the appellants if they file their appeal with one writ, even if the causes of action are different.

**Article - 14 -**

The appellant shall attach to the appeal writ, at the time of its submission, copies of it numbering the appellees, the power of attorney for the lawyer assigned to appeal, and a memorandum explaining the reasons for the appeal and the documents supporting it, unless they are submitted in the case file in which the contested ruling was issued, or submitted to another appeal, where it would be sufficient to provide evidence of that. The court may take what it deems appropriate in order to review these documents.

**Article - 15 -**

The court cases register office shall record the appeal in the register prepared for that on the day the writ is submitted. The Court’s Clerks Office shall include the file of the appealed case and all its documents and notify the appellee with a copy of the writ.

**Article - 16 -**

The appellee may deposit to the Court’s Clerks Office, within ten days from the date of his notification of the appeal writ, a memorandum of defense, accompanied by the power of attorney for the lawyer appointed by him, and the documents that he deems fit to be submitted.

If he does so, then the appellant may also deposit to the Court’s Clerks Office a memorandum accompanied by the documents supporting the response within ten days from the expiry of the deadline indicated in the previous paragraph.

In the event of multiple appellees, each of them, if they wish, may file within the ten days mentioned above, a memorandum of response to the memorandum submitted by the other appellees, accompanied by a power of attorney for the lawyer assigned by them if it was not previously submitted.

**Article -17-**

The appellee may, before the expiry of the period stipulated in the first paragraph of the preceding Article, include in the appeal any litigant not appealed against in the case in which the appealed ruling was issued. He shall be included by notifying him with a copy of the appeal writ.

Whoever is included may deposit a memorandum of his defense at the Court Clerks’ Office within ten days from the date of being notified, accompanied by the documents that he sees fit for submission. In this case, the response dates stipulated in the second and third paragraphs of the previous article shall not apply until after the expiry of the mentioned ten days.

**Article - 18 -**

Each litigant in the case in which the contested judgment was issued, and against whom the appeal was not directed, may intervene in the appeal to request a ruling rejecting it. His intervention shall be by depositing a memorandum of his defense with the Clerks Department before the expiry of the period specified in the first paragraph of Article (16) together with the supporting documents.

**Article - 19 -**

The memoranda and portfolios of documents deposited in the name of the litigant shall be an original and copies numbering the litigants and shall be signed by his lawyer who is accepted before the Court of Cassation.

**Article - 20 -**

The Court Clerks’ Office t may not, for any reason, accept memoranda or papers after the expiry of the deadlines set for them. Rather, it shall write a report mentioning the date of submitting the paper, the name of its presenter, his capacity, and the reason for not accepting it.

**Article - 21[[7]](#footnote-7) -**

After the expiry of the deadlines stipulated for in the preceding s Articles, the Court Clerks’ Office shall deliver the appeal file to the technical office of the Court of Cassation, and this office shall deposit a memorandum with its opinion on the appeal as soon as possible and then submit it to the president of the court, where the latter will appoint one of the court's judges as a rapporteur for the appeal and order its referral to the court which is being conducted in a council chamber to consider the extent of its merit to decide on its subject. If the court, convened in section capacity, considers that the appeal is not acceptable due to a defect in form, an invalidity in its procedures, or based on reasons other than those stated in Articles (8 and 9) of this law, or because of its violation of a previous principle of the court, which is sufficient to respond to the reason of the presented appeal, and that there is no reason to relinquish this principle, then the court shall decide not to accept the appeal with a decision that is not subject to appeal, with brief reasons recorded in the session minutes, and shall oblige the appellant to pay the expenses in addition to confiscating the surety.

If it deems otherwise, it shall set a session to consider the appeal, and in this case, it has the right to exclude from the appeal the unaccepted reasons before the Court of Cassation in a brief reference to the reasons for exclusion.

The Court Clerks’ Office shall notify the lawyers of the litigants who filed their memoranda with regards to the session set for examining the appeal, at least ten days prior to its convening, by registered letter.

**Article - 22 -**

The cassation court shall rule on the appeal after examining the papers, without an oral pleading, after the appointed judge reads a report summarizing the reasons for the appeal and the response thereto and lists the points of dispute between the litigants.

**Article - 23 -**

If the court deems the oral pleading necessary, it may hear the litigant’s lawyer who have previously filed memoranda in their name, and the court may permit them, as an exception, to deposit supplementary memoranda if it deems this necessary, and then it shall determine the dates in which such memoranda shall be submitted.

**Article - 24 -**

If the formal conditions of the appeal are met and the court accepts it, the court shall overturn all or part of the appealed judgment and rule on the expenses.

If the court rules that the appeal is not accepted, rejected, or that considering it is not permissible, it shall order the appellant to pay the expenses and the confiscation of all or part of the surety.

If it deems that the appeal is intended to be malicious, it may order compensation for the appellee.

**Article - 25 -**

If the appealed judgment is rescinded for violating the rules of jurisdiction, the Court of Cassation shall be limited to deciding on this issue, and, when necessary, shall appoint the competent court at which the litigants may invoke new litigation procedures.

If the judgment is rescinded for other reasons, the case shall be referred to the court that issued it to rule in it again at the request of the litigants. In this case, the court to which the case was referred shall follow the ruling of the Court of Cassation in the legal issue it has decided.

Nevertheless, if the court decides to rescind the contested judgment and the subject was eligible to be ruled in its entirety without a new procedure, or if the appeal is for the second time, then the subject matter shall be given a ruling, and the court may, if necessary, set a session to consider it[[8]](#footnote-8).

**Article - 26 -**

Rescinding the judgment entails repealing all judgments and procedures subsequent to the appealed judgment when that judgment was a basis for it.

If only a part of the judgment was rescinded, it shall remain in force in its other parts, unless they are based on the rescinded part, or if the division is not possible.

**Part Three**

**Appeals by Cassation in Criminal Judgments**

**Article - 27-**

The Public Prosecution and the convicted person may each appeal by cassation against criminal judgments ending criminal litigation issued by the Supreme Court of Appeal or the Higher Court in its appellate capacity in felonies and misdemeanors in the following cases:

1. If the appealed ruling was based on a violation of the law or an error in its application or interpretation.
2. If an invalidity of the ruling or invalidity of the procedures occurred that affected the ruling.

The principle is that the procedures were observed during the case; however, the person concerned shall prove by all means that these procedures were neglected or violated if they were not mentioned in the minutes of the session or in the ruling. If it was mentioned in either of them that they were followed, then it is not permissible to prove that they were not followed except by claiming forgery.

**Article - 28-**

The appeal by cassation shall take place by a report in the Court’s Clerks Office from the appellant or his representative for this purpose within thirty days from the date of the ruling, and if the convict is imprisoned, he may then decide to appeal while imprisoned.

The appellant shall deposit with the Court’s Clerks Office a memorandum of reasons on which the appeal was based on that date, signed by a lawyer registered in the list of lawyers before the Court of Cassation if it was filed by the convict, the Public Prosecutor, or his representative if the appeal was filed by the Public Prosecution.

The reasons for the appeal shall be clear, detailed, and specific to the reasons for appeal.

**Article - 29-**

In order to accept an appeal not filed by the public prosecution or by a person sentenced to a liberty-depriving penalty, the appellant then shall deposit an amount of fifty Dinars as surety at the treasury of the Ministry of Justice, unless he has been exempted from it by a resolution from the Minister of Justice.

The Court’s Clerks Office shall not accept the appeal report if it is not accompanied by evidence to prove that the surety has been deposited or that it was exempted, and it shall order the confiscation of the surety if the appeal was not accepted, rejected, inadmissible, or dismissed.

**Article - 30 -**

The Court's Clerk Office shall include the file of the case with the appealed judgment with all its documents, and after submitting a memorandum containing the appeal reasons or the expiry of the deadline for its submission, the Court’s Clerk Office shall deliver the appeal file to the technical office of the court, and this office shall write a memorandum with its opinion on the appeal as soon as possible, and then submit it to the court's president in order to appoint one of the court's judges as a rapporteur for the appeal, and a session shall be set for his consideration before the court, in which he informs the public prosecution and the litigants’ lawyers of it at least three days before it convenes.

**Article - 31 -**

The appeal filed by the convicted person who is serving a liberty-depriving sentence shall be forfeited if he does not appear for execution before the day of the hearing.

**Article - 32 -**

The court shall rule on the appeal after reading the report of the presiding judge, reviewing the papers, and hearing the public prosecution statements and lawyers of the litigants, if it deems it necessary.

**Article - 33 -**

No other reasons may be presented before the court other than the reasons previously stated within the time specified for that.

Nevertheless, the court may, if the appeal is accepted in form, revoke the judgment in favor of the accused on its own if it finds, after reviewing the judgment, that it is based on a violation of the law or on an error in its application or interpretation, or that the court that issued it was not formed in accordance with the law, or that it had no jurisdiction to adjudicate the case, or if a law was issued after the appealed judgment which applies on the facts of the case.

**Article - 34 -**

If the appeal fulfills its formal requirements and the court accepted it, then the appealed judgment shall be overturned in whole or in part.

If the appeal is based on the first case described in Article (27), the court shall correct the error and rule in accordance with the law, unless the appealed judgment has missing elements preventing the court from applying the law, then the case shall be returned to the court that issued the appealed judgment to rule on it again, and it is also returned if the object of appeal is based on the second case of Article (27).

**Article - 35 -**

Only what was related to the grounds on which the appeal was based shall be rescinded unless division is not possible.

If the appeal was not submitted by the Public Prosecution, the judgment shall not be overturned except for the appellant, unless the grounds on which the appeal is based on are related to other defendants with him, where in this case the ruling shall be overturned for all of them even if they do not submit an appeal.

**Article - 36 -**

If the ruling was rescinded at the request of one of the litigants other than the Public Prosecution, then no additional harm shall come to him because of the appeal.

**Article - 37 -**

If the reasons for the judgment included an error in the law, or if a mistake occurred in mentioning its texts, then it may not be rescinded when the sentence imposed is prescribed by law for the crime, and the Court of Cassation shall correct the error contained in the ruling.

**Article - 38 -**

If the appealed judgment was issued with the acceptance of a legal defense preventing the case from proceeding and the Court of Cassation rescinded it and returned the case to the court that issued it to consider the matter, then this court may not pass judgment other than what the Court of Cassation has ruled.

**Article - 39 -**

If the judgment was rescinded and the case was returned to the court issuing it, and the judgment was appealed for a second time, then the Court of Cassation shall rule in the matter, and in this case, the procedures established in the trial for the occurred crime shall be followed.

**Article - 40 -**

The death penalty sentence is considered appealed by force of law before the Court of Cassation, and the court that issued the judgment shall refer the case file to the technical office of the Court of Cassation.

The technical office shall present the case to the Court of Cassation, accompanied by a memorandum of its opinion in the judgment, and the court may rescind the judgment in accordance with what is stipulated for in the second paragraph of Article (34) and the second paragraph of Article (35).

**Article - 41[[9]](#footnote-9) -**

With the exception of death sentences, the appeal by cassation does not result in a suspension of the execution of the appealed judgment. However, the Court of Cassation may order a suspension of the execution of the judgment pending a decision on the appeal if it is requested in the memorandum of appeal reasons and when it deems a reason to do so. In all cases, the court, if it ordered a suspension of the execution, may order the provision of a surety or whatever measures it deems necessary to ensure that the appellant does not escape.

**Article - 41 bis[[10]](#footnote-10) -**

Without prejudice to Article (30) of this Law, the Court’s Clerks Office, after including the file of the case which ruling is appealed and all its document, shall present the case file, accompanied by a memorandum of reasons for the appeal that includes a request to suspend the execution within seven days from the date of submitting this memorandum, to the president of the court to determine with haste a session within a period not exceeding thirty days from the date of the presentation, and the Public Prosecution shall be notified to consider the request for a suspension of execution.

If the court orders a suspension of execution, it shall set a session to consider the appeal within a date not exceeding three months from the date of the order. The Court’s Clerks Office shall notify the Public Prosecution, the appellant's lawyer and the rest of the litigants of this session at least three days in advance.

**Article - 42 -**

If the appeal to cassation is rejected on the merits, then the person who filed it may not file another appeal against the same judgment for any reason.

**Part Four**

**Reconsideration**

**Article - 43 -**

A request may be made to reconsider the final judgment issued for punishment in felonies and misdemeanors in the following cases:

1. If the indicted person was convicted of a murder, then the one who was supposedly killed was found alive.
2. If a ruling was issued against a person for an incident, then a ruling was issued against another person for the same incident, and there was a contradiction between the two rulings where one of the convicts is proven innocent.
3. If any of the witnesses or experts was sentenced for the offense of perjury under the provisions of Chapter One of Part Four of the Private Section of the Penal Code, or if sentenced for forging paper submitted during the hearing of the case, and that the testimony, the expert report, or the paper, had an influence on the judgment.
4. If the judgment based on a judgment issued by a civil court or one of the personal status courts and such judgment was annulled.
5. If, after the judgment, facts occurred or appeared, or if papers were submitted that were not known at the time of the trial, and such facts or papers would have proved the innocence of the convicted person.

**Article - 44 -**

The Minister of Justice and Islamic Affairs has the right to request for reconsideration, whether on his own initiative or at the request of the convicted person or by his legal representative if he is incompetent or missing, or at the request of his relatives or spouse after his death.

The request shall indicate the judgment requested to be reconsidered and its basis, together with the documents supporting it, and the investigations that have been conducted in this regard by the competent authorities.

**Article - 45 -**

The request is submitted to the President of the Court of Cassation, and after the technical office of the court issues a memorandum of its opinion in it, a session shall be set for his consideration, whereby the public prosecution and the litigants shall be notified of it at least three days before the session is held.

**Article - 46 -**

The Court of Cassation shall pass its judgment on the request after hearing of the statements of the Public Prosecution and the litigants and after conducting the investigation it deems necessary by its own or through whomever it delegates for this. If it deems that the request is accepted, it shall rule that the judgment is rescinded and the convicted person shall be acquitted if innocence is apparent. Otherwise, the case shall be referred to the court that issued the judgment to decide in its regards, unless it sees itself doing so.

However, if it is not possible to re-trial, as in the case of the death of the convicted person, or due to him suffering a mental disability, or the dismissal of the criminal case by the lapse of time, the Court of Cassation shall consider the subject matter of the case, and it shall rescind from the ruling what appears to be wrong.

**Article - 47 -**

If the convicted person dies and the request was not submitted by a relative or spouse, the court shall consider the case against whomever it appoints to defend his memory, and he shall be one of his relatives, as much as possible. In this case, the court shall, when necessary, order the erasure of what affects the memory.

**Article - 48 -**

The request for reconsideration does not entail a suspension of execution of the judgment unless it is a death sentence.

**Article - 49 -**

Every judgment of acquittal issued based on reconsideration shall be published in the Official Gazette at the expense of the Government upon the request of the Minister of Justice.

**Article - 50 -**

Annulment of the appealed judgment shall result in the forfeiture of the award of compensation and an obligation to return what was awarded without prejudice to the rules regarding forfeiting the right by the lapse of time.

**Article - 51 -**

If the request for reconsideration is rejected, it may not be renewed based on the same facts.

**Article - 52 -**

Rulings issued on the case matter based on reconsideration by a court other than the Court of Cassation may be appealed through the methods prescribed in the law, and the convict may not be sentenced to a punishment more severe than the punishment previously imposed on him.

**Part Five**

**General Provisions**

**Article - 53 -**

The litigants may allege forgery before the Court of Cassation in the papers submitted before the court for the first time, even if they were submitted by the person claiming it.

Such allegation is made by a report to the Court’s Clerks Office signed by the claimant’s lawyer, specify the paper allegedly forged, the location of the forgery and its evidence are specified, otherwise the allegation is void.

If the court considers that the allegation of forgery is productive and permissible, it shall refer it to the technical office of the court for prompt investigation and to submit a report on the outcome of the investigation, and the technical office may seek the assistance of experts in that, then the court shall decide on the dispute before it based on its assessment of the outcome of the investigation.

If forgery is not proven, the court shall order the claimant to pay a fine not exceeding one hundred Dinars.

**Article - 54 -**

The judgments of the Court of Cassation may not be appealed by any method of appeal.

**Article - 55 -**

The rules and procedures related to the sessions system shall be applied to the cases heard by the Court of Cassation, and the rules relating to judgments shall apply to them without conflicting with the provisions of this Law.

**Article – 56[[11]](#footnote-11) -**

Without prejudice to any law that exempts s judicial fees, a fixed fee of one hundred Dinars shall be applicable on appeals in the cassation court in civil and commercial matters, personal status of non-Muslims, and Sharia matters.

1. Replaced in accordance with Law No. (47) of 2014 amending certain provisions of the Law of the Court of Cassation, promulgated by Legislative Decree No. (8) of 1989. [↑](#footnote-ref-1)
2. Replaced in accordance to Legislative Decree No. (23) of 2015 amending certain provisions of the Law of the Court of Cassation promulgated by Legislative Decree No. (8) of 1989F. [↑](#footnote-ref-2)
3. The title of Part Two was replaced in accordance with Law No. (47) of 2014 amending certain provisions of the Law of the Court of Cassation promulgated by Legislative Decree No. (8) of 1989. [↑](#footnote-ref-3)
4. Replaced in accordance with Law No. (27) of 2018 amending certain provisions of the Law of the Court of Cassation promulgated by Legislative Decree No. (8) of 1989. [↑](#footnote-ref-4)
5. Repealed in accordance with Law No. (27) of 2018 amending certain provisions of the Law of the Court of Cassation promulgated by Legislative Decree No. (8) of 1989. [↑](#footnote-ref-5)
6. Replaced in accordance with Legislative Decree No. (23) of 2015 amending certain provisions of the Law of the Court of Cassation promulgated by Legislative Decree No. (8) of 1989. [↑](#footnote-ref-6)
7. Replaced in accordance with Law No. (47) of 2014 amending certain provisions of the Law of the Court of Cassation promulgated by Legislative Decree No. (8) of 1989. [↑](#footnote-ref-7)
8. Replaced in accordance with Legislative Decree No. (23) of 2015 amending certain provisions of the Law of the Court of Cassation promulgated by Legislative Decree No. (8) of 1989. [↑](#footnote-ref-8)
9. Replaced in accordance with Law No. (9) of 2009 regarding amending certain provisions of the Law of the Court of Cassation promulgated by Legislative Decree No. (8) of 1989. [↑](#footnote-ref-9)
10. Added in accordance with Law No. (9) of 2009 regarding amending certain provisions of the Law of the Court of Cassation promulgated by Legislative Decree No. (8) of 1989. [↑](#footnote-ref-10)
11. Replaced in accordance with Law No. (47) of 2014 regarding amending certain provisions of the Law of the Court of Cassation promulgated by Legislative Decree No. (8) of 1989. [↑](#footnote-ref-11)