

Selected Articles from Specific Laws Related to the Implementation of TRIPS

1. Code of Civil Procedures; No. 24 of 1988
2. High Court of Justice Law; No. 11 of 1989

Code of Civil Procedures

Article 3/2

The possible interest is sufficient, if the purpose of the petition is taking caution to prevent an imminent damage or documenting evidence wher

Article 58

2- A copy of the lawsuit and attachments of documents and copies thereof shall be given to the bailiff in order to notify the defendant(s).

Article 59

3- Three days after the date of notifying the defendant's counter-argument to the plaintiff, or the next day after the date on which the counter-argument was to be submitted, the court's record shall present the file of the lawsuit to the Chief of Court or to the competent Judge to determine a hearing session. The plaintiff and the defendant will be notified of such date according to the rules. The Court may postpone the appointment of the session and allow the plaintiff to respond to the counter-argument if so requested by the plaintiff.

Article 63

Subject to the provisions of the Bar Association Law and the Magistrate Court Law:

1-It is not allowed for any litigants- other than lawyers- to attend a lawsuit session unless through lawyers representing them by virtue of a power of attorney.

Article 100

The Court shall have the right to order any litigant to disclose any documents in his possession or under his control that it deems necessary to issue a decision in the lawsuit.

Article 107

I9w()TjT-.005i000cTT4 1 Tf-24.72 -1.735 T:.00e

Article 100

A verdict shall specify the court by which the decision was issued, the date of issuance, venue of issuance, the names of the judges who contributed to its issuance and attended the session of where it was rendered thereafter, the complete names of the litigants and their attendance or absence and the names of their attorneys. The resolution must also include a brief overview of the particulars of the lawsuit, all requests of the litigants and a summary of their appeal and their petitions, their basic defenses and the reasons of the resolution and the wordings thereof.

Article 161

1. The Court shall decide to compensate, along with the final decision the litigant in favor of which the verdict was issued, for the fees and expenses of the lawsuit and the procedures through it. The Court may also decide during the course of the lawsuit, the expenses of any specific petitions or session when requested by any of the parties without prejudice to any decision that might be issued later on with regard to expenses.
2. Compensation for fees and expenses of a counter-claim shall be decided in the same way it is decided in an original claim.

3. Article 166

In addition to fees and expenses of different kinds, the Court may decide on compensation for fees of the attorney from the litigant against which the decision was issued.

High Court of Justice Law

Article 9 of the High Court of Justice Law

One- This Court shall have the exclusive competence to look at appeals filed by persons with an interest, and relate to the following:

1- Appeals in results of elections from the following entities: Municipalities, Chambers of Industry and Commerce, unions, Associations and Clubs registered in the Kingdom and any other appeals in all elections that are held according to enacted laws and regulations.

2- Appeals, filed by people with interest, of final administrative resolutions related to appointment of public offices, annual raises, promotion, transfer, or delegate.

3- Public employees' requests for the cancellation of final administrative resolutions of their retirement, entrustment, discharge from work, or their illegal cessation.

4- Public employees' requests for the cancellation of final administrative resolutions issued against them by the disciplinary authorities.

5- Disputes related to wages,

Claims shall be filed against the person who issued the appealed decision provided that these claims are based on one or mo

Criminal Procedure Law**Article 157**

The testimony of quoting what a person, alleging the occurrence of an infringement upon him, said about anything relating to that infringement or relating to the circumstances surrounding it may be accepted provided that the person said what is being quoted during the occurrence of the infringement, a short period after that, or as soon as he got the chance to file a claim thereof, if the quoted saying is related to the infringement in such a way that makes the saying part of the circumstances relating to the committing of the crime or if the person said what is being quoted when he was on his death bed, or what was thought to be his death bed, as a direct result of the infringement. The testimony may be accepted even if the person being quoted did not appear as a witness or if it was impossible for him to show at the trial because of death, disability, sickness or absence from the Hashemite Kingdom of Jordan.

Article 168

The person accused of felonies not punishable by imprisonment may assign a representative to attend trial on his behalf unless the court required his attendance in person.

Article 169

If the person accused of a felony did not attend the court at the time and date specified in the claim note delivered to him according to rules, the court may hold a trial in absentia even if he was guaranteed. The court may also issue a note of arrest against him.

Evidence Law

Article 20

A litigant may request to oblige his opponent to submit documents or papers having a bearing on the result of the lawsuit that are under his control :

1. If the law permits a request for him to submit them or hand them.
2. If his opponent used them at any phase in the lawsuit.

Article 21

It should be specified in this request:

1. Description of the document or the paper.
2. The content of the document or paper with as much detailing as possible.
3. The incident being proved by the document or the paper.
4. The indicators and the circumstances supporting the claim that it is under the opponent's control.
5. The reason for obliging the opponent to submit it.

Article 22

If the requester proved his request or if the opponent admitted having possession of the document or the paper or if he was silent about that, the court shall decide to oblige him to submit the document or the paper at once or as soon as possible. If the opponent denied and the requester did not submit enough evidence to prove his request, the denier has to take an oath that the document or the paper does not exist, that he does not know of its existence or place, and that he did not hide it or neglect in searching for it as to deprive his opponent from using it for evidence.

Article 23

If the opponent did not submit the paper or the document on the date and tion the date 9w3rting f6(nt ofnt ofn

Article 37

If a lawyer, agent or doctor learned about an incident or information through his profession, he must not divulge this even after the end of his service or the expiration of his capacity unless the information deals with committing a felony or a crime. They also have to testify, whenever asked, about that incident or information and who divulged it to them provided that this does not contradict with the rules of the laws governing them.

Criminal Law

Article 30

Taking into account the rights of others with good intention, the things that resulted from a crime or an intended felony or that was used in its committing or prepared for its committing may be confiscated. Those things, however, shall not be confiscated in an unintended felony or in a contravention unless stated by the law otherwise.

Article 31

Items which manufacture, items of ownership, or items for sale which are illegal shall be confiscated even ifse7s2ds72 79.s5Tf 0 T- s stated g iuicle sd(ittd ee laen ifse7 rul8.5(agasca5 item)84(t ha5 i

Amman, Jordan

October 11, 1999

1.