

Law No. 2 of 2005 Concerning the Amendment of the Law of the Formation of Regular Courts No. 5 of 2001

The President of the Palestinian National Authority,

Having reviewed the Amended Basic Law,
Having reviewed the Law of the Formation of Regular Courts No. 5 of 2001, and
Based upon the approval of the Legislative Council during its session of 5 January, 2005,

I hereby promulgate the following law:

Article 1

Article 14 of the Law of the Formation of Regular Courts No. 5 of 2001 shall be amended so as to become as follows:

1. The Court shall convene before a panel of three (3) judges to be presided over by the most senior judge in order to hear:
 - a) All concurrent crimes, misdemeanours, and all crimes connected thereto in an indivisible manner.
 - b) Civil and commercial actions, the values of which exceed one hundred-thousand (100.000) Jordanian Dinars or the equivalent in legal tender.
 - c) Cases brought before it in its appellate capacity.
2. The Court consisting of an individual judge shall hear:
 - a) All concurrent crimes, misdemeanours, and all crimes connected thereto in an indivisible manner and the penalty for which does not exceed five (5) years imprisonment.
 - b) Civil and commercial actions in a manner that does not contradict clause (a) under paragraph 1 above.

Article 2

Article 35 of the Law of the Formation of Regular Courts No. 5 of 2001 shall be amended so as to become as follows:

The High Judicial Council may, from time to time and for a period not to exceed six (6) months that shall be renewable only once, appoint any judge of the Courts of:

1. Appeal, who fulfills the conditions of work at the High Court of Justice to sit as a judge in the High Court.
2. First Instance, who fulfills the conditions of work at a Court of Appeal to sit as judge in a Court of Appeal.
3. Magistrate, who fulfills the conditions of work at the Court of First Instance to sit as judge in a Court of First Instance.
4. Appeal, First Instance, or Magistrate to sit as judge in another court of the same level.

Article 3

Every provision contradicting the provisions of this law is hereby repealed.

Article 4

All competent authorities, each one within its sphere of jurisdiction, shall implement the provisions of this law, which shall enter into force thirty (30) days after the date of its publication in the Official Gazette.

Issued in the city of Ramallah on 5 January, 2005 AD, corresponding to 24 Al Qi'dah 1425 AH.

Rawhi Fattouh

President of the Palestinian National Authority