

THE GOVERNMENT ENACTED THE ORDINANCES TO DEAL WITH THE COVID-19 OUTBREAK

Flash info – 26 March 2020

The emergency bill to deal with the Covid-19 outbreak authorized the French Government to take by ordinance any emergency measure enabling the adaptation, interruption, suspension or extension of the existing time limits on pain of nullity, lapse, foreclosure, prescription, unenforceability, cessation of a measure or forfeiture of a right, termination of an approval or authorization - excluding measures involving the deprivation of liberty, and with retroactive effect to 12 March 2020.

The Ordinance on the extension of expired time limits during the period of health emergency and the adaptation of procedures during that same period, as well as the Ordinance on the adaptation of rules of criminal procedure, were adopted yesterday during the Ministers Council.

The first Ordinance, which shall not apply to criminal matters, provides, notably, that any act, remedy, legal action, procedural formality, registration, declaration, notification or publication provided for by law or regulation on pain of nullity, sanction, lapse, foreclosure, prescription, unenforceability, automatic withdrawal, imposition of a special procedure or scheme, forfeiture of any right, that will have expired between March 12, 2020 and the end of a period of one month from the end of the health emergency, shall be extended as from the end of that period, for the term legally provided – but which may not exceed two months.

The second Ordinance, which is specific to criminal procedure, establishes, inter alia, the following provisions:

- the suspension of time limits for prosecution as of March 12, 2020;

- the doubling of the time limits set by the Code of Criminal Procedure to lodge an appeal (before the Court of appeal or the Cour de cassation), it being specified that their duration may not be less than 10 days;
- the streamlining of the forms in which a person may appeal, lodge an appeal or file submissions in criminal proceedings (depending on the case, e-mails and registered letters with acknowledgement of receipt are allowed);
- the option of single-judge hearings in correctional matters;
- the possibility for lawyers to assist their clients in custody by telecommunication means;
- the automatic extension of pre-trial detention and electronically monitored house arrest for two or three months, depending on the seriousness of the offence concerned.

Over and above the texts, the practice of the last ten days shows that the courts hold litigation on a case-by-case basis, which requires a case-by-case response for each matter.

Ordinances are available by clicking on this [link](#).

The firm's lawyers have already taken all the necessary steps to ensure the continuity of their work and remain fully committed to your needs.

KIRIL BOUGARTCHEV

Avocat à la Cour
Associé gérant

EMMANUEL MOYNE

Avocat à la Cour
Associé gérant

NIMA HAERI

Avocat à la Cour
Ancien secrétaire de la

Ancien secrétaire de la
Conférence

[kbougartchev@bougartchev-
moyne.com](mailto:kbougartchev@bougartchev-moyne.com)

+33 6 09 49 16 76

Ancien secrétaire de la
Conférence

emoyne@bougartchev-moyne.com

+ 33 6 10 97 49 51

Conférence

nhaeri@bougartchev-moyne.com

+33 6 64 64 97 38



FIND US

READ MORE

OUR WEBSITE

READ MORE

OUR LINKEDIN

READ MORE

To unsubscribe from the newsletter [click here](#)

This message is sent by the law firm BOUGARTCHEV MOYNE ASSOCIES AARPI and is therefore strictly confidential and/or may be legally privileged or otherwise protected from disclosure. If you receive it in error, please delete this message and any attachments from your system and notify us immediately. You should not keep, copy or disclose the contents of this message or any attachments to anyone. BOUGARTCHEV MOYNE ASSOCIES AARPI is a French law firm incorporated as an AARPI, the members of which are admitted to the Paris bar.

Ce message provient du cabinet d'avocats BOUGARTCHEV MOYNE ASSOCIES AARPI. Il est donc strictement confidentiel et/ou protégé par le secret des correspondances entre l'avocat et son client. Si vous le recevez par erreur, nous vous remercions de bien vouloir nous en aviser immédiatement et le supprimer ainsi que ses pièces jointes. Il est formellement interdit de conserver, reproduire ou divulguer le contenu de ce message ou de ses pièces jointes. BOUGARTCHEV MOYNE ASSOCIES AARPI est un cabinet d'avocats français, constitué sous la forme d'une AARPI, dont les membres sont inscrits au barreau de Paris.
