

## 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.

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**KIRIL BOUGARTCHEV**

Avocat à la Cour  
Associé gérant

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**EMMANUEL MOYNE**

Avocat à la Cour  
Associé gérant

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**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](mailto:emoyne@bougartchev-moyne.com)

+ 33 6 10 97 49 51

Conférence

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

+33 6 64 64 97 38



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