



**GIC-Legal**  
Middle East & North Africa

## ENFORCING CONTRACTS

### WHAT THE ENFORCING CONTRACTS INDICATORS MEASURE

At first it measures the time required to enforce a contract through the court in terms of Calendar days. Basically the time to :

- File & serve the case
- Obtain judgment
- Enforce that judgment

With that regards contract enforcement takes in Egypt an average of 1010 days, so nearly 2 years and nine months. The indicator also measure the cost required to enforce a contract through the Court, in terms of legal fees, Court Expenses & enforcement fees. The average cost of such procedure in Egypt amounts to 26.2 % of the value of the claim.

Finally it also measures the quality of the judicial process & system. The quality of judicial processes index measures whether each economy has adopted a series of good practices in its court system in four areas:

- court structure and proceedings,
- case management,
- court automation
- alternative dispute resolution.

The score on the quality of judicial processes index is the sum of the scores on these 4 sub-components. The index ranges from 0 to 18, with higher

In light of all this, it appears that enforcing a contract in Egypt is extremely difficult as Egypt rank on the 155<sup>th</sup> position according to the World bank report – Doing Business edition 2016. For Instance in comparison with the average of Middle East & Noty African countries, it takes allmost one more year to enforce a contract.

#### FRANCE OFFICE

15 Avenue Geroge Clemenceau – Les  
Satellites- 06000 Nice  
Phone:+33 493 87 5599 Fax : 33 493 1603 21  
Mobile: +33 64639 6006  
Skype : lxhv-gic

#### EGYPT OFFICE

Sheraton Road – Wahib Building -4<sup>th</sup> floor Apt 25-  
Hurghada Red Sea  
Phone +2 0012 00137 367  
CAIRO- Bilba Trade Center- Building 5- Office n 35-  
6<sup>th</sup> of October Mobile +2 0012 00137 367  
Skype : Egypt-gic

#### SPANISH OFFICE

Calle de Alcalá, 149 -3<sup>º</sup> B MADRID 28009  
Mobile: +34 687 956 686  
Office + 34 687 95 66 86- Fax 91 008 58 64  
Skype : manuelroman



Table 10.2 Details on time and cost for enforcing contracts in Egypt, Arab Rep.

Indicator	Egypt, Arab Rep.	Middle East & North Africa average
Time (days)	1,010	653
Filing and service	20	
Trial and judgment	720	
Enforcement of judgment	270	
Cost (% of claim)	26.2	24.7
Attorney fees (% of claim)	18.0	
Court fees (% of claim)	1.3	
Enforcement fees (% of claim)	6.9	

**FRANCE OFFICE**

15 Avenue Geroge Clemenceau – Les  
Satellites- 06000 Nice  
Phone:+33 493 87 5599 Fax : 33 493 1603 21  
Mobile: +33 64639 6006  
Skype : lxhv-gic

**EGYPT OFFICE**

Sheraton Road – Wahib Building -4<sup>th</sup> floor Apt 25-  
Hurghada Red Sea  
Phone +2 0012 00137 367  
CAIRO- Btbla Trade Center- Building 5- Office n 35-  
6<sup>th</sup> of October Mobile +2 0012 00137 367  
Skype : Egypt-gic

**SPANISH OFFICE**

Calle de Alcalá, 149 -3<sup>º</sup> B MADRID 28009  
Mobile: +34 687 956 686  
Office + 34 687 95 66 86- Fax 91 008 58 64  
Skype : manuelroman



# GIC-Legal

Middle East & North Africa

	Answer	Score
Quality of judicial processes index (0-18)		6.50
Court structure and proceedings (0-5)		3.0
1. Is there a court or division of a court dedicated solely to hearing commercial cases?	No	0.0
2. Small claims court		1.5
2.a. Is there a small claims court or a fast-track procedure for small claims?	Yes	
2.b. If yes, is self-representation allowed?	Yes	
3. Is pretrial attachment available?	Yes	1.0
4. Are new cases assigned randomly to judges?	Yes	0.5
Case management (0-6)		1.0
1. Time standards		0.5
1.a. Are there laws setting overall time standards for key court events in civil case?	Yes	
1.b. If yes, are the time standards set for at least three court events?	Yes	
1.c. Are these time standards respected in more than 50% of cases?	No	
2. Adjournments		0.5
2.a. Does the law regulate the maximum number of adjournments that can be granted?	Yes	
2.b. Are adjournments limited to unforeseen and exceptional circumstances?	Yes	
2.c. If rules on adjournments exist, are they respected in more than 50% of cases?	No	
3. Can two of the following four reports be generated about the competent court: (i) time to disposition report; (ii) clearance rate report; (iii) age of pending cases report; and (iv) single case progress report?	No	0.0
4. Is a pretrial conference among the case management techniques used before the competent court?	No	0.0
5. Are there any electronic case management tools in place within the competent court for use by judges?	No	0.0
6. Are there any electronic case management tools in place within the competent court for use by lawyers?	No	0.0
Court automation (0-4)		0.5

#### FRANCE OFFICE

15 Avenue Geroge Clemenceau – Les  
Satellites- 06000 Nice  
Phone:+33 493 87 5599 Fax : 33 493 1603 21  
Mobile: +33 64639 6006  
Skype : lxhv-gic

#### EGYPT OFFICE

Sheraton Road – Wahib Building -4<sup>th</sup> floor Apt 25-  
Hurghada Red Sea  
Phone +2 0012 00137 367  
CAIRO- Bilba Trade Center- Building 5- Office n 35-  
6<sup>th</sup> of October Mobile +2 0012 00137 367  
Skype : Egypt-gic

#### SPANISH OFFICE

Calle de Alcalá, 149 -3<sup>º</sup> B MADRID 28009  
Mobile: +34 687 956 686  
Office + 34 687 95 66 86- Fax 91 008 58 64  
Skype : manuelroman



# GIC-Legal

Middle East & North Africa

	Answer	Score
. Can the initial complaint be filed electronically through a dedicated platform within the competent court?	No	0.0
. Is it possible to carry out service of process electronically for claims filed before the competent court?	No	0.0
. Can court fees be paid electronically within the competent court?	No	0.0
. Publication of judgments		0.5
.a Are judgments rendered in commercial cases at all levels made available to the general public through publication in official gazettes, newspapers or on the internet or court website?	No	
.b. Are judgments rendered in commercial cases at the appellate and supreme court level made available to the general public through publication in official gazettes, in newspapers or on the internet or court website?	Yes	
<b>Alternative dispute resolution (0-3)</b>		<b>2.0</b>
. Arbitration		1.5
.a. Is domestic commercial arbitration governed by a consolidated law or consolidated chapter or section of the applicable code of civil procedure encompassing substantially all its aspects?	Yes	
.b. Are there any commercial disputes—aside from those that deal with public order or public policy—that cannot be submitted to arbitration?	No	
.c. Are valid arbitration clauses or agreements usually enforced by the courts?	Yes	
. Mediation/Conciliation		0.5
.a. Is voluntary mediation or conciliation available?	Yes	
.b. Are mediation, conciliation or both governed by a consolidated law or consolidated chapter or section of the applicable code of civil procedure encompassing substantially all their aspects?	No	
.c. Are there financial incentives for parties to attempt mediation or conciliation (i.e., if mediation or conciliation is successful, a refund of court filing fees, income tax credits or the like)?	No	

#### FRANCE OFFICE

15 Avenue Geroge Clemenceau – Les  
Satellites- 06000 Nice  
Phone:+33 493 87 5599 Fax : 33 493 1603 21  
Mobile: +33 64639 6006  
Skype : lxhv-gic

#### EGYPT OFFICE

Sheraton Road – Wahib Building -4<sup>th</sup> floor Apt 25-  
Hurghada Red Sea  
Phone +2 0012 00137 367  
CAIRO- Bblba Trade Center- Building 5- Office n 35-  
6<sup>th</sup> of October Mobile +2 0012 00137 367  
Skype : Egypt-gic

#### SPANISH OFFICE

Calle de Alcalá, 149 -3<sup>º</sup> B MADRID 28009  
Mobile: +34 687 956 686  
Office + 34 687 95 66 86- Fax 91 008 58 64  
Skype : manuelroman