



Impact of the COVID-19 special law on judicial proceedings

In connection with the coronavirus pandemic, the legislature has introduced a number of new regulations concerning judicial proceedings. We note the most important of them below.

Procedural and judicial deadlines

» The legislature decided to generally suspend the procedural and judicial deadlines in court proceedings (including administrative court proceedings), as well as deadlines for enforcement, criminal, criminal fiscal, petty offence, administrative, tax, customs and fiscal audits and other proceedings conducted under separate laws, from 31 March 2020 and for the duration of the state of epidemic threat or the state of epidemic. This means that the time limits do not start running during this period and, if they had already started, they are suspended. Once the state of epidemic threat or the state of epidemic has been lifted, the time limits will re-start.

However, the suspension of deadlines does not apply to urgent cases. A catalogue of such [types of] matters has been specified by the legislature, and mainly includes criminal cases and motions to suspend execution of an act or action.

Note: Importantly, the catalogue is not exhaustive! The president of the competent court may order that any case be treated as urgent if the failure to treat it as such could result in a threat to life or health of people or animals, serious harm to the public interest, or a threat of irreparable material loss, as well as if it is required by the interests of justice. A party may also request that a case be considered urgent.

The courts continue to operate in a limited capacity, and judicial proceedings have not yet been suspended under the relevant suspension provisions. However, since 31 March 2020, there have been no hearings or public hearings, except in urgent cases.

Deadlines for substantive administrative law

» As regards substantive administrative law, since 31 March 2020, for the duration of the state of epidemic threat or the state of epidemic, periods of limitation, mandatory fixed deadlines and certain others deadlines including, in particular, deadlines compliance with which the grant of legal protection before the courts is contingent, and deadlines for a party to perform acts which shape its rights and obligations, have also been suspended. This regulation only applies to administrative law, with the exception of urgent cases.

Note: The limitation period for civil law claims continues to run!

Despite the general suspension, a party may be summoned by a competent authority, court or another body to perform certain actions under the law within a specified period of time. However, in order to make such a summons, a special condition must be met i.e. failure to take action could result in a threat to life or health, serious harm to the public interest or irreparable material loss.