

Written submissions – when do they turn from a help to a hindrance?

1) Are there limits for written submissions in civil litigations in your jurisdiction in terms of the maximum length?

No.

2) Are there time limits for filing written submissions?

Not in general. However, certain types of defences are time-barred – e.g. affirmative defences are time-barred by the deadline to submit a written answer to the claim under Article 133 of the Civil Procedure Code.

3) Are there limits in terms of a maximum number of additional submissions in a case??

No.

4) Are there rules, including penalties or cost implications, for breaches of these requirements?

Only penalties for intentional abuse – fine under Article 92a of the Civil Procedure Code.

5) Are these limits or requirements effective in terms of reducing the number and length of written submission and the time spent preparing for and determining a case?

No, the risk of fines is not effective and the procedure to impose and appeal them is lengthy.

6) What is the effect of written submissions on any hearing which subsequently takes place?

In general civil cases (i.e. not involving children or persons with disabilities) the matter of the dispute is to be exhausted in the contents of the written submissions.

7) Comments or suggestions as to what could otherwise prove to be effective?

Rules to restrict length of written submissions could be useful with exceptions provided.