

Civil Procedure Law of Iran

Article 1

Civil procedure is a set of principles and regulations applied in examining non-litigious matters and all civil and commercial claims in public, revolutionary, appellate courts, the Supreme Court, and other entities required by law to observe these rules.

Article 2

No court may consider a claim unless an interested party or their attorney, legal representative, or authorized agent has lawfully requested the hearing of the claim.

Article 3

Judges are obligated to adjudicate claims according to the law, issue necessary rulings, and resolve disputes. If the law is incomplete, ambiguous, conflicting, or non-existent on the issue, judges must base their rulings on valid Islamic sources, authoritative fatwas, and legal principles that do not conflict with Sharia. Judges cannot refuse to hear a case or issue a ruling due to silence, deficiencies, ambiguity, or contradictions in the law. Otherwise, they will be regarded as denying justice and will be subject to punishment.

Note - If the judge is a religious scholar (mujtahid) and finds the law contrary to Sharia, the case will be referred to another court branch for further consideration.

Article 4

Courts are required to issue specific determinations for each case and should not issue broad or general rulings.

Article 5

Court rulings are final unless otherwise stipulated in Chapter Four of this law or if other laws permit appeal or reversal.

Article 6

Contracts and agreements that disrupt public order or violate moral standards and Sharia principles will not be enforced by the court.

Article 7

The substance of a claim cannot be considered at a higher level until a ruling has been issued in the initial stage, except as provided by law.

Article 8

No official authority, organization, or government department may alter a court ruling or prevent its enforcement, except the issuing court or a higher authority, and only in cases specified by law.

Article 9

Claims filed before the enforcement date of this law will proceed in accordance with the procedures outlined herein. Issued rulings are subject to appeal, review, or reconsideration under the laws effective at the time of issuance, unless those laws are deemed contrary to Sharia.

All jurisdictional rulings issued before the enforcement of this law and under appellate or review consideration at the time of enforcement shall follow the procedures outlined in this law.

Part One – On the Jurisdiction of Courts

Chapter One – On the Inherent and Relative Jurisdiction of Courts

Article 10

The initial examination of claims falls under the jurisdiction of public and revolutionary courts, except in cases where the law designates another authority.

Article 11

A lawsuit must be filed in the court within the jurisdiction where the defendant resides. If the defendant has no residence in Iran but has a temporary place of residence within Iran, the lawsuit should be filed in the court of that location. If the defendant has neither a residence nor a temporary place of residence in Iran but owns immovable property, the lawsuit will be filed in the court where the immovable property is located. If the defendant has no immovable property either, the plaintiff may file the lawsuit in the court within their own place of residence.

Note - The judicial jurisdiction refers to the territorial scope of a district or county in which the court is located. Divisions of judicial jurisdiction into units such as complexes or districts do not alter the general jurisdiction of the court in that area.

Article 12

Claims related to immovable property, including those concerning ownership, nuisance, interference with rights, unlawful possession, and other associated rights, should be filed in the court where the immovable property is located, even if the defendant does not reside in that jurisdiction.

Article 13

In commercial claims and claims related to movable property arising from contracts and agreements, the plaintiff may file in the court within the jurisdiction where the contract was formed or where the obligation was to be fulfilled.

Article 14

Requests for securing evidence and indications must be made in the court where the requested evidence and indications are located.

Article 15

If a claim concerns both movable and immovable property, the lawsuit should be filed in the court within the jurisdiction where the immovable property is located, provided that both parts of the claim arise from the same origin.

Article 16

When a claim involves multiple defendants residing in different judicial jurisdictions, or concerns multiple immovable properties located in different jurisdictions, the plaintiff may choose to file in any of the relevant jurisdictions.

Article 17

Any claim raised during the examination of another claim by the plaintiff, defendant, a third party, or the main litigants against a third party is called an ancillary claim. If this ancillary claim is related to or shares the same origin as the main claim, it should be filed in the court where the main claim is being examined.

Article 18

Matters raised as offsets, counterclaims, or any statements considered defensive are not considered ancillary claims and are not subject to Article 17.

Article 19

If the examination of a claim depends on the establishment of a matter that falls under the jurisdiction of another court, proceedings on the claim will be suspended until a decision is made by the competent authority. In such cases, the plaintiff is required to file the dependent claim in the competent court within one month and submit the filing receipt to the examining court's office. If the plaintiff fails to do so, the claim will be dismissed. However, the plaintiff may refile the claim after establishing the matter in the competent court.

Article 20

Claims related to a deceased person's estate, including those concerning debts or bequests, must be filed in the court where the deceased's last place of residence in Iran was located, as long as the estate has not yet been distributed. If the last place of residence is unknown, the jurisdiction lies with the court where the deceased's last place of residence in Iran was located.

Article 21

Claims related to insolvency or bankruptcy must be filed in the court of the jurisdiction where the insolvent or bankrupt person resides. If the person has no residence in Iran, the claim should be filed in the court of the jurisdiction where they conducted their business through a branch or representative.

Article 22

Claims related to the bankruptcy of commercial companies headquartered in Iran, as well as claims regarding the existence of the company, disputes between the company and its partners, disputes among partners, and claims by third parties against the company, must be filed in the company's headquarters while the company is active, and if dissolved, until its liquidation is complete.

Article 23

Claims arising from a company's obligations to third parties must be filed in the jurisdiction where the obligation arose, the location where goods are to be delivered, or the location where payment is due. If the company has multiple branches in different locations, claims arising from the obligations of each branch must be filed in the court of the jurisdiction where the respective branch is located, unless the branch has been closed, in which case the claims should be filed at the company's headquarters.

Article 24

Examination of insolvency claims generally falls under the court with jurisdiction over the primary claim or the court that initially handled it.

Article 25

If a civil registry record was issued in Iran but the interested party resides abroad, jurisdiction belongs to the court where the document was issued. If both the issuance location and the plaintiff's residence are outside of Iran, the case falls under the jurisdiction of the Public Court of Tehran.

Chapter Two – Disputes over Jurisdiction and Procedures for Resolution

Article 26

Determining the jurisdiction or lack of jurisdiction of a court over a claim brought before it is the responsibility of that court. Jurisdiction is based on the date the lawsuit is filed unless otherwise provided by law.

Article 27

If the court finds itself incompetent to examine a claim, it will issue an order of non-jurisdiction and transfer the case to the competent court. The recipient court must immediately determine jurisdiction and, if it disagrees with the non-jurisdiction order, will forward the case to the provincial appellate court for jurisdictional resolution. The appellate court's decision on jurisdiction is binding.

Note - If a jurisdictional dispute arises between courts from two different provinces, the Supreme Court will resolve it as outlined.

Article 28

If a jurisdictional dispute occurs between public, military, or revolutionary courts, or if these courts either claim or deny jurisdiction over non-judicial authorities, the case will be sent to the Supreme Court for resolution. The Supreme Court's decision on jurisdiction is binding.

Article 29

Appeals of non-jurisdiction orders in the provincial appellate court and the Supreme Court are processed out of turn.

Article 30

If a jurisdictional dispute arises between the Supreme Court and a provincial appellate court, or between a provincial appellate court and a lower court, the higher authority's decision on jurisdiction will be binding.

Chapter Two - Legal Representation in Lawsuits

Article 31

Each party involved in a lawsuit may select and introduce up to two attorneys to represent them.

Article 32

Ministries, governmental and government-affiliated institutions, state companies, revolutionary organizations, public non-governmental entities, municipalities, and banks may, in addition to employing registered attorneys, utilize representatives from their own legal departments or authorized employees to handle cases if they meet one of the following conditions:

1. Holding a bachelor's degree in law with two years of apprenticeship experience in the legal departments of the respective organization.
2. Having two years of experience in judiciary work or legal practice, provided they are not prohibited from engaging in judicial or legal professions.

The highest executive official of the organization or their legal deputy will determine if these conditions are met. A letter of legal representation is mandatory for submission to the judiciary authorities.

Article 33

Attorneys representing the parties must meet the qualifications established by law for legal representation in court.

Article 34

A power of attorney may be formal or informal. For informal powers of attorney executed in Iran, the attorney may confirm on the document that the client personally signed, stamped, or fingerprinted the document in their presence. If the power of attorney is granted outside Iran, it must be certified by a diplomatic or consular official of the Islamic Republic of Iran. Certification processes for power of attorney documents from countries without an Iranian diplomatic or consular presence will be determined through regulations established by the Ministry of Justice in collaboration with the Ministry of Foreign Affairs and approved by the Chief Justice within three months. If the power of attorney is granted during a court session, it is recorded in the session minutes and signed by the client. If the client is in prison, the prison's director or deputy must verify the client's signature or fingerprint.

Note - If the client denies their signature, stamp, or fingerprint, the court will investigate this matter.

Article 35

Legal representation in court generally includes all procedural rights, except for those explicitly excluded by the client or prohibited by law. However, the following powers must be explicitly mentioned in the power of attorney:

1. Filing appeals, petitions for review, cassation, and retrials.
2. Authority for compromise and settlement.
3. Authority to allege forgery, deny, or question the validity of the opposing party's document and to request document withdrawal.
4. Authority to identify the forger.
5. Authority to submit the case to arbitration and appoint an arbitrator.
6. Authority to delegate representation.
7. Authority to appoint a verifier and expert.
8. Authority to file a claim for damages.
9. Authority to withdraw a claim or case.
10. Authority to summon a third party and to defend against third-party claims.
11. Authority to join a third party in proceedings and defend against third-party involvement claims.
12. Authority to file and defend a counterclaim.
13. Authority to file an insolvency claim.
14. Authority to accept or reject oaths.

Note 1 - Merely listing the item numbers from this article without describing them does not constitute an explicit designation.

Note 2 - Swearing, testifying, confessing, taking an oath of denial, and performing the oath of condemnation cannot be delegated.

Article 36

An attorney may only request the issuance of an execution order, pursue its implementation, and receive payments or deposits in the client's name if this is specified in the power of attorney.

Article 37

If a client dismisses their attorney, they must inform both the court and the dismissed attorney. Dismissal of an attorney does not halt proceedings. Verbal notice of dismissal must be recorded in the session minutes and signed by the client.

Article 38

Until the attorney is informed of their dismissal, any actions taken by them within their authority, as well as any court notifications sent to the attorney, will remain effective for the client. However, once the court is informed of the dismissal, it will no longer recognize the attorney in matters related to the case.

Article 39

If the attorney notifies the court of their resignation, the court will notify the client to continue proceedings either personally or through a new attorney. Proceedings will be suspended for up to one month to allow for this transition.

If the resigning attorney has filed a claim, they must inform the client of their resignation, after which the court will notify the client of the attorney's resignation and any deficiencies that must be remedied, which will be the client's responsibility.

Article 40

If the attorney dies, resigns, is dismissed, or is prohibited, suspended, or detained, proceedings will continue if no clarification is needed. If clarification is necessary, the court will record the matter in the minutes and notify the client to appear personally or appoint a new attorney by the specified date to provide the required explanations.

Article 41

Attorneys are required to be present during court proceedings unless they have a valid excuse. The following are considered valid excuses:

1. The death of a close relative up to the first degree of the second category (immediate family).
2. An illness that prevents the attorney from attending or where attendance would be harmful to their health.

3. Natural disasters, such as floods or earthquakes, that prevent attendance in court.
4. Circumstances beyond the attorney's control that prevent their presence in court.

An attorney with a valid excuse must submit a written explanation with supporting evidence to the court in advance of the trial session. The court will consider this excuse valid if it finds it acceptable. Otherwise, the trial will proceed, and the matter will be reported to the appropriate authority for disciplinary action against the attorney. If the trial session is rescheduled due to the attorney's excuse, the court must notify the client of the reason for the rescheduling and the new trial date. In such cases, a subsequent session will not be postponed due to the attorney's absence.

Article 42

If an attorney is summoned to multiple courts simultaneously and attendance at all is impossible, they must prioritize attendance at the court where their presence is legally mandatory according to the Code of Criminal Procedure or other laws. For the other courts, they may submit a written statement or, if permitted to delegate, appoint another attorney.

Article 43

The dismissal or resignation of an attorney, or the appointment of a new attorney, should be done in a manner that does not cause a court session to be rescheduled. If it would require a rescheduling, the court will not reschedule for this reason.

Article 44

If a party to a lawsuit has appointed two attorneys and has not authorized either to act independently, it will be sufficient for trial proceedings if one attorney appears with a written statement from the other attorney. If no written statement from the absent attorney is provided, the court will proceed without considering the statements of the present attorney. If both attorneys, or one of them, provide a valid reason for their absence, and if necessary, the session may be rescheduled, and the client will be informed of the reason and new trial date. However, no further rescheduling will be allowed due to an attorney's absence at the next session.

Article 45

If an attorney who is authorized in their power of attorney to act or appoint representation in the Court of Appeals or Supreme Court resigns after a judgment is issued or refuses to review the judgment upon notification, the court must notify the client of the judgment. In this case, the period

for appeal or cassation begins from the date the attorney was notified, unless the client can prove they were unaware of the attorney's resignation. In such cases, the period begins when the client becomes aware. If the attorney's actions result in harm to the client, the attorney is liable. The court will accept the appeal or cassation application submitted by the resigning attorney, and the court clerk is obligated to inform the client in writing to either take personal action or appoint a new attorney, or to rectify any deficiencies in the application.

Article 46

A court ruling notification to an attorney who is not authorized to represent in higher courts, or who lacks permission for such representation and is not authorized to delegate, will not be valid.

Article 47

If an attorney passes away, is disbarred, or is unable to fulfill their duties due to uncontrollable circumstances after being notified of a judgment and before the expiration of the appeal or cassation period, the appeal period will begin from the date the client is notified.

Note - In cases where an attorney filed the lawsuit or defense and has authorization for higher court representation, all judgments must be notified to that attorney, with the timeline for filing appeals starting from the date of notification to the attorney.

Chapter Three - Initial Trial

Section One - Petition

Subsection One - Submission of Petition

Article 48

Initiating a case in court requires the submission of a petition. The petition should be submitted to the clerk of the competent court, or to the clerk of the first branch in courts with multiple branches.

Article 49

Upon receiving the petition, the court clerk must immediately register it and issue a receipt to the petitioner, including the petitioner's and respondent's names, the submission date (day, month,

and year), and a registration number. The clerk must also record the submission date on the petition.

The date of the petition's submission is considered the date the lawsuit is filed.

Article 50

If the court has multiple branches, the clerk must promptly submit the petition to the head or deputy head of the first branch for assignment to one of the branches.

Subsection Two - Petition Requirements

Article 51

The petition must be written in Persian on specially printed forms and include the following information:

1. The petitioner's full name, surname, father's name, age, residence, and occupation if possible.

Note - If the petition is filed by an attorney, the attorney's details must also be included.

2. The respondent's full name, surname, residence, and occupation.
3. The subject of the claim and its value, unless it cannot be determined or is not monetary.
4. The obligations and grounds that entitle the petitioner to demand the claim in a clear and precise manner.
5. The specific relief requested from the court.
6. The evidence and means the petitioner relies upon to support their claim, such as documents, testimonies, etc. Evidence must be detailed and clear. If witnesses are relied upon, the petitioner must provide their names, details, and place of residence.
7. The signature of the petitioner, or if they cannot sign, their fingerprint.

Note 1 - The petitioner's address must be complete, including city, village, street, etc., to facilitate easy delivery.

Note 2 - If the petitioner or respondent is a legal entity, the name and address of the legal entity must be listed.

Article 52

If any party to the lawsuit holds a title such as guardian, trustee, executor, or company manager, this must be specified in the petition.

Subsection Three - Petition Suspension Cases

Article 53

In the following cases, the petition will be accepted by the court clerk but must be completed as per the following articles to proceed:

1. If the petition and its attachments lack the necessary stamps or fees.
2. If the requirements in items (2, 3, 4, 5, and 6) of Article 51 are not met.

Article 54

In the cases mentioned above, the court clerk must notify the petitioner in writing of the deficiencies within two days, giving them ten days from the date of notification to correct them. If the petitioner does not correct the deficiencies within the specified time, the petition will be dismissed by an order issued by the clerk or their deputy in their absence. This order will be notified to the petitioner, who may file an objection with the same court within ten days of notification. The court's decision on this matter is final.

Article 55

If the cost of publishing an announcement is not paid within one month from the date the court office's notification is issued, the petition will be dismissed by the office. This dismissal order may be appealed within ten days of notification, except in cases where the petitioner has submitted a request for exemption from court fees. In such cases, the one-month period starts from the date of notification of the rejection of the exemption request.

Article 56

If the petition does not specify the petitioner's name or residence, it will be dismissed within two days from the date of receipt by an order issued by the court office manager or their deputy in their absence.

Section Four - Attachments to the Petition

Article 57

The petitioner must attach copies or images of their documents to the petition. These copies or images must be legible and certified as true to the originals. Certification can be provided by the court office where the petition is submitted, the office of another court, a registry office, or in areas without these facilities, by the district governor or a governmental agency. If the copy or image of the document was prepared outside the country, it must be certified as true to the original by an Iranian embassy or consulate.

If documents such as business records or corporate bylaws are lengthy, only the relevant sections must be extracted and attached. Attorneys of the parties may also certify the copies they submit as true to the originals, provided they affix the legally required stamps before submitting them to the competent authority.

Article 58

If the documents are in a language other than Persian, a certified translation must be attached to the petition along with the certified copies or images. Official translators or consular officers will certify the accuracy of the translation and its conformity with the original.

Article 59

If the petition is submitted by a guardian, legal representative, attorney, or legal agent of the petitioner, a copy of the document that establishes the representative's authority must be attached to the petition and submitted to the court.

Article 60

The petition and all attached documents must be submitted to the court in two copies. If there are multiple defendants, an additional copy for each defendant is required.

Chapter Two - Value of the Claim

Article 61

The value of the claim, for the purposes of court fees and appeal eligibility, is the amount specified in the petition, unless otherwise specified by law.

Article 62

The value of the claim is determined as follows:

1. If the claim involves Iranian currency, its value is the amount claimed. If it involves foreign currency, its value is calculated based on the official exchange rate of the Central Bank of the Islamic Republic of Iran on the date the petition is submitted.
2. For cases with multiple claimants each demanding a portion, the claim's value is the total of all demanded portions.
3. In claims involving benefits or rights that are to be collected or paid at specified times, the claim's value is the total amount of installments or benefits that the petitioner claims they are entitled to. If the right is not limited to a specified time period or is lifetime, the claim's value is the total of ten years' worth of benefits or whatever the petitioner is entitled to within ten years.
4. In claims involving property, the claim's value is the amount specified by the petitioner in the petition, unless challenged by the defendant at the first hearing or otherwise stipulated by law.

Article 63

If there is a dispute between the parties regarding the claim's value, and if this dispute could affect subsequent proceedings, the court will determine the claim's value by consulting an expert before beginning the hearing.

Chapter Three - Processing of the Petition Until the Hearing

Section One - Processing the Petition

Article 64

The court office manager must promptly submit the completed case file to the court. The court will review the file, and if it is complete, return it to the office with an order to set a hearing date and to notify the parties. The hearing date should be scheduled so that there is a minimum five-day gap between the notification to the parties and the actual hearing date.

If any party's address is outside the country, the gap between notification and the hearing date must be at least two months.

Article 65

If multiple unrelated claims are filed in one petition and the court cannot address them all in a single trial, it will separate the claims and address each one individually, as appropriate. For any claim that the court does not have jurisdiction over, it will issue an order of non-jurisdiction and refer the case to the appropriate authority.

Article 66

If a petition is incomplete and the court cannot proceed, the court will document the deficiencies and return the file to the office. A notification will be sent to the petitioner listing the deficiencies, and the petitioner is required to correct them within ten days of receiving the notice. If the deficiencies are not corrected within this period, the court office will dismiss the petition through an order. This order may be appealed within ten days from the date of notification, and the court's ruling on this matter is final.

Section Two - Notification

Article 67

Following the court's order to serve the case papers, the office manager files one copy of the petition and its attachments and sends the other copy, along with the notification, to be served to the defendant.

Article 68

The process server is required to deliver the documents to the defendant personally within two days and obtain a receipt on the other copy of the notification. If the defendant refuses to accept the documents, the refusal will be noted on the notification copy and returned.

Note 1 - Documents may be served either at the residence or workplace. For government employees and public service employees, documents are sent to the personnel office or supervisor of the relevant employee, who must return them within ten days. Failure to do so will result in penalties under administrative misconduct regulations.

Note 2 - If a wife does not live with her husband, documents will be served at her place of residence or work.

Article 69

If the process server cannot deliver the documents to the defendant personally, they should serve it to one of the defendant's relatives or household members at the designated address, provided that the person is of an age and apparent understanding to appreciate the importance of the documents. The server will record the recipient's name and relationship to the defendant on the second copy and return it.

Article 70

If neither the defendant nor eligible individuals mentioned in the previous article are present, or if they refuse to accept the documents, the process server will record this on the notification form and post a copy at the designated address, returning the original with the other case documents. The defendant may visit the court office to receive the documents before the hearing date by providing a receipt.

Article 71

For cases involving a defendant outside the country, documents are served through Iran's consular or diplomatic agents. These agents send the petition and its attachments through embassy personnel or by any available means and report the process to the court through the Ministry of Foreign Affairs. If there are no consular or diplomatic agents in the defendant's country, the Ministry of Foreign Affairs will take alternative steps as it deems appropriate.

Article 72

If it is determined that the address provided by the petitioner is incorrect or has changed prior to service, and the process server is unable to find the new address, this fact should be noted on the second copy of the notification and returned within two days. The procedure will then follow Article 54, except in cases where the defendant's residence has been specified per Article 1010 of the Civil Code, in which case the documents will be served there.

Article 73

If the petitioner is unable to provide the defendant's address or declares an inability to do so following a deficiency notice, the court may, upon the petitioner's request, have the petition advertised once in a widely circulated newspaper at the petitioner's expense. There must be at least one month between the advertisement's publication date and the hearing.

Article 74

In cases concerning a specific population, such as residents of a particular village, city, or neighborhood, where the number of individuals is indefinite, the petition will be advertised as per the previous article. Additionally, a copy of the petition will be served to any person(s) the petitioner identifies as opposing parties.

Article 75

For cases involving government offices, public agencies, or corporations with full or partial government ownership, the notification and attachments are served to the head of the office or their deputy. If they refuse to accept the documents, this refusal is noted on the notification, and the documents are returned. Such refusal constitutes failure to perform duty and will be reported to the relevant authority for disciplinary action.

Note - In cases concerning subdivisions of the above offices, documents are served to the head or deputy of the relevant subdivision.

Article 76

For cases involving other legal entities, the petition and its attachments are served to the director, deputy, or authorized signatory of the entity, or, if this is not possible, to the office manager, following Articles 68, 69, and 72.

Note 1 - If serving documents at the specified address is not possible, they will be served at the last address registered with the company registry office.

Note 2 - In bankruptcy-related cases, documents are served to the bankruptcy administration or liquidator.

Note 3 - For dissolved companies without a liquidator, documents are served to the last manager before dissolution at their last registered address.

Article 77

If the defendant resides in the jurisdiction of a different court, the petition and attachments are served through the office of that court by any feasible means. If there is no court in the defendant's location, documents are served through local authorities or by registered mail with receipt confirmation. These authorities are responsible for proper service and returning the documents. If the defendant is in detention or prison, documents are served through the prison administration.

Article 78

Any party or their attorney may designate a specific address in the city of the court for receiving notifications. Once designated, all case-related documents are served to that address.

Article 79

If a party changes the address where the initial documents were served or the designated address and fails to notify the court promptly of the new address, all documents will continue to be served at the previous address until the update is provided.

Article 80

Neither party nor their attorney can claim a temporary stay as a change of residence for serving case documents. A residence change is only valid if it meets the criteria of Article 1004 of the Civil Code. If the court finds a false claim of residence change, documents will be served to the original address.

Article 81

The date and time of the hearing will also be notified to the plaintiff as per the provisions of this law.

Note: The date of the defendant's refusal to accept the documents as mentioned in Article 67, or failure to provide a receipt as specified in Article 68, will be considered the date of notification.

Article 82

The process server must specify and sign the following on the first and second copies of the notification letter:

1. Their name and details, clearly and legibly.
2. The name of the person to whom the complaint was served and their relationship to the addressee of the summons.
3. The place and date of service, including the day, month, and year in full words.

Article 83

In all cases where documents are served on someone other than the intended recipient according to the provisions of this chapter, the service is only valid if the court is satisfied that the documents reached the intended recipient.

Chapter 3: Objections and Barriers to Proceedings

Article 84

In the following cases, the defendant may raise objections alongside responding to the merits of the lawsuit:

1. The court lacks jurisdiction.
2. The same lawsuit is already pending in the same court or in another court of equal rank, or if it's not the same lawsuit, there's a related case involving the same plaintiff.
3. The plaintiff lacks legal capacity to sue due to reasons such as being a minor, mental incapacity, or bankruptcy.
4. The claim is not directed at the correct defendant.
5. The person bringing the lawsuit on behalf of another lacks proof of authority, such as attorney ship, guardianship, or trusteeship.
6. The matter has previously been adjudicated between the same parties or their legal representatives, and a final judgment has been issued.
7. Even if proven, the claim has no legal effect (e.g., endowments or gifts without possession).
8. The subject matter of the lawsuit is not legitimate.
9. The claim is speculative or conditional rather than certain.
10. The plaintiff has no legal interest in the lawsuit.
11. The lawsuit was filed outside the legally prescribed time limit.

Article 85

The plaintiff has the right to object if the individual responding on behalf of the defendant lacks verified representation, such as attorney ship, guardianship, or executorship.

Article 86

If the defendant lacks legal capacity, they may refrain from responding to the merits of the lawsuit.

Article 87

Objections and defenses must be raised by the end of the first court session, unless the reason for the objection arises later.

Article 88

Before addressing the merits, the court shall decide on any valid objections. If the objection is dismissed, the court will proceed to review the merits of the case.

Article 89

For the objection under paragraph (1) of Article 84, if the court deems itself incompetent, it will issue a ruling of non-jurisdiction and act according to Article 27. For objections under paragraph (2) of Article 84, if the lawsuit is pending in another court, it will transfer the case to that court. In all other cases under Article 84, the court will issue a dismissal ruling.

Article 90

If objections are not raised by the end of the first hearing, the court is not obligated to rule on them separately from the merits of the case.

Article 91

In the following cases, a judge must recuse themselves, and either party can also seek their disqualification:

- a.** There exists a family relationship up to the third degree by blood or marriage with one of the parties.
- b.** The judge is a guardian, employer, or manager for one of the parties.
- c.** The judge, their spouse, or child is a potential heir of one of the parties.
- d.** The judge previously acted as an expert, mediator, or witness in the case.
- e.** The judge or their family has pending or recent (within two years) litigation with one of the parties.
- f.** The judge or their family has a personal interest in the case.

Article 92

In the cases mentioned in Article 91, the judge shall issue a recusal order and transfer the matter to another judge. If the court lacks sufficient judges, the file will be sent to the nearest equivalent court.

Chapter 4: Court Hearings

Article 93

Parties to a lawsuit may appear in person or submit a written statement for the court hearing.

Article 94

Any party may appoint a lawyer for the court hearing, but if the judge deems the personal presence of the plaintiff or defendant necessary, it will be noted in the summons, and they must appear personally.

Article 95

The absence of either party or their attorney does not prevent the court from proceeding. If the court needs clarification from the plaintiff and they fail to appear, and no clarification is possible from the defendant, the court may dismiss the case.

Article 96

The plaintiff must present the originals of any documents they attached to the complaint at the hearing, and the defendant must also provide originals and copies of any evidence they intend to use. Copies should equal the number of plaintiffs plus one. If either party cannot attend, they should send their documents through a representative.

Article 97

If the defendant submits evidence at the end of the first hearing that requires the plaintiff to present new evidence in response, the court may, upon the plaintiff's request and its own discretion, grant additional time.

Article 98

The plaintiff may reduce their demand at any time. Increasing the demand or changing the nature of the claim is only possible if it relates to the original lawsuit, shares a common cause, and is declared by the end of the first session.

Article 99

The court may, upon the parties' agreement, postpone the hearing only once.

Article 100

If the court cannot convene on the scheduled date or has an impediment, it will reschedule at the nearest possible date.

Note_ If the delay is not caused by the parties, the new hearing date must be within two months.

Article 101

The court may order the removal or detention (for up to 24 hours) of anyone disrupting the hearing, including parties and attorneys, who may be detained for one to five days.

Article 102

Statements made by the parties must be recorded verbatim if:

1. They include an admission.
2. One party intends to use the other's statements.
3. The court deems it necessary.

Article 103

If there are other lawsuits related to the pending case in the same court, they will be heard together. If they are in different branches, they will be consolidated under one branch designated by the head of the first branch. Attorneys and parties are required to inform the court of related cases.

Article 104

At the end of each hearing, if another session is necessary, the reason will be recorded, and the date and time of the next session will be announced to the parties. If the lawsuit is divisible and a ruling can be issued on part of it, the court will do so and continue proceedings on the remaining part.

Chapter Five – Suspension of Proceedings and Withdrawal of Lawsuit and Petition

Article 105

If one of the parties to the lawsuit dies, becomes incapacitated, or loses the position by virtue of which they entered the proceedings, the court shall temporarily suspend the case and notify the other party. After the appointment of a substitute and upon request by the interested party, the proceedings shall continue unless the death, incapacity, or loss of position of one of the parties does not affect the proceedings with respect to the other parties, in which case the case will continue with the remaining parties.

Article 106

In case of the suspension or imprisonment of one of the parties, or their departure for military or governmental duty or essential travel, the proceedings will not be suspended. However, the court shall grant sufficient time to appoint a representative (lawyer) for them.

Article 107

Withdrawal of the lawsuit or petition shall be as follows:

- A. The plaintiff may withdraw their petition before the first hearing, in which case the court shall issue an order for the dismissal of the petition.
- B. The plaintiff may withdraw their lawsuit as long as the proceedings are not completed. In this case, the court shall issue an order of dismissal.
- C. Withdrawal of the lawsuit after the completion of the arguments by the parties is possible if the defendant agrees or if the plaintiff completely abandons the lawsuit. In this case, the court shall issue an order for the dismissal of the lawsuit.

Chapter Six – Miscellaneous Matters

Section One – Security for the Claim

1. Request for Security

Article 108

The plaintiff may request the court to provide security for the claim before filing the lawsuit, alongside the petition regarding the substance of the case, or during the proceedings, until a final judgment is issued, in the following cases, and the court is obligated to accept it:

- A. The lawsuit is based on an official document.
- B. The claim is at risk of being lost or wasted.
- C. In cases such as protested commercial papers, where, according to the law, the court is required to accept a request for security.
- D. The plaintiff deposits compensation for potential damages that may be caused to the other party in the judiciary fund.

Note: Determining the amount of potential damages depends on the value of the claim, as decided by the court accepting the security request. Issuance of the security order is conditional upon the deposit of the damage compensation.

Article 109

In all civil cases, including main and incidental claims and requests related to family matters, except for those specified by family law, the defendant may request the court to provide security for damages arising from court costs and lawyer's fees that the plaintiff might be ordered to pay. If the request is considered valid by the court based on the type and nature of the case and other relevant factors, the court shall issue an order for security. The proceedings will be suspended until the plaintiff provides the security, and if the plaintiff does not provide the security within the time limit set by the court's order, the court shall issue an order to dismiss the plaintiff's petition.

Note: If the court determines that the purpose of the lawsuit is to delay fulfilling an obligation, harm the other party, or is malicious, the court is obligated, when issuing a judgment or order, to order the plaintiff to pay three times the court costs to the government.

Article 110

In cases where the lawsuit is based on a check, promissory note, or bill of exchange, as well as in cases based on official documents or lawsuits against a bankrupt party, the defendant cannot request security for their potential damages.

Article 111

Requests for security shall be made to the court with jurisdiction over the case.

Article 112

If the party requesting security does not file a petition regarding the substance of the case within ten days of the issuance of the security order, the court shall, upon request from the defendant, cancel the security order.

Article 113

A request for security is only accepted if the amount of the claim is clear or if it involves a specific asset.

Article 114

A request for security may be made regarding a claim or property that has not yet reached its delivery deadline, if the right is based on an official document and is at risk of being lost or wasted.

Article 115

If security has been requested, the court clerk must immediately submit the file to the court, which will examine the reasons for the request without notifying the other party and issue an order for security or rejection.

Article 116

The security order is served on the defendant, who has the right to object within ten days. The court will address the objection in the first hearing and make a decision.

Article 117

The security order must be served on the defendant immediately and executed afterward. If immediate service is not possible and delaying execution will result in the loss or wasting of the claim, the security order will be executed first, then served.

Article 118

If the cause for security is resolved, the court shall issue an order for the removal of the security. If a final judgment is issued against the plaintiff, or the lawsuit or petition is withdrawn, the security is automatically removed.

Article 119

Orders to accept or reject security are not subject to appeal.

Article 120

If the security order is executed and the plaintiff is ultimately found to have filed a frivolous claim or proves no right to the claim, the defendant may, within twenty days of the notification of the final judgment, request compensation for any damages incurred from the security order by submitting evidence to the court that issued the order. The compensation request is processed without adhering to the civil procedure formalities, and no court fees are required. The request for compensation will be served on the other party, who must present any defenses within ten days. The court will address the reasons from both sides and issue a ruling in an expedited session. This ruling is final. If the defendant does not file a compensation request within the given time, any deposit made for potential damages will be refunded to the plaintiff upon their request.

2. Types of Security

Article 121

In this law, security refers to the seizure of assets, whether movable or immovable.

Article 122

If the claim involves a specific asset and its seizure is possible, the court cannot seize another asset as a substitute.

Article 123

If the claim does not involve a specific asset or the specific asset cannot be seized, the court may seize other assets of the defendant equivalent to the value of the claim.

Article 124

The defendant may deposit an equivalent amount in cash or securities for the asset that the court wishes to seize or has seized. They may also request to convert the seized asset to another asset, provided that the new asset is of equal or greater value and can be sold easily. If the specific asset is seized, the conversion of assets requires the plaintiff's consent.

Article 125

A request to convert the security shall be made to the court that issued the security order. The court must address the request within two days and issue the appropriate order.

Article 126

The seizure of assets, whether movable or immovable, as well as the inventory, evaluation, and preservation of seized assets, and the seizure of the defendant's employment rights and movable assets held by third parties, shall be carried out in accordance with the provisions set out in the Civil Enforcement Law.

Article 127

Two-thirds of the crop yield from real estate and orchards shall be seized. If the crop has been harvested, the enforcement officer will determine and seize the defendant's share. If the crop has not been harvested, it will be collected either immediately or in stages, with the presence of the enforcement officer. The defendant is obliged to inform the enforcement officer about the time of harvesting. The enforcement officer has no authority to interfere in the harvesting process and will only be present to determine the amount of harvested produce. The plaintiff or their representative also has the right to be present at the time of harvesting.

Note: Crops at risk of being wasted must be immediately appraised and, without following formalities, sold under the court's decision and supervision, with the proceeds deposited in the judiciary's trust account.

Article 128

In bankruptcy, if the seized property is a specific item and is claimed by the applicant for security, the applicant for security has priority over other creditors.

Article 129

In all cases where financial security results in the sale of property, the provisions of Chapter Three, Section Eight of this law (Exemptions from Debts) must be observed.

Section Two – Entry of a Third Party

Article 130

If a third party claims an independent right in the subject of the lawsuit or considers themselves a beneficiary of one of the parties' rights, they may join the lawsuit until the court declares the case closed, whether at the trial stage or the appeal stage. In this case, the third party must submit their petition to the court hearing the case and clearly state their purpose.

Article 131

The petition for the third party's entry, along with copies of supporting documents and attachments, must be provided in the same number as the original parties to the lawsuit, plus one extra copy. It must also meet the requirements of an original petition.

Article 132

Upon receiving the petition for the third party's entry, the court will set a date for the main lawsuit hearing and notify the third party. A copy of the petition and its attachments will be sent to the original parties to the lawsuit. If there is insufficient time, the court will reschedule the hearing and notify the parties.

Article 133

If the court determines that the third party's lawsuit is intended to cause collusion or delay the proceedings, or if the resolution of the main lawsuit is not contingent on the third party's lawsuit, the third party's claim will be separated from the main lawsuit, and each will be handled separately.

Article 134

The rejection or invalidation of the petition or the third party's claim does not prevent their entry into the appeal stage.

Procedures regarding a third party's entry at any stage, whether at trial or on appeal, shall follow the general rules applicable to that stage.

Section Three – Summoning a Third Party

Article 135

Either party to the lawsuit, if they believe the summoning of a third party is necessary, may express their reasons and justifications by the end of the first session, and within three days after the session, submit a petition to the court to summon the third party, whether the case is at the trial stage or on appeal.

Article 136

If a defendant in absentia wishes to request the summoning of a third party, they must submit a petition for summoning along with their objection petition to the court. The opposing party has the right to present their reasons at the first session and, within three days, submit their own petition to summon the third party.

Article 137

The petition to summon a third party, along with copies of supporting documents and attachments, must be provided in the same number as the original parties to the lawsuit, plus one extra copy.

The legal process concerning summoning a third party, including the requirements for the petition and grounds for rejection or invalidation, will be the same as the original petition.

Article 138

If there is insufficient time to send the petition and its attachments to the parties before the scheduled session, the court may reschedule the session and notify the parties.

Article 139

The summoned third party shall be considered a defendant, and all rules applicable to defendants will apply to them. If the court determines that summoning the third party is intended to delay proceedings, it may separate the summoning petition from the original lawsuit and address each case separately.

Article 140

The decision to reject a petition to summon a third party is subject to appeal along with the ruling on the main lawsuit. If the decision is overturned at the appeal stage, the case will proceed together with the main lawsuit in the court hearing the appeal.

Section Four – Counterclaim

Article 141

The defendant may file a lawsuit in response to the plaintiff's claim. Such a lawsuit is called a counterclaim if it originates from the same source or is closely related to the original lawsuit, and it will be heard together with the original case. If it is not a counterclaim, it will be heard separately in the competent court.

Two lawsuits are considered fully related when a decision in one case would affect the other.

Article 142

A counterclaim is filed through a petition; however, claims such as setoff, reconciliation, rescission, rejection of the claim, and similar defenses raised in response to the original lawsuit are not considered counterclaims and do not require the submission of a separate petition.

Article 143

The counterclaim petition must be submitted by the end of the first hearing session. If the defendant files the counterclaim during the hearing, the plaintiff may request a postponement of the session to prepare their response and evidence. The conditions and grounds for rejecting or invalidating the petition will follow the same regulations as the original petition.

Section Five – Securing a Guarantee from Foreign Nationals

Article 144

Foreign nationals, whether plaintiffs or third parties entering the lawsuit, must provide adequate security for any damages that may be imposed due to litigation costs or attorney fees, upon the

request of the opposing party. A request for a guarantee can only be accepted from an Iranian defendant and must be submitted before the end of the first hearing session.

Article 145

Foreign nationals are exempt from providing security in the following cases:

1. If Iranian nationals are exempt from providing security in their country of origin.
2. Cases related to promissory notes, bills of exchange, and checks.
3. Counterclaims.
4. Cases based on official documents.
5. Cases initiated by official announcements, such as objections to registration and lawsuits against bankrupt individuals.

Article 146

If, during the proceedings, it is discovered that a plaintiff or appellant has foreign nationality or loses their Iranian nationality or eligibility for exemption from providing security, the Iranian defendant or appellant can request security.

Article 147

The court is required to review the security request, determine the amount and deadline for providing it, and suspend proceedings until security is provided. If the deadline for providing security passes and the plaintiff has not provided it, the court will issue an order to dismiss the petition at the trial stage upon the defendant's request, or at the appeal stage upon the appellant's request.

Article 148

If the court finds that the amount of security determined is insufficient, it will set an adequate amount. If the plaintiff or appellant refuses to provide the required security, the court will act in accordance with the provisions of the previous article.

Chapter Seven – Securing Evidence and Declarations

Section One – Securing Evidence

Article 149

In cases where interested parties believe that, in the future, they may face difficulties in using evidence for their claims (such as local investigations, obtaining information from witnesses, consulting experts, or using existing signs and indications at the site), they may request the court to secure such evidence.

The purpose of securing evidence in these cases is only to observe and document the evidence.

Article 150

A request to secure evidence may be made during litigation or before filing the lawsuit.

Article 151

A written or oral request to secure evidence must contain the following:

1. Details of the petitioner and the opposing party.
2. The subject of the lawsuit for which evidence is being secured.
3. The circumstances that justify the request to secure evidence.

Article 152

The court will summon the opposing party to secure the evidence. However, their absence will not prevent the evidence from being secured. In urgent matters, the court may secure the evidence without summoning the opposing party.

Article 153

The court may refer the task of securing evidence to a substitute judge or court registrar, unless the evidence secured forms the basis for a court ruling. In such cases, the judge who issues the judgment must personally handle the evidence, or the report on the secured evidence must be trustworthy enough for the court to rely on.

Article 154

If it is not possible to identify the opposing party for the petitioner seeking to secure evidence, the request for securing evidence will be accepted and processed without specifying the opposing party.

Article 155

Securing evidence is for the purpose of preserving it, and the court will determine the degree of its value when it is used.

Chapter 2 – Declaration

Article 156

Any person may, before filing a lawsuit, demand their right through a declaration, provided that the time for demand has arrived. In general, anyone has the right to formally communicate statements regarding their transactions and obligations with another party through a declaration.

The declaration is served by the country's registration office or court offices.

*Note*_ The registration office and court offices may refrain from serving declarations that contain immoral or inappropriate content.

Article 157

If the declaration implies the delivery of something, money, property, or a document from the declarant to the recipient, then such item, money, property, or document must be kept under the supervision and protection of the delivery authority when the declaration is served, unless the parties have agreed on a different place or arrangement for delivery.

Chapter 8 – Claims for Wrongful Possession, Prevention of Rights, and Disturbance

Article 158

A claim for wrongful possession is defined as:

The former possessor's claim that another person has removed immovable property from their possession without their consent, and they request the return of possession of that property.

Article 159

A claim for the prevention of rights is defined as:

A request by a person to remove the prevention of their right of easement or usufruct on another's property.

Article 160

A claim for disturbance is defined as:

A claim where the possessor of immovable property requests to prevent someone from disturbing their possession without removing the property from their possession.

Article 161

In claims of wrongful possession, prevention of rights, and disturbance, the claimant must prove that the subject of the claim was in their possession or use before the property was removed or before the prevention or disturbance occurred, and that it was taken from their possession without their consent or by unlawful means.

Article 162

In claims for wrongful possession, disturbance, or prevention of rights, the presentation of a title deed serves as evidence of prior possession and right of use, unless the other party proves otherwise.

Article 163

A person who has filed a claim regarding ownership or the right of easement or usufruct cannot file a claim for wrongful possession or prevention of rights.

Article 164

If, after wrongful possession of the property, the possessor plants trees or builds structures, the trees and buildings will remain if the possessor claims ownership over the property and files a lawsuit regarding ownership within one month of the judgment being issued.

Article 165

If crops have been planted on the disputed property, and the harvest season arrives, the wrongful possessor must immediately harvest the crops and pay compensation for the use. If the harvest season has not arrived, the claimant can, with the consent of the wrongful possessor, choose either to pay for the crops based on the owner's share and labor or allow the possessor to keep the property until the crops are harvested and receive compensation for the period of use. The claimant may also require the wrongful possessor to remove the crops and restore the property.

Note_ Upon the claimant's request, the court may order the wrongful possessor to pay compensation for the time of possession.

Article 166

If wrongful possession, disturbance, or prevention of rights takes place in the presence of judicial officers, the officers must handle the complaint, preserve the status quo, prevent any further actions by the defendant, and report the situation to the appropriate authorities.

Note_ If there is a risk of a dispute or crime due to any of the actions mentioned in this article, the officers must immediately prevent any conflict or crime within their duties.

Article 167

If two or more people jointly possess or use immovable property, and some prevent others from using or disturb others' use, it will be considered wrongful possession, disturbance, or prevention of rights, depending on the circumstances, and will be subject to the rules of this chapter.

Article 168

Claims concerning the disconnection of telephone, gas, electricity, and ventilation systems (such as elevators, escalators, etc.) that are part of immovable property are subject to the regulations in

this chapter, unless these actions are taken by the relevant institutions, whether public or private, with legal authorization or contractual basis.

Article 169

If a third party believes they have a vested interest in a claim regarding wrongful possession, disturbance, or prevention of rights, they may join the lawsuit at any stage before the judgment is final, whether in the first instance or on appeal. The relevant authority will address the matter and issue an appropriate decision.

Article 170

A tenant, agent, servant, worker, or anyone who possesses property on behalf of another can file a complaint as if they were the owner, according to the above regulations.

Article 171

A caretaker, servant, worker, or any other trustee who fails to vacate the property after receiving a demand for it from the owner or their authorized representative within ten days of the declaration, is considered to have wrongfully possessed it.

Note: Claims for eviction related to agreements with a right of redemption, pledged property, or conditional agreements, as well as cases where special eviction conditions exist between the owner and the trustee or possessor, are not subject to this article's provisions.

Article 172

If, during the examination of a wrongful possession, disturbance, or prevention of rights claim, a document presented by either party is questioned or rejected, whether the forgery is identified or not, and if the document is essential to the case and its authenticity cannot be verified by other means, the court will investigate the authenticity of the document.

Article 173

Claims for wrongful possession, disturbance, or prevention of rights, where one of the parties is a ministry or a state-owned institution or a company affiliated with the government, will be handled in accordance with the provisions of this law.

Article 174

The court will issue a ruling in favor of the claimant only if it determines that the defendant has unlawfully taken possession of the claimant's property or has disturbed or prevented their use of it.

If, before the ruling is issued, the claimant requests a provisional order and the court finds the evidence reasonable, the court may issue an order preventing further actions such as possession, construction, or destruction on the property, or preventing disturbance or interference with the claimant's right.

This order will be rescinded if the lawsuit is dismissed unless the appellate court issues a new order.

Article 175

If the ruling involves the removal of wrongful possession, disturbance, or prevention of rights, it will be enforced immediately by the court or judicial officers, and an appeal will not prevent enforcement. If the judgment is overturned on appeal, the enforcement actions will be reversed, and if the subject property cannot be returned, its equivalent or value will be collected and paid.

Article 176

If, after the enforcement of a ruling regarding wrongful possession, disturbance, or prevention of rights, the defendant or others re-enter or interfere with the property, they will be punished under the Islamic Penal Code.

Article 177

Claims under this chapter are not subject to standard procedural rules and are handled as a priority.

Chapter 9 – Settlement and its Request

Section 1 – Settlement

Article 178

At any stage of civil litigation, both parties may resolve their dispute through settlement.

Article 179

If there are multiple claimants or defendants in the lawsuit, any of them may settle separately with the other party.

Article 180

A settlement can occur either at the notary public's office, in court, or outside of court as an informal settlement agreement.

Article 181

If the settlement occurs at the notary public's office, the court will note the matter in the case file, and its enforcement will be subject to the regulations on the enforcement of official documents.

Article 182

If the settlement occurs in court, the terms of the settlement will be recorded in the minutes and signed by the judge(s) and the parties.

Note: If the settlement takes place during the execution of a decision, the settlement document, prepared by the executing judge, is considered as the settlement made in court.

Article 183

If the settlement takes place outside of court and is informal, the parties must appear in court and confirm its validity. The court will record the parties' acknowledgment in the minutes, which will

be signed by the judge and the parties. If the parties fail to appear without a valid excuse, the court will continue the proceedings regardless of the settlement document.

Article 184

Once a settlement is reached, the court will terminate the case and issue a report of settlement. The terms of the settlement, as per the above articles, are binding on the parties and their heirs or legal representatives and will be enforced like a court judgment, whether the settlement is related to the case or other matters.

Article 185

If no settlement is reached, any commitments or concessions made by the parties during the settlement negotiations are not binding.

Chapter Two – Request for Conciliation

Article 186

Any person may submit a written request to the first-instance court asking for the opposing party to be invited for conciliation.

Article 187

The procedure for inviting parties for conciliation is the same as the procedure for summoning the defendant. However, the invitation letter must indicate that the party is being invited for conciliation to the court.

Article 188

After the parties have appeared, the court will listen to their statements and endeavor to achieve conciliation. If conciliation fails, the court will document the failure in a report and have it signed by both parties. If either party or both refuse to sign, the court will record this in the report.

Article 189

If the court determines that the parties are unwilling to reconcile, it will guide them to proceed with the lawsuit.

Article 190

If after the invitation letter has been delivered, the party does not attend or responds in writing that they are not willing to reconcile, the court will record this in the report and notify the requesting party to take legal action.

Article 191

If a party attends after receiving the invitation letter but then refuses conciliation, the court will proceed as specified in the previous article.

Article 192

A party's refusal to attend court or rejection of conciliation after attending does not prevent the parties from seeking conciliation again from the same court or another court.

Article 193

If conciliation is reached between the parties, it will be carried out according to the relevant conciliation regulations in the court.

Note – The request for conciliation, along with the payment of court fees for non-financial claims, will be addressed and reviewed without formal procedures.

Chapter Ten – Examination of Evidence

Section One – General Principles

Article 194

Evidence is anything that the parties to a lawsuit rely on to prove or defend their claim.

Article 195

Evidence presented to prove contracts, transactions, obligations, or agreements is subject to the laws applicable at the time of their formation, unless the evidence is of a religious nature or is otherwise explicitly contradicted by law.

Article 196

Evidence presented to prove external events, such as liability for damages or parentage, will be subject to the laws in effect at the time the claim is brought.

Article 197

The principle of presumption of innocence applies, meaning that if someone claims a right or debt against another person, they must prove it; otherwise, the defendant will be acquitted based on an oath.

Article 198

If a right or debt is established against someone, the presumption is that it remains unless proven otherwise.

Article 199

In all legal matters, the court will, in addition to examining the evidence presented by the parties, carry out any necessary investigations or actions to uncover the truth.

Article 200

The examination of evidence whose validity is disputed between the parties and which affects the final decision will take place in a court session, unless the law specifies a different method.

Article 201

The date and place of the proceedings will be communicated to the parties, unless the law prescribes a different method. The absence of the parties does not prevent the investigations and proceedings from being carried out.

Chapter Two – Confession

Article 202

If a person confesses to something that is evidence of the rightful claim of the opposing party, no further evidence is needed to prove it.

Article 203

If the confession is made in the petition, during court hearings, or in one of the documents submitted to the court, the confession will be considered as made in court; otherwise, it is considered as made outside the court.

Article 204

A confession is oral when made during court hearings, and it is written if it is stated in one of the documents or petitions submitted to the court. In the case of an oral confession, the party wishing to use the other party's confession must request that the confession be recorded in the minutes of the court.

Article 205

A lawyer's confession against their client regarding matters that are decisive for the case will not be accepted, whether the confession is made in court or outside of it.

Section Three – Documents

A – General Provisions

Article 206

Examination of accounts and books in court will take place at the location where the documents are kept. In any case, the court may assign the examination to one of the court officers.

Article 207

A document presented in court may serve as evidence in favor of the opposing party. In this case, if the opposing party relies on it, the person presenting the document may not withdraw it or request that the court disregard it.

Article 208

If one of the parties submits a document that refers to another document related to the case, the opposing party has the right to request the submission of that other document from the court, and the court will act on this request.

Article 209

If a specific document, which is evidence for the claim or statement of one of the parties, is in the possession of the opposing party, the party requesting it must ask for its submission. If the opposing party acknowledges the existence of the document but refuses to present it, the court may consider this as evidence.

Article 210

If one party references the commercial books of the other party, those books must be presented in court. If presenting the books in court is not possible, the court will appoint someone to inspect the books in the presence of both parties and copy what is necessary. No merchant can refuse to present or provide their books on the grounds of not having them, unless they can prove the books are lost or inaccessible. If the merchant whose books are referenced refuses to present them and cannot prove their loss or inaccessibility, the court may treat this as evidence of the opposing party's claim.

Article 211

If presenting a document in court is not possible, or if presenting part or all of it or publicly disclosing its contents in court would violate public order, morality, the interests of the parties, or others' dignity, the court president, judge, or court clerk will record the necessary details of the disputed document in the presence of the parties.

Article 212

If a document or other relevant information is located in government offices, banks, municipalities, or institutions funded by the government, and the court deems it relevant to the case, upon written request from one of the parties, the court will instruct the relevant office or organization to provide a copy of the document or information within a set time. The office or organization must comply immediately, unless disclosing the document would harm national political interests, public order, or public morals, in which case it must notify the court with an explanation. If the court agrees, it will allow non-disclosure; otherwise, the document must be presented to the court. In case of refusal, the person responsible for not presenting the document will be subject to disciplinary action, including temporary suspension from public service for 6 months to 1 year.

Note 1 – The delivery of confidential government documents requires the approval of the head of the judiciary.

Note 2 – Government offices, banks, municipalities, and other institutions mentioned in this article must comply with this provision if they are also parties to the case.

Note 3 – If the required documents or information cannot be provided within the timeframe specified by the court, a reason for the delay must be submitted along with the new date of submission.

Article 213

When original documents are required to be submitted, offices, organizations, and banks must send the original documents directly to the court. There is no need to send the ongoing office books, only the necessary certified excerpts from them.

Article 214

If one of the parties claims that referencing a criminal case file is necessary, the court may request the file, and the relevant authority is obliged to send it.

Article 215

If one of the parties references the file of another civil case, the court will request the relevant authority to provide copies of the referenced parts within a specified period. If necessary, the court may request to examine the referenced file.

B – Denial and Doubt

Article 216

If a non-official document is presented against a party, they may deny the handwriting, seal, signature, or fingerprint attributed to them, and the consequences of denial will apply. If the document is not attributed to them, they may raise doubts.

Article 217

Any doubts or denials regarding the presented evidence and documents should, if possible, be made by the first hearing session. If the denial is made or no comment is given regarding the authenticity in the hearing session, the consequences of denial or silence will apply. In cases where the court issues a ruling without the defendant's defense, the defendant must notify the court of their denial or doubt during an appeal. Doubt or denial of evidence in appeal must be made before the first hearing session.

Article 218

If the party presenting the document withdraws it in the face of a denial or doubt, the court will refer to other evidence. The withdrawal of the document does not imply its invalidity. If the document is not withdrawn and is relevant to the case, the court must evaluate it.

C – Allegation of Forgery

Article 219

Allegations of forgery regarding presented documents must be made according to Article (217) of this law, with a clear reason, unless the reason for the forgery claim is discovered after the deadline and before the final judgment, in which case the court will not consider it.

Article 220

Allegations of forgery and the evidence supporting them will be notified to the opposing party by court order. If the opposing party continues to use the document, they must submit the original document of the alleged forgery to the court office within ten days of the notification. After receiving the document, the court clerk will present it to the judge, who will immediately seal it.

If the document owner fails to submit it within the specified time, the document will be excluded from their evidence.

Note – If a lawyer or legal representative is involved and lacks access to the original document, they have the right to request an extension, and the court will grant a reasonable time to submit the original document.

Article 221

The court must rule on the forgery claim along with the decision on the main case. If the document is found not to be forged, the court will order its return to the owner. If it is found to be forged, the court will decide whether the entire document should be destroyed or whether only the forged part should be annulled, or whether certain words should be erased or altered. The execution of this decision depends on the finality of the judgment in the main case.

Article 222

Court employees are not allowed to provide copies or reproductions of documents that are alleged to be forged until a final decision has been made regarding them, unless authorized by the court. If authorized, the documents must specify that the document is under a forgery claim. Violating this provision will result in a penalty of suspension from public service for 3 months to 1 year.

D – Examination of the Authenticity of Documents

Article 223

Handwriting, seal, signature, or fingerprints on private documents that are disputed or alleged to be forged cannot be the sole basis for determining authenticity, even if a judgment has confirmed their validity.

Article 224

The person whose handwriting, seal, signature, or fingerprint is attributed in a document, if alive, may be called upon to authenticate the document or provide their fingerprint. Their absence or refusal to authenticate the document or provide their fingerprint may be considered as evidence of the document's authenticity.

Article 225

If the papers and documents that need to be authenticated are in government offices, municipalities, banks, or government-funded institutions, they will be brought to the location of the authentication, as per Article (212). If bringing them is not possible or it is deemed inappropriate, the court may perform the authentication at the location where the documents are kept.

Article 226

The court must refer the document's authenticity, signature, handwriting, or fingerprint to an official expert or a trusted forensic or international police agency when necessary. The identity and credentials of the expert must be provided to the court.

Article 227

If a forgery claim is made in a civil case regarding a document, the court will examine both claims simultaneously.

If a criminal judgment regarding the authenticity or forgery of the document is final, the civil court will rely on it. If the criminal judgment establishes the authenticity or forgery, and the document is the basis for the civil case, the criminal judgment may be used for retrial under applicable procedures.

Article 228

After an allegation of document forgery is made, doubt or denial regarding the document is not accepted. However, if an allegation of forgery is made after doubt or denial of the document, only the claim of forgery will be examined.

If an allegation of forgery or a statement of doubt or denial regarding the document has been made, no claim of payment regarding the document or any other obligation related to it will be accepted.

If the authenticity of the document is challenged along with a claim for payment or fulfillment of an obligation, only the claim of payment or fulfillment will be examined, and the challenge to authenticity will not be considered.

Chapter Four – Testimony

Article 229

In cases where the proof of a claim or a relevant factor in proving it relies on the testimony of witnesses, the following provisions apply.

Article 230

In civil (non-criminal) cases, the number and gender of witnesses, as well as the composition of witnesses with an oath, are as follows:

a) For the original divorce and its types, return in divorce, and non-financial claims such as being Muslim, adulthood, defamation or adjustment, pardon from retribution, power of attorney, and wills, the testimony of two men is required.

b) For financial claims or those concerning property, such as debt, price of sale, transactions, endowment, lease, will for the benefit of the claimant, usurpation, bodily harm causing compensation, the testimony of two men or one man and two women is required.

If the claimant is unable to provide legal proof, they can introduce one male witness or two female witnesses along with an oath to prove their claim. In such cases, the qualified witness will testify first, and then the claimant will take the oath.

c) For cases typically known by women, such as childbirth, breastfeeding, virginity, internal female defects, the testimony of four women, two men, or one man and two women is required.

d) For the original marriage, the testimony of two men or one man and two women is required.

Article 231

In all cases with personal rights implications, whether criminal or civil (both financial and non-financial), as described in the above article, if due to absence, illness, travel, imprisonment, or other reasons, the principal witness cannot be present, the testimony of a substitute witness will be admissible.

Note_ The substitute witness must meet the conditions required for witnesses and testimony.

Article 232

Each party involved in a case who is relying on witnesses must present their witnesses at the time specified by the court.

Article 233

The qualifications of the witness and the grounds for disqualification are as specified in Chapter Four of Book Two, in criminal matters, in this law.

Article 234

Either party may challenge the credibility of the opposing party's witnesses, stating the reasons for the challenge. If, after a ruling, the court finds that the reasons for disqualification existed before the testimony but were concealed from the court, and the ruling was based on that testimony, it will constitute grounds for annulment. If the grounds for disqualification arise after the ruling, they will not affect the validity of the court's decision.

*Note*_ If a party requests a delay in challenging a witness, the court will grant a maximum of one week to raise the challenge.

Article 235

The court may hear the testimony of any witness without the presence of witnesses who have not yet testified, and after the testimony, may investigate all witnesses collectively.

Article 236

Before giving testimony, the court reminds the witness of the prohibition of false testimony, the civil liability for it, and the prescribed punishment. The witnesses must declare their name, surname, occupation, age, and place of residence, and take an oath to tell the truth and not say anything but the truth.

*Note*_ If the claim for justice is contingent on a witness's testimony and the witness refuses to take an oath, they cannot be compelled to do so.

Article 237

The court may, in order to ensure the witness's freedom, hear their testimony without the presence of the parties involved in the case. Afterward, the parties will be informed immediately of the witness's statements.

Article 238

No party to the case may interrupt the witness's statements, but after the testimony is given, the court may ask the witness questions that are relevant to the case.

Article 239

The court cannot encourage or prevent the witness from giving testimony, nor guide or assist them in how to testify. The court only presents the matter to be testified about and leaves the witness free to present their testimony.

Article 240

The witness's statements must be recorded verbatim in the minutes, and signed or fingerprinted by them. If the witness refuses or is unable to sign, this will be noted in the minutes.

Article 241

The court is responsible for assessing the value and impact of the witness's testimony.

Article 242

The court may summon witnesses at the request of one of the parties or if it deems necessary. The summons should be served according to the legal procedures for serving judicial documents and must be delivered at least one week before the court hearing.

Article 243

If a witness who has been summoned does not appear within the specified time, they will be summoned again.

Article 244

If a witness is unable to attend the court hearing, or if the court finds it necessary, the court may hear their testimony at their home, workplace, or at the scene of the incident by one of the judges.

Article 245

If the witness resides in the jurisdiction of another court, the court may request that the other court hears their testimony.

Article 246

In cases mentioned in Articles 244 and 245, if the court's ruling is based on the witness's testimony, and the witness is exempt from attending the court under the provisions of Article 231, the party relying on the testimony can only rely on the testimony of the substitute witness.

Article 247

If a witness requests travel expenses or compensation for their absence from the court, the court will determine the amount and require the party relying on the witness to pay it.

Chapter Five – Inspection of the Site and Local Investigation

Article 248

The court may, either on its own initiative or at the request of any of the parties, issue an order for an inspection of the site. The subject of the order and its timing must be notified to the parties.

Article 249

If the parties to the case or one of them rely on information from local residents, even if it is general, and do not mention the names of the informants, the court will issue an order for a local investigation. If the order for a local investigation is made at the request of one of the parties, the opposing party may present their own witnesses at the time of the investigation for their testimony to be heard.

Article 250

The implementation of the site inspection or local investigation order may be carried out by one of the court's judges or the investigating judge. The time and place of the investigation must be notified in advance to the parties. If the investigation is to be conducted outside the court's jurisdiction, the court may request that the local court carry out the investigation, unless the ruling of the court is based on the inspection or local investigation, in which case the implementation of the orders must be carried out by the judge who issued the ruling, or through a report that is trustworthy to the court.

Article 251

The person responsible for executing the order for the inspection of the location or local investigations shall prepare a report and have it signed by the witnesses and the parties to the dispute.

Article 252

The procedure for requesting and conducting investigations from the individuals mentioned in the previous article shall be the same as that prescribed for witnesses. Each party may challenge the witnesses of the other party according to the regulations for challenging a witness.

Article 253

The parties to the dispute may introduce individuals for gathering information from them at the location and agree on their testimony. The person in charge of the investigation shall write down the names of the individuals selected by the parties and have them signed by the parties.

Article 254

The absence of one of the parties to the dispute shall not prevent the execution of the order for inspection of the location or local investigations.

Article 255

The information obtained from the investigation and inspection of the location shall be considered judicial evidence, which may lead to the knowledge or certainty of the judge or affect it.

Article 256

If the applicant fails to provide the means for executing the order for inspection of the location or local investigations, the order will be excluded from their evidence. If the court deems the execution of this order necessary, the responsibility for providing the means of execution at the trial stage lies with the plaintiff, and at the appeal stage, with the appellant. If the means are not provided and the execution of the order becomes impossible, and the court cannot issue a verdict without it, the original petition will be annulled, and in the appeal stage, the appeal will be suspended, but it will not prevent the execution of the primary court's ruling.

Chapter Six – Referral to Expert

Article 257

The court may, either on its own initiative or at the request of any of the parties to the dispute, issue an order to refer the matter to an expert. The court order will specify the subject on which the expert's opinion is required and the time within which the expert must provide their opinion.

Article 258

The court must choose a trusted expert from among those qualified in the relevant field of the matter. If there are multiple qualified experts, the selection shall be made by lottery. If more than one expert is necessary, the number must be odd, so that in case of disagreement, the majority opinion is followed.

Note – The validity of the majority opinion applies if the experts are equal in their qualifications.

Article 259

The payment for the expert's fee shall be the responsibility of the applicant. If the fee is not paid within one week of the notice being issued, the expert's testimony will no longer be considered part of the applicant's evidence.

If the expert report is required for the court's opinion and the court cannot issue a judgment without it, the payment of the expert's fee in the first instance shall be the responsibility of the plaintiff, and in the appeal stage, it shall be the responsibility of the appellant. If the court in the first instance cannot issue a judgment even with an oath without the expert's opinion, the petition will be annulled, and if it is in the appeal stage, the appeal will be suspended, but it will not prevent the execution of the original judgment.

Article 260

After issuing the expert referral order and selecting the expert, the court will notify the expert to submit their opinion within the time specified in the referral order. The expert's opinion will be communicated to the parties, and the parties may, within one week from the notice, visit the court office and, after reviewing the expert's opinion, submit written comments, either refuting or confirming the opinion. After the specified period, the court will review the case and, if the case is ready, will issue a judgment.

Article 261

The expert must accept the task assigned to them by the court unless they have a valid excuse, which is determined by the court. In this case, they must inform the court in writing before commencing the expert work. The reasons for the expert's excusal are the same as those for a judge.

Article 262

The expert must provide their opinion in writing within the specified time unless the subject matter requires more time. In such cases, upon the expert's request, the court may extend the deadline and notify both the expert and the parties. In any case, the expert's opinion must be clear and justified.

If the expert does not provide their opinion in writing within the specified time, another expert will be appointed. If the opinion of the expert arrives before the new expert is appointed or notified, the court will consider that opinion and report the expert's failure to the appropriate authority.

Article 263

If further investigation or clarification is required from the expert, the court will record the details in the minutes and notify the expert, inviting them to provide clarification. If the expert does not attend, they will be summoned.

If, after receiving the clarification, the court considers the expert's opinion incomplete, it will issue an order to complete it and assign it to the same expert or a different one.

Article 264

The court will determine the expert's fee considering the scope, quality, and value of the work. If, after the expert's opinion is received, it is found that the fee is disproportionate, the court will definitively determine the appropriate amount and order its payment.

Article 265

If the expert's opinion does not align with the actual circumstances of the case, the court will disregard it.

Article 266

If one of the experts was present during the hearing and consultation but, without a valid excuse, refuses to provide an opinion, attend the session, or sign, the majority opinion of the remaining experts, who are equal in expertise, will be considered. The absence or refusal of an expert to provide an opinion or sign the judgment must be confirmed by the other experts and signed.

Article 267

If one of the parties is harmed by an expert's misconduct, and if the expert's misconduct is the primary cause of the damage, the affected party may claim compensation for the loss from the expert. Loss of profit cannot be claimed.

Article 268

In any case where an order is issued to refer the matter to an expert, the parties may, before the appointed expert(s) begin their work, mutually agree on selecting another expert and introduce them to the court. In this case, the mutually agreed expert will replace the court-appointed expert to carry out the expert referral. The mutually agreed expert may be a non-official expert.

Article 269

If the expert investigation must be carried out outside the court's jurisdiction and the parties have not mutually selected an expert, the court may assign the task of selecting an expert through lottery to the court where the investigation will be conducted.

Chapter 7 - Oath

Article 270

In cases where the court's ruling is conditional on a religious oath, the court, upon the request of the applicant, will issue an order for the administration of the oath, specifying the subject of the oath and the person who is to take the oath.

Article 271

In all financial disputes and other cases involving people's rights, such as marriage, divorce, return in divorce, lineage, power of attorney, and will, in the absence of other valid evidence, the religious oath, as outlined in the following articles, may be used as the basis for the court's ruling.

Article 272

If the plaintiff (claimant) does not have valid witnesses or evidence, and the defendant (accused) denies the plaintiff's claim, the defendant will be asked to swear an oath at the plaintiff's request, and by taking the oath, the claim will be dismissed.

Article 273

If the defendant refuses to swear the oath and transfers the oath to the plaintiff, the plaintiff's claim will be substantiated by their oath. If the plaintiff refuses to swear, their claim will be dismissed, and a ruling will be issued based on that.

Article 274

If the defendant refuses to take the oath or to deny it to the plaintiff, the court will warn the defendant three times to swear or deny the oath. If not, the defendant will be considered as having failed to comply.

If the defendant insists on their position, the court will assign the oath to the plaintiff, and the claim will be substantiated by their oath. If the plaintiff refuses to take the oath, their claim will be dismissed.

Article 275

If the defendant responds to the plaintiff's claim of discharging a debt, receiving the claimed property, making a peace agreement or gift, or transferring property through a sale contract, the lawsuit will be reversed, with the plaintiff becoming the defendant and vice versa, and they will be treated accordingly.

Article 276

If the defendant remains silent during the trial due to a disability such as stuttering or muteness, the judge will determine the meaning of their silence, either by using an interpreter or specialist. If the silence and refusal to respond are intentional and to harm the plaintiff, the court will warn the defendant three times about the consequences of concealing the truth. If the defendant still refuses to respond, they will be considered as having failed to comply, and the plaintiff's oath will prove the claim, leading to a ruling against the defendant.

Article 277

In all financial claims where debt is involved, such as loans, the price of a contract, rent, blood money, dowry, maintenance, or compensation for loss or destruction of property—also, in claims regarding property such as sale, peace agreements, rent, gifts, or a will benefiting the claimant, including negligence or semi-intentional harm—if the claimant cannot provide religious evidence,

they may prove their claim by presenting a male witness or two female witnesses along with an oath.

Note – In these cases, the qualified witness will testify first, and then the claimant will take the oath.

Article 278

In a lawsuit concerning the deceased, after presenting evidence, the claimant must also swear an oath. If they refuse to take the oath, their claim will be dismissed.

Article 279

If the claimant is an heir of the deceased and presents evidence to prove their claim, they must also take an oath. If the oath is not taken, the claim will be dismissed.

Note 1 - If there are multiple heirs, each one must take an oath for their share. If some heirs take the oath and others refuse, the claim will be proven for those who swore the oath and dismissed for those who refused.

Note 2 - If there are multiple defendants and the claimant is someone else, a single oath will suffice after the claimant presents their evidence.

Article 280

In religious law, the right to swear is not applicable except in theft cases, where it only applies to the non-public aspect of the crime, but the theft penalty cannot be established through the oath.

Article 281

The oath must be taken according to the court's instructions and using the names of God (e.g., "By Allah," "In the name of God") or in another language if needed. If there is a need for emphasis, the court will specify the timing, place, and wording of the oath. There will be no distinction between Muslims and non-Muslims in taking an oath in the name of God. The proceedings of the oath will be recorded.

Article 282

If the parties are not present, the court will determine the time and place for the oath and summon the parties. The summons will specify the reason for their presence.

Article 283

The court cannot administer an oath without a request from the parties. If an oath is taken without a request, it will have no effect. If a request for the oath is made later, the oath must be renewed.

Article 284

The request for an oath can be oral or written. An oral request will be recorded in the minutes and signed by the requester, and this request can be made until the end of the proceedings.

Article 285

If the oath is taken by the defendant, the oath will be on the denial or occurrence of the claimant's claim. If the claimant takes the oath, it will confirm the occurrence of the claim against the defendant. In any case, the requester's intention must be clear and explicit.

Article 286

After issuing the order for an oath, if the person who must take the oath is present, the court will administer the oath in the same session. If they are absent, the court will set a time and summon the parties. If the person who must take the oath fails to appear without a valid excuse or refuses to take the oath, it will be considered as failure to comply, and the court will deny the oath to the opposing party. If the oath is taken, a ruling will be issued, or the case will be dismissed. The summons will state the consequences of non-attendance.

Article 287

If the person who must take the oath requests an extension, the court may grant them an extension, as long as it does not cause harm to the other party.

Article 288

The oath must be taken in the session where the case is being heard. If the person cannot attend the court due to a valid excuse, the court may either set another time for the oath or send the judge to administer the oath or assign another judge to take the oath and send the record to the court, which will then issue a ruling.

Article 289

If the person requesting the oath withdraws their request, the court will proceed with the case based on other available evidence and issue an appropriate ruling.

Chapter 8 – Judicial Delegation

Article 290

In cases where investigations from witnesses or experts, local inspections, or any other action must be carried out outside the court's jurisdiction, and direct involvement by the court is not required, the relevant court will delegate the matter to the appropriate court in the region where the action should take place, so that necessary actions are taken and reported back to the original court. These actions will be valid only if trusted by the court.

Article 291

In cases requiring investigations outside of Iran, the court will delegate the matter to the court of the country where the investigation is to take place, in accordance with agreements between Iran and the other country. The court will then handle the matter and send the report back. The Iranian court will rely on the findings from the foreign investigation, provided they trust the results.

Article 292

Iranian courts may accept investigative delegations from foreign courts provided there is reciprocity and it complies with Iranian law.

Article 293

Iranian courts will perform judicial delegations according to Iranian law, but if a foreign court has a specific procedure for conducting investigations, Iranian courts may follow that procedure if there is reciprocity and it does not conflict with Islamic principles, public order, or moral standards.

Article 294

In the case of a judicial delegation for investigations outside Iran, the Iranian court will determine how the investigation should be carried out according to Iranian law, and will instruct the foreign court to follow that procedure. If the foreign court deviates, the court's decision will depend on its evaluation of the findings.

Chapter 11 – Ruling

Section 1 – Issuance and Pronouncement of Ruling

Article 295

After announcing the conclusion of proceedings, if possible, the court will issue the ruling during the same session and inform the parties; otherwise, the ruling must be issued within one week.

Article 296

After the verbal pronouncement of the ruling, it must be written and signed by the judge(s). The following details must be included:

1. The date of issuance.
2. The names and details of the parties or their legal representatives, with their residence.
3. The subject of the case and the parties' requests.
4. The reasoning, evidence, legal principles, and articles on which the ruling is based.
5. The name and position of the judge(s).

Article 297

The ruling must be transcribed within five days of its issuance and signed by the judge(s).

Article 298

If the case can be divided and only part of it requires a ruling, upon the claimant's request, the court must issue a ruling on that part while continuing to review the rest of the case.

Article 299

If the ruling fully or partially resolves the merits of the case, it is a judgment; otherwise, it is a procedural order.

Section Two – Notification of the Judgment

Article 300

The court registrar is obliged, immediately after the judgment is signed, to prepare copies of the judgment for the number of parties involved in the lawsuit. If the parties or their legal representatives are present, the judgment must be notified to them. If they are not present, the copies shall be delivered to the notification officer, who will notify the parties involved.

Article 301

The registrar or court office members should not hand over a copy of the judgment to anyone before it is signed by the judge(s). In case of violation, the offender will be penalized according to the decision of the Administrative Offenses Disciplinary Board under the punishment outlined in clause (b) of Article 9 of the Law on Administrative Offenses (1993) and higher.

Article 302

No judgment or order can be enforced unless it has been personally delivered or a certified copy of the judgment has been notified to the parties or their legal representatives.

The manner of delivering the judgment and certified copies shall follow the regulations for the delivery of complaints and other official documents.

Note – If the court's judgment is in absentia and the defendant's whereabouts are unknown, the contents of the judgment will be published in a widely circulated national or local newspaper at the claimant's expense, once, to notify the defendant. The publication date will be considered the date of notification.

Section Three – Presence and Absence Judgment

Article 303

The court's judgment is considered in-person unless the defendant, their lawyer, or legal representative has not attended any of the court sessions, has not submitted any written defense, or if the notification was not duly delivered.

Article 304

If there are multiple defendants and only some of them attend the court session or submit a defense, the court will review the lawsuit against all defendants and then issue a judgment. The court's decision will be considered in absentia for those who did not attend, did not submit a defense, or for whom the notification was not duly delivered.

Section Four – Request for Review of a Judgment

Article 305

A defendant who has been absent and subject to a judgment in absentia has the right to appeal the judgment. This appeal is called "request for review. The appeal is examined in the court that issued the judgment in absentia.

Article 306

The deadline for filing a request for review of a judgment in absentia is 20 days for those residing within the country and two months for those residing abroad, starting from the date of real delivery of the judgment. If the defendant proves that the failure to file the appeal within this time was due to a legitimate excuse, they must provide the reasons for the delay along with the appeal. If the court accepts the claim, the request will be accepted, and the execution of the judgment will be suspended. The following reasons are considered legitimate excuses:

1. Illness that prevents movement.
2. Death of a parent, spouse, or child.
3. Force majeure events such as floods, earthquakes, and fires, which make it impossible to file the request for review within the specified time.
4. Detention or imprisonment that prevents the defendant from filing the appeal in time.

Note 1 – If real notification of the judgment to the defendant is not possible and legal notification is performed, this notification is valid, and the judgment in absentia will be executed after the legal deadline has expired and the judgment has become final.

If the judgment was not delivered in person and the defendant claims not to have been informed of the judgment, they may file a request for review with the court that issued the judgment. The court will prioritize this case and issue a decision to accept or reject the request. If the request is accepted, execution of the judgment will be suspended.

Note 2 – Execution of the judgment in absentia is contingent upon the provision of a valid guarantor or appropriate security from the claimant unless the judgment or enforcement document has been delivered in person to the defendant and they have failed to file an appeal within the specified time.

Note 3 – Requests for review filed after the deadline, without a legitimate excuse, can be examined in the appellate stage according to the relevant regulations.

Article 307

If a defendant in absentia files a request for review after the judgment has been executed and the judgment is revised in their favor, the claimant must compensate for the damages caused by the execution of the initial judgment.

Article 308

A judgment issued after the request for review only applies to the appellant and the reviewed party, and does not extend to anyone who did not file a request for review, unless the judgment cannot be divided or separated, in which case, the judgment will apply to those who did not file an appeal as well.

Section Five – Correction of Judgment

Article 309

If there is a clerical error in the judgment, such as a word being omitted, added, or a calculation mistake, the court can, either on its own initiative or upon the request of a concerned party, correct the judgment as long as no appeal has been filed. The corrected judgment will be notified to the parties involved. Providing a copy of the original judgment without the corrected judgment is prohibited.

The parts of the judgment that were not erroneous will be executed once the judgment becomes final.

Note 1 – If the original judgment or decision of the court is subject to an appeal, review, or cassation, the correction of the judgment will also be subject to the legal deadlines for such appeals or reviews.

Note 2 – If the corrected judgment is appealed, reviewed, or cassated, the correction will lose its validity.

Section Six – Urgent Proceedings

Article 310

In matters that require urgent resolution, the court shall issue a temporary order upon the request of the interested party in accordance with the following provisions.

Article 311

If the main lawsuit is pending in a court, the court where the case is being heard shall be the authority to issue the temporary order. Otherwise, the court that has jurisdiction over the main lawsuit is the one to issue the temporary order.

Article 312

If the subject of the request for a temporary order pertains to the jurisdiction of a court other than the one mentioned in the previous article, the request for a temporary order will be made to that court, even if it does not have jurisdiction over the main lawsuit.

Article 313

The request for a temporary order may be made either in writing or orally. An oral request will be recorded in the minutes and signed by the requester.

Article 314

For urgent matters, the court will set an appropriate date and time and invite the parties to attend the court. If the urgency requires, the court may proceed without setting a time, without inviting the parties, and even during holidays or outside the court's regular location.

Article 315

It is up to the court that has jurisdiction over the request to determine whether the matter is urgent.

Article 316

A temporary order may involve the seizure of property, the performance of an action, or the prohibition of an action.

Article 317

The temporary order issued by the court will have no effect on the merits of the main lawsuit.

Article 318

After the issuance of a temporary order, if no lawsuit has been filed, the requester must, within a maximum of 20 days from the date of issuance of the order, refer to the competent court to file a lawsuit and submit their claim. The certificate of the lawsuit must be submitted to the court that issued the temporary order. Otherwise, the court that issued the temporary order will, upon the request of the opposing party, revoke the order.

Article 319

The court is required to obtain appropriate security from the claimant to cover any potential damages that may arise from the temporary order. In such cases, the issuance of the temporary order is conditional on the provision of security.

Article 320

The temporary order is enforceable once it has been delivered. Considering the urgency of the matter, the court may order that it be enforced before delivery.

Article 321

If the opposing party provides security that is proportional to the subject of the temporary order, the court, if deemed appropriate, may revoke the temporary order.

Article 322

If the reason for issuing the temporary order is resolved, the court that issued the order will cancel it. If the main lawsuit is still pending, the court handling the case will revoke the order.

Article 323

If a lawsuit is not filed as per Article 318, or if the claimant's claim is rejected in the lawsuit, the requester of the temporary order will be ordered to compensate the opposing party for the damages incurred during the enforcement of the temporary order.

Article 324

Regarding the security taken from the requester of the temporary order or its removal, if no lawsuit is filed to claim damages within one month from the delivery of the final judgment, the court will order the removal of the seizure on the secured property.

Article 325

The acceptance or rejection of the request for a temporary order is not subject to independent appeal or review. However, the requester may raise an objection to the main judgment and request a review within the appeal of the main decision. In any case, the rejection or acceptance of the temporary order request cannot be reviewed at the cassation stage.

Note 1 – The execution of a temporary order requires approval from the head of the judicial district.

Note 2 – A request for a temporary order requires the payment of court fees equivalent to those for non-financial lawsuits.

Chapter Four – Appeal

Section One – Judgments and Orders Subject to Appeal and Review

Article 326

[According to the supplementary Article 39, dated 28th July 2002, this provision has been expressly repealed under the Law for the Establishment of General and Revolutionary Courts.]

Article 327

If the judge who issued the judgment becomes aware of his or her own error, the judge will, with justification, send the case to the appellate court. The appellate court will, based on the presented reason, annul the judgment and will conduct a substantive review.

Article 328

If any of the authorities listed in Note 1 of Article 326 become aware of an error in the issued judgment, they will send the case to the appellate court with justification. If the appellate court accepts the argument provided, it will annul the judgment and conduct a substantive review; otherwise, the court will affirm the judgment and return it to the trial court for execution.

Article 329

If the lack of jurisdiction of the judge who issued the judgment is claimed, the appellate authority will first address the claim of jurisdiction and, if proven, will annul the judgment and review the case again.

Section Two – Judgments Subject to Appeal

Article 330

Judgments of the General and Revolutionary Courts in civil matters are final, unless they are subject to appeal under the law.

Article 331

The following judgments are subject to appeal:

- A. In financial disputes where the claim or its value exceeds three million (3,000,000) rials.
- B. All judgments issued in non-financial disputes.
- C. Judgment related to ancillary matters of a case, provided the judgment on the main issue is subject to appeal.

Note – Judgments based on an admission in court or based on the opinion of one or more experts, whose opinion has been accepted in writing by the parties as decisive in the case, are not subject to appeal, except in cases concerning the jurisdiction of the court or the judge who issued the judgment.

Article 332

The following orders are subject to appeal, provided the judgment on the main issue is also subject to appeal:

- A. Orders for the annulment or rejection of a petition issued by the court.
- B. Orders dismissing or not hearing the case.
- C. Orders for the dismissal of the case.
- D. Orders on the lack of capacity of one of the parties to the case.

Article 333

If the parties to the case have waived their right to appeal in writing, their appeal will not be accepted, except with respect to the jurisdiction of the court or the judge who issued the judgment.

Article 334

The appellate authority for judgments of the General and Revolutionary Courts in each jurisdiction is the Court of Appeal of the central province of that jurisdiction.

Article 335

The following persons have the right to request an appeal:

- A. The parties to the case or their attorneys or legal representatives.
- B. The authorities listed in Note 1 of Article 326 within the scope of their legal duties.

Section Three – Appeal Time Limits

Article 336

The time limit for the parties to file an appeal is 20 days for persons residing in Iran and two months for those residing abroad, starting from the date of notification or the expiration of the deadline for reconsideration.

Article 337

If one of those entitled to appeal becomes bankrupt, incapacitated, or dies before the expiration of the appeal deadline, the new time limit for filing the appeal will begin from the date of notification of the judgment or order to the trustee in bankruptcy, the guardian, or the heir or legal representative of the deceased.

Article 338

If the status of any person involved in the case as a representative, such as in the role of a guardian, custodian, or executor, ends before the expiration of the appeal period, the appeal period will begin from the date of notification of the judgment or order to the person who replaces them. If this status is removed due to the lifting of incapacity, the appeal period will begin from the date the incapacity is lifted.

Section Four – Appeal Petition and Preliminary Procedures

Article 339

The appellant must submit their appeal petition within the prescribed time limit to the court that issued the judgment, the first branch of the appellate court, or to the detention facility where the person is being held.

Each of the aforementioned authorities must immediately register the petition upon receipt, issue a receipt containing the appellant's name, the opposing party's name, the submission date, registration number, and judgment number, and provide the appellant with a copy of the receipt. The same date should be noted on every page of the appeal petition. This date will be considered the date of the appeal.

Note 1 – If the appeal petition is submitted to the appellate court or detention facility, the procedure mentioned above should be followed, and the petition should be sent to the court that issued the judgment.

If the appeal petition is submitted within the legal time limit, the court clerk of the first instance court must send the case to the appellate court within two days after completing it.

Note 2 – If the petition is submitted after the legal time limit or is not corrected within the prescribed period, the trial court will reject it with an order. This order can be appealed to the appellate court within 20 days from the date of notification, and the appellate court's decision is final.

Note 3 – The court must indicate at the bottom of its judgment whether it is subject to appeal and which court has jurisdiction over the appeal. This will not prevent either party from appealing if the judgment is appealable, even if the court declares it final.

Article 340

If the appeal petition is not submitted to the appropriate authorities within the prescribed time limit, the appellant must submit the appeal petition along with a justification for the delay to the court that issued the judgment. The court is required to first assess the justification for the delay in submitting the petition and, if the reason is valid, will decide whether to accept the appeal petition.

Note – Valid reasons for delay are the same as those outlined in the provisions of Article 306.

Article 341

The appeal petition must include the following information:

1. The name, surname, domicile, and other details of the appellant, and the attorney if the petition was submitted by an attorney.
2. The name, surname, domicile, and other details of the appellee.
3. The judgment or order that is being appealed.
4. The court that issued the judgment.
5. The date of notification of the judgment.
6. The reasons for the appeal.

Article 342

If the petitioner holds a position such as guardianship, custody, agency, or company management, and the like, they must attach a copy or image of the document proving their position to the petition.

Article 343

The petition and its attachments must be submitted in two copies, and if there are multiple parties, an additional copy must be provided for each party.

Article 344

If the petitioner's details are not specified in the petition and it is unclear who the petitioner is, or if their address is unknown, and if the petition is not completed or renewed before the deadline, the petition will be rejected by the court upon expiry of the deadline. This decision can be appealed in the Court of Appeal within ten days from the date of posting on the court's notice board.

*Note*_ The deadlines mentioned in this article and Article 336 do not apply to the cases of annulment mentioned in Article 326.

Article 345

Any petition that does not comply with the requirements in sections (2, 3, 4, 5, and 6) of Article 341 and Articles 342 and 343 will not be processed. The court clerk must inform the petitioner in writing of the deficiencies within two days of receiving the petition and allow ten days from the notification date to correct them. If the petition needs to be resubmitted, the petitioner must do so, otherwise, the court will proceed in accordance with the provisions of Note 2 of Article 339.

Article 346

Within two days of receiving the petition and its attachments, or after the deficiencies have been corrected, the court clerk must send a copy of the petition and its attachments to the opposing party, who must respond within ten days from the notification. If no response is received within the specified time, the case file will be sent to the appellate court.

Article 347

An appeal from a judgment that can be appealed as per the law will prevent the execution of the judgment, even if the court has declared it final, unless specified otherwise by law.

Chapter Five - Grounds for Appeal

Article 348

The grounds for appealing are as follows:

- (a) Claiming the court documents are not credible.
- (b) Claiming that the conditions for the legal testimony of witnesses are not met.
- (c) Claiming the judge did not consider the presented evidence.
- (d) Claiming the judge or the court that issued the decision lacked jurisdiction.
- (e) Claiming the decision contradicts Sharia principles or legal regulations.

Note_ If an appeal is filed based on one of the grounds mentioned in this article, the appellate court will also consider any other grounds that may be relevant.

Article 349

The appellate court will only review what has been specifically appealed and was subject to the first-instance judgment.

Article 350

Failure to meet the legal requirements for a petition or failure to correct it within the legal deadline at the first instance will not cause the judgment to be overturned at the appellate level. In such cases, the appellate court will notify the petitioner to correct the petition within ten days of the notification. If no action is taken or if the petitioner's status is unclear, the court will annul the decision and issue a rejection of the case at the first-instance.

Article 351

If the appellate court finds no errors in the first-instance judgment except for minor mistakes such as numbers, figures, typographical errors, or omissions in the requested claim, it will correct the judgment and confirm it.

Article 352

If the appellate court finds the first-instance court to lack jurisdiction (either local or inherent), it will annul the judgment and send the case file to the competent authority.

Article 353

If the appellate court finds the contested decision to be in accordance with the law, it will confirm the decision. Otherwise, it will annul it and return the case for substantive review to the first-instance court.

Article 354

A decision for investigation and inspection of the site in the appellate court will be carried out by the president of the court or at their directive by one of the judges of the division. If the site is in a different city within the same province, the appellate court may request the local court to carry out the inspection. If the site is in another province, it will issue a judicial commission to the local court for execution.

Note_ In cases where the basis of the decision is solely based on the testimony of a witness or site inspection, it will be carried out by the issuing judge unless a report that is deemed credible by the court is available.

Article 355

If the appellate court finds the grounds for rejecting or dismissing the case to be invalid, but it determines the case is inadmissible or non-existent due to other legal reasons, it will confirm the decision.

Article 356

The procedures applied at the first-instance stage will apply to the appellate stage, unless otherwise provided by law.

Article 357

Only the parties to the case or their legal representatives can participate in the appeal stage, unless otherwise stipulated by law.

Article 358

If the appellate court finds the appeal's grounds to be valid, it will annul the first-instance decision and issue a new decision. Otherwise, it will reject the appeal, confirm the judgment, and return the case to the first-instance court.

Article 359

The judgment of the appellate court cannot be used by anyone other than the parties to the appeal, unless the judgment is indivisible, in which case it will also apply to other persons who were subject to the first-instance decision and did not appeal.

Article 360

If there is a mistake or oversight in drafting the judgment of the appellate court, the same court will correct it in accordance with Article 309.

Article 361

The preparation of the judgment and its notification will follow the procedures specified for the first-instance stage.

Article 362

New claims will not be admissible at the appeal stage, except in the following cases:

- (1) Claiming the value of the judgment or the subject of the first-instance decision, or claiming the return of property whose value was decided at the first-instance.
- (2) Claims for overdue rents, unpaid installments, compensation, or debts whose due date occurred during the first-instance process or after the issuance of the first-instance judgment.
- (3) Changing the nature of the claim from agreed-upon wages to implied wages, or vice versa.

Article 363

If any party withdraws their appeal, the appellate court will issue a decision to annul the appeal.

Article 364

In cases where the appellate judgment condemns the defendant and the defendant or their lawyer was not present at any stage of the litigation or did not submit any defense or objection, the appellate judgment can be challenged and reviewed within twenty days from the actual notification to the defendant or their lawyer.

Article 365

The judgments issued at the appellate stage are final except in the cases provided in Article 326.

Chapter Five – Supreme Court Appeals

Section One – Supreme Court Appeals in Civil Matters

Subsection One – Supreme Court Appeals and Appealable Rulings

Article 366

A supreme court appeal involves determining whether or not the judgment being appealed aligns with Islamic principles and legal regulations.

Article 367

Rulings issued by trial courts that have become final due to the absence of an appeal are not subject to supreme court appeal, except in the following cases:

a. Judgments:

1. Judgments involving a claim exceeding twenty million (20,000,000) rials.
2. Judgments regarding the validity of marriage and its annulment, divorce, lineage, incapacity, endowment, one-third inheritance, imprisonment, and guardianship.

b. Rulings under the following conditions, provided the main judgment is appealable in the supreme court:

3. Rulings for the annulment or rejection of a petition issued by the court.
4. Rulings for the dismissal of a lawsuit or the lack of legal capacity of one of the parties.

Article 368

Rulings issued by the Court of Appeal are not subject to supreme court appeal, except in the following cases:

a. Judgments: Judgments regarding the validity of marriage and its annulment, divorce, lineage, incapacity, and endowment.

b. Rulings under the following conditions, provided the main judgment is appealable in the supreme court:

1. Rulings for the annulment or rejection of a petition issued by the court of appeal.
2. Rulings for the dismissal of a lawsuit or the lack of legal capacity of one of the parties.

Article 369

The following rulings, although falling under the categories listed in paragraphs (a) of the previous two articles, are not subject to supreme court appeal:

1. Rulings based on a confession that resolves the lawsuit in court.
2. Rulings based on the opinion of one or more experts whose opinion the parties have agreed, in writing, will be decisive in the case.
3. Rulings based on an oath that conclusively resolves the dispute.
4. Rulings where the parties have waived their right to supreme court appeal.
5. Rulings issued during or after the adjudication of the main case, concerning its ancillary matters, provided the ruling on the main case is not subject to supreme court appeal.
6. Rulings that, according to special laws, are not subject to supreme court appeal.

Subsection Two – Grounds for Annulment

Article 370

The reviewing chamber, after deliberation, will decide, based on the majority opinion, whether to uphold or annul the appealed ruling. If the ruling is consistent with the law and evidence in the case file, it will be upheld, and the case will be sent back to the issuing court. Otherwise, the necessary actions will follow according to the regulations.

Article 371

A ruling or order will be annulled in the following cases:

1. If the issuing court lacks inherent jurisdiction to hear the case or has not observed local jurisdiction when it has been challenged.
2. If the ruling is contrary to Islamic principles or legal regulations.
3. If the procedural rules and mandatory provisions of the case are violated to such an extent that it renders the ruling legally invalid.
4. If conflicting rulings are issued without a legal basis on the same matter between the same parties.
5. If the investigation was incomplete or failed to address the arguments and defenses of the parties.

Article 372

If the ruling issued is not in conflict with the governing laws at the time of its issuance, it will not be annulled.

Article 373

If the substance of the ruling aligns with a legal provision, but its reasoning is based on a different legal provision with a different meaning, the ruling will be annulled.

Article 374

In cases where the lawsuit is based on a contract, if the court gives a different interpretation to the contract than what is explicitly stated in the document or by law or regulations, the ruling in that regard will be annulled.

Article 375

If the authenticity of documents, records, or writings used as the basis for the ruling, presented by the parties during the proceedings, is proven to be false, the ruling will be annulled.

Article 376

If conflicting rulings have been issued in a case without any change in the parties or the nature of the dispute, or if a ruling is annulled due to an appeal or retrial, the later ruling will be invalid, and the interested party can request its invalidation. The first ruling will also be annulled if it is in violation of the law, regardless of whether the rulings were issued by one court or multiple courts.

Article 377

If any of the grounds for annulment exist, the ruling being appealed will be annulled, even if the appellant has not explicitly relied on those grounds for annulment.

Subsection Three – Procedure for Supreme Court Appeal

Article 378

The following individuals may file for a supreme court appeal, subject to the following provisions:

1. The parties to the lawsuit, their legal representatives, and attorneys.
2. The Attorney General.

Article 379

A supreme court appeal is made by submitting a petition to the court that issued the ruling. The court's registrar must record the petition and issue a receipt containing the name of the appellant, the opposing party, the date of submission, and a registration number. The date of submission marks the beginning of the appeal process.

Article 380

The petition must contain the following details:

1. The full name, residence, and other identifying details of the appellant and their attorney, if the petition was filed by an attorney.
2. The full name, residence, and other identifying details of the appellee.
3. The judgment or order being appealed.
4. The court that issued the judgment.
5. The date the judgment was served.
6. The grounds for the appeal.

Article 381

The following documents must be attached to the petition for a supreme court appeal:

1. A certified copy or image of the judgment or order being appealed.
2. A brief outlining the objections to the judgment.
3. A power of attorney or proof of the appellant's status, if the petition was not filed by the appellant themselves.

Article 382

The petition and its attached documents must be submitted in two copies, and if there are multiple parties to the case, one additional copy for each party, except for the proof of status, which only needs to be attached to the first copy.

Article 383

A petition that is not submitted in accordance with the provisions of the previous two articles or lacks the required filing fee will not be processed. The court's registrar must notify the petitioner of any deficiencies within two days of receiving the petition and give them ten days from the date of notification to correct the deficiencies. If the petition is submitted after the deadline or remains incomplete, it will be dismissed by the court.

This decision can be appealed within twenty days from the date of notification to the Supreme Court, and the Supreme Court's decision is final.

Article 384

If the appellant's details are not specified in the petition and the identity of the petitioner is unclear, the petition will be considered void, and after the appeal deadline has passed, the court will dismiss the petition by order. This decision can be appealed within twenty days from the date it is posted on the court's notice board.

Article 385

If the petition is complete, the court registrar will send a copy of the petition and its attachments to the opposing party, allowing them twenty days to respond in writing. After the expiration of this period, whether a response is received or not, the case will be forwarded to the Supreme Court along with the case file and the appealed judgment.

Article 386

The request for appeal does not delay the execution of the judgment until it is overturned, but the following measures will be taken:

A – If the judgment involves a financial amount, if necessary, the court will ensure that appropriate security is obtained from the creditor before execution.

B – If the judgment is non-financial and the court finds that the defendant provides appropriate security, the execution of the judgment will be delayed until the final appeal ruling is issued.

Article 387

If an appealable ruling is not appealed within the statutory period, or if a decision to reject the appeal is issued and becomes final for any reason, and the interested party claims that the ruling contradicts Shari'a or the law, they may request an appeal review through the Attorney General. Such a request must be accompanied by a formal petition and payment of the appeal fees.

Note – The deadline for submitting the petition is one month from the expiration of the appeal period, the finalization of the rejection decision, or the notification of the Supreme Court ruling confirming the rejection decision.

Article 388

The office of the Attorney General receives the petition for appeal review and, if complete in terms of attachments, documents, and payment of appeal fees, registers it and forwards it along with the original file to the Attorney General for review.

If the Attorney General finds the claim of contradiction with Shari'a or the law to be valid, they will request the Supreme Court to overturn the ruling. If the ruling is overturned, the process will proceed according to the regulations outlined in Chapter Six of this law.

Note – If the submitted petition is incomplete, the office of the Attorney General will notify the petitioner to remedy the deficiencies within ten days. If the deficiencies are not corrected within this period, the petition will not be processed. Late petitions will also not be considered.

Article 389

After the Attorney General requests the overturning of a ruling, the defendant can submit the necessary certificate to the executing court to request a stay of execution.

The court is obligated to issue an order to halt the execution of the judgment until the Supreme Court has completed its review, provided that appropriate security is taken.

Chapter Four – Review Procedure

Article 390

After receiving the case file, the President of the Supreme Court or one of their deputies will assign it to one of the Supreme Court branches in the order of receipt. The assigned branch will review the case, except in cases where, by law or at the discretion of the President of the Supreme Court, the review must take place out of order.

Article 391

After the case is referred to a branch, it cannot be taken back and sent to another branch, except as permitted by law. The provisions of this article apply to all courts.

Article 392

The branch head will study the subject of the appeal petition and prepare a report, or assign one of the branch members to do so.

The report must be comprehensive, including the full case history, the objections of the appellant, and the legal grounds of the appeal, with reasoning.

If a member of the branch finds any legal violations, bias, or lack of judicial awareness by any judges involved in the case, they must clearly address it with reasoning in the report. A copy of the report will be sent to the High Judicial Court for review.

Article 393

The review at the Supreme Court is conducted without the presence of the parties involved unless the reviewing branch deems their presence necessary.

Article 394

Summonses will be sent to the trial court at the address of each party. The court must promptly deliver the summons upon receipt and forward the acknowledgment to the Supreme Court.

Article 395

During the review, the reporting judge will read the case materials and any necessary documents. The parties or their lawyers, if present, may express their views with the permission of the branch head, as can the representative of the Attorney General in legally prescribed matters.

The statements of those present will be recorded in the minutes and signed by them. The reporting judge may amend their report before issuing the ruling based on these statements.

Article 396

After following the procedures outlined in the above articles, the reviewing branch will make a decision by majority vote to either uphold or overturn the appealed ruling. If the ruling is in accordance with the law and the evidence in the case, it will be upheld, and the case will be returned to the court that issued the original ruling. Otherwise, further action will be taken according to subsequent regulations.

Chapter Five – Appeal Deadlines

Article 397

The deadline for filing an appeal for individuals residing in Iran is twenty days, and for those residing abroad, it is two months.

Article 398

The deadline for filing an appeal starts as follows:

A – For appealable rulings and decisions of the provincial appellate court, from the day of notification.

B – For rulings and decisions of the trial court that have not been appealed, from the expiration of the deadline for appeal.

Article 399

If the appeal is due to the contradiction between two rulings, the deadline starts from the last notification date of either of the two rulings.

Article 400

The provisions of Articles (337) and (338) of this law apply to appeals from rulings and decisions.

Chapter Six – Actions Following Violation

Article 401

Following the annulment of a court ruling by the Supreme Court, the case shall be referred for re-examination to the court determined as follows, and the referred court is obliged to review the case:

A – If the annulled ruling was a procedural order or a judgment that was annulled due to insufficient investigation, the re-examination shall be referred back to the issuing court.

B – If the ruling was annulled due to lack of jurisdiction of the court, it shall be referred to the court which the Supreme Court finds competent.

C – In other cases of annulment, the case shall be referred to a different branch from the same judicial district that issued the annulled ruling, and if that district has no more than one branch, it will be referred to the nearest court of another district.

Article 402

In case of annulment of a ruling due to insufficient investigation, the Supreme Court is obliged to specify the deficiencies comprehensively and in detail.

Article 403

If the requested appeal ruling contains an error regarding the calculation of the ruling, damages, or the specifications of the parties involved and similar matters that do not affect the foundation of the ruling, the Supreme Court will correct it and affirm the ruling. Additionally, if the court's ruling has been issued as a judgment but aligns with the procedural order in terms of reasoning and outcome without containing any other issues, the Supreme Court will consider it a procedural order and approve it. Also, any part of the court's ruling that was issued beyond the claimant's request will be annulled without referral.

Note – Whenever the error or mistake mentioned in this article occurs in an appeal ruling, the correction will be handled by the Supreme Court.

Article 404

The Supreme Court's rulings cannot be used by third parties who are not involved in the appeal, except in cases where the ruling cannot be divided or separated; in such cases, it will also apply to other persons who were affected by the appealed ruling but did not request an appeal.

Article 405

The referred court will take the following actions:

A – In case of annulment of a judgment due to insufficient investigations, it will conduct the investigations required by the Supreme Court and then issue a ruling considering those findings.

B – In case of annulment of a procedural order, the court must proceed with the case according to the Supreme Court's ruling unless a new reason emerges for refusing to address the substance of the case after the annulment. If the annulled procedural order was initially issued at the appeals stage, it will be referred back to the issuing court, and if it was in confirmation of the ruling of the court of first instance, the case will be referred to the same court of first instance for further review.

Article 406

Regarding the previous article and other cases of judgment annulment, the referred court, considering the Supreme Court's ruling and the contents of the case file, may proceed without setting a date if it deems no further action necessary, and issue a ruling accordingly. Otherwise, it will set a date and invite the parties before taking the necessary action and issuing a ruling.

Article 407

If one of the two conflicting rulings is lawful and the other is annulled, the valid ruling remains enforceable. If both rulings are annulled, actions will be taken according to the previous article (Article 406).

Article 408

In cases where after the annulment of the contested ruling by the Supreme Court, the court issues a persistent ruling with reasoning based on the initial ruling, and this ruling is subject to an appeal,

the relevant branch of the Supreme Court, upon accepting the reasoning, will affirm the court's ruling. Otherwise, the case will be brought before the Public Assembly of the Civil Branches, and if the opinion of the Supreme Court's branch is upheld, the issued ruling will be annulled, and the case will be referred to another branch. The referred court will issue the appropriate ruling based on the reasoning of the Supreme Court's Public Assembly. This ruling is final except for cases mentioned in Article (326).

Article 409

A new petition is not required to renew the proceedings after annulment.

Article 410

In the ruling of the Supreme Court, the name, details, and place of residence of the parties as well as the judgment or procedural order that is being appealed, along with a clear and complete summary of the objections and reasons for annulment or affirmation, shall be clearly and completely stated, and after being signed, it will be recorded in a special register with identification number and date.

Article 411

[As per Article 39 added on 28/07/1381 to the Law on the Establishment of Public and Revolutionary Courts, this is explicitly repealed.]

Article 412

[As per Article 39 added on 28/07/1381 to the Law on the Establishment of Public and Revolutionary Courts, this is explicitly repealed.]

Chapter Seven – Subordinate Appeal

Article 413

The respondent in the appeal can only request a subordinate review regarding the aspects of the ruling they consider detrimental or contrary to legal principles and laws within their response to the appeal petition. In this case, the request for subordinate appeal will be served to the parties,

who will have twenty days to respond in writing, even if the period for requesting the appeal has expired for them.

Article 414

Subordinate appeal is only accepted against the appellant and from those who are the subject of the appeal.

Article 415

If the appellant withdraws their appeal petition or it is rejected, the right to request a subordinate appeal will be forfeited, and if a subordinate appeal has been requested, it will become ineffective.

Article 416

None of the conditions specified in Articles (380) and (381) are applicable in subordinate appeals.

Chapter Two – Objection by a Third Party

Article 417

If a ruling is issued regarding a dispute that harms the rights of a third party, and that person or their representative did not participate in the proceedings that led to the ruling, they may object to that ruling.

Article 418

Regarding the previous article, the third party has the right to object to any ruling issued by the public, revolutionary, or appellate courts, and regarding an arbitral award, those who did not participate in the appointment of the arbitrator can also object as a third party.

Article 419

Objection by a third party is of two types:

A – The principal objection is that which has been made initially by the third party.

B – The incidental objection (non-principal) is an objection by one of the parties to a ruling previously issued by a court, which the other party cited during the proceedings to support their claims.

Article 420

The principal objection must be made by a petition against the opposing party and in favor of the party who won the previous ruling. This petition is submitted to the court that issued the final ruling in question. The procedural order will be the same as that of the initial proceedings.

Article 421

An incidental objection in the court where the case is being heard will be made without submitting a petition; however, if the court is of a lower grade than the court that issued the contested ruling, the objector must submit their petition to the court that issued the ruling, where it will be reviewed according to principles.

Article 422

A third-party objection can be made before the execution of the contested ruling, and after its execution, an objection can only be made if it is proven that the rights which serve as the basis for the objection have not been extinguished for any legal reason.

Article 423

In the case of a third-party incidental objection, if the court determines that the ruling issued regarding that objection will have an effect on the main case, it will delay the proceedings until the outcome of the objection. Otherwise, it will proceed to adjudicate the main case. If the review of the objection according to Article (421) is to be handled by another court, a period of twenty days will be granted to the objector to submit their petition to the relevant court. If the objector fails to act within the specified time, the court will continue with the proceedings of the case.

Article 424

A third-party objection does not delay the execution of a final ruling. In cases where compensating for damages incurred from the execution of the ruling is not possible, the court reviewing the third-party objection may issue an order to delay the execution of the ruling for a specified period upon the request of the third-party objector and after obtaining suitable security.

Article 425

If after review, the court finds the third-party objection valid, it will annul the part of the ruling that is being contested, and if the contents of the ruling are inseparable, the entire ruling will be revoked.

Chapter Three – Retrial

Section One – Grounds for Retrial

Article 426

For final rulings, a request for retrial may be made on the following grounds:

1. The subject of the ruling was not claimed by the plaintiff.
2. The ruling was issued for an amount greater than what was requested.
3. The presence of a contradiction within the contents of a ruling arising from reliance on principles or conflicting articles.
4. The issued ruling contradicts another ruling regarding the same case and its parties that was previously issued by the same court without any legal ground causing this discrepancy.
5. The opposing party in the retrial application committed fraud or deception that influenced the court's ruling.
6. The ruling of the court was based on documents found to be forged after the ruling was issued.
7. After the ruling was issued, documents and evidence were obtained that substantiate the validity of the retrial request and it is proven that these documents and evidence were concealed during the proceedings and were not available to the applicant.

Section Two – Deadline for Retrial Requests

Article 427

The deadline for requesting a retrial for individuals residing in Iran is twenty days, and for individuals residing outside the country, it is two months, as follows:

1. For definitive in-person rulings, from the date of notification.
2. For default judgments, from the date the time for reneging and appealing has expired.

Note – In cases where the applicant for retrial has a justified excuse, Article (306) of this law will apply.

Article 428

If the retrial is based on the contradiction between two rulings, the deadline starts from the date of the last notification of either ruling.

Article 429

If the reason for the retrial is based on the forgery of documents or deception by the opposing party, the deadline for the retrial request will start from the date of notification of the final ruling regarding the proof of forgery or deception.

Article 430

Whenever the basis for the retrial is the existence of documents and evidence that were concealed, the deadline will be calculated from the date of receipt of the documents and evidence or knowledge of their existence. The mentioned date must be proven in the court reviewing the request.

Article 431

The provisions of Articles (337) and (338) of this law shall also apply to retrials.

Section Three – Procedure for Requesting Retrial and Review

Article 432

There are two types of retrials:

A – Principal, which refers to when the applicant independently requests a retrial.

B – Incidental, which refers to when a ruling is presented as evidence during the proceedings, and the individual against whom the ruling was made requests a retrial regarding it.

Article 433

A principal retrial petition is submitted to the court that issued the ruling in question, and an incidental retrial petition is submitted to the court where the ruling was presented as evidence.

Note – After requesting an incidental retrial, the necessary petition must be submitted to the court registry within three days.

Article 434

The court receiving the incidental retrial petition is obligated to forward it to the court that issued the ruling. If it finds the reasons for the request compelling and determines that the ruling regarding the retrial request will impact the case, it will delay the proceedings of the case in the part where the ruling pertains to the retrial until a ruling on the retrial is issued; otherwise, it will continue with its review.

Note – If a case is under review by the Supreme Court and a retrial request is made regarding it, the request will be referred to the court that issued the ruling. If the request is accepted by the court, the review in the Supreme Court will be suspended until the ruling is issued.

Article 435

The retrial petition must include the following details:

1. The name, surname, residence, and other specifications of the applicant and their counterpart.
2. The ruling for which the retrial is requested.
3. The details of the court that issued the ruling.
4. The grounds for requesting the retrial.

If the retrial petition is submitted by a lawyer, their details must be included in the petition, and the power of attorney must also be attached to it.

Note – The competent court will first issue a ruling regarding the acceptance or rejection of the retrial request, and if the request is accepted, it will proceed with a substantive review.

Other procedural arrangements will follow the regulations concerning lawsuits.

Article 436

In a retrial, the grounds for review will not extend beyond those mentioned in the retrial petition.

Article 437

Upon the request for retrial and issuance of an acceptance ruling, the following actions will be taken:

A – If the subject of the ruling is non-monetary, the execution of the ruling will be suspended.

B – If the subject of the ruling is monetary and there is a possibility of obtaining security and compensation for potential damages, the court will obtain adequate security from the winning party, and the execution of the ruling will continue.

C – In cases where the retrial request pertains to a part of the ruling, the appropriate measures will be taken according to clauses (A) and (B).

Article 438

When the court, after review, finds the retrial request valid, it will annul the ruling in question and issue an appropriate ruling. If the retrial request pertains to part of the ruling, only that part will be annulled or amended. This ruling will be subject to related regulations regarding appeal and review.

Article 439

If the reason for the retrial is the contradiction of two rulings, the court, upon acceptance of the retrial request, will annul the second ruling while the first ruling will remain in effect.

Article 440

For a ruling issued after a retrial, no further retrial will be accepted on that ground.

Article 441

In retrials, no other parties except the litigants may intervene in the case in any manner.

Chapter Six – Deadlines

Section One – Determining and Calculating Deadlines

Article 442

Deadlines not specified by law shall be determined by the court. The deadline set by the court must be sufficient for the matter at hand to be completed. The deadline may be specified in years, months, weeks, or days.

Article 443

For the purposes of calculating legal deadlines, a year consists of twelve months, a month consists of thirty days, a week consists of seven days, and a day consists of twenty-four hours.

Article 444

If the last day of a deadline falls on a public holiday or if the related judicial authority is not ready to take action, that day shall not be counted, and the last day of the deadline will be the day when the offices reopen after the holiday or removal of the obstacle.

Article 445

In a deadline that has its beginning from the date of notification or announcement, the day of notification and announcement, as well as the day of action, shall not be included in the duration.

Article 446

All deadlines prescribed by this law, such as for appeals or completion of petitions, shall be two months from the date of notification for individuals residing outside the country.

Article 447

If there are multiple defendants in a case, the longest deadline observed for any one of them will apply to the others as well.

Article 448

If an obstacle arises on the day set by the court for the presence of the parties, the expiration of the deadline will be the day set by the court for the hearing.

Article 449

Deadlines that the court has determined to expire will do so on that specified date.

Section Two – Granting Extensions and Renewing Deadlines

Article 450

Extensions on deadlines set by the court are permissible only once, unless there was an error or mistake in announcing the deadline, or if the applicant proves that the failure to perform the requested task was due to an obstacle that was beyond their capacity to remove.

Note – The provisions related to deadlines do not apply to the rescheduling of court hearings.

Article 451

Renewing legal deadlines for objections to default judgments, appeals, and retrials is prohibited, unless the law expressly states otherwise.

Article 452

Granting an extension after the expiration of legal deadlines, except for the cases mentioned in the previous article, is permissible only if there was an error or mistake in announcing the deadline, or if the applicant proves that the failure to utilize the legal deadline was due to one of the justified excuses as mentioned in Article (306) of this law.

Article 453

If an extension is accepted, a new deadline will be set that is appropriate to the rectification of the excuse but will not exceed the legal deadline.

Chapter Seven – Arbitration

Article 454

All individuals with legal capacity to file a lawsuit may, by mutual agreement, refer their disputes and differences—whether or not they have been brought before the courts and at any stage of proceedings—to one or more arbitrators.

Article 455

The parties can be bound in a transaction or through a separate contract to refer to arbitration in case of disputes between them, and they may designate their arbitrator(s) prior to or after the emergence of a dispute.

Note – In all cases of arbitration, the parties may delegate the selection of arbitrator(s) to a third party or court.

Article 456

In transactions and contracts between Iranian and foreign nationals, until a dispute arises, the Iranian party may not bind themselves to refer the resolution of any potential dispute to arbitrators or a tribunal of the same nationality as the other party involved. Any transaction or agreement conflicting with this legal prohibition shall be invalid in the part where it contradicts.

Article 457

Referral of disputes concerning public and state property to arbitration occurs after the approval of the Council of Ministers and notification to the Islamic Consultative Assembly. When either the opposing party is foreign or the subject matter of the dispute is deemed significant by the law, the approval of the Islamic Consultative Assembly is also required.

Article 458

In any instance where an arbitrator is appointed, the subject matter and duration of arbitration, as well as the specifications of the parties and the arbitrator(s), must be clearly defined to avoid any ambiguity. If the arbitrator is appointed after a dispute arises, the issue submitted for arbitration must be clearly specified and communicated to the arbitrators.

Note – Arbitration agreements made before the enforcement of this law shall be subject to the regulations in effect at the time of their formation in accordance with Principle (139) of the Constitution.

Article 459

If the parties to a transaction or contract are obligated to appoint an arbitrator but fail to specify their arbitrator(s), and upon the emergence of a dispute, they do not wish or cannot appoint their specific arbitrator or agree upon a third arbitrator, and appointment is not delegated to a court or third party, one party may designate their arbitrator, notify the other party via an official declaration, and request the appointment of the arbitrator or agree upon a third arbitrator. In this case, the other party is obliged to introduce their arbitrator within ten days from the date of notification or agree upon appointing a third arbitrator. If no action is taken by the expiration of this period, the interested party may refer to the court for the appointment of the arbitrator.

Article 460

In cases where it is specified that a dispute shall be referred to a single arbitrator and the parties do not wish or cannot agree on the appointment, and in situations where the arbitrator of one of the parties dies or resigns and the respective party does not wish to appoint a successor, or if the appointment of the arbitrator has been delegated to a third party who refuses to appoint or it becomes impossible for them to do so, either party may introduce their preferred arbitrator and request the opposing party to express their choice regarding the sole arbitrator within ten days from the date of notification or take appropriate action related to the appointment of the deceased or resigned arbitrator or the arbitrator unappointable by the third party. If no action is taken by the expiration of the deadline, the provisions of the last sentence of the previous article will apply.

Article 461

If there is a dispute about the main transaction or contract regarding arbitration between the parties, the court shall first review it and express its opinion.

Article 462

If the parties have not agreed upon a specific court for selecting an arbitrator, the court with jurisdiction to appoint an arbitrator will be the one that has jurisdiction to hear the main case.

Article 463

If the parties have agreed that a specific person will act as their arbitrator in case of a dispute and that person does not wish or cannot act as the arbitrator and neither party has agreed on another arbitrator, the resolution of the dispute will fall under the jurisdiction of the court.

Article 464

If the number of arbitrators is not specified in the arbitration agreement and the parties cannot reach an agreement on appointing arbitrator(s), each party must appoint one exclusive arbitrator and jointly appoint one as a third arbitrator.

Article 465

When one or more arbitrators are selected by one party or both parties, the selecting party is required to obtain the consent of the arbitrators. The beginning of the arbitration period is the day the arbitrators accept their role, and the subject matter of the dispute and terms of arbitration along with the specifications of the parties and arbitrators must have been communicated to all involved parties.

Article 466

The following individuals cannot be selected as arbitrators, even by mutual agreement:

1. Individuals who lack legal capacity.
2. Individuals who have been disqualified from arbitration by a definitive court ruling.

Article 467

In cases where the court designates arbitrators on behalf of the parties or one of them, the selection must be made among at least double the required number of qualified individuals, chosen by lot.

Article 468

After designating the arbitrator(s) and obtaining their consent, the court must formally notify the arbitrators in writing of their names, surnames, other identifying details, the subject matter of the dispute, and the duration of the arbitration. In this case, the beginning of the arbitration period is the date of notification to all the arbitrators.

Article 469

The court cannot appoint the following individuals as arbitrators unless they are chosen by agreement of the parties:

1. Those younger than twenty-five years of age.
2. Those with an interest in the dispute.
3. Those who are related to one of the parties up to the second degree of kinship.
4. Those who are guardians, representatives, lawyers, or administrators of one of the parties.
5. Those who or their spouses are heirs of one of the parties.
6. Those who have had a criminal proceeding with one of the parties or individuals related to them in the past or present.
7. Those themselves or their spouses or close relatives have civil litigation with one of the parties or their spouse or close relatives.
8. Government employees within their jurisdiction.

Article 470

All judges and administrative staff currently working in the judiciary may not act as arbitrators, even with the parties' consent.

Article 471

In cases where the arbitrator is chosen by lot, either party may, after the announcement in the hearing, express their objection to the appointed arbitrator within ten days from the date of notification in case of absence, unless the grounds for objection arise later. In this case, the beginning of the period is the day the reason for objection occurs. The court will review the objection after receipt and if it finds the objection valid, will appoint another arbitrator.

Article 472

After the appointment of the arbitrator(s), the parties do not have the right to dismiss them, except by mutual agreement.

Article 473

If an arbitrator fails to attend the arbitration sessions after accepting arbitration without a valid excuse, such as travel or illness, or resigns, or refuses to give a ruling, in addition to compensating for any damages incurred, they will be barred from being appointed as an arbitrator for up to five years.

Article 474

Regarding any matter referred to arbitration by the court, if one of the arbitrators resigns or refuses to give a ruling, or if they fail to attend consecutive arbitration sessions twice, the other two arbitrators will continue to adjudicate and issue a ruling on the matter. If there is disagreement among them in issuing a ruling, the court will appoint another arbitrator within ten days to replace the resigned arbitrator or the one who refused to rule or who did not attend consecutive sessions, unless the parties have introduced another arbitrator before this appointment, in which case the arbitration period begins from the date the new arbitrator accepts.

If the arbitrators are unable to issue a ruling within the contract period or the time prescribed by law, and the parties have not agreed on other arbitrators, the court will adjudicate the main case in accordance with legal regulations and issue a ruling.

Note – In the above cases, the decision of the majority of the arbitrators will be the criterion for validity, unless a different arrangement is stipulated in the contract.

Article 475

A third party who has been summoned to court in accordance with the law or who has entered the dispute before or after the referral to arbitration may agree with the parties of the main case on the referral of the matter to arbitration and the selection of the arbitrator(s). If an agreement is not reached, the dispute will be independently adjudicated in accordance with legal regulations.

Article 476

The parties must submit their documents and evidence to the arbitrators. The arbitrators may also request necessary clarifications from them and if expert opinion is needed to make a decision, they may select an expert.

Article 477

The arbitrators are not bound by the regulations of civil procedure in their proceedings and rulings, but they must comply with the rules regarding arbitration.

Article 478

If during the proceedings issues arise that relate to the commission of a crime and that have an impact on the arbitrator's ruling, and the civil aspects cannot be separated from the criminal ones, or if the dispute relates to marriage, divorce, or kinship, and resolving the dispute relies on reviewing the fundamental issue of marriage, divorce, or kinship, the arbitrators' proceedings will be suspended until a final ruling is issued by the competent court regarding the criminal matter or marriage, divorce, or kinship.

Article 479

Claims of forgery and falsification of a document without specifying the perpetrator, or if pursuing them is not possible for any legal reason, do not fall under the previous article.

Article 480

The final ruling mentioned in Article (478) will be communicated by the court that referred the dispute to arbitration or the court that appointed the arbitrator(s) to the arbitrators, and any remaining arbitration duration during the suspension of the arbitrators' proceedings will be calculated from the date of notification of the mentioned ruling. If the arbitrator was appointed without court intervention, the final ruling will be communicated to them by the parties or one party.

The arbitrators cannot issue a ruling contrary to the contents of the ruling issued regarding the criminal matters, marriage, divorce, or kinship.

Article 481

Arbitration will terminate in the following cases:

1. By written agreement of the parties in dispute.
2. By the death or legal incapacity of one of the parties in dispute.

Article 482

The arbitrator's ruling must be justified and reasoned, and it should not contradict the laws that establish rights.

Article 483

If the arbitrators have the authority to settle, they may end the dispute with a settlement. In this case, the settlement agreement signed by the arbitrators is valid and enforceable.

Article 484

The arbitrators must be informed of any session held for the proceedings, consultation, or issuance of a ruling. If an arbitrator refuses to attend a session, to provide a ruling, or to sign it, the decision rendered by the majority will be valid unless a different arrangement has been specified in the agreement. This must also be noted in the ruling document. The arrangement for holding meetings, the method of proceedings, and invitations to attend will be determined by the arbitrators. In cases where the referral to arbitration is through the court, invitations to attend will be given by an official notice from the court office.

Note – In cases where the parties have agreed in a contract that specific individuals will act as arbitrators in the event of a dispute, if the duration of arbitration is not specified, this period shall be three months, starting from the day the subject is communicated for arbitration to the arbitrator or all arbitrators. This period may be extended by agreement of the parties.

Article 485

If the parties have not specified a particular method for the notification of the arbitration ruling in the arbitration agreement, the arbitrator is obliged to submit their ruling to the office of the court that referred the dispute to them or the court competent to hear the main dispute.

The court office will archive the original ruling and send a certified copy of it to the parties at the direction of the court.

Article 486

If the parties collectively reject the arbitrator's ruling in its entirety or any part of it, that portion of the ruling will become ineffective.

Article 487

Correction of the arbitration ruling, within the limits of Article (309) of this law, may be undertaken by the arbitrator(s) before the expiration of the arbitration period. After this period and until the expiration of the objection period regarding the arbitration ruling, it will be based on a request from one or both parties with the arbitrator(s) who issued the ruling. The arbitrator(s) must make a decision within twenty days from the date of the correction request, and the corrected ruling will be communicated to the parties. In this case, the court's review of objections will remain suspended until the arbitrator's decision is made or until the specified period expires.

Article 488

If the losing party does not implement the arbitration ruling within twenty days of notification, the court that referred the dispute to arbitration or the court that is competent to hear the main case is obliged to issue an enforcement order at the request of the interested party according to the arbitrator's ruling. The execution of the ruling will be in accordance with legal regulations.

Article 489

An arbitral ruling is void and unenforceable in the following cases:

1. If the ruling issued violates laws establishing rights.
2. If the arbitrator has ruled on a matter that was not subject to arbitration.
3. If the arbitrator has issued a ruling beyond the scope of their authority. In this case, only that part of the ruling which exceeds the arbitrator's authority will be annulled.
4. If the arbitrator's ruling is issued and delivered after the expiration of the arbitration period.
5. If the arbitrator's ruling contradicts what is recorded in the property registry or among the parties in a notarized document that has legal validity.
6. If the ruling is issued by arbitrators who were not authorized to issue a decision.
7. If the arbitration agreement is invalid.

Article 490

Regarding the above article, either party may, within twenty days of the notification of the arbitrator's ruling, request that the court which referred the matter to arbitration or the court competent to hear the main case declare the ruling void. In this case, the court is obliged to investigate the request, and if the ruling falls within the cases mentioned in the previous article, it will issue a ruling declaring it void, and until a decision on the original dispute is made, the ruling of the arbitrator will be suspended.

Note – The time limit mentioned in this article and Article (488) shall be two months for persons residing outside the country. The commencement of the time limits established in this article and Article (488) for individuals with justifiable excuses as set forth in Article (306) of this law and its Note (1) shall be calculated after the excuse is removed.

Article 491

If the main case has been filed in court and referred to arbitration through this means, if there is an objection to the arbitrator's ruling and a ruling is issued declaring it void, the proceedings on the case will be suspended until the ruling declaring the arbitrator's decision void becomes final.

Note – In cases where the referral to arbitration was not through the court and the arbitrator's ruling is declared void, proceedings on the case in court will proceed by submitting a petition.

Article 492

If the request to annul the arbitrator's ruling is made outside the specified time, the court will issue a ruling rejecting the request. This ruling is final.

Article 493

An objection to the arbitrator's ruling does not prevent its execution, unless the grounds for objection are strong. In this case, the court will issue a ruling to suspend the execution until the objection is resolved and a final ruling is issued, and if necessary, adequate security will also be taken from the objector.

Article 494

If the case is at the appeal stage, and the parties request the referral of the matter to arbitration by agreement or it is recognized as a subject for referral to arbitration, the Supreme Court will send the case file for arbitration to the court that issued the appealed ruling.

Article 495

The ruling of the arbitrator is valid only regarding the parties to the dispute and those who intervened and participated in the appointment of the arbitrator, and it will not affect other individuals.

Article 496

The following disputes cannot be referred to arbitration:

1. Bankruptcy disputes.
2. Disputes regarding the principle of marriage, its annulment, divorce, and kinship.

Article 497

The payment of arbitrators' fees is the responsibility of the parties, unless a different arrangement has been specified in the arbitration agreement.

Article 498

The amount of the arbitration fee will be based on a regulation prepared by the Minister of Justice every three years and approved by the Chief of the Judiciary.

This regulation on arbitration fees pertains to Article 498 of the Code of Civil Procedure in General and Revolutionary Courts in Civil Matters, enacted in Farvardin 1379 (April 1999).

Article 499

In the case of multiple arbitrators, the fee will be divided equally among them.

Article 500

If there is a contract between the arbitrator and the parties regarding the amount of the fee, that contract will be adhered to.

Article 501

If due to fraud, deceit, or negligence in the performance of their duties, the arbitrators cause financial harm to one or both parties in dispute, the arbitrators will be liable for compensation in accordance with legal standards.

Chapter Eight – Court Costs and Indigence

Section One – Court Costs

Article 502

Court costs consist of:

1. The costs of documents submitted to the court.
2. The costs of court orders and judgments.

Article 503

The costs associated with a written or oral petition, including petitions for first-instance claims, objections to default judgments, counterclaims, third-party interventions, objections by third parties, and petitions for retrials and appeals, along with the costs of powers of attorney and execution documents, are as specified in Article (3) of the Law on the Collection of Certain Revenues of the Government and Their Use for Specific Cases – enacted in 1994 – and other relevant laws, which shall be paid through the affixing and cancellation of stamps or by depositing money into the treasury account.

Section Two – Indigence for Court Costs

Article 504

A person is considered indigent for court costs if they are temporarily unable to pay due to insufficient assets or unavailability of their property.

Article 505

Claims of indigence for the payment of court costs may be raised along with the initial request, or on appeal or in cassation. This claim may also be made through a separate petition. Decisions regarding the claim of indigence for an appeal or cassation shall be made by the court that issued the ruling under appeal or cassation.

Note – Individuals receiving assistance from the Imam Khomeini Relief Foundation and beneficiaries of the Welfare Organization of the Country, upon providing their assistance card and official confirmation from the relevant agencies, are exempt from paying court costs.

Article 506

If the evidence of indigence is the testimony of witnesses, at least two written testimonies from individuals who are aware of the claimant's financial situation and living conditions must be attached to the petition.

In the testimony, the identities, occupations, and means of livelihood of the claimant must be clearly specified along with their inability to cover court costs, including the amount thereof. The witnesses should also clearly state the sources of their information and provide their complete details and residency.

Article 507

The court clerk shall submit the case file to the presiding judge within two days of receiving the petition for indigence. If the judge deems it necessary to hear the witnesses in the hearing, the indigent claimant will be notified to bring their witnesses on the designated date.

The clerk will send another copy of the petition to the opposing party and will also set and notify the date for the court hearing. In any case, the ruling issued concerning indigence will be deemed as made with the presence of the parties.

Article 508

Exemption from court costs must be sought separately for each case; however, the indigent party may use the exemption throughout all stages related to that case.

Article 509

In cases where the indigent claimant is asserting multiple claims against the same individual simultaneously, the ruling on indigence issued for one of the claims will also be applicable to the other claims.

Article 510

If the indigent party passes away, the heirs cannot utilize the ruling for court cost exemption granted to the deceased; however, the death of the deceased party will not impede the proceedings in any stage of the initial case, appeal, or cassation, and the court costs will be demanded from the heirs unless they prove their own indigence.

Article 511

If the indigent party is found to be the losing party in the main case and ceases to be indigent, the court costs will be collected from them.

Article 512

Claims of indigence cannot be accepted from merchants. A merchant claiming indigence regarding court costs must file for bankruptcy according to the regulations of commercial law. Small traders are exempt from this article.

Article 513

Upon proving indigence, the indigent party may benefit from the following:

1. A temporary exemption from the payment of all or part of the court costs in relation to the case for which indigence was claimed.
2. The right to have a pro bono attorney and a temporary exemption from paying attorney's fees.

Article 514

If the indigent party is able to pay all or part of the court costs, they will be obliged to pay it. If their income allows them to cover all or part of the court costs, the court will determine the amount and period of payment in consideration of the amount of court costs, their income, and essential living expenses.

Chapter Nine – Claims for Damages and Enforcement of Obligations

Section One – General Provisions

Article 515

The claimant has the right to seek compensation for damages resulting from the litigation process or delays in fulfilling an obligation or non-fulfillment thereof, due to the respondent's fault, as well as for the equivalent value for failing to deliver the request or delays in its delivery due to the respondent's actions.

The respondent can also seek damages for losses inflicted upon them by the claimant's intentional actions, knowing that they are not entitled in court.

The court will determine the amount of damages after reviewing the matter and will obligate the respondent to pay them as part of the ruling on the main case or through a separate ruling.

If there is a specific contract regarding damages between the parties, it will be followed as per the contract.

Note 1 – Unless the claim for damages is raised independently or after the conclusion of the proceedings, claims for damages as per this article do not require a separate petition.

Note 2 – Damages due to lost profits cannot be claimed, and compensation for delayed payments is allowable in legal cases.

Article 516

If either party is concurrently a claimant and a respondent, and they have equal damages, the court will offset these against each other. Otherwise, a ruling will be issued regarding any remainder.

Article 517

If a case has been resolved through reconciliation, a ruling on damages will not be issued regarding that case unless a specific decision regarding incurred damages has been made during the reconciliation.

Article 518

In situations where the amount of costs and damages is not specified by law or an official tariff, the court will determine the amount.

Section Two – Damages

Article 519

Litigation damages consist of court costs, attorney's fees, and other costs directly related to the litigation process that were necessary for proving the case or defending against it, such as expert fees and local investigation costs.

Article 520

In order to claim damages, the claimant must prove that the incurred loss was directly caused by the non-fulfillment of an obligation or a delay therein, or by the failure to deliver the request. Otherwise, the court will reject the claim for damages.

Article 521

Costs incurred for proving a case or for defense that were unnecessary cannot be claimed.

Article 522

In lawsuits where the subject is a debt in the form of a currency and the creditor demands payment, and the debtor refuses to pay, if there is a significant change in the annual price index from the due date to the time of payment and after the creditor's demand, the court will calculate the amount in accordance with the proportional change in the annual index as determined by the Central Bank of the Islamic Republic of Iran, unless the parties reconcile differently.

Section Three – Exemptions from Debt

Article 523

In all instances where a court ruling is executed to recover a debt, the execution of the ruling is prohibited against the exempt properties of the debtor.

Note – Penal judgments made by competent courts regarding the return of all or part of the debtor's property or its confiscation are exempt from this rule.

Article 524

[According to Article 29 of the Law on the Implementation of Financial Judgments approved on 23 March 2015 by the Expediency Discernment Council, this provision has been explicitly repealed. Currently, exemptions from debt are stated in Article 24 of the aforementioned law.]

Article 525

In the event of a dispute regarding the appropriateness of the properties and items described in the previous article in relation to the status and needs of the judgment debtor, the determination by the executing court will be decisive. If the mentioned properties and items are deemed excessive in relation to the needs and status of the judgment debtor and cannot be divided or separated, they shall be sold at the direction of the court, and any surplus shall be applied towards the judgment amount or the debt.

Article 526

Exemptions from debt will remain in effect during the lifetime of the judgment debtor.

Article 527

If the court ruling is for the restitution of a specific property, it shall not be subject to the provisions of this chapter.

Other Provisions

Article 528

The Prosecutor's Office and the Special Court for Clergy, established under the directives of the Supreme Leader of the Islamic Revolution, Imam Khomeini (RA), will continue to address offenses by religious individuals according to Articles 5 and 57 of the Constitution as long as it is deemed appropriate by the Supreme Leader of the Islamic Revolution. The payment of salaries and allowances to its judges and staff will be governed by the regulations applicable to the judiciary.

Article 529

From the date this law comes into effect, the Civil Procedure Code enacted in 1939, along with its amendments and modifications, as well as Articles (18), (19), (21), (23), (24), and (31) of the Law on the Formation of General and Revolutionary Courts enacted in 1994, and any other laws or regulations that conflict with this law shall be repealed.