

COVID-19: SUSPENSION OF PROCEDURAL DEADLINES IN JUDICIAL MATTERS

Following the extension of the state of crisis by the Law of 24 March 2020, the Luxembourg Government has issued the Grand-Ducal Regulation of 25 March 2020 suspending procedural deadlines in judicial matters and adapting certain other procedural modalities. This Regulation intends to defer, with certain exceptions, procedural deadlines in proceedings before the judicial, administrative, military and constitutional courts with effect as of 26 March 2020.

CIVIL AND COMMERCIAL MATTERS

As far as civil and commercial matters are concerned, the fixed procedural deadlines imposed on the parties for lodging their appeal or opposition of a decision, as well as for exchanging their submissions and files, are suspended.

In an official publication, the Ministry of justice has also declared that, in its opinion, this suspension applies to the obligation for companies to file for insolvency within a period of one month following the date of their cessation of payments.

The Regulation also halts the enforcement of evictions for residential leases, commercial leases, foreclosures and forced sale for the duration of the state of crisis.

ADMINISTRATIVE MATTERS

Regarding administrative proceedings, this suspension affects the procedural deadlines laid down by the laws governing the organisation and regulation of proceedings before the administrative courts (such as, for example, procedural deadlines to file a recourse or an appeal or exchange legal briefs), except for the provisions governing litigation in administrative detention matters.

CRIMINAL MATTERS

Finally, applications and claims in criminal matters addressed to the Chambers of the Council of the District Courts and of the Court of Appeal are allowed to be judged following a written procedure, including by electronic means, and without the attendance of the parties, their lawyers and the Public Prosecutor. This provision applies during the state of crisis.

Key aspects

- Suspension of procedural deadlines in civil, commercial and administrative proceedings
- The Luxembourg Ministry of justice confirmed that filing for insolvency is also suspended
- Moratorium of enforcement of evictions for commercial and residential leases

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