

## **An Analytical Reading of the New Criminal Procedure Law (Law No. 174 of 2025) to October 2027**

At **AE Law Firm** for Advocates & Legal Consultants, we are committed to providing proactive legal analysis and promoting legal awareness. As part of that commitment, we closely monitor recent legislative developments, including the decision by the Egyptian House of Representatives (No. 160 Of 2026) to amend **Article 6** of the Issuance Law, which changed the implementation date of the New Criminal Procedure Law (Law No. 174 of 2025). The New Criminal Procedure Law, which concerns the transition from paper-based to electronic judicial procedures, was originally scheduled to come into effect on October 1, 2026, but its implementation has now been deferred until October 1, 2027. Law No. 150 of 1950 will remain applicable during the transitional period.

### **1- Technological Infrastructure and Implementation Requirements Behind the Postponement (The Digital Litigation Framework):**

This postponement does not represent a retreat from judicial modernization, but rather a tactical decision intended to ensure the necessary conditions for effective implementation. The amendment was based on important operational considerations regarding the completion of digital judicial networks and electronic data infrastructure required for the full digitization of judicial proceedings. The implementation of the amended law requires activating digital judicial notification frameworks and encrypted telecommunication methods, alongside establishing secure, interlinked networks for remote investigation and trial operations (Articles 530 and 531). This additional period also allows time for advanced training for judicial personnel and law enforcement officers to reduce the risk of systemic weaknesses or technical failures during implementation.

### **2- Substantive Judicial Benefits and Provisions Most Favorable to the Accused (The Shield of Human Rights and Public Liberties):**

The Legislative Committee of the House of Representatives asserted that extending the transitional period would not prejudice the statutory rights of defendants. The constitutional doctrine of "**the law most favorable to the defendant**" remains applicable and legally binding. Consequently, defendants in ongoing criminal proceedings may continue to benefit from any substantive mitigation or enhanced constitutional protections introduced under the new code during the transitional period, thereby preserving significant legal protections for defendants.

### **3- Statutory Time Limits and Detention Caps (A Comparative Legislative Overview):**

Law No. 174 of 2025 introduces significant structural reforms to Egypt's criminal procedure system. Among the most significant amendments are stricter statutory limits on precautionary detention, with maximum periods of three months for misdemeanors and five months for felonies, unless extended by the competent court. In contrast, under Code No. 150 of 1950, precautionary detention could extend for up to six months regardless of whether the offense was classified as a misdemeanor or felony, with broader scope for further extensions. The new limits as outlined in the recent structural reforms are accompanied by expanded non-custodial alternatives, stricter regulations governing travel bans, and greater judicial oversight of asset-freeze measures, thereby strengthening protections for public liberties, commercial interests, corporate operations, and individual assets.

### **4- Socio-Legal Implications of the Postponement for Egyptian Society and Social Stability:**

From a broader socio-legal perspective, the postponement of Law No. 174 of 2025 is intended to promote public confidence and provide greater institutional stability across Egyptian society. Providing an additional twelve-month preparatory period helps reduce the risk of premature or inconsistent implementation of the newly amended provisions, while protecting citizens from implementation difficulties and allowing provisions more favorable to the accused to be enforced in accordance with established principles of criminal jurisprudence. This strategic extension provides additional time to strengthen judicial networks and expand training of law-enforcement officers, lawyers, and judges. Consequently, the additional preparation period is intended to support the effective implementation of the law on October 1, 2027, while protecting public liberties, reinforcing human rights guarantees, and contributing to long-term social stability.

**Conclusion: Legal Strategy and Corporate Compliance Considerations:**

**At AE Law Firm**, led by a former judge and court president, we believe that postponing the enforcement date to October 2027 provides a golden window for corporate entities, real estate developers, and individual clients alike. This period allows organizations to evaluate, restructure, and optimize their internal compliance systems and procedures to prepare for and align with the new digital justice framework.

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