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Law 42/2015, of October 5, amending Law 1/2000, of January 7, on Civil Procedure

On October 6, 2015, the Official State Gazette published Law 42/2015, of October 5 amending Law 1/2000, of January 7, on Civil Procedure which was approved by the Spanish Congress of Deputies on October 1, 2015.

The Law includes, in a single article, seventy-nine subarticles containing important changes to the civil procedure, notably:

- Reforms to the procedural steps to give greater importance to the use of remote or electronic media, by laying down the obligation for professionals, court bodies and public prosecution services to use these media from January 1, 2016, and specifying who must use them, including legal entities, from January 1, 2017;
- Reinforcing the role of court representatives; their tasks and obligations as participants in the justice process have been broadened, and they have been given certifying powers to carry out communication steps;
- Amendments to the rules on oral trials, most notably the prescribed written answer procedure;
- A new power for the courts on their own initiative to examine unfair terms in agreements concluded with consumers in applications for order for payment procedures and in the ordering of enforcement of arbitral awards;
- Amendment of the general time period for any form of personal action for which no particular time limit has been specified, which will become five years through the amendment of article 1964 of the Spanish Civil Code;
- The amendment of Law 1/1996, January 10, 1996, on free legal assistance.

1. Amendments to the civil procedure law

1.1 Increased technology use in the Administration of Justice

The Law makes changes to the various procedural steps to spread and increase the use of remote media. Up until this point, they have not been in place or used as much as would have been desirable.

All justice professionals, court bodies and public prosecution services will be required to use the existing remote systems in the Administration of Justice to file submissions and documents and to perform procedural communications from January 1, 2016, in any and all proceedings

that begin on or after that date (Additional Provision One). The authorities must first provide the court and public prosecutor's offices with power to perform search tasks with the appropriate electronic media in the terms of Article 30 of Law 18/2011, of July 5, on the use of information technology and communication in the Administration of Justice.

It also provides that anyone who is not represented by a court representative may decide whether to carry out their dealings with the justice system on electronic media or not, unless they are required to do so. Specific identification is provided of all the parties that will be required, in addition to the professionals mentioned above, to interact with the Administration of Justice on electronic media (article 273).

In particular, the parties specifically required to use electronic media include: legal entities; entities without a legal personality; anyone practicing a profession for which they are required to be members of a professional association for the steps and procedures they carry out in the justice system in practicing that profession; notaries and registrars; anyone representing an interested party required to interact with the justice system electronically and public authority officials for any steps and procedures that they carry out by reason of their position. The use by interested parties other than justice professionals of the existing remote systems in the justice system to file submissions and documents, and the performance of procedural communications, will come into force on January 1, 2017 (Final Provision Twelve 2).

Accordingly, the Law amends the filing procedure for submissions and procedural communications within the justice system, by laying down general rules for the remote filing of submissions and documents, while also putting in place measures to protect legal certainty in relation to those communications, including measures concerning filing receipts or proof of failed delivery attempts, service of copies or time limits (articles 162, 273, 274, 275, 276, 278 and 135). This does not preclude the obligation to file submissions and documents in hard copy form where the law expressly so requires.

Submissions may be filed remotely 24 hours a day, 365 days a year, although the preexisting rules will apply for peremptory submissions, regardless of the filing system used, with the option to file them until fifteen hours on the business day following the date the time limit ends (article 135).

Remote media will also be used for the various procedural steps such as letters rogatory, writs and official requests by the court; court assistance; production of documents under preliminary proceedings or submission of expert reports (articles 165, 167, 172, 259).

It also allows that power of attorney of court representatives (*apud acta*) may be grant either in person before the court clerk or electronically by sending the form to the relevant court office (article 24), and they can be evidenced using the certificate for their entry on the electronic file for power of attorney at the court offices (Final Provision Seven).

The use of remote media is also reflected in the information to be included in claims, in that the Law lays down the claimant's duty to specify in his claim all the defendant's particulars that he knows and may be useful for locating him, with the express addition of his email address, to the phone number and fax number or similar particulars which were already provided in article 155 and will be used subject to Law 18/2011, of July 5, on the use of information technology and communication in the Administration of Justice.

It also provides that the intended recipients may provide details of an electronic device, simple courier service or email address which may be used to inform them that a procedural communication has been made available to them but not for the service of notices (article 152).

1.2 Active role and tasks of court representative as collaborators in the Administration of Justice

The reform of the Civil Procedure Law has reinforced the role of court representatives, by giving them a more prominent role in their tasks as collaborator with the justice system, although this is based on the current shared-task system allowing communications to be made by officials from the court assistance service or by the court representative of any party who so requests and at their cost.

Amendments are included to article 23 both to specify that court representatives may be either law graduates (*Licenciados en Derecho* or *Graduados en Derecho*) or graduates holding another university qualification at an equivalent level and also to add subarticles 4, 5 and 6 conferring functions related to making procedural communications and carrying out tasks for assistance and cooperation with the courts, for which they hold certifying powers and have the necessary credentials. It is also ensured that they cannot transfer or delegate their powers, although another court representative can stand in for them.

Such actions by the court representative may be challenged before the court clerk, and the decree resolving the challenge may itself be challenged in an appeal for judicial review.

In addition to the change of allowing power of attorney (*apud acta*) of court representatives to be executed electronically for the first time, the Law provides that the first submission produced by the court representative must be accompanied by an electronic copy of the notarized appointment document, in a computer-readable or digital format (article 24).

In all submissions initiating court proceedings, the applicant must also state whether they wish to have all procedural communications made through their court representative. In the absence of any specification, they will be made through court officials. This arrangement may subsequently be changed at the request of any applicant evidencing just cause. All procedural communications involving the public prosecutor's office and the beneficiaries of free legal assistance, however, will be made by court officials (article 152).

Subarticle 159.1 has been amended to determine that any communications to witnesses, experts and other parties who, without being parties to the trial, must take part in it, will be handled by the court representative of the party that proposed them, if so requested.

Clarification is provided of the procedures in which the involvement of a lawyer and court representative will not be necessary and the parties to the lawsuit can appear on their own behalf, which in relation to oral trials will be those determined by reference to the quantum of the claim which cannot exceed €2,000 (articles 23 and 31). Regarding court representatives' duties, point number 7 of article 26.2 is amended to include that they will not be required to pay the fees for practicing jurisdictional powers and the necessary bond to lodge appeals, unless the granter has handed over the necessary funds for their payment.

Among the reforms related to the services of court representatives and with the aim to unify the court's views in matters concerning sworn accounts of court representatives and claims for lawyers' fees, an amendment to articles 34 and 35 has been included to remove the need to be assisted by counsel and a court representative in these proceedings and, as a result, the existence of legal costs has also been removed. Changes have also been included in the procedures for those processes whereby any challenge submissions are conveyed to the court representative, or counsel, as applicable, before a decision is rendered on them.

In relation to the above, an amendment has been made to article 243 on the performance of appraisals of legal costs and, specifically, to subarticle 2, to exclude from the items to be included in appraisals of legal costs, the fees of court representatives in respect of making any

procedural communications, or providing procedural cooperation and assistance to the justice system, which could have been carried out by court offices. It has also been expressly stated that, in appraisals of legal costs, the fees of court representatives and the fees of lawyers must include VAT.

1.3 Amendments to the rules on oral trial

Another aim of the Law is to make a profound change to the oral trial process, to strengthen, specifically in relation to oral trials, the right to obtain effective protection.

And this has been done primarily through the following:

- Removing succinct claims generally. This has been done by amending article 437, to change the nature of the written claim in this type of trial to a written claim for ordinary trials, to which the principles of preclusion of pleadings and *lis pendens* apply. Although, as an exception to the above, in cases where a party appears without either counsel or a court representative, a succinct claim may be brought, for which the court's standard form may be used, and in which the facts and petitions of the action must be set out clearly.

- It is laid down that the answer to a claim –or the counterclaim if applicable- must be provided in writing within 10 days from the service of notice and summons on the defendant, in the new wording of article 438.1.

- Article 438 requires the parties to give their opinions on the pertinence of holding the hearing; if none of the parties requests a hearing and the court does not consider one necessary, a judgment will be rendered without any further steps.

- If a hearing is held, article 440 determines how the parties must be summoned, together with the need for them to specify, five days after the summons, the persons who must be summoned, including any they want to give statements as parties.

- Article 442 has been amended accordingly to the effect that the hearing will be held in any event if the defendant fails to appear, since the default, if applicable, would have been found with the failure to answer. Article 443, which determines how hearings take place, has also been amended by adapting it to the written answer, and accordingly an arrangement or mediation is proposed to the parties, decisions are rendered on procedural exceptions, and evidence is proposed and taken, in the same way as for an ordinary trial, and the same appeals system is also laid down for cases where the evidence is not admitted (article 446).

- Article 447 has been amended to add the option for the judge to allow the parties to submit conclusions. This had occasionally been occurring in practice, although it was a disputed issue and depended on the court concerned.

The written answer in the oral trial has an indirect impact on other articles of the Law which have also been amended, including articles 14.2 –on intervention requested by the claimant-, 64.1 –on the submission of a declinatory exception-, 77.1 –on the joinder of proceedings -, 255 –on a challenge of the quantum in the answer to the claim-, 260.1 –on the application for an ancillary proceeding for objection in the preliminary proceedings-, 264 and 265 –on procedural documents and when in the procedure they must be produced-; 336.1 and 336.4 and 338 –production with the claim and answer and subsequently of expert opinions prepared by experts appointed by the parties-; 441 –special cases in the oral trial process-; 514 -the judicial review of final judgments-.

Moreover, the rules on joinder of claims in oral trials are included in article 437, with a description of the cases where it is appropriate.

Lastly, the procedures for the following proceedings have been adapted to the new oral trial: (i) oral trials for third-party complaints to assert a superior right (article 617); (ii) proceedings for liquidated damages and losses in the event of objection (article 715); and (iii) complaints for objections to proceedings relating to bills, notes or checks (article 826).

1.4 Enforcement proceeding

The following changes are made to enforcement proceedings:

- Provisional enforcement. Article 525 is amended to broaden the cases in which provisional enforcement cannot be requested, by adding objection to administrative decisions on the protection of minors and measures relating to the reunification or return of minors in international child abduction cases.

- Enforcement in inheritance cases. Article 540 is amended to add that if enforcement has already been ordered, the inheritance will be notified to the person subject to the enforcement order or the enforcing party, as applicable, and the enforcement proceeding will continue for or against the person determined to be the successor, which is a response to the existing gap in the law and the different views adopted by the courts.

- Notification of the requirement for payment. Article 551 is amended concerning the content of the decree to be rendered by the court clerk after enforcement has been ordered, by specifying that in addition to the content of the requirement for payment that must be made on the debtor, in the cases where the Law lays down that requirement, it must be stated whether it should be made by officials from the court assistance service or by the court representative of the enforcing party, if it so requested.

- Unfair terms in the enforcement of arbitral awards related to agreements concluded with consumers. The preamble to the Law mentions that the judge on his own initiative will be entitle to examine the existence of unfair terms when ordering enforcement of arbitral awards related to agreements concluded with consumers has been included, similarly to the existing article 552 for non-judicial or arbitral instruments. In that article 552.1 on court examination of unfair terms, however, no amendment has been made to include arbitral awards, which we believe is an omission which will be corrected by the legislature, since point 3 of Transitional Provision Two does expressly envisage the transitional rules applicable to the enforcement proceedings for arbitral awards that are in progress on the entry into force of the Law.

- Court representatives in enforced collection proceedings. Article 641 is amended to include the ability, where the characteristics of the property or the potential decline in their value so recommend, of the court clerk in charge of the enforcement, with the consent of the enforcing party, to appoint, as a specialized institution for the auction, the court representatives' association for the place where the movable property on which enforcement is to be carried out has been deposited.

- Electronic auctions. Article 648 is changed completely, together with articles 649, 656, 660 and 671; to describe a new electronic auction system and harmonize those articles with the new system.

1.5 Order for Payment Procedure

The reform also includes a few changes to the order for payment procedure.

Article 815 is amended to include the obligation for the defendant's answer to the application in an order for payment procedure to be founded and reasoned as opposed to succinct as was formerly the case.

In compliance with the judgment of the Court of Justice of the European Union, of June 14, 2012, holding that Spanish law is not in accord with European Union law on consumer protection because it does not allow the judge hearing an application for an order for payment to examine on his own initiative whether the terms on late-payment interest are unfair, a subarticle 815.4 is added, laying down that in agreements concluded with consumers, the judge will on his own initiative examine whether any of the contractual terms may be characterized as unfair. If any of the terms are found to be unfair, the judge will hear the parties' pleadings and render a decision. If any of the terms are held to be unfair, the judge may decide not to allow the petition, or continue with the proceeding without applying the term held to be unfair. For this step, the participation of counsel and a court representative will not be required.

Article 816 is amended to clarify that it is not necessary to wait 20 days, from when the decree ending the order for payment procedure is rendered, before initiating its enforcement.

Article 818 is amended to change the rules on objection to the application for an order for payment in cases where the amount does not exceed the amount at issue in the oral trial. The written objection will now be notified to the applicant, who may challenge that answer in writing within ten days. Moreover, the parties, in their respective written objections and challenges, may request the holding of the hearing. From that point, the procedure will be held as an oral trial on the new terms provided in articles 438 et seq.

1.6 Other important changes

- Territorial jurisdiction. Subarticles 52.2 and 52.3 are amended to include, as alternative jurisdictions to those already envisaged for disputes over insurance, installment sales of tangible movable property and agreements for their financing, services agreements or agreements relating to movable property where their conclusion was preceded by a public offering, the jurisdictions determined by the rules in article 50 and article 51 at the choice of the claimant, and in lawsuits arising from individual action by consumers and users to include also as an alternative jurisdiction the court for the place where they have their address or the jurisdiction determined by the rules in article 50 and article 51 at the consumer's choice.

- Evidence consisting of recorded images or sounds. An amendment is made to article 382, which allowed a written transcription to be produced of the words contained on the media concerned, and now the article requires the party proposing the evidence to produce that transcription and the second paragraph of article 383.1 has been removed, along with the option to order a transcription of the filmed words and voices which formerly could be attached to the certificate.

- Preliminary hearing. Article 415 has been amended to remove the option for the parties to request the suspension of the proceeding to submit the dispute to arbitration, and now only mentions mediation.

Moreover, article 429, without precluding the proposal of verbal evidence, introduces the obligation for the parties to submit a report of written evidence in the pretrial hearing; although failure to do so does not mean the evidence will be disallowed if it is produced in the following two business days.

- Modification of measures concerning minors. An amendment to article 775 specifies that the application for modification of measures in processes concerning minors must be made to the court that ordered the final measures.

- Estate assets for inheritance purposes. An amendment to article 794 broadens the contents of the certificate on formation of the inventory of estate assets for inheritance purposes, and provides that any judgment that is rendered cannot affect the rights of third parties.

- An amendment to article 800 adapts the rules on final submission of the accounts of the manager of the estate assets to the new oral trial procedure.

- Community property systems. An amendment to article 809 on formation of the inventory under community property systems broadens the contents of the certificate.

2. Amendment of the time period for personal action with no particular time limit in article 1964 of the Civil Code

In Final Provision One, the reform also amends the rules time periods for action in the Spanish Civil Code by shortening the general time limit for personal action that has no particular time limit to five years whereas that general time limit was formerly fifteen years.

Accordingly, article 1964 of the Spanish Civil Code is amended to read as follows:

> *1. Mortgage action becomes time-barred after twenty years.*
>
> *2. Any personal action that has no particular time limit becomes time-barred after five years from when performance of the obligation may be sought. For continued affirmative or negative covenants, the period will begin each time they are breached.*

Transitional Provision Five also sets out the rules on time periods for action applicable to preexisting relationships and provides that the time period for personal action for which no particular time limit has been specified, and which arose before the entry into force of this law, will be governed by article 1939 of the Spanish Civil Code which lays down that "*Prescription begun prior to the publication of the present Code shall be governed by the laws prior hereto; but if the whole period required herein for prescription should expire after the preset Code enters into force, such prescription shall be effective, even if such prior laws should require a longer lapse of time*". In other words, prescription begun prior to the entry into force of the reform (October 7, 2015) will be governed by the former rule (fifteen years), although if since that entry into force the whole amount of time required by the new law (five years) has run, the new time limit will take effect. In other words, any time period for action that began before October 7, 2015 will take effect on whichever is sooner of either the fifth anniversary of the Law's entry into force or the date on which a fifteen year period has run since the time period began. The reform, as stated in its preamble, seeks to strike a balance between the creditor's interests in preserving its claim and the need to ensure a maximum period, and it allows this balanced system in the terms stated in the Transitional Provision for any personal action that arose earlier.

A particularly interesting point in relation to this amendment is the failed attempt at invalidating the concept of tolling the time period for action which took place through the wording of Final Provision One of this Law in the bill for the law laid before the Spanish Congress of Deputies which included a second amendment –in subarticle two of that Provision– on the rules on time periods for action, this time by adding to article 1973 of the Spanish Civil Code a new subarticle in which the "time period" would not be considered to be tolled "*if after the end of a year from the out-of-court claim the debtor had not performed the obligation and the creditor had not claimed performance through the courts*". The contended reasoning for the disregarded article was to search for a balance between the interests of the parties involved in the time period and prevent, among other matters, successive out-of-court claims from being able to lengthen the statutory time period.

In parliament, however, the projected subarticle two of Final Provision One was eliminated, as a result of the approval of amendment number 121 submitted by the Catalan parliamentary group (CiU) against the articles in the bill for the Civil Procedure Law. Although we are referring to its complete contents, the reasoning for that amendment was basically that the attempted amendment of article 1973 in the terms mentioned: "*breaks with the essence of the concept of the time period for action and the tolling of that period, since if in a first period, action is barred after five years, in the second, what would in fact happen would be something similar to their becoming time-barred after a year, and we would be losing sight of the fact that the act of tolling the time period for action, does just that and is valid from that very time without being able to be conditioned at a later date and has the effect of allowing the specified period to begin again*". The socialist group submitted a similar opinion in their speech supporting their amendment number 188, which similarly proposed, among other changes, the elimination of the amendment to the rules on the tolling of the time period for action.

As a result, as opposed to the initial legislative idea, the wording ultimately approved only changed the time period for such action from 15 years to 5 years, and the tolling rules under article 1973 of the Spanish Civil Code were retained with the existing wording.

It is interesting to note, in relation to the tolling of the time period for action, that Voluntary Jurisdiction Law 15/2015 expressly provides that the submission and subsequent admission of a request for conciliation tolls the time period for action from the time it was submitted, and it will start again from when the relevant decision is rendered bringing the proceeding to an end. Although it is important, in relation to conciliation as a tolling instrument, to bear in mind that under the new rules on voluntary jurisdiction proceedings, once a proceeding has been resolved, no other proceeding with the same subject-matter can be initiated unless the circumstances change, this, as may be inferred, prevents the conciliation instrument being used as a mechanism for repeatedly tolling the time period for action.

3. Amendment of law 1/1996, of January 10, on free legal assistance

Final Provision Three amends Law 1/1996, of January 10, on free legal assistant to adapt it to the current circumstances.

- It has resolved some doubts over interpretation that had arisen as to whether entitlement to assistance granted as a result of supervening events is not retroactive, whether the contributions from the system will be proportional where there is more than one litigant with entitlement to legal assistance, or in relation to the effects of an application for legal assistance on the non-tollable or tollable time period for action.

- It defines the scenarios qualifying for entitlement, and adds to the cases under the former provisions. In this respect, certain victims are granted entitlement to specialized legal advice from when the claim is filed, together with the right to be defended by the same

counsel in every proceeding. Additionally, it prevents any implicated party, not just the attacker, against any of the victims, who is a successor in title to the victims from being able to obtain this benefit. It includes the right of the beneficiary to receive all the information related to the mediation and other out-of-court measures for dispute resolution as an alternative to the court process.

- Reforms are added that have an effect on the functioning of the system regarding: (i) promoting the development of technology; (ii) increasing the powers for determining assets held by the committees for free legal assistance; (iii) the procedure for withdrawing entitlement to free legal assistance; (iv) challenging the decisions of the committee for free legal assistance; and (v) the members of the committees and the chairmanship system.

As a result of the amendment to the Free Legal Assistance Law, the following laws are also amended: Organic Law 1/2004, of December 28, 2004, on comprehensive protection measures against gender violence and Law 29/2011, of September 22, 2011, on recognition and comprehensive protection of the victims of terrorism.

4. Other amendments

The Law also amends other legislative instruments, as described below.

(i) **Amendment of Law 49/1960, of July 21, 1960, on Horizontal Property,** to lay down that where the appointed chairman applies to the judge to be able to step down, the procedure set out in article 17.7 of the same law will be implemented which determines the necessary majorities for approval of the resolutions of owners' association meetings.

(ii) **Amendment of Law 29/1998, of July 13, 1998, on the Contentious-Administrative Jurisdiction**, providing that public officials may appear on their own behalf to defend their statutory rights, where they relate to personnel matters which do not imply the removal of public officials who are not removable from office.

(iii) **Amendment of Law 60/2003, of December 23, 2003, on Arbitration**, to remove the reference to an oral trial for the period for proposal of a declinatory exception, which will be within the first ten days of the period for answering the claim.

(iv) **Amendment of Law 18/2011, of July 5, 2011 on the use of information technology and communication in the Administration of Justice,** which in article 26 defines the electronic court proceeding as the collection of data, electronic documents, procedures and electronic steps, and of audiovisual recordings relating to a court proceeding, regardless of the type of information it contains and the format in which it was produced.

Additionally, a new article 32 bis has been inserted providing the rules on the electronic files for power of attorney of court representatives which the court offices will need to have to be able to register those appointments in them and for the performance of the specific procedures for each one. They will be interoperable files to enable valid representative authority to be verified. Article 33 is amended to allow citizens to choose to communicate electronically with the Administration of Justice. It provides, however, that the obligation to use only electronic media to communicate with the Administration of Justice may be imposed in primary or secondary legislation on any legal entities or collective bodies of individuals who have guaranteed access to, and availability of, technological media.

Lastly, the correction period has been lengthened from three days to five days for justice professionals who in their first communication with a court body fail to comply with their duty to use technological media.

(v) **Amendment of Law 10/2012, of November 20, 2012, on certain fees related to the Administration of Justice and to the National Institute of Toxicology and forensic sciences,** determining the procedure to be implemented when no proof of payment of the court fee is submitted due to the failure to make the payment, failure to produce it or an error in the liquidation. Therefore, within the 10-day correction period granted for this purpose, parties may produce the proof of payment or correct the liquidation calculation.

5. Entry into force and transitional rules

The Law entered into force on October 7, 2015 with the following exceptions (Final Provision Twelve): (i) the provisions related to the obligation for all justice professionals and judicial bodies, court and public prosecution offices, to use remote systems for filing submissions and documents and making procedural communications, which will enter into force on January 1, 2016, for any proceedings initiated on or after that date; (ii) the provisions related to the electronic filing system for appointments of defense counsels and court representatives and the use by interested parties other than justice professionals of remote systems for filing submissions and documents and making procedural communications, which will enter into force on January 1, 2017; and (iii) the amendments to articles 648, 649, 656, 660 and 671 of Law 1/2000, of January 7 on Civil Procedure (related to the auction procedure for movable and immovable property), which will enter into force on October 15, 2015.

Transitional rules are laid down specifying that the procedures for oral trials and other processes that have already begun will continue to be carried out pursuant to the previous procedural legislation until a final decision has been rendered (Transitional Provision One).

There are, however, specific provisions on the examination of unfair terms in order for payment procedures and enforcements of arbitral awards. The amendments in this respect inserted in article 815 and subarticle 552.1 (which the exception specified above) will apply to any order for payment and enforcement procedures that are initiated after the entry into force of the Law. Any order for payment procedures that are in progress, however, and are based on agreements concluded between consumers, will be interrupted by the court secretary and the judge must determine whether he observes unfair terms or not, for which he must allow a five-day period to hear the parties' pleadings and render a decision within the following five days. If unfair terms are not held to exist, he will lift the interruption and continue with the proceeding. In the case of enforcements of arbitral awards based on agreements with consumers which have not been finally dismissed, the above procedure will also be implemented (Transitional Provision Two).

Elsewhere, procedural communications and the performance of assistance and cooperation tasks in any processes that had already been initiated when this Law came into force will continue to be performed by the court office, unless the party expressly asks for them to be performed by his court representative (Transitional Provision Three).

Additionally, Transitional Provision Four lays down a number of transitional time periods for the filing of submissions and documents and the making of procedural communications on remote media (until January 1, 2018, in relation to procedural communications to the public prosecutor's office the period established in article 151.2 will be ten calendar days; until January 1, 2016, any court representatives and other justice professionals who cannot file and receive submissions and documents and procedural communications on remote media may

continue to do so at the court or through the shared service provided by the court procedural representatives' association; and until January 1, 2017, any interested parties who are not justice professionals and are not represented by court representatives will not be able to choose, and will not be required, to file or receive submissions and documents or procedural communications on remote media).

Transitional Provision Six lays down that any applications for free legal assistance filed before the entry into force of the Law will continue to be handled and resolved under the former legislation.

Lastly, the reform contains a single Repealing Provision which repeals any provisions opposing the provisions laid down in this Law.

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