

Payment by referral in the Civil and Commercial Procedure Law

" A comparative study "

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Abstract

This study deals with the submissions in the Palestinian Civil and Commercial Procedures Law No. (2) of 2001 in the light of the jurisprudence and comparative laws. This is the importance of the letter to know the nature of the submissions and how to organize it in the Law of Trials Palestinian civil and commercial . the concern of this study focuses on the legislative shortcomings in many of the paragraph contained in the Palestinian legislation on the submissions and put a set of questions.

The second chapter deals with the theory of defenses and the adaptation of the submissions. The second chapter is the forms, scope and effects of the submissions. It was divided into two sections: the first is the forms and the theory of specialization, Scope and effects of submissions.

This study has reaches several conclusions, the most important is the judge has the authority to adapt , and has the ability to decide on the basis of independence or its annexation to the subject . moreover , he has the authority to determine the extent to which of public order is suspended or not. The submissions shall be transferred from the court referred to the court assigned which shall continue from the point that the assignor stopped . and there are inherent effects of the sentence of the submissions. He raised the touch Acceptance. The submissions is considered as a mean of transfer the case, so that it transfers the case from the court of transfer, which is not competent to a competent court, the court of the assignee.