

Djilali Bounaama University
Faculty of Law and political science
English Terminology
Master 1 Family Law
Semester 2

جامعة الجيلالي بونعاما
كلية الحقوق و العلوم السياسية
مصطلحات انجليزية
ماستر 1 قانون أسرة
السداسي الثاني

دروس في المصطلحات القانونية
Lessons in English Terminology
السداسي الثاني 2021/2022
ماستر 1 قانون أسرة

Lesson 1 : Exequatur procedures

تنفيذ حكم اجنبي في الجزائر

What is the Meaning of (Exequatur of judgment) ?

ما هو المقصود بتنفيذ الاحكام الاجنبية في الجزائر ؟

Is an **equivalent** judgment **obtained** from an Algerian Court, by an Algerian judge, which makes enforceable on the National territory a **final judgment** of **divorce** from an **foreign** Court.

Exequatur procedures **allow to make enforceable in a State a judicial decision rendered abroad**. ... Exequatur procedures involve the **sovereignty** of a State since this procedure **allows** the **execution** of a **court decision** given in Algeria has a uniform law system. Hence, the procedure of ‘exequatur’ is used to enforce the foreign judgments within the **entire Algerian territory**. The ‘exequatur’ is **regulated by internal rules** which are completed by Algeria **case law applying the international conventions**.

Under Articles 605, 606, 607, and 608 of the Algerian Code of Civil

Procedure, any decision by non-Algerian courts will be **recognized** and **declared enforceable** in the People's Democratic Republic of Algeria by the Algerian Court of First Instance .

إن الأحكام القضائية الأجنبية تقبل التنفيذ أمام القضاء الجزائري وفق شروط معينة، ويخضع هذا التنفيذ لأحكام الاتفاقيات الدولية – الجماعية والثنائية - التي تكون الجزائر طرفاً فيها إذا توافرت شروط تطبيقها، وإلاّ وفقاً لقانون الإجراءات المدنية والإدارية الصادر بموجب القانون رقم 08 – 09، وتعد هذه الشروط مألوفة إلى حد ما في مختلف التشريعات

Obtained متحصل عليه

Final judgment حكم نهائي

Divorce طلاق

Foreign اجنبي

Allow يسمح

Procedures اجراءات

Judicial قضائي

Execution تنفيذ

Court مجلس،

Entire جميع

Territory اقليم

Regulated منظم

Internal داخلي

International دولي

Conventions معاهدات

Recognized معترف

Declared معلن

Enforceable قابل للتنفيذ

Lesson 2 :CHILD CUSTODY

الحضانة

The Family Code of Algeria was **adopted** in 1984 and was last **amended** in 2005. It governs marriage, divorce, legal **guardianship** and **inheritance**. It is significantly based on **Islamic law**.

The Code establishes a hierarchy of relatives entitled successively to custody of a child. Only if the first such relative is precluded from custody does the next relative in the hierarchy have a custody right.

Article 64 of the Code provides that the hierarchy starts with the mother, followed by the father, followed by the maternal grandmother and so on down a set list, based solely on the status of the relative.

Article 65 of the Code provides that the **length** of the time of automatic presumptive custody expires when a boy reaches the age of 10, it continues for a girl until she is of marriageable age. Custody can continue for a boy after the age of 10 if his mother remains unmarried.

Article 66 provides that a mother automatically will normally lose custody if she remarries a man who is not a close relative of the child.

Adopted اعتمد

Guardianship الوصاية

Inheritance الميراث

Islamic law الشريعة الاسلامية

Relatives الاقارب

Followed متبوع

Length مدة

Expires انتهاء المدة

Remains unmarried بقيت غير متزوجة