

CERTIFIED TRANSLATION

NO. 26072

Digital Official Gazette, Monday June 30, 2008.

**LAW NO.38
Of June 26, 2008**

Whereby the force of Article 1421-J of the Judicial Code is reinstated and numeral 2 of Article 1545 and article 152 of the Code of Commerce are modified.

**THE NATIONAL ASSEMBLY
DECREES:**

Article 1.- The force of Article 1421-J of the Judicial Code is reinstated as follows:

Article 1421-J.- In those processes that are being dealt with in this Chapter, national judges are not competent if the claim or the action attempted to be brought in the country has been previously rejected or denied by a foreign judge who applies the *forum non conveniens*. In these cases, national judges shall reject or inhibit themselves from hearing the claim or action for reasons of constitutional order or preventive competence.

Article 2.- Numeral 2 of Article 1545 of the Code of Commerce remains as follows:

Article 1545.-

2.- Prohibition to the bankrupt to leave the domicile of the bankruptcy without the judge's permission under the warning that he shall be charged with contempt of the authority in accordance with the provisions set forth in the Judicial Code should he fail to abide by law.

Article 3.- Article 1552 of the Code of Commerce remains as follows:

Article 1552.- The bankrupt may not leave his domicile without the judge's permission, who in order to grant it shall previously hear the commissioner judge and the receivers. He shall, additionally, be obliged to appear before said Judge or before any other authority intervening in the bankruptcy proceedings or in the respective penal lawsuit, whenever he is summoned, except in those cases wherein for well grounded reasons, which shall be qualified by the Judge, he is impeded.

Once the inventory and attachment of the assets have been carried out, the Judge may release the bankrupt from his residence obligation if he has no fair reason to extend it.

Article 4.- This Law reinstates the force of Article 1421-J of the Judicial Code and modifies numeral 2 of Article 1545 and article 1552 of the Code of Commerce, both of them modified by Law 19 of 18 of February 2008.

Article 5.- The present law shall start in force and effect as of its promulgation.

BE IT INFORMED AND COMPLIED.

Project 413 of 2008 approved on third debate in the Justo Arosemena Palace, Panama City on this 14th day of the month of May of the year two thousand and eight.

The President,

[Signed illegible]
Pedro Miguel González P.

The General Secretary

[Signed illegible]
Carlos José Smith S.

**NATIONAL EXECUTIVE BODY, PRESIDENCY OF THE REPUBLIC,
PANAMA, REPUBLIC OF PANAMA, JUNE 26, 2008.**

[Signed illegible]
MARTIN TORRIJOS ESPINO
President of the Republic

[Signed illegible]
DANIEL DELGADO DIAMANTE
Minister of Government and Justice

THE ABOVE IS A FAITHFUL TRANSLATION OF THE ORIGINAL DOCUMENT IN THE SPANISH LANGUAGE PRESENTED TO ME. Panama, June 30, 2008. Mireya Delgado Debali, Certified Public Translator, Resolutions No. 209 and 304. of 1981.