

THE CONSTITUTION OF THE ARAB REPUBLIC OF EGYPT, 1971  
(as Amended to 2007)

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Proclamation:

We, the people of Egypt, who have been toiling on this great land since the dawn of history and the beginning of civilization:

We, the people working in Egypt's villages, cities, plants, centers of education, industry and in all field of work which contributes to create life on its soil or which plays a part in the honor of defending this land;

We, the people who believe in our immortal and spiritual heritage, and who are confident in our profound faith, and cherish the honor of man and of humanity; We, the people, who in addition to shouldering the trust of history, carry the responsibility of great present and future objectives whose seeds are embedded in the long and arduous struggle, and which hosted the flags of freedom, socialism and unity along the path of the great march of the Arab nation;

We, the Egyptian people, in the name of God and by His assistance, pledge indefinitely and unconditionally to exert every effort to realize:

First:

**Peace for our World:** Being determined that peace should be based on justice, and that the political and social progress of all peoples can only be realized through the freedom of these peoples and their independent will, and that any civilization is not worthy of its name unless it is free from exploitation whatever its form.

Second:

**Arab Unity:** The hope of our Arab Nation, being convinced that Arab Unity is a call of history and of the future, and a demand of destiny; and that it cannot materialize except through an Arab Nation, capable of warding off any threat, whatever the source or the pretexts for such a threat.

Third:

**National Development:** Being convinced that the true challenge confronting nations is the realization of progress and that such progress does not occur automatically, or through slogans; but that the driving force behind it is the release of the potentials of creativity and inspiration in our people, who have asserted at all times their contribution to civilization and to humanity through work alone.

Our people have passed through successive experiences, meantime offering rich experiences on the national and international level and being guided by them, which ultimately took shape in the July 23 Revolution of 1952.

This Revolution was brought about by the alliance of the working forces of our perseverant people who were able, through profound and refined consciousness, to retain their original

character, but at the same time move forward in a bid to realize full integration between science and faith, between political and social freedom, between national independence and social affiliation; and to participate in the worldwide struggle for the liberation of man, on the political, economic, cultural and ideological levels, and in the struggle against the forces of regression, domination and exploitation.

Fourth:

**Freedom and Humanity of Egyptians:** Realizing that man's humanity and dignity are the lights which guide and direct the course of the great development of mankind for the realization of its supreme ideal.

Man's dignity is a natural reflection of the nation's dignity, now that the individual is the cornerstone in the edifice of the homeland, the land that derives its strength and prestige from the value of man and his education.

The sovereignty of law is not only a guarantee for the freedom of the individual alone, but is also at the same time the sole basis for the legality of authority.

The alliance of the active popular powers is not a means for social strife leading towards historical development.

In this modern age, it is a safety valve, protecting the unity of working powers in the country and eliminating, through democracy, any contradictions.

We, the people of Egypt, out of determination, confidence and faith in all national and international responsibilities, and in acknowledgment of God's right and His Heavenly Messages, and in the right of the country and nation, as well as of the principle and responsibility of mankind, and in the name of the Almighty and His assistance, declare on the 11th of September, 1971 that we accept and grant to ourselves this Constitution, affirming our determination to defend and protect it, and asserting our respect for it in letter and spirit.

Constitution of the Arab Republic of Egypt

## PART I THE STATE

### Article 1<sup>[1]</sup>

The Arab Republic of Egypt is a democratic state based on citizenship.

The Egyptian people are part of the Arab Nation and work for the realization of its comprehensive unity.

### Article 2

Islam is the religion of the State and Arabic its official language.

Islamic law (*Sharia*) is the principal source of legislation.

### Article 3

Sovereignty is for the people alone; they are the source of authority.

The people shall exercise and protect this sovereignty, and safeguard national unity in the manner specified in the Constitution.

### Article 4<sup>[2]</sup>

The national economy is based on the development of economic activity, social justice, the guarantee of the different forms of property and the preservation of workers' rights.

### Article 5<sup>[3]</sup>

The political system of the Arab Republic of Egypt is a multiparty one, within the framework of the basic elements and principles of the Egyptian society as stipulated in the Constitution. Political parties are regulated by the law

The citizens have the right to establish political parties according to the law. It is prohibited, however, to exercise any political activity or to found any political party based on religious considerations or on discrimination on grounds of gender or race.

### Article 6

The Egyptian nationality is defined by the law.

## PART II BASIC FOUNDATIONS OF SOCIETY

### CHAPTER I Social and Moral Foundations

### Article 7

Social solidarity is the basis of the society.

### Article 8

The State shall guarantee equality of opportunity to all citizens.

### Article 9

The family is the basis of the society founded on religion, morality and patriotism.

The State strives to preserve the genuine character of the Egyptian family—with the values and traditions it embodies—while affirming and developing its character in relations within the Egyptian society.

### Article 10

The State shall guarantee the protection of motherhood and childhood, take care of children and youth and provide suitable conditions for the development of their talents.

#### Article 11

The State shall guarantee the proper coordination between the duties of woman towards the family and her work in the society, considering her equal status with man in the fields of political, social, cultural and economic life without violation of the rules of Islamic jurisprudence.

#### Article 12<sup>[4]</sup>

The society shall be committed to safeguarding and protecting morals, promoting the genuine Egyptian traditions and abiding by the high standards of religious education, moral and national values, historical heritage of the people, scientific facts, socialist conduct and public morality within the limits of the law.

The State is committed to abiding by these principles and promoting them.

#### Article 13

Work is right, a duty and an honor ensured by the State.

Workers who excel in their field of work shall receive the appreciation of the State and the society.

No work shall be imposed on the citizens, except by virtue of the law, for the performance of a public service and in return for a fair remuneration.

#### Article 14

All citizens have the right to public offices, which are assigned to those in trust in the service of the people.

The State guarantees the protection of public officers in the performance of their duties in safeguarding the interests of the people.

They may not be dismissed on other than disciplinary grounds except in the cases specified by the law.

#### Article 15

The war veterans, those injured in war or because of it, and the wives and children of those killed shall have priority in work opportunities according to the law.

#### Article 16

The State shall guarantee cultural, social and health services, and work to ensure them for the villages in particular in an easy and regular manner in order to raise their standard.

#### Article 17

The State shall guarantee social and health insurance services. All citizens have the right to pensions in cases of incapacity, unemployment and old-age, in accordance with the law.

#### Article 18

Education is a right guaranteed by the State.

It is compulsory at the primary stage, and the State shall strive to make it compulsory at the other stages.

The State shall supervise all branches of education and guarantee the independence of universities and scientific research institutions, with a view to linking all of them to the requirements of society and production.

#### Article 19

Religious education shall be a principal subject in the courses of general education.

#### Article 20

Education in the State educational institutions shall be free of charge at the various stages.

#### Article 21

Combating illiteracy shall be a national duty for which all the people's energies shall be mobilized.

#### Article 22

The institution of civil titles shall be prohibited.

### CHAPTER II

#### Economic Foundations

#### Article 23

The national economy shall be organized in accordance with a comprehensive development plan which ensures the growth of the national income, fair distribution, higher living standards, elimination of unemployment, the increase of job opportunities, the linking of wages to productivity and the determination of minimum and maximum wages in a manner which guarantees the reduction of disparities between incomes.

#### Article 24<sup>[5]</sup>

The State shall sponsor the national production and work for the realization of social and economic development.

#### Article 25

Every citizen shall have a share in the national revenue to be defined by the law in accordance with his work or his non-exploitative ownership.

#### Article 26

The workers shall have a share in the management and profits of the projects. They are committed to the development of production and the implementation of the plan in their production units, in accordance with the law. Protecting the means of production is a national duty.

Workers shall be represented on the boards of directors of the public sector units by at least 50% of the number of members of these boards. The law shall guarantee for the small farmers and small craftsmen 80% of the membership on the boards of directors of the agricultural co-operatives and industrial cooperatives.

#### Article 27

Beneficiaries shall participate in the management of the services projects of public interest and their supervision in accordance with the law.

#### Article 28

The State shall look after the cooperatives in all their forms and encourage handicrafts with a view to developing production and raising income.

The State shall endeavor to consolidate the agricultural cooperatives according to modern scientific bases.

#### Article 29

Ownership shall be under the supervision of the people and the protection of the State.

There are three kinds of ownership: public ownership, cooperative ownership and private ownership.

#### Article 30<sup>[6]</sup>

Public ownership is the ownership of the people as represented in the ownership of the State and the public legal persons.

#### Article 31

Co-operative ownership is the ownership of the co-operative societies. The law guarantees its protection and self-management.

#### Article 32

Private ownership shall be represented by the non-exploitative capital. The law organizes the performance of its social function in the service of national economy within the framework of

the development plan so that it may not be in conflict, in the ways of its use, with the general welfare of the people.

Article 33<sup>[7]</sup>

Public ownership shall have its sanctity, and its protection and consolidation is the duty of every citizen in accordance with the law.

Article 34

Private ownership shall be safeguarded and may not be put under sequestration except in the cases specified in the law and with a judicial decision. It may not be expropriated except for the general good and against a fair compensation in accordance with the law. The right of inheritance is guaranteed in it.

Article 35

Nationalization shall not be allowed except for considerations of public interest, in accordance with a law and subject to compensation.

Article 36

General sequestration of funds shall be prohibited.

Private sequestration shall not be allowed except with a judicial decision.

Article 37<sup>[8]</sup>

The law shall fix the maximum limit of land ownership with a view to protecting the farmer and the agricultural laborer from exploitation.

Article 38

The tax system shall be based on social justice.

Article 39

Saving is a national duty protected, encouraged and organized by the State.

**PART III  
PUBLIC FREEDOMS, RIGHTS AND DUTIES**

Article 40

All citizens are equal before the law.

They have equal rights and duties without discrimination between them due to race, ethnic origin, language, religion or creed.

Article 41

Individual liberty is a natural right and shall not be touched. Except in cases of *in flagrante delicto* no person may be arrested, inspected, detained or his freedom restricted or freedom of movement curtailed except by judicial warrant required for the purpose of an investigation or the preservation of the security of the society.

This warrant shall be issued by the competent judge or the Public Prosecutor in accordance with the provisions of the law.

The law shall determine the period of custody.

#### Article 42

Any person arrested, detained or his freedom restricted shall be treated in a manner compatible with the preservation of his dignity.

No physical or moral harm is to be inflicted upon him.

He may not be detained or imprisoned except in places defined by laws on the organization of the prisons system.

If a confession is proved to have been made by a person under any of the aforementioned forms of duress or coercion, it shall be considered invalid and futile.

#### Article 43

No person may submit to a medical or scientific experiment without his free consent.

#### Article 44

The home shall be inviolable.

It may not be entered or searched except by virtue of a judicial warrant prescribed by the law.

#### Article 45

The law shall protect the inviolability of the private life of citizens.

Correspondence, wires, telephone calls and other means of communication shall be inviolable and secret and may not be seized or put under surveillance except by judicial warrant and for a limited period according to the provisions of the law.

#### Article 46

The State shall guarantee the freedom of belief and the freedom of practice of religious rites.

#### Article 47

Freedom of opinion is guaranteed.

Every individual has the right to express his opinion and to disseminate it verbally or in writing or by photography or by other means within the limits of the law.

Self-criticism and constructive criticism is the guarantee for the safety of the nation.

#### Article 48

Freedom of the press, printing, publication and mass media shall be guaranteed.

Censorship of newspapers as well as their control, suspension or suppression by administrative methods is prohibited.

In a state of emergency or in time of war a limited censorship may be imposed on the newspapers, publications and mass media in matters related to public safety or purposes of national security in accordance with the law.

#### Article 49

The State shall guarantee the freedom of scientific research and literary, artistic and cultural innovation and provide the necessary means for its realization.

#### Article 50

No citizen may be prohibited from residing in any place and no citizen may be forced to reside in a particular place, except in the cases defined by the law.

#### Article 51

No citizen may be deported from the country or prevented from re-entering the national territory.

#### Article 52

Citizens shall have the right to permanent or temporary immigration.

The law shall regulate this right and the forms and conditions of immigration and exit from the country.

#### Article 53

The right to political asylum shall be guaranteed by the State for every foreigner persecuted for defending the peoples' interests, human rights, peace or justice.

The extradition of political refugees is prohibited.

#### Article 54

Citizens shall have the right to peaceable and unarmed private assembly, without the need for prior notice.

Security personnel may not attend these private meetings.

Public meetings, processions and assemblies are allowed within the limits of the law.

#### Article 55

Citizens shall have the right to form associations as defined by the law.

The establishment of associations whose activities are detrimental to society or have a clandestine or military character is prohibited.

#### Article 56<sup>[9]</sup>

The establishment of syndicates and unions on a democratic basis is a right guaranteed by law; they shall be recognized as legal entities.

The law shall regulate the participation of syndicates and unions in carrying out the social programs and plans, raising the standard of efficiency among their members, and safeguarding their funds.

They are responsible for questioning their members about their behavior in carrying out their activities in accordance with accepted moral standards, and for the defense of their rights and liberties of their members as defined in the law.

#### Article 57

Any violation of individual liberty or of the inviolability of private life of citizens or on any other rights or liberties guaranteed by the Constitution and the law shall be considered a crime, whose criminal and civil prosecution is not subject to the statute of limitations.

The State shall grant a fair compensation to the victim of such violation.

#### Article 58

The defense of the motherland is a sacred duty, and conscription is compulsory in accordance with the law.

#### Article 59<sup>[10]</sup>

Safeguarding the environment is a national duty, and the law shall regulate the right to a good environment and the measures necessary to safeguard it.

#### Article 60

Protecting national unity and keeping State secrets is the duty of every citizen.

#### Article 61

Payment of taxes and public duties is an obligation in accordance with the law.

#### Article 62<sup>[11]</sup>

Citizens shall have the right to vote and express their opinions in referendums in accordance with the provisions of the law.

Their participation in public life is a national duty. The law shall regulate the right to stand for election to the People's Assembly, the Shura Council and the local councils in accordance with the electoral system it specifies. The law may adopt a system which combines the individual member system with the party list system on the basis of a ratio between the two systems to be determined by the law. It may also stipulate a minimum representation of women in the afore-mentioned councils.

#### Article 63

Every individual has the right to submit written petitions signed by himself to the public authorities.

Public authorities should not be petitioned in the name of groups, with the exception of disciplinary institutions and juridical persons.

### PART IV RULE OF LAW

#### Article 64

The rule of law shall be the basis of the exercise of public power in the State.

#### Article 65

The State shall be subject to the law.

The independence and immunity of the judiciary are two basic guarantees to safeguard rights and liberties.

#### Article 66

Penalties shall be personal.

There shall be no crime or penalty except by virtue of the law.

No penalty shall be inflicted except by judicial sentence.

Penalty shall be inflicted only for acts committed subsequent to the promulgation of the law prescribing them.

#### Article 67

Any defendant is innocent until he is proved guilty before a legal court before which he is granted the right to defend himself.

Every person accused of a crime must be provided with counsel for his defense.

#### Article 68

Access to the courts is an inalienable right, and every citizen is entitled to submit his case to the competent judge.

The State shall guarantee free access to the courts for the parties to a controversy and a speedy determination of their claims.

Any provision in the law stipulating the immunity of any act or administrative decision from judicial control is prohibited.

#### Article 69

The right of defense either in person or by counsel is guaranteed.

The Law shall grant needy citizens the means to resort to justice and defend their rights.

#### Article 70

No criminal charges shall be brought except by indictment of a judicial authority in the cases defined by the law.

#### Article 71

Any person arrested or detained should be informed promptly of the reasons for his arrest or detention.

He has the right to communicate, inform, and ask the help of anyone as prescribed in the law.

He must be confronted, as soon as possible, with the charges brought against him.

Any person may lodge a complaint to the courts against any measure taken to restrict his individual freedom.

The law regulates the right of complaint in a manner which ensures that a decision is issued within a fixed delay, or else release is imperative.

#### Article 72

Sentences shall be passed and executed in the name of the people.

The non-execution of sentences or the obstruction of their execution by the competent civil servants is considered a crime punishable by law.

In this case those who have a vested interest in the execution of the sentence may bring criminal charges before the competent court.

PART V  
SYSTEM OF GOVERNMENT

CHAPTER I  
The Head of State

Article 73[\[12\]](#)

The Head of State is the President of the Republic.

He shall assert the sovereignty of the people, ensure respect for the Constitution and the rule of law, safeguard national unity and social justice and keep the authorities within the limits of their respective powers in order to make sure that each performs its role in the interest of the Nation.

Article 74[\[13\]](#)

If any danger threatens the national unity or the safety of the motherland or obstructs the constitutional role of the State institutions, the President of the Republic shall take urgent measures to confront this danger after consulting the Prime Minister, the Speakers of the People's Assembly and the Shura Council, address a message to the people and conduct a referendum on the measures taken within sixty days of their adoption. The People's Assembly and the Shura Council may not be dissolved during the exercise of these powers.

Article 75

The person to be elected President of the Republic must be an Egyptian born to Egyptian parents and enjoy civil and political rights.

His age must not be less than 40 Gregorian years.

Article 76[\[14\]](#), [\[15\]](#)

The President shall be elected by direct, public, secret ballot. In order to be accepted as a candidate to the presidency, a person must be supported by at least 250 elected members of the People's Assembly, the Shura Council and the elected regional assemblies who must include at least 65 members of the People's Assembly, 25 of the Shura Council and ten of members of the regional assemblies in at least 14 regions.

The number of members of the People's Assembly, the Shura Council and local popular councils at provincial level shall be raised in proportion to increases in number of any of these councils. In all cases, support may not be given to more than one candidate.

Procedures related to the nomination process shall be regulated by the law. Political parties which have been established at least five years before the announcement of the candidacy and have been operating without interruption during this period, and whose members have obtained at least 3% of the elected seats in both the People's Assembly and the Shura Council or the equivalent of the combined total of these numbers in one of the two assemblies may nominate for President a member of their leadership council in accordance with their own by-

laws, provided the candidate has been a member of the council for at least twelve consecutive months.

As an exception to the provisions of the aforementioned paragraph, the afore-mentioned political parties whose members obtained at least one seat in either the People's Assembly or the Shura Council in the last election may nominate in any presidential elections to be held within ten years of May 1, 2007 a member of their leadership council in accordance with their by-laws, provided he has been a member of the council for at least twelve consecutive months.

Candidacies shall be submitted to an independent committee named Presidential Elections Committee. The Committee shall be composed of the head of the Supreme Constitutional Court as a chairman and the head of the Cairo Court of Appeal, the most senior deputy of the head of the Supreme Constitutional Court, the most senior deputy of the head of the Court of Cassation, the most senior deputy of the State Council and five public figures, recognized for their impartiality. Three of the aforementioned public figures shall be selected by the People's Assembly and the other two by the Shura Council upon a recommendation of the bureaus of both houses for a period of five years.

The law shall determine who will act on behalf of the chairman or any member of the Committee, should they be unable to perform their functions for some reason.

This Committee shall have the following exclusive competences:

1. To declare the opening of the candidate selection process and supervise procedures for fixing the final list of candidates;
2. To generally supervise balloting and vote-counting procedures;
3. To announce elections results;
4. To decide on all appeals, challenges and all matters related to its competences, including conflicts of jurisdiction;
5. To draw up by-laws regulating its modus operandi and the procedures for the discharge of its functions.

The Committee's resolutions shall be adopted with a majority of at least seven members. Its resolutions shall be final, self-executing and incontestable by any means or before any authority whatsoever. Its resolutions may not be challenged by way of interpretation or by granting a stay of execution. The law regulating presidential elections shall determine other competences of the Committee.

The law shall also determine the rules governing the nomination of a candidate who is to replace another candidate who has abandoned his candidacy for some other reason than his assignment to public functions in the period from the opening of the candidate selection process until the end of the presidential vote.

Voting shall be conducted in one single day. The Presidential Elections Committee shall establish committees to manage the different stages of the voting and ballot-counting process.

They will be supervised by general committees whose members are chosen by the Presidential Elections Committee from judicial bodies in order to monitor the whole process in accordance with such rules and regulations as may be decided by the Committee.

A candidate who has obtained the absolute majority of validly cast votes shall be declared elected. In the event that none of the candidates has obtained such a majority, a second round of voting shall take place at the earliest after seven days between the two candidates who have obtained the largest number of votes. Should a third candidate obtain a number of valid votes equal to the number of votes of the candidate who arrived in second place, he shall also take part in the second round. In this case, the candidate who obtains the largest number of votes will be declared the winner.

The presidential election shall take place even if only one candidate has presented a valid application or if he is the only candidate remaining due to assignment of the other candidates or due to the failure to field another candidate in lieu of the one who abandoned his candidacy.

In this case, the candidate who has obtained the absolute majority of the number of valid votes shall be declared winner. The law shall regulate the procedure which has to be followed in the event the candidate fails to obtain this majority.

The President shall submit the draft law regulating the presidential election to the Supreme Constitutional Court following approval by the People's Assembly and before promulgation, in order to determine compliance with the Constitution.

The Court shall deliver its ruling on this matter within fifteen days from the President's submission. Should the court decide that one or more provisions of the draft law are unconstitutional; the President shall return it to the People's Assembly in order to bring the law into conformity with the ruling. In all cases, the court's ruling shall be binding on all parties and all state authorities. The law shall be published in the Official Gazette within three days from the date of delivery.

#### Article 77

The term of the Presidency is six Gregorian years starting from the date of the announcement of the result of the referendum.

The President of the Republic may be re-elected for other successive terms.

#### Article 78<sup>[16]</sup>

The selection process of a new President of the Republic shall start sixty days before the expiration of the term of the President in office.

Should the election of the new President be announced before the end of the term of his predecessor, his presidential term shall start on the second day following the end of the said term.

The new President shall be selected at least one week before the expiration of previous presidential term.

Should this term expire without the selection of the new President being completed for any reason whatsoever, the former President shall continue to exercise his functions until his successor is elected.

#### Article 79

Before assuming his office, the President shall take the following oath before the People's Assembly.

"I swear by Almighty God to uphold the Republican system faithfully, to respect the Constitution and the law, to look after the interests of the people and to safeguard the independence and territorial integrity of the motherland".

#### Article 80

The salary of the President of the Republic shall be fixed by law.

Any adjustment of the salary shall not become effective during the presidential term in which the adjustment decision is taken.

The President of the Republic may not receive any other salary or remuneration.

#### Article 81

During his term the President of the Republic may not exercise any free profession or undertake any commercial, financial or industrial activity.

Nor may he acquire or lease any State property, sell to or exchange with the State any property of his whatsoever.

#### Article 82[\[17\]](#)

If on account of any temporary obstacle the President of the Republic is unable to discharge his functions, he shall delegate his powers to a Vice-President, or to the Prime Minister should there be no Vice-President able to take over.

The acting President may not request the amendment of the Constitution, or dissolve the People's Assembly or the Shura, or dismiss the Cabinet.

#### Article 83

In case of resignation, the President shall address the letter of resignation to the People's Assembly.

#### Article 84[\[18\]](#)

In case of the vacancy of the Presidential Office or the permanent disability of the President of the Republic, the President of the People's Assembly or, if at that time the People's Assembly is dissolved, the President of the Supreme Constitutional Court shall take over the

Presidency, on the condition that neither shall stand as a candidate for the Presidency, and abiding by the provisions of the second paragraph of Article 82.

The People's Assembly shall then proclaim the vacancy of the office of President.

The President of the Republic shall be elected within a maximum period of sixty days from the day of the vacancy of the Presidential Office.

Article 85[19]

Any charge against the President of high treason or of committing a criminal act shall be brought upon a proposal by at least one-third of the members of the People's Assembly.

No impeachment procedure shall be initiated except upon the approval of a majority of two-thirds of the Assembly members.

The President shall be suspended from the exercise of his duties as from the initiation of the impeachment procedure.

The Vice-President or, should there be no Vice-President, the Prime Minister shall temporarily assume the Presidency, while abiding by the provisions of the second paragraph of Article 82 until a ruling on the impeachment is issued.

The President of the Republic shall be tried by a special tribunal set up by law.

The law shall also organize the trial procedure and define the penalty.

If he is found guilty, the President shall be relieved of his post, without prejudice to other penalties.

## CHAPTER II The Legislature

### THE PEOPLE'S ASSEMBLY

Article 86

The People's Assembly shall exercise the legislative power and approve the general policy of the State, the general plan of economic and social development and the general budget of the State.

It shall exercise control over the work of the executive authority in the manner prescribed by the Constitution.

Article 87

The law shall determine the constituencies into which the national territory shall be divided; the number of elected members of the People's Assembly must be at least 350, at least one-half of which has to be workers and farmers elected by direct and secret public ballot.

The definition of the worker and the farmer shall be determined by law.

The President of the Republic may appoint a number of members not exceeding ten.

#### Article 88<sup>[20]</sup>

The conditions to be fulfilled by the members of the People's Assembly shall be defined by law which shall set out the rules on the organization of the ballot. The ballot shall take place in one day. A Higher Committee which enjoys independence and impartiality shall supervise the elections in the manner regulated by the law. The law shall set out the competencies of the Committee and the procedure for its formation. Current and former members of judicial bodies shall be among its members. The Committee shall form the general committees supervising the elections at constituency level, and the committees charged with the monitoring of the ballot operations and the counting of the votes. The general committees shall be composed by members of judicial bodies, and the counting of the votes shall take place under their supervision in accordance with the rules and procedures defined by the law.

#### Article 89

State and public sector employees may nominate themselves for membership in the People's Assembly.

A member of the People's Assembly shall devote himself exclusively to his functions as a member, except in cases specified by law.

His office or job shall be preserved for him in accordance with the provisions of the law.

#### Article 90

The member of the People's Assembly shall take the following oath before the Assembly before assuming upon his duties:

"I swear by God Almighty, that I shall preserve the safety of the nation and the Republican system, shall attend to the interests of the people and shall respect the Constitution and law".

#### Article 91

Members of the People's Assembly shall receive a remuneration determined by the law.

#### Article 92

The duration of the People's Assembly term is five Gregorian years from the date of its first meeting.

Elections for renewal of the Assembly shall take place within the sixty days preceding the termination of the term.

#### Article 93

The People's Assembly shall be the only authority competent to decide upon the valid election of its members.

The Court of Cassation shall be competent to investigate contestations of an election presented to the Assembly, upon referral by the President of the Assembly.

The contestation shall be referred to the Court of Cassation within fifteen days from the date of its submission to the Assembly, and the investigation shall be completed within ninety days from the date on which the contestation was referred to the Court of Cassation.

The result of the investigation and the conclusions reached by the Court shall be submitted to the Assembly for a decision upon the validity of the contestation within sixty days from the date of submission of the results of the investigation.

The membership will not be deemed invalid except by a decision taken by a majority of two-thirds of the Assembly members.

#### Article 94<sup>[21]</sup>

If the seat of a member becomes vacant before the end of his term, the vacant seat must be occupied in accordance with the law within sixty days from the date on which the Assembly is informed of the occurrence of the vacancy. The new member shall complete the term of his predecessor.

#### Article 95

No member of the People's Assembly shall, during his mandate, purchase or rent any State property, or lease or sell to the State or barter with it any part of his property, or conclude a contract with the State in his capacity as entrepreneur, importer or contractor.

#### Article 96

No membership in the People's Assembly shall be terminated except for loss of confidence, status or eligibility, the loss of the member's status as a worker or farmer upon which he was elected, or non-compliance with the duties resulting from his mandate.

The decision on the termination of the membership shall be taken by a majority of two-thirds of the Assembly members.

#### Article 97

The People's Assembly alone may accept the resignation of one of its members.

#### Article 98

Members of the People's Assembly shall not be censured for any opinions or thoughts expressed by them in the performance of their tasks in the Assembly or one of its committees.

#### Article 99

No member of the People's Assembly shall be subjected to criminal prosecution without the permission of the Assembly except in flagrant cases.

If the Assembly is not in session, the permission of the President of the Assembly must be obtained.

The Assembly must be notified of the measures taken in its first subsequent session.

#### Article 100

The seat of the People's Assembly shall be Cairo.

However, in exceptional circumstances, it may meet in another city, at the request of the President of the Republic or of the majority of the Assembly members.

Any meeting of the Assembly at another than its designated seat is prohibited and the resolutions passed on this occasion shall be considered invalid.

#### Article 101

The President of the Republic shall convoke the People's Assembly for its ordinary annual session before the second Thursday of November.

If it is not convoked, the Assembly shall meet as of right on the said day.

The ordinary session shall continue for at least seven months.

#### Article 102

The President of the Republic may convoke the People's Assembly for an extraordinary session in case of necessity or upon a request signed by a majority of the Assembly members.

The President of the Republic shall announce the closure of the extraordinary session.

#### Article 103

The People's Assembly shall elect, at the first meeting of its ordinary annual session, a President and a Vice-President for the term of the session.

If the seat of anyone of them is vacated, the Assembly shall elect a replacement, whose term will last until the end of his predecessor's term.

#### Article 104

The People's Assembly shall determine its rules of procedure governing its organization and the way in which it fulfills its tasks.

#### Article 105

The People's Assembly alone shall have the right to maintain order in its premises.

The President of the Assembly shall be entrusted with this task.

#### Article 106

The meetings of the People's Assembly shall be public.

However, the public may be excluded from the meeting at the request of the President of the Republic or of the Government or of its Prime Minister or at least twenty of its members.

In this case the Assembly shall then decide whether the debate on the issue submitted to it shall take place in a public or in a non-public meeting.

#### Article 107

A meeting of the Assembly cannot produce any effects if the majority of the Assembly's members are not present.

The resolution of the Assembly shall be adopted by an absolute majority of the attending members in cases other than those for which a specific majority is required.

Every article of the draft laws shall be put to a vote.

In case of a tie vote, the motion under discussion shall be deemed rejected.

#### Article 108

In cases of necessity or in exceptional circumstances the President of the Republic shall have the right, upon authorization by the People's Assembly approved by two-thirds of its members, to adopt decrees having the force of law. The authorization must be granted for a limited period and indicate the subjects which may be regulated by the decrees and the motives on which they have to be based.

The decrees must be submitted to the People's Assembly at the first meeting after the end of the authorization period. If they are not submitted, or if they are submitted but not approved by the Assembly they shall cease to have the force of law.

#### Article 109

The President of the Republic and every member of the People's Assembly shall have the right to propose laws.

#### Article 110

Every draft law shall be referred to a committee of the Assembly which will examine it and submit a report. A draft law presented by members of the People's Assembly may only be referred to the committee after it has been referred to a special committee first, which shall examine the draft law and give its opinion whether it is appropriate for the Assembly to consider it, and after the Assembly has decided to consider the draft law.

#### Article 111

A draft law proposed by a member and rejected by the Assembly cannot be presented again in the course of the same session.

#### Article 112

The President of the Republic shall have the right to promulgate laws or to veto them.

#### Article 113

If the President of the Republic vetoes a draft law adopted by the People's Assembly, he shall refer it back to the Assembly within thirty days after the law had been transmitted to him by the Assembly. If the draft law is not referred back within this period, it is considered law and shall be promulgated.

If it is referred back to the Assembly within the aforementioned delay and approved once again by a majority of two-thirds of the members, it is considered law and shall be promulgated.

#### Article 114

The People's Assembly shall approve the general plan for economic and social development.

The procedure for the preparation of the plan and its submission to the People's Assembly shall be determined by law.

#### Article 115[22]

The draft general budget shall be submitted to the People's Assembly at least three months before the beginning of the fiscal year. It shall be considered in effect after approval.

The draft budget shall be voted upon title by title and shall be promulgated by a law. The People's Assembly may modify the expenditures indicated in the draft budget except those which implement a specific commitment of the State. Should the change result in an increase of expenditures the People's Assembly must agree with the Government on how to provide the resources needed to balance revenues and expenditures. The budget shall be adopted in the form of a law which may include amendments to laws already in force necessary to realize that balance.

Should the new budget not be approved before the beginning of the new fiscal year, the old budget shall be in effect until ratification. The law shall determine the manner in which the budget is prepared as well as the fiscal year.

#### Article 116

The approval of the People's Assembly is necessary for the transfer of any funds from one title of the budget to another, as well as for any expenditure not included in the budget or in excess of its estimates, and shall take the form of a law.

#### Article 117

The provisions regulating the budgets and accounts of public organizations and organisms shall be prescribed by law.

#### Article 118<sup>[23]</sup>

The final account of the State budget shall be submitted to the People's Assembly within a period not exceeding one year from the date of the expiration of the fiscal year.

It shall be voted-upon title by title and be adopted in the form of a law.

The annual report of the Central Agency for Accounting and its observations must be submitted to the People's Assembly.

The Assembly has the right to request from the Central Agency for Accounting, any data or other pertinent reports.

#### Article 119

General taxes may only be imposed, modified or abolished by virtue of a law.

No one may be exempted from their payment except in the cases specified by law.

No one may be asked to pay additional taxes or duties except in the cases specified by law.

#### Article 120

The basic rules for the collection of public funds and the procedure for their disbursement shall be regulated by law.

#### Article 121

The Executive Authority shall not contract a loan or commit itself to a project entailing the subsequent expenditure of funds from the State Treasury, except with the approval of the People's Assembly.

#### Article 122

The rules governing the granting of salaries, pensions, indemnities, subsidies and bonuses from the State Treasury shall be determined by a law which shall also regulate the exceptions from these rules, and the authorities charged with their application.

#### Article 123

The rules and procedures for granting concessions relating to the investment in the sources of natural wealth and in public utilities shall be determined by law; the disposal, free of charge, of real estate properties belonging to the State or the ceding of moveable properties of the State and the rules and issues relating to them shall also be regulated by law.

#### Article 124

Every member of the People's Assembly shall be entitled to address questions to the Prime Minister or any of his deputies or the Ministers or their deputies concerning matters within their jurisdiction.

The Prime Minister, his deputies, the Ministers and the persons authorized by them to speak on their behalf shall answer the questions put to them by members of the People's Assembly.

A member may withdraw his question at any time; the same question may not be form the object of an interpellation during the same session.

#### Article 125

Every member of the People's Assembly shall be entitled to address interpellations to the Prime Minister or his deputies or to the Ministers or their deputies concerning matters within their jurisdiction.

Debate on an interpellation shall take place at least seven days after its submission, except in cases of urgency as decided by the Assembly and with the government's consent.

#### Article 126

The Ministers shall be responsible collectively for the general policy of the State before the People's Assembly; every Minister shall also be responsible for the acts of his Ministry.

The People's Assembly may decide to withdraw its confidence from any of the Prime Minister's deputies or from any of the Ministers or their deputies.

A motion of no confidence may not be submitted except after an interpellation.

Such a motion shall be proposed by one-tenth of the Assembly's members.

The Assembly shall not decide on such a motion until after at least three days from the date of its presentation.

Withdrawal of confidence shall be pronounced by the majority of the members of the Assembly.

#### Article 127[24]

The People's Assembly shall determine the responsibility of the Prime Minister, on a proposal by one-tenth of its members. Such a decision shall be taken by the majority of the members of the Assembly. It may not be taken except after an interpellation addressed to the Government, and after at least three days from the date of its presentation. In the event that such responsibility is determined, the Assembly shall submit a report to the President of the Republic including the elements of the interpellation, the conclusions reached on the matter and the considerations on which they are based. The President of the Republic may accept the resignation of the Government or return the report to the Assembly within ten days. Should the Assembly approve it once again by a majority of two-thirds of its members, the President of the Republic shall accept the resignation of the Government. Should the proposal on the

responsibility of the Prime Minister be rejected, the members requesting the withdrawal of confidence may not put forward another request during the same session.

#### Article 128

If the Assembly withdraws its confidence from any of the Prime Minister's deputies or of the Ministers or of their deputies, they shall resign from office.

The Prime Minister shall submit his resignation to the President of the Republic if his responsibility is determined by the People's Assembly.

#### Article 129

At least twenty members of the People's Assembly may ask for the discussion of a public issue to ascertain the Government's policy regarding on the matter.

#### Article 130

The members of the People's Assembly shall be entitled to express their opinions concerning public issues in the presence of the Prime Minister or any of his deputies or of the Ministers.

#### Article 131

The People's Assembly may form an ad hoc committee or use any of its committees for the monitoring of the activities of any of the administrative departments, the general administrative institutions, any administrative or executive organ or of public projects for the purpose of finding facts and providing the Assembly with information on the actual financial, administrative or economic situation [of those institutions] or for investigating issues related to said activities.

In the course of its enquiry, the committee shall be entitled to collect whatever evidence it deems necessary and to subpoena all those from whom it requests information.

All executive and administrative bodies shall comply with the requests of the committee and put at its disposal all the documents and evidence it has asked for.

#### Article 132

At the inaugural meeting of the ordinary session of the People's Assembly, the President of the Republic shall deliver a statement of the general policy of the State.

He shall also deliver other statements before the Assembly.

The Assembly is entitled to discuss the statements of the President of the Republic.

#### Article 133<sup>[25]</sup>

The Prime Minister shall submit the program of the Government to the People's Assembly within sixty days of the date of its formation or at its first meeting should the Assembly not be in session. If the Assembly does not approve the program by the majority of its members, the

President of the Republic must accept the resignation of the Government. If the Assembly does not ratify the program of the new Cabinet, the President of the Republic may either dissolve the Assembly or accept the resignation of the Cabinet.

The Prime Minister and the Ministers and other members of the Government may deliver a statement before the People's Assembly or any of its committees on any subject matter within their competence. The Assembly or the committee shall discuss the statement and express its opinions concerning the observations made in the statement.

#### Article 134

The Prime Minister, his deputies, the Ministers and their deputies may become members of the People's Assembly.

Those of them who are not members may attend the sessions and committees of the Assembly.

#### Article 135

The Prime Minister and Ministers shall be heard in the People's Assembly and its committees whenever they request to speak.

They may be assisted by high-ranking officials.

A Minister shall not be entitled to vote in the Assembly, unless he is a member.

#### Article 136[\[26\]](#)

The President of the Republic shall not dissolve the Assembly unless it is necessary. If the Assembly has been dissolved over a particular issue, it may not be dissolved again over the same issue. The decision must include a call for new elections to be held sixty days at the latest after the dissolution order has been issued.

The new Assembly shall hold its first meeting within ten days of its election.

### CHAPTER III

#### The Executive

##### Section I

#### The President of the Republic

#### Article 137

The President of the Republic shall assume executive power and shall exercise it in the manner stipulated in the Constitution.

#### Article 138[\[27\]](#)

The President of the Republic in coordination with the Government shall lay down the general policy of the State and supervise its implementation in the manner prescribed in the Constitution.

The President of the Republic shall exercise the competences stipulated in Articles 144, 145, 146 and 147 after having obtained the approval of the Cabinet and the competences stipulated in Articles 108, 148, 151 (second paragraph) after its consultation.

#### Article 139

The President of the Republic may appoint one or more Vice-Presidents, define their competences and relieve them of their posts.

The rules on the accountability of the President of the Republic shall be applicable equally to the Vice-Presidents.

#### Article 140

Before assuming his functions, the Vice-President shall take the following oath before the President of the Republic:

“I swear by Almighty God to uphold the Republican system faithfully, to respect the Constitution and the law, to look after the interests of the people and to safeguard the independence and territorial integrity of the motherland”.

#### Article 141[28]

The President of the Republic shall appoint the Prime Minister and relieve him of his functions; the appointment and dismissal of the deputies of the Prime Minister, of the Ministers and their deputies shall be made by the President of the Republic after consultation of the Prime Minister.

#### Article 142

The President of the Republic shall have the right to call a meeting of the Council of Ministers and to attend its meeting.

He shall also preside over the meetings he attends.

He shall be entitled to demand reports from the Ministers.

#### Article 143

The President of the Republic shall appoint the civil and military officials and the diplomatic representatives, and to dismiss them in the manner prescribed by law. He shall also accredit the diplomatic representatives of foreign states.

#### Article 144

The President of the Republic shall issue the necessary regulations for the implementation of the laws in a manner which does not modify, obstruct or prevent their execution.

He shall have the right to vest others with authority to issue the regulations.  
The law may determine the authorities competent to take the measures required for their implementation.

#### Article 145

The President of the Republic shall issue the police regulations.

#### Article 146

The President of Republic shall issue the necessary rules for the creation and organization of the public services and authorities.

#### Article 147

If events during the absence of the People's Assembly require the adoption of measures which cannot be delayed, the President of the Republic may take them by issuing regulations which have the force of law. They must be submitted to the People's Assembly within fifteen days from their date of issuance if the Assembly is in session. In case of dissolution or recess of the Assembly, they shall be submitted at its first meeting.

In case the regulations are not submitted to the Assembly, they lose their binding character with retroactive effect, without need for a specific decision to this effect. If they are submitted but not ratified, they cease to be effective retroactively, unless the Assembly ratifies their validity for the previous period or determines their effects in any other manner.

#### Article 148

The President of the Republic shall proclaim a state of emergency in the manner prescribed by law.

The proclamation must be submitted within the following fifteen days to the People's Assembly for a decision.

In case the People's Assembly is dissolved, the matter shall be submitted to the new Assembly at its first meeting.

In all cases, the proclamation of the state of emergency shall be issued for a limited period which may only be extended with the approval of the Assembly.

#### Article 149

The President of Republic shall have the right of granting amnesty or commuting sentences.

A general amnesty can only be granted by virtue of a law.

#### Article 150

The President of Republic shall be the Supreme Commander of the Armed Forces.

He shall be the authority who declares war, after the approval of the People's Assembly.

#### Article 151

The President of Republic shall conclude international treaties and forward them to the People's Assembly with the necessary explanations.

The treaties shall have the force of law after their conclusion, ratification and publication in accordance with the established procedure. However, peace treaties, alliance pacts, commercial and maritime and all the treaties involving modifications in the national territory or affecting the rights of sovereignty, or imposing charges on the State treasury which are not provided for in the budget must be approved by the People's Assembly.

#### Article 152

The President of the Republic may call a referendum on important matters affecting the supreme interests of the country.

### Section II

#### The Government

#### Article 153

The Government shall be the supreme executive and administrative organ of the State.

It shall consist of the Prime Minister, his deputies, the Ministers and their deputies.

The Prime Minister shall supervise the work of the government.

#### Article 154

Whoever is appointed Minister or Deputy-Minister must be an Egyptian, of no less than 35 Gregorian years of age, and enjoy full civil and political rights.

#### Article 155

Before assuming the duties of their office, the members of the Cabinet shall take the following oath before the President of the Republic:

“I swear by Almighty God to uphold the Republican system faithfully, to respect the Constitution and the law, to look after the interests of the people, and to safeguard the independence and territorial integrity of the motherland”.

#### Article 156

The Cabinet shall exercise the following functions in particular:

- a) To lay down the general policy of the State, and to control its implementation in collaboration with the President of the Republic and in accordance with the presidential laws and decrees.
- b) To direct, coordinate and supervise the work of the ministries, of their affiliated organs, and the public organizations and institutions.
- c) To issue administrative and executive decisions in accordance with the laws and decrees, as well as to supervise their implementation.
- d) To prepare the draft laws and decrees.
- e) To prepare the draft of the general budget of the State.
- f) To prepare the general plan.
- g) To contract and grant loans in accordance with the rules of the Constitution.
- h) To supervise the implementation of laws, maintain State security and protect the rights of the citizens and the interests of the State.

#### Article 157

The Minister shall be the supreme administrative chief of his ministry.

He shall lay down the ministry's policy within the framework of the State's general policy, and see to its implementation.

#### Article 158

During his term in office, the Minister shall not practice a free profession, pursue a commercial, financial or industrial activity, buy or rent any State property, lease or sell to or barter with the State any of his own property.

#### Article 159

The President of the Republic and the People's Assembly shall have the right to bring a Minister to trial for crimes committed in the performance of or with regard to the duties of his office.

The decision of the People's Assembly to charge a minister shall be adopted upon a proposal submitted by at least one-fifth of its members.

No indictment shall be issued except by a majority of two-thirds of the members of the Assembly.

#### Article 160

Any minister indicted shall cease in his functions until his case is decided.

The termination of his functions shall not prevent legal action being taken or pursued against him.

The trial of the minister, the procedures and guarantees of the trial, and the indictment shall be regulated by the law.

The same rules shall apply to Deputy Ministers.

### Section III

#### The Local Administration

##### Article 161<sup>[29]</sup>

The Arab Republic of Egypt shall be divided into administrative units with distinct legal personality, including regions, cities and villages. Other administrative units may be created with legal personality if this is required by the common interest.

The law guarantees decentralization and determines the means to empower the administrative units with regard to the provision of local services and utilities, their development and good management.

##### Article 162

Local People's Councils shall be gradually formed, at the level of the administrative units, by direct election, providing that at least half of their members shall be workers and farmers.

The law shall provide for the gradual transfer of authority to them.

Presidents and Vice-Presidents, of the Councils shall be elected from among their members.

##### Article 163

The law shall prescribe the way in which the Local People's Councils are established, their competences, their financial resources, the status of their members, their relations to the People's Assembly and to the Government and their role in the preparation and implementation of the development plan and the control of the various activities.

### Section IV

#### The National Specialized Councils

##### Article 164

Specialized Councils shall be established on the national level to assist in the determination of the general policy of the State in all fields of national endeavor.

These councils shall be attached to the President of the Republic.

A Presidential decree shall determine the formation and functions of each council.

## CHAPTER IV The Judiciary

### Article 165

The Judicial Authority shall be independent.

It shall be exercised by courts of justice of different types and forms which shall issue their judgments in accordance with the law.

### Article 166

Judges shall be independent and be subject to no other authority but the law.

No outside authority may intervene in court cases or judicial matters.

### Article 167

The law shall determine the organization of the judiciary and its functions and the way in which it is established and shall prescribe the conditions and procedures concerning the appointment and transfer of its members.

### Article 168

The judges may not be dismissed from office.

The law shall determine the disciplinary measures which may be applied to them.

### Article 169

The hearings of the courts shall be public, unless the court decides to exclude the public for reasons of public order or morality.

In all cases, judgments shall be pronounced in public sessions.

### Article 170

The people shall contribute to the administration of justice, in accordance with the procedures and limits prescribed by law.

### Article 171

The law shall regulate the organization of the State Security Courts and fix their competences as well as the conditions to be fulfilled by the judges sitting on those courts.

### Article 172

The State Council shall be an independent judicial organ which has the competence to determine administrative disputes and disciplinary cases. The law shall determine its other competences.

## Article 173[\[30\]](#)

Every judicial body shall manage its own affairs. A council shall be established in which the presidents of the judicial bodies are assembled under the chairmanship of the President of the Republic to administer their common affairs.

The law shall regulate its formation, competences and rules of procedure.

## CHAPTER V

### The Supreme Constitutional Court

#### Article 174

The Supreme Constitutional Court shall be an independent judicial body with distinct legal personality in the Arab Republic of Egypt and shall have its seat in Cairo.

#### Article 175

The Supreme Constitutional Court has the exclusive competence to control the constitutionality of laws and regulations and to interpret the legislative texts in the manner prescribed by the law.

The law shall determine the other competences of the court and regulate the procedure to be followed before it.

#### Article 176

The law shall regulate the establishment of the Supreme Constitutional Court and determine the requirements to be fulfilled by its members, their rights and immunities.

#### Article 177

The members of the Supreme Constitutional Court may not be dismissed from office.

The Court shall call to account its members in the manner prescribed by the law.

#### Article 178

The judgments issued by the Supreme Constitutional Court in constitutional cases and its decisions concerning the interpretation of legislative texts shall be published in the *Official Gazette*.

The law shall regulate the legal effects of a decision declaring the unconstitutionality of a legislative text.

## CHAPTER VI

### The Fight Against Terrorism

#### Article 179[\[31\]](#)

The State shall strive to safeguard the general discipline and security in the face of the dangers of terrorism. The law shall regulate the prosecution and investigation procedures required by the fight against these dangers in such a manner that the measures described in the first paragraph of Article 41 and the second paragraph of Articles 44 and 45 do not obstruct this fight, subject to the supervision of the judiciary.

The President of the Republic may refer crimes of terrorism to any judicial body established by the Constitution or the law.

## CHAPTER VII

### Armed Forces and the National Defense Council

#### Article 180<sup>[32]</sup>

The State alone shall establish Armed Forces which owe their allegiance to the people.

Their duty shall be to protect the country and safeguard its territory and security.

No organization or group may establish military or semi-military formations.

#### Article 181

General mobilization shall be organized in accordance with the law.

#### Article 182

A National Defense Council shall be established over which the President of the Republic shall preside and which shall examine all questions pertaining to the ways and means to ensure the safety and the security of the country.

The law shall determine its other prerogatives.

#### Article 183

The law shall organize the military courts and determine their competences within the framework of the principles of the Constitution.

## CHAPTER VIII

### The Police

#### Article 184

The Police constitute a civil institution.

Its Supreme Chief shall be the President of the Republic.

The Police shall perform its duty in the service of the people, safeguards the peace and security of the citizens, ensures order, security and public morality, and carries out the functions assigned to it by the laws and regulations in the manner prescribed by law.

PART VI  
GENERAL AND TRANSITIONAL PROVISIONS

Article 185

The city of Cairo shall be the capital of the Arab Republic of Egypt.

Article 186

The law shall establish the national flag and the provisions relating thereto, as well as the State emblem and the provisions relating thereto.

Article 187

Legal provisions apply only from the date of their entry into force, and shall have no retroactive effect.

However, provisions to the contrary may be adopted in other than criminal matters, with the approval of the majority of the members of the People's Assembly.

Article 188

All laws shall be published in the Official Gazette within two weeks from the date of their issuance.

They shall be put into effect a month after their publication unless another date has been fixed for this purpose.

Article 189

The President of the Republic, as well as the People's Assembly, may request the amendment of one or more Articles of the Constitution. The Articles to be revised and the reasons for the amendment must be indicated in the request. In case the request emanates from the People's Assembly, it must be signed by at least one-third of the Assembly members.

In all cases, the Assembly shall discuss the amendment in principle; the decision on the matter shall be taken by the majority of its members. If the request is rejected, the amendment of the same Articles may not be requested again before the expiration of one year following the rejection.

If the People's Assembly approves the principle of revision, the Articles to be amended shall be discussed two months after the revision has been approved. If the modification is approved by two-thirds of the members of the Assembly, it must be referred to the people for a referendum. If the amendment is approved by the people, it shall become effective on the date of the announcement of the result of the referendum.

Article 190

The term of the present President of the Republic shall end after six years starting with the day of the announcement of his election as President of the Arab Republic of Egypt.

## Article 191

All laws and regulations which have entered into force prior to the proclamation of this Constitution shall remain valid and in force.

However, they may be repealed or amended in accordance with the rules and procedures fixed by this Constitution.

## Article 192

Wherever the term “referendum” is used in this Constitution with regard to the election of the President, it shall be replaced by the word “elections”.

## Article 193

This Constitution shall enter into force on the date on which its approval by the people in the referendum is proclaimed.

## PART VII NEW PROVISIONS

### CHAPTER I The Shura Council

#### Article 194<sup>[33]</sup>

The Shura Council shall carry out the studies and submit the proposals it deems necessary to preserve national unity and social peace and to protect the basic foundations of society, its supreme values, its rights and liberties and its public duties.

The Shura Council shall approve the following matters:

1. Proposals for amendment of one or more Articles of the Constitution, subject to the condition that the provisions in Article 189 are applied to the discussion and the vote of the amendments.
2. Draft laws designed to implement certain constitutional provisions as stipulated in Articles 5, 6, 48, 62, 76, 85, 87, 88, 89, 91, 160, 163, 167, 168, 170, 171, 172, 173, 175, 176, 177, 178, 179, 183, 196, 197, 198, 206, 207, 208, 209, 210 and 211 of the Constitution.
3. Peace and Alliance treaties and all treaties which affect the territorial integrity of the State or concern its sovereign rights.

If a dispute occurs between the People’s Assembly and the Shura Council concerning these issues, the Speaker of the People’s Assembly shall submit the matter to a joint committee composed of the Speakers of the two Assemblies and seven members of each Assembly to be selected by their General Committee in order to submit a text on the provisions which form the object of the dispute.

The final text adopted by this committee shall be reviewed by the two Assemblies. If either of them does not approve the text, the matter shall be referred to a joint meeting of the two Assemblies under the chairmanship of the Speaker of the People's Assembly, in a place designated by him and with the attendance of at least the majority of the members of the two Assemblies.

If the committee does not agree on a unified text, the two Assemblies may, at their joint meeting, approve any text adopted by either of them.

Without prejudice to the requirement of a special majority stipulated by the Constitution, the decision taken by either of the two Assemblies or by the joint meeting must be approved by the majority of the members present.

In any case, the vote takes place without debate.

#### Article 195<sup>[34]</sup>

The Shura Council shall be consulted on the following matters:

1. Draft of the general plan for social and economic development.
2. Draft laws referred to the Assembly by the President of the Republic.
3. Whatever matters are referred to the Assembly by the President of the Republic relating to the general policy of the State or its policy regarding Arab or foreign affairs.

The Assembly shall submit to the President of the Republic and the People's Assembly its opinion on these matters.

#### Article 196

The Shura Council shall be composed of a number of members defined by law but not inferior to 132 members.

Two-thirds of the members shall be elected by direct and secret public ballot; at least half of them must be workers and farmers.

The President of the Republic shall appoint the remaining third.

#### Article 197

The law shall determine the electoral constituencies of the Shura Council, the number of members for each constituency and the requirements which the elected or appointed members of the Shura Council must fulfill.

#### Article 198

The term of membership of the Shura Council is six years, with the renewal of half of its elected and appointed members taking place every three years in accordance with the law.

It is permitted to re-elect or re-appoint a member whose term has expired.

#### Article 199

The Shura Council shall elect a President and two Vice-Presidents at its first meeting of the ordinary annual session for a period of three years.

If one of these offices becomes vacant, the Assembly shall elect a successor for the rest of the term.

#### Article 200

No member can hold office in both the People's Assembly and the Shura Council at the same time.

#### Article 201

The Prime Minister and his deputies, the Ministers and government officials shall not be accountable to the Shura Council.

#### Article 202

The President of the Republic has the right to make a statement upon the general policy of the State or upon any other matter before a joint meeting of the People's Assembly and the Shura Council, headed by the Speaker of the People's Assembly.

The President of the Republic has the right to make whatever statements he wishes before the Shura Council.

#### Article 203

The Prime minister and the Ministers and other government officials may make statements before the Shura Council or one of its committees upon issues falling within their competence.

The Prime Minister and his deputies and other government officials shall be heard by the Shura Council and its committees upon their request, and they may seek the assistance of government officials as they see fit.

However, no Minister or other government official may participate in the vote unless he is a member.

#### Article 204

The President of the Republic may dissolve the Shura Council only in the case of necessity. The decision must include a call for new elections to be held sixty days at the latest after the dissolution order has been issued.

The new Council shall hold its first meeting within ten days of its election.

## Article 205[\[35\]](#)

The following Articles of the Constitution shall apply to the Shura Council:

62, 88 (paragraph 2), 89, 90, 91, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 104, 105, 106, 107, 129, 130, 134, insofar as they are not incompatible with the provisions in this Chapter, when the Council and its President exercise their competences defined in the Articles above.

## CHAPTER II

### The Press

#### Article 206

The Press is a popular, independent power which fulfills its mission in accordance with the stipulations of the Constitution and the law.

#### Article 207

The Press shall exercise its mission freely and independently in the service of society through all means of expression in order to interpret the trends of public opinion and contribute to their formation and orientation within the framework of the basic foundations of society, the protection of the liberties, rights and public duties and the respect for the private life of citizens in accordance with the Constitution and the law.

#### Article 208

The freedom of the press is guaranteed and press censorship is prohibited.

It is also prohibited to threaten, suspend or suppress a newspaper through administrative measures, as stipulated in the Constitution and defined by law.

#### Article 209

The freedom of public or private corporations or companies and of political parties to publish or own newspapers is protected in accordance with the law.

The ownership, the funding and the possessions of newspapers are subject to the control of the people, as defined by the Constitution and the law.

#### Article 210

Journalists have the right to gather news and information in the conditions fixed by law.

Their activities are subject only to the law.

#### Article 211

The Supreme Council of the Press shall deal with matters concerning the press.

The law shall define its composition, competencies and its relationship with the State authorities. The Supreme Press Council shall exercise its competencies with a view to consolidate the freedom of the press and its independence, to uphold the basic foundations of society, and to guarantee the strength of national unity and social peace as defined by the Constitution and the law.

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## NOTES

[1] As amended by constitutional reform of March 26, 2007. Prior to the reform, the provision had the following wording:

“The Arab Republic of Egypt is a democratic, socialist state based on the alliance of the working forces of the people.

The Egyptian people are part of the Arab nation and work for the realization of its comprehensive unity.”

[2] As amended by constitutional reform of March 26, 2007. Prior to the reform, the provision was worded as follows:

“The economic foundation of the Arab Republic of Egypt is a socialist democratic system based on sufficiency and justice in a manner preventing exploitation, conducive to liquidation of income differences, protecting legitimate earnings, and guaranteeing the equity of the distribution of public duties and responsibilities.”

[3] Second paragraph added by constitutional reform of March 26, 2007.

[4] As amended by constitutional reform of March 26, 2007. Prior to the reform, the first paragraph had this wording:

“The society shall be committed to safeguarding and protecting morals, promoting the genuine Egyptian traditions and abiding by the high standards of religious education, moral and national values, historical heritage of the people, scientific facts, socialist conduct and public morality within the limits of the law.”

[5] As amended by constitutional reform of March 26, 2007. The previous version of Article 24 was worded as follows:

“The people shall control all the means of production and direct their surplus in accordance with the development plan laid down by the State”.

[6] As amended by constitutional reform of March 26, 2007. The previous text of Article 30 had the following wording:

“Public ownership is the ownership of the people and it is confirmed by the continuous consolidation of the public sector.

The public sector shall be the vanguard of progress in all spheres and shall assume the main responsibility in the development plan.”

[7] As modified by constitutional reform of March 26, 2007. Prior to the reform, Article 33 had the following wording:

“Public ownership shall be inviolable, and its protection and consolidation is the duty of every citizen in accordance with the law, as it is considered the mainstay of the strength of the homeland, a basis for the socialist system and a source of prosperity of the people.”

[8] As amended by constitutional reform of March 26, 2007. Prior to the reform, the provision was worded as follows:

“The law shall fix the maximum limit of land ownership with a view to protecting the farmer and the agricultural laborer from exploitation and asserting the authority of the alliance of the people’s work forces at the level of the village.”

[9] Second paragraph amended by constitutional reform of March 26, 2007. Prior to revision, it stated:

“The law regulates the participation of professional organizations and trade unions in carrying out the social programs and plans, raising the standard of efficiency, consolidating the socialist behavior among their members, and safeguarding their funds.”

[10] As amended by constitutional reform of March 26, 2007. Prior to the reform, Article 59 read as follows:

“Safeguarding, consolidating and preserving the socialist achievements shall be a national duty.”

[11] As amended by constitutional reform of March 26, 2007. The previous wording of Article 62 was as follows:

“Citizens shall have the right to vote, nominate and express their opinions in referendums in accordance with the provisions of the law.

Their participation in public life is a national duty.”

[12] As amended by constitutional reform of March 26, 2007. The only change introduced concerns the omission, as in other provisions, to the “socialist achievements” which the President was obliged to preserve under the old text.

[13] As amended by constitutional reform of March 26, 2007. Prior to the reform, Article 74 had the following wording:

“If any danger threatens the national unity or the safety of the motherland or obstructs the constitutional role of the State institutions, the President of the Republic shall take emergency measures to confront this danger, address a message to the people and conduct a referendum on the measures taken within sixty days of their adoption.”

[\[14\]](#) As amended by constitutional reforms of May 25, 2005 and of March 26, 2007. Prior to the reform, the Article read as follows:

“The People’s Assembly shall nominate the President of the Republic. The nomination shall be referred to the people for a referendum.

The nomination to the post of President of the Republic shall be made in the People’s Assembly upon the proposal of at least one-third of its members.

The candidate who wins two-thirds of the votes of the Assembly members shall be referred to the people for a referendum. If none of the candidates obtains the said majority the nomination process shall be repeated two days after the first vote. The candidate winning the vote by an absolute majority shall be referred to the citizens for a referendum.

The candidate shall be considered President of the Republic when he obtains an absolute majority of the votes cast in the referendum.

If the candidate does not obtain this majority, the Assembly shall nominate another candidate in the procedure described above.”

[\[15\]](#) Prior to the reform of March 26, 2007, the third and fourth paragraph of Article 76 had the following wording:

“Procedures related to the nomination process shall be regulated by the law. Political parties which have been established at least five years before the announcement of the candidacy and have been operating without interruption during this period, and whose members have obtained at least 5% of the elected seats in both the People’s Assembly and the Shura Council may nominate for President a member of their leadership council in accordance with their own by-laws, provided the candidate has been a member of the council for at least twelve consecutive months.

As an exception to the provisions of the aforementioned paragraph, any political party may nominate for the first presidential elections to be conducted following the enactment of this Article a member of its leadership council established before May 10, 2005 in accordance with its by-law.”

[\[16\]](#) Second paragraph added by constitutional reform of March 26, 2007.

[\[17\]](#) As amended by constitutional reform of March 26, 2007. Prior to the reform, the provision had the following wording:

“If on account of any temporary obstacle the President of the Republic is unable to discharge his functions, he shall delegate his powers to a vice-president.”

[\[18\]](#) First paragraph amended by constitutional reform of March 26, 2007. Prior to reform, the paragraph was worded as follows:

“In case of the vacancy of the Presidential Office or the permanent disability of the President of the Republic, the President of the People’s Assembly or, if at that time the People’s

Assembly is dissolved, the President of the Supreme Constitutional Court shall take over the Presidency, on the condition that neither shall stand as a candidate for the Presidency.”

[19] Paragraph 4 as amended by constitutional reform of March 26, 2007. Prior to the reform, paragraph 4 read as follows:

“The Vice-President shall take over the Presidency temporarily until the decision concerning the impeachment is taken.”

[20] As amended by constitutional reform of March 26, 2007. Prior to the amendment, the provision read as follows:

“The conditions to be fulfilled by the members of the People’s Assembly shall be defined by law.

The rules on the organization of the ballot shall be determined by law, while the ballot shall be conducted under the supervision of members of a judicial body.”

[21] As amended by constitutional reform of March 26, 2007. Prior to the reform, the provision was worded as follows:

“If the seat of a member becomes vacant before the end of his term, a successor shall be elected or appointed to it, within sixty days from the date of the communication to the Assembly of the occurrence of the vacancy. The new member shall serve for the remainder of the term of his predecessor.”

[22] As amended by constitutional reform of March 26, 2007. Prior to the reform, the provision had the following wording:

“The draft general budget shall be submitted to the People’s Assembly at least two months before the beginning of the fiscal year.

It shall be considered in effect after approval.

The draft budget shall be voted upon title by title and shall be promulgated by a law.

The People’s Assembly may not effect any modification in the draft budget except with the approval of the government.

In case the approval of the new budget does not take place before the beginning of the fiscal year, the old budget shall be in effect until ratification.

The manner of the preparation of the budget as well as the determination of the fiscal year shall be regulated by law.”

[23] As amended by constitutional reform of March 26, 2007. The reform reduced the delay for the submission of the final account of the State budget from one year to six months.

[24] As amended by constitutional reform of March 26, 2007. Until the reform, the provision had the following wording:

“The People’s Assembly shall determine the responsibility of the Prime Minister, on a proposal by one- tenth of its members.

Such a decision shall be taken by the majority of the members of the Assembly.

It may not be taken except after an interpellation addressed to the Government, and after at least three days from the date of its presentation.

In the event that such responsibility is determined, the Assembly shall submit a report to the President of the Republic including the elements of the interpellation, the conclusions reached on the matter and the considerations on which they are based.

The President of the Republic may return the report to the Assembly within ten days.

If the Assembly approves it once again, the President of the Republic may put the dispute to a referendum. The referendum shall take place within thirty days from the date of the last vote of approval of the Assembly; the Assembly session shall be terminated.

If the result of the referendum is in support of the Government, the Assembly is considered dissolved; otherwise the President of the Republic shall accept the resignation of the Council of Ministers.”

[\[25\]](#) As amended by constitutional reform of March 26, 2007. Prior to the reform, Article 133 had the following wording:

“After the formation of the Cabinet and at the inaugural meeting of the ordinary session of the People’s Assembly, the Prime Minister shall submit the program of the Government.

The People’s Assembly is entitled to discuss the program.”

[\[26\]](#) As amended by constitutional reform of March 26, 2007. Prior to the reform, the provision had the following wording:

“The President of the Republic shall not dissolve the People’s Assembly unless it is necessary and after a referendum of the people.

The President of the Republic shall issue a decision terminating the session of the Assembly and calling a referendum within thirty days.

If an absolute majority of those participating in the vote approve the dissolution of the Assembly, the President of the Republic shall issue the dissolution order.

The decision dissolving the Assembly shall convoke new elections for the People’s Assembly within a period not exceeding sixty days from the date of the declaration of the referendum results.

The new Assembly shall convene during a period of ten days following the completion of elections.”

[\[27\]](#) Paragraph 2 added by constitutional reform of March 26, 2007.

[28] As amended by constitutional reform of March 26, 2007. Prior to the reform, Article 141 was worded as follows:

“The President of the Republic shall appoint the Prime Minister, his deputies, the Ministers and their deputies and relieve them of their functions.”

[29] Second paragraph added by constitutional reform of March 26, 2007.

[30] As amended by constitutional reform of March 26, 2007. Prior to the reform, the provision had the following wording:

“A Supreme Council, presided over by the President of the Republic, shall supervise the judicial bodies. The law shall prescribe its formation, its competences and its rules of procedure. It shall be consulted on draft laws regulating the activities of the judicial bodies.”

[31] As amended by constitutional reform of March 26, 2007. Prior to the reform, the provision was worded as follows:

“The Socialist Public Prosecutor shall be responsible to take the measures securing the people’s rights, the safety of the society and its political system, the preservation of the socialist achievements, and the commitment to socialist behavior.

The law shall define his other competences.

He shall be subject to the control by the People’s Assembly in accordance with the law.”

[32] As amended by constitutional reform of March 26, 2007. As a result of the reform, the reference to the „protection of the socialist achievements” as one of the main tasks of the Armed Forces has been dropped.

[33] As amended by constitutional reform of March 26, 2007. Prior to the reform, the provision had the following wording:

“The Shura Council shall carry out the studies and submit the proposals it deems necessary to preserve the principles of the July 23, 1952 Revolution and the May 15, 1971 Revolution, to consolidate national unity and social peace, to protect the alliance of the working forces of the people and the socialist achievements as well as the basic foundations of society, its supreme values, its rights and liberties and its public duties, and to entrench the democratic socialist system and widen its scope.”

[34] As amended by constitutional reform of March 26, 2007. Prior to the reform, Article 195 was worded as follows:

“The Shura Council shall be consulted on the following matters:

1. Proposals for the amendment for one or more articles of the Constitution.
2. Draft laws complementary to the Constitution.
3. Draft of the general plan for social and economic development.

4. Peace treaties, alliances and all treaties affecting the territorial integrity of the State or those concerning sovereignty rights.

5. Draft laws referred to the Assembly by the President of the Republic.

6. Whatever matters referred to the Assembly by the President of the Republic relative to the general policy of the State or its policy regarding Arab or foreign affairs.

The Assembly shall submit to the President of the Republic and the People's Assembly its opinion such matters.”

[\[35\]](#) As amended by constitutional reform of March 26, 2007. Prior to the reform, the provision had the following wording:

“The following Articles of the Constitution shall apply to the Shura Council:

89, 90, 91, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 104, 105, 106, 107, 129, 130, 134, insofar as they are not incompatible with the provisions in this Chapter, when the Council and its President exercise the their competences defined in the Articles above.”