

## **EGYPT'S 2012 CONSTITUTION**

We the People of Egypt,

Believing in God and His messages,

Recognizing our responsibility towards the homeland and the (Arabic or Islamic) community  
*(umma),*

Conscious of our national and human responsibility,

Commit to being guided by the principles of this Constitution, which we adopt and grant ourselves, affirming our steadfast determination to submit to it and defend it, and pledging that all state authorities as well as the People shall guard and respect it.

## PART ONE: ELEMENTS OF STATE AND SOCIETY

### Chapter 1: political elements

#### Article 1

The Arab Republic of Egypt is an independent, united sovereign state that cannot be divided. Its system is democratic.

The Egyptian People forms part of both the Arab and the Islamic community (umma). It is proud to belong to the Nile basin and the African continent, reach into Asia, and contribute positively to human civilization.

#### Article 2

Islam is the state's religion, and Arabic is its official language. The principles of Islamic law (sharia) form the main source of legislation.

#### Article 3

For Egyptian Christians and Jews, the principles of their religious law will be the main source in regulating their personal status, matters pertaining to their religion, and the selection of their spiritual leadership.

#### Article 4

The noble Azhar is an independent Islamic institution of higher learning. It handles all its affairs without outside interference. It leads the call into Islam and assumes responsibility for religious studies and the Arabic language in Egypt and the world. The Azhar's Body of Senior Scholars is to be consulted in matters pertaining to Islamic law (sharia).

The state guarantees the financial means needed to fulfill these tasks.

The Sheikh of the Azhar is independent and cannot be dismissed from his position. The law determines the process by which he is selected from among the members of the Body of Senior Scholars.

All this will proceed as stipulated by law.

## **Article 5**

Sovereignty belongs to the People. The People will practice and protect it and preserve Egypt's national unity. The People is the source of power, as stipulated in the provisions of the Constitution.

## **Article 6**

The political system is based on the principles of democracy, consultation (*shura*), and citizenship, which together regulate public rights and duties among the citizens. It is also based on pluralism in politics and among parties, the peaceful transfer of power, the separation and balance of powers, the rule of law, as well as respect for human rights and freedoms; all this happens according to the provisions of this Constitution.

No political party may be based on discrimination of gender or origin or religion.

## **Article 7**

Keeping the nation safe is an honor and a sacred obligation, so is the defense of the homeland and the protection of its soil. Armed service is compulsory, as regulated by law.

## **Chapter 2: Societal and Moral Elements**

### **Article 8**

The state guarantees the ways of realizing justice, equality and freedom. It commits itself to facilitating the expression of compassion and solidarity among members of society. It guarantees the protection of individuals and their families and of property. It works toward securing the basic necessities for all citizens, as prescribed by law.

### **Article 9**

The state commits itself to providing security, tranquility and equality of opportunity for all citizens, without discrimination.

### **Article 10**

The family is the foundation of society. The family's foundations are religion, morality, and patriotism.

Both state and society seek to preserve the inherent character of the Egyptian family, its cohesion, stability, and moral character, and to protect the family as specified by law.

The state guarantees mother-and-child services that are free of charge and pledges to reconcile the woman's duties toward her family with her work in the public sphere.

The state provides special protections for female breadwinners, divorced women, and widows.

### **Article 11**

The state promotes morality, decency, and public order, as well as a high level of education and religious and patriotic values, scientific truths, the Arab culture, and the historical and civilizational patrimony of the People.

All this as specified by law.

### **Article 12**

The state protects society's culture and language and works toward the Arabization of teaching, the sciences, and the nation's knowledge base, as specified by law.

### **Article 13**

The introduction of civilian rank titles is forbidden.

## **Chapter 3: Economic Elements**

### **Article 14**

The national economy aims at steady and comprehensive development, at elevating the standard of living and realizing welfare, at combatting poverty and unemployment, and at increasing job opportunities, production, and national income.

The development plan works toward establishing social justice and solidarity, guaranteeing distributive justice, protecting the rights of the consumer, safeguarding the rights of the workers, engendering cooperation between capital and labor in defraying the costs of development, and ensuring a fair distribution of income.

Earnings must be linked to production; income disparities must be lessened; a minimum level for earnings and pensions enabling a life of dignity for every citizen must be guaranteed, as well as an income cap for state agencies. There can be no exceptions unless this is grounded in law.

### **Article 15**

Agriculture is an essential element of the national economy. The state commits itself to the protection of agricultural land and its reclamation. It works toward developing and protecting crops, vegetables, animal products, and the abundance of fish. It will realize food security and provide what is required for agricultural production, improving its management and marketing, and supporting the agri-industry.

The law regulates the use of state land in a way that realizes social justice and protects both the farmer and agricultural worker from exploitation.

### **Article 16**

The state commits itself to developing the countryside and the desert and works toward raising the standard of living of farmers and desert dwellers.

### **Article 17**

Industry is an essential component of the national economy. The state protects strategic industries, supports industrial development, and guarantees the introduction of modern technologies and their applications.

The state sponsors both craft industries and small enterprises.

### **Article 18**

The People owns the state's natural wealth and is entitled to its returns. The state commits itself to safeguarding this wealth and its proper use and to respecting the rights of future generations.

The disbursement of state funds, permission of their use, and privatization of public land and facilities are prohibited except for purposes specifically permitted by law.

The state owns any property lacking an owner.

### **Article 19**

The River Nile and its water constitute national wealth. The state commits itself to safeguarding and developing it and to prohibiting its abuse. The law specifies the ways of utilizing it.

### **Article 20**

The state commits itself to protecting its beaches, oceans, waterways, and lakes; it guarantees the maintenance of monuments and nature reserves and the removal of whatever encroaches on them illegally.

### **Article 21**

The state guarantees legal ownership, be it public, cooperative, private, or in the form of religious endowments, and protects it, as specified by law.

### **Article 22**

The public funds are inviolable. Protecting them is a national obligation both for the state and society.

### **Article 23**

The state sponsors cooperatives in all their forms, supports them, and guarantees their independence.

### **Article 24**

Private property is inviolable. Managed ethically and without monopoly, it fulfills its societal function by serving the national economy. The right to inherit private property is guaranteed. Property may only be confiscated in circumstances specified by law. This requires a court ruling and is permissible only if doing so is in the public interest and fair compensation is provided upfront.

All this happens as specified by law.

### **Article 25**

The state commits itself to reviving and encouraging the system of religious endowments. The law regulates religious endowments.

It defines the process for founding them, administering their assets, investing these assets, and distributing their returns among the beneficiaries according to the rules specific to each endowment.

### **Article 26**

Social justice is the cornerstone for assessing taxes and other ways of defraying public costs. The creation, amendment, and cancellation of the tax code can only happen through law. Only under circumstances specified by law may a taxpayer be exempted from taxation; and no one must be charged beyond these taxes and fees unless the law permits it.



### **Article 27**

The workers have a share in the management of projects and their earnings. They commit themselves to developing production, safeguarding its tools, and carrying out the production plan in their work units, as stipulated by law.

The number of worker representatives in the management assemblies of the public sector units must approximate fifty percent of total elected members.

The law guarantees that small farmers and small craftsmen are represented with at least 80 percent membership in the management assemblies of agricultural and industrial cooperatives.

### **Article 28**

The state encourages the practice of saving and protects the savings and assets of insurance and retirement providers.

This is regulated by law.

### **Article 29**

Nationalization is illegal unless it occurs for the public good, in compliance with the law, and with fair compensation.

### **Article 30**

The confiscation of public property is forbidden.

The confiscation of private property is illegal unless it occurs with a court order.

## **PART TWO: RIGHTS AND FREEDOMS**

### **Chapter 1: Personal Rights**

#### **Article 31**

Every person is entitled to dignity. Society and state both guarantee that it will be respected and protected.

No person must suffer insult or scorn.

#### **Article 32**

The Egyptian citizenship is a right. It is regulated by law.

#### **Article 33**

The citizens enjoy equality before the law. They have identical rights and public duties. There is no discrimination among them.

#### **Article 34**

Personal freedom is a natural right. It is inviolable and untouchable.

#### **Article 35**

Unless caught in the act, a person can only be arrested, searched, jailed, prevented from travel, or in any other way restricted in his freedom if doing so follows a court order.

Anyone whose freedom has been curtailed is entitled to receive a written notice listing the reasons within twelve hours. Within 24 hours of the curtailment of his freedom, a person must be brought before the investigating authority. This must happen in the presence of his attorney. If he does not have an attorney, one will be provided for him.

Anyone whose freedom has been constrained, and anyone else, has the right to lodge a complaint before the judge in regards to this procedure and receive a decision within a week. If a decision has not been issued within that time, the person must be released.

The law specifies the rules for detention, its duration, its reasons, and for the right to compensation either for temporary detention or for the completion of a sentence that a court has revoked.

### **Article 36**

Anyone who has been arrested, jailed, or restricted in his freedom in any form is entitled to being treated in a way that respects his dignity. He must not be tortured, threatened, or degraded. He must not be harmed physically or mentally.

He must only be detained or jailed in locations that are hygienic and becoming to a human being and that are under judicial supervision.

Any deviation from these instructions is a crime that will be punished, as stipulated by law.

Any statement made under such illegal circumstances or elicited under threat of such circumstances shall be considered null and void.

### **Article 37**

Prison is a place of correction, reformation, and rehabilitation. It is under judicial supervision. In it, anything that violates human dignity or exposes an inmate to health risks is forbidden. The state is responsible for the rehabilitation of the sentenced. Upon release, it eases their transition into a life of dignity.

### **Article 38**

Citizens' private life is inviolable, and respect for its secrecy is guaranteed. Postal messages, telegrams, electronic messages, phone conversations, and other means of communication must not be intercepted or inspected. Only under circumstances specified by law and with a court order may they be intercepted for a defined duration.

### **Article 39**

Homes are inviolable. Unless there is imminent danger, they must only be entered, searched, or put under surveillance under circumstances specified by law and with a court order that defines the place, time, and purpose of the intrusion. Before entry and search a warning must be issued to whomever is in the home.

### **Article 40**

Living in safety is a right. The state guarantees it to anyone living on its soil. The law protects the human being from any criminal threats.

### **Article 41**

The human body is inviolable, and trade in its parts is prohibited. No medical or scientific experiments may be carried out on it unless the person's free consent has been reliably obtained.

Such experiments must be grounded in the stable foundations of the medical sciences. Details are stipulated by law.

#### **Article 42**

The freedom of movement and the choice to stay or leave are guaranteed.

No citizen may be removed from the state's territory or be prohibited from returning to it. He must not be prohibited from leaving the state, and he is under no obligation to reside on its territory against his will, unless by court order and for a limited time.

### **Chapter 2: Civil and Political Rights**

#### **Article 43**

The freedom of belief is inviolable.

The state guarantees the right to practice one's religious rites and establish places of worship for the heavenly religions. Details are specified by law.

#### **Article 44**

It is forbidden to insult any messengers or prophets.

#### **Article 45**

The freedom of thought and opinion are guaranteed.

Every person has the right to express his opinion in speaking, writing, image, or otherwise.

#### **Article 46**

Every citizens has the right to creative expression in its various forms.

The state promotes the sciences and the arts and letters. It sponsors creators and inventors, protects their creations and innovations, and works toward applying these creations for the good of society.

The state takes the necessary measures for preserving the nation's cultural heritage and works toward spreading cultural services.

#### **Article 47**

Citizens have the right to access information, data, statistics, and documents, and to disclose and circulate them. The state guarantees this right. The right is constrained by the inviolability of private life, the rights of others, and exigencies of national security.

The law specifies the principles by which public documents are accessed and archived. It determines how information is acquired and complaints against information denials are lodged. It also specifies how accountability for such denials is established.

#### **Article 48**

The freedom of journalism, the press, the publishing industry, broadcasting, and other media is guaranteed. Their free and independent message serves society, expressing, forming, and directing public opinion. All this happens within the framework of the essential elements of state and society, the preservation of rights, freedoms, and societal duties, respect for the sanctity of citizens' private lives, and the requirements of national security. It is forbidden to censor, terminate, or sequester the media without a court ruling. It is illegal to censor material that the media are putting out. An exception is limited censorship in times of war or public mobilization.

#### **Article 49**

The right to issue and own newspapers in all their forms is guaranteed to any natural or legal Egyptian person that provides notification.

The law regulates the establishment of broadcasting and television stations as well as digital and other media.

#### **Article 50**

The citizens have the right to organize public gatherings and engage in peaceful, unarmed demonstrations. This requires a notification as stipulated by law.

The right to private gatherings is guaranteed, and no notification is necessary. Security personnel must not be in attendance, nor may they eavesdrop on the gatherings.

#### **Article 51**

The citizens have the right to create associations, institutions, and parties. Only notification is necessary. They practice their activities freely and are legal persons.

The authorities are prohibited from dissolving their administrative organs unless under court order. This is specified by law.

#### **Article 52**

The freedom to establish syndicates, unions, and cooperatives is guaranteed. They are legal persons, arise from democratic foundations, and freely engage in their activities. They serve society, raise the level of competence among its members, and defend their rights.

Only in execution of a court ruling may the authorities dissolve them or their management assemblies.

### **Article 53**

The law regulates the professional syndicates and ensures their democratic management. It defines their financial resources and the method by which syndicate members, in exercise of their professional activities, are held to high ethical standards. There can be only one professional syndicate per profession.

Only in execution of a court ruling may the authorities dissolve a syndicate's management assembly, and they may not put them under surveillance.

### **Article 54**

Each person has the right to petition the public authorities in writing and with his own signature. Only associations that are legal persons can have an individual submit a petition on their behalf.

### **Article 55**

It is a national duty for citizens to participate in public life. Every citizen has the right to vote, run for election, and express his opinion through a referendum. The law specifies these rights.

The state commits itself to entering each citizen who is eligible to vote into the voter registry without requiring an application.



The state guarantees the peacefulness and integrity of referenda and elections. State organs that interfere in these processes with the goal of influencing them are committing crimes punishable by law.

#### **Article 56**

The state represents and protects the interests of citizens living abroad, and it guarantees their rights and freedoms and holds them to fulfilling their public duties towards the Egyptian state and Egyptian society. It encourages their contribution to developing the homeland.

The law regulates their participation in elections and referenda.

#### **Article 57**

The state grants asylum to foreigners deprived in their home country of rights and freedoms that are guaranteed by the Constitution.

The extradition of political refugees is prohibited.

Details are specified by law.

### **Chapter 3: Economic and Social Rights**

#### **Article 58**

Every citizen has the right to a high-quality education. It is provided free of charge at its various levels at all state-owned educational institutions. Basic education is mandatory. The state takes all necessary measures to make higher educational stages mandatory as well. The

state supports and encourages technical education. It oversees all aspects of education and allocates to it a sufficient share of the national budget.

All educational institutions, be they public, private, communal, or a combination thereof, commit themselves to the state's educational plan and its goals. All this happens to enhance the linkage between education and the needs of both society and production.

### **Article 59**

The freedom of scientific research is guaranteed. Universities, scientific and linguistic associations, as well as scientific research institutes are independent. The state assigns them an adequate share of the national budget.

### **Article 60**

The Arabic language is an essential subject in the various stages of education. This applies to all educational institutions. Religious education as well as national history form essential subjects at all levels preceding the university.

The universities commit themselves to teaching the norms and ethical foundations at the heart of their various scientific specializations.

### **Article 61**

The state commits itself to devising a comprehensive plan for combatting illiteracy among males and females, spanning the age groups. It works towards eradicating its causes. With participation from society, it implements the plan within ten years from the date this Constitution enters into effect.

## **Article 62**

Every citizen has the right to health care, and the state assigns a sufficient share of the national budget to its provision. The state commits itself to providing health care services and health insurance through a system that is both just and of high quality. These services will be free of charge to those unable to pay.

All health establishments commit themselves to providing emergency treatment in its various forms to every citizen.

The state supervises all health establishments and ensures the quality of their services. It also supervises all resources, products, and forms of communication having to do with health.

It initiates the pertinent legislation and takes all necessary measures to accomplish its supervisory mandate.

## **Article 63**

Every person has the right to a healthy, undamaged environment. The state commits itself to the inviolability of the environment and its protection against pollution. It also commits itself to using natural resources in a way that will not harm the environment and to preserving the rights of all generations to it.

## **Article 64**

Work constitutes a right, a duty, and an honor for every citizen. The state guarantees it on the basis of equality, justice, and equality of opportunity.

Forced labor is permissible only to the extent stipulated by law.

The public servant works to serve the People; the state awards government employment to citizens according to merit, without favoritism. Any deviation from this is a crime punishable by law.

The state guarantees every worker's right to a fair income and vacation days. It also guarantees pensions, social security, health care, protection against occupational hazards, the availability of safety provisions in the work place, in accordance with the law.

Workers may only be fired under circumstances that are specified by law.

Peaceful strike is a right, regulated by law.

#### **Article 65**

The state honors those who fell or were injured during the January 25 Revolution, during the wars, or while otherwise serving in the line of duty. It guarantees the necessary care for their families, the injured themselves, the veterans, the families of those who went missing in action during the wars and similar situations. They, their children, and their spouses have priority in employment.

Details are specified by law.

#### **Article 66**

The state guarantees social insurance services.

Every citizen has the right to social security, which guarantees a minimum level of sustenance, if he does not have the means to provide for himself or his family, is unable to work, unemployed, or of old age.

### **Article 67**

The state works toward providing adequate pensions for small farmers, non-unionized agricultural workers, and all those who lack access to the system of social security.

Details are specified by law.

### **Article 68**

Adequate housing, clean water, and healthy nourishment are guaranteed rights.

The state issues a national housing plan. Its cornerstones are social justice, the encouragement of individual initiative, and housing cooperatives; The state uses state land for purposes of construction if doing so advances the public good and preserves the rights of future generations.

### **Article 69**

Physical exercise is a right for all.

It is the task of both state institutions and the society to discover talented athletes and nurture them and to take the necessary measures to encourage physical exercise.

### **Article 70**

Every child, upon birth, is entitled to a proper name, care by his or her family, nutrition and shelter, health services, religious, emotional, and intellectual development.

The state commits itself to the child's care and protection in the case of loss of family. It guarantees the rights of the handicapped child, his socialization, and the child's absorption into society.

Before children have reached the age at which the compulsory stage of education is completed, they must not be put to work in occupations that are not age-appropriate. It is further forbidden to prevent them from completing their education.

A child may only be detained for a limited period and must be given legal assistance. He must be detained in an appropriate location. Such a location observes the separation of the sexes, takes into account the developmental stages of youth offenders and the nature of their crimes, and keeps them removed from adult detainees.

### **Article 71**

The state guarantees care for children and youth. It ensures that they develop and are being prepared for their role in society, both spiritually, morally, culturally, intellectually, physically, psychologically, socially, and economically.

### **Article 72**

The state commits itself to providing health care, education, and care for the physically, mentally, economically, and socially handicapped.

The state commits itself to providing healthcare, education, economic help, and social support for the handicapped, to providing employment opportunities for them and to improving societal perceptions of them, and to making public facilities accessible to them.

### **Article 73**

Compulsion in all its forms is prohibited. This includes the exploitation of human beings and sex trade. The law treats these acts as crimes.

## **Chapter 4: Guarantees to Protect Rights and Freedoms**

### **Article 74**

The supreme rule of the law is the foundation of government in the country.

The independence of the judiciary and the immunity of judges both guarantee the protection of rights and freedoms.

### **Article 75**

The right to a trial is inviolable and guaranteed to all.

The state commits itself to making the courts coordinate their work and to ensuring that cases are decided swiftly.

No action or administrative decision is immune to judicial review.

A person must only be tried before his assigned judge. Exceptional courts are prohibited.

### **Article 76**

Sentences must be personal. There can be no crime and no sentence unless it is laid down in the Constitution or in law. A sentence can only be assessed by judicial verdict. A law cannot penalize actions that predate the law's passage.

### **Article 77**

Except under circumstances defined by law, criminal proceedings are only to be undertaken under order from a competent judicial authority.

The suspect is innocent until proven guilty in a just legal trial that grants him the right to defense. Every felony suspect must receive an attorney that defends him. The law defines the misdemeanors that necessitate legal representation for the suspect.

The law regulates the appeals procedures for both felonies and misdemeanors.

Where appropriate, the state provides protection for the victims of a felony, the witnesses, the suspects, and informants.

### **Article 78**

The right to defense – either self-defense or defense by an attorney – is guaranteed.

To the financially strapped the law guarantees recourse to the judiciary and the ability to defend their rights in front of it.

### **Article 79**

Verdicts are issued and executed in the name of the People. A competent public servant who fails to execute a ruling or unnecessarily delays it is committing a crime punishable by law. In that case the harmed party has the immediate right to bring a felony suit to a competent court.

### **Article 80**

There is to be no statute of limitations in criminal or civil law when it comes to assaults on rights or freedoms granted by this Constitution. The state guarantees just indemnification to anyone who has suffered such an assault.

The harmed party immediately wins the right to launch criminal proceedings.



The National Council on Human Rights is to inform the Public Prosecutor of any violation of these rights; it may join the harmed party in civil proceedings and help it obtain remedy.

### **Article 81**

The rights and freedoms that attach to the citizen must not be impaired. No law regulating the practice of these rights and freedoms may narrow their intent and essence.

The rights and freedoms are to be practiced in such a way that they do not conflict with the provisions of Part One of this Constitution, which covers the elements of state and society.

## **PART THREE: THE PUBLIC POWERS**

### **Chapter 1: The Legislative Power**

#### **FIRST SECTION: COMMON PROVISIONS**

### **Article 82**

The legislative power consists of the House of Representatives and the Consultative Assembly. Each exercises its authority in accordance with the Constitution.

### **Article 83**

It is forbidden to be at once a member in the House of Representatives and the Consultative Assembly. The law defines other cases in which the accumulation of public offices is illegal.

#### **Article 84**

Unless exceptional circumstances defined by law warrant it, the members of the House of Representatives and the Consultative Assembly are to devote themselves fully to the tasks arising from their membership. Their employment or occupation is to be held open for them, as specified by law.

#### **Article 85**

The member represents the People in its entirety. His role as representative is not to be constrained in any way.

#### **Article 86**

Before beginning his term of office, the member delivers the following oath before his chamber: “I swear by God Almighty that I will faithfully preserve the republican system, that I will respect the Constitution and the law, that I will fully devote myself to defending the People’s interest, that I will guard the independence of the nation and integrity of its soil.”

#### **Article 87**

The Court of Cassation decides on the validity of membership for the members of both chambers; any challenge is to be submitted within thirty days after the final announcement of the election results. Upon receiving a challenge, the Court has sixty days to reach a verdict.

If it annuls a membership, that annulment shall take effect on the day the chamber in question is informed of the ruling.

## **Article 88**

During their tenure, members of either chamber must not – either in person or by proxy – purchase or rent state property. They must not sell or rent out their own property to the state or engage in a barter transaction with the state. Neither must they enter a contract with the state in which they figure as a supplier or contractor.

The member is to provide a financial disclosure statement when his membership takes effect, when it ends, and at the end of each year during his tenure. The statement is to be presented to the member's chamber.

If the member receives a monetary or in-kind gift as a result or on the occasion of his membership, the gift becomes the property of the state treasury.

All this happens as specified by law.

## **Article 89**

The member must not be questioned over opinions he expresses in relation to his work in the chamber to which he belongs.

## **Article 90**

Unless the member is caught red-handed in a criminal act, it is only permissible to bring criminal proceedings against him if his chamber has given its consent. If the chamber is not in session, the consent of the chamber's administrative office must be obtained. The chamber itself must be notified at its first meeting of the measures that were taken.

In all cases, the decision on the request for launching criminal proceedings against the member must be made within thirty days. If within that time frame no decision is made, the application for launching criminal proceedings is considered granted.

#### **Article 91**

The member shall receive a remuneration that is defined by law.

#### **Article 92**

Both the House of Representatives and the Consultative Assembly convene in Cairo. Under exceptional circumstances either chamber may hold its sessions in a different location, provided that the President of the Republic or a third of the chamber's membership have requested so.

Any meeting of the chamber in contravention to these principles is invalid. The same is true for decisions issued under these circumstances.

#### **Article 93**

The sessions of the House of Representatives and the Consultative Assembly are public. Either chamber may hold a closed session, provided that the President of the Republic has demanded so, or the government, or the president of the chamber, or at least twenty of its members. In that case the chamber decides if the matter before it shall be discussed in open or closed session.

#### **Article 94**

The President of the Republic invites both the House of Representatives and the Consultative Assembly to begin their regular annual session before the first Thursday in October. If the

two chambers do not receive an invitation, both will convene on that day under mandate from the Constitution.

The regular legislative session lasts at least eight months. The President of the Republic ends the legislative session with the agreement of the two chambers; the House of Representatives, however, must not be dismissed before passing the state's general budget.

#### Article 95

Either of the two chambers may convene for an extraordinary session in order to consider an urgent matter. This happens following an invitation by the President of the Republic, or the Government, or the request of at least a tenth of the chamber's membership.

#### Article 96

A session of the House of Representatives or the Consultative Assembly is valid only if a majority of chamber members are present. Only then are its decisions valid.

Unless circumstances call for a qualified majority, the chamber issues its decisions with an absolute majority of those present. In case of a tie, the matter under vote is considered rejected.

#### Article 97

During the first meeting of the first regular annual session of the chamber's term, each chamber elects a president and two deputies from among its voting members, to hold that office for the entire legislative term in the House of Representatives, and half the legislative term in the Consultative Assembly. If either of them vacates their seat, the chamber will elect a replacement for the remainder of the predecessor's term.

During the first meeting of either chamber's regular annual session a third of its members may call for new elections for either the chamber president or his deputies.

#### **Article 98**

If the president of either the House of Representatives or the Consultative Assembly temporarily assumes the post of the President of the Republic, the older of the two deputies assumes the post of chamber president for that same period.

#### **Article 99**

Each chamber compiles its internal statutes to govern its work and carry out its specific responsibilities. It then publishes them in the Official Gazette.

#### **Article 100**

Each chamber is to preserve its own internal order. The chamber's president carries the responsibility for that.

No armed forces are permitted to enter either chamber or reside in its vicinity unless the chamber's president has requested so.

#### **Article 101**

The President of the Republic, the Government, and every member of the House of Representatives may propose legislation.

Each legislative bill is referred to the appropriate specialized committee within the House of Representatives, both for the purpose of examining the bill and for presenting a report about it to the full chamber.

A bill introduced by a member must not be referred to the appropriate committee unless the Bill Assignment Committee authorizes it and the chamber agrees to it. If the Bill Assignment Committee refuses referral, its decision must be accompanied by reasons.

A bill that the chamber has rejected must not be reintroduced in the same legislative session.

## **Article 102**

Neither the House of Representatives nor the Consultative Assembly may pass a law without voting on it.

Each chamber has the right to amend bills before it and to segment both bills and proposed amendments.

Each bill approved by one chamber is passed on to the other. The second chamber must make its decision on the bill within sixty days and prior to the legislative recess. A bill does not become law unless approved by both chambers.

## **Article 103**

If the two chambers disagree on legislation, they form a joint committee of twenty. Each chamber chooses half that number from among its members, in response to candidacies from its Committee of the Whole. The goal is to propose changes to the disputed text. These proposals are submitted to both chambers. If neither of them agrees to it, the matter is referred to the House of Representatives, which makes the final decision with the majority of its members.

#### **Article 104**

The House of Representatives informs the President of the Republic of every bill that has passed the chambers, so that the President can sign it into law within fifteen days of receipt. If the President of the Republic vetoes the bill, he returns it to the House of Representatives within thirty days of receipt.

If he does not return the bill by that deadline, or if the House of Representatives overrides his veto by a two-thirds majority, the bill becomes law and is issued.

If the House fails to override the presidential veto, four months must pass from the date of the failed override vote before the bill may be reintroduced within the same legislative session.

#### **Article 105**

Each member of either chamber may direct questions about a topic of public interest to the Prime Minister, one of his deputies, or one of the ministers.

#### **Article 106**

Twenty members of the House of Representatives or ten members of the Consultative Assembly may demand discussion of a topic of public interest to clarify the government's policy towards it.

#### **Article 107**

Each member of the House of Representatives or the Consultative Assembly has the right to obtain statements or information that relate to his work in the chamber. This right must be exercised in accordance with Article 47 of this Constitution.



### **Article 108**

Every citizen may address written proposals about issues of public interest to either the House of Representatives or the Consultative Assembly.

He may direct complaints to either chamber, which in turn transmits them to the competent ministers. The ministers must provide explanations pertaining to the complaint, if the chamber demands it. The complainant gets notified of the outcome of his complaint.

### **Article 109**

The Prime Minister, his deputies, the ministers, and their deputies may attend the sessions of both chambers or their committees. They must attend if either chamber has demanded it. They may enlist the assistance of high ranking government officials.

They must be heard whenever they wish to speak. They must answer on any topic that is under discussion, but they do not have voting rights.

### **Article 110**

Each chamber accepts the resignation of its members, which must be submitted in writing. The chamber may only accept the resignation if it has not launched measures to strip the resigning member of his membership.

### **Article 111**

No member may be stripped of his membership in either chamber unless he has lost trust and respect or unless he no longer meets the criteria that were prerequisites for his election, or if he violated one of them.

Revocation of a membership requires a two-thirds majority within the chamber to which the member belongs.

### **Article 112**

If a member of either chamber vacates his membership at least six months before his term expires, the vacancy must be filled in accordance with the law. This must happen within sixty days from the date on which the chamber reported the vacancy.

The term of the substituting member lasts until the term of the vacating member is completed.

## **SECOND SECTION: THE HOUSE OF REPRESENTATIVES**

### **Article 113**

The House of Representatives is composed of no fewer than 350 members, elected by universal, secret, and direct ballot.

To be eligible for membership in the House of Representatives, a candidate must be Egyptian, enjoy all civil and political rights, and have acquired at least his certificate of basic education. By the date the registration of candidates opens, he must be at least 25 years of age. The law specifies other conditions for membership, the voting system, and the definition of electoral districts in such a way that it ensures the just representation of the population and the governorates.

#### **Article 114**

The term of membership in the House of Representatives is five years; It begins on the date of the term's first meeting. The elections for the following term are held in the sixty last days of the current term.

#### **Article 115**

The House of Representatives wields the power to approve the public policy of the state, the public plan for economic and social development, and the general budget of the state. It also exercises oversight over the actions of the executive. All this happens in accordance with the provisions of this Constitution.

The law defines how the public plan for economic and social development is to be drafted and how it is to be presented to the House of Representatives.

#### **Article 116**

The general budget of the state must contain all revenues and expenditures without exception. The draft budget is to be presented to the House of Representatives at least ninety days before the fiscal year begins. It does not become operational unless the House has agreed to it. The vote on the budget occurs chapter by chapter.

The House of Representatives may alter the expenses listed in the draft budget with the exception of those that occur in response to a defined payment obligation of the state. If the budget amendments result in an increase of expenditures, the House and the Government must agree on revenue sources that will return the budget to balance. The budget is passed as a law, and provisions to balance the budget may be contained in amendments. If the new budget is not passed before the new fiscal year, the old budget will continue to apply until the new budget has been passed.

The law defines the fiscal year, the procedure of compiling the general budget, and the budgeting and bookkeeping rules for the public institutions and organizations.

#### **Article 117**

The consent of the House of Representatives is required before any sum can be moved from one chapter of the general budget to another. It is also required before any expenditures can be made that are not contained in the general budget or before expenditure estimates can be adjusted upwards. The consent is issued by law.

#### **Article 118**

The law regulates the principles that govern the raising of public funds and the procedures for spending them.

#### **Article 119**

The law governs the principles for awarding salaries, pensions, compensations, subsidies, and bonuses that are taken from the state treasury. The law also defines the exceptions to these principles and the authorities in charge of their application.

#### **Article 120**

Without prior consent from the House of Representatives the executive is prohibited from borrowing, obtaining financing, or engaging in a project that commits funds from the state treasury into the future.

### **Article 121**

The closing account of the general state budget must be presented to the House of Representatives no later than six months after the fiscal year has expired; the annual report of the Central Accounting Office and its comments on the closing account will accompany it. Voting on the closing account takes place chapter by chapter, and is passed as a law.

The House may demand any additional statements or reports from the Central Accounting Office.

### **Article 122**

The House may either form a special committee or assign one of its standing committees to investigate public projects or the activities of an administrative department or organization, in order to determine the facts of the topic at hand. The committee then informs the chamber of the financial, administrative, or economic situation, or of the progress it has made in investigating past or other activities. On these grounds the chamber decides upon the proper course of action.

In order to carry out its mandate, the committee may collect evidence and demand to hear the statements it deems necessary. All departments must comply with its demands and submit any documents and other materials it requires.

### **Article 123**

Every member of the House of Representatives may direct questions at the Prime Minister, one of his deputies, or one of the ministers, about any topic that falls in their purview. It is their duty to answer these questions.

The member may withdraw his question at any time, but he may not turn his question into an interrogation.

#### **Article 124**

Every member of the House of Representatives may request information or urgent statements from the Prime Minister, one of his deputies, or one of the ministers about important matters of public interest.

The government is obliged to respond.

#### **Article 125**

Every member of the House of Representatives may direct questions at the Prime Minister, one of his deputies, or one of the ministers, in order to hold them accountable for the matters falling within their purview.

The chamber debates the questions seven or more days after they have been submitted. In urgent cases and after agreement with the government, the chamber may debate them sooner.

#### **Article 126**

The House of Representative may decide to withdraw confidence from the Prime Minister, one of his deputies, or one of the ministers.

Only after questioning may a motion to withdraw confidence be introduced. Doing so requires the support of ten percent of the chamber's membership. The chamber makes its decision no later than seven days after discussing the questioning. The withdrawal of confidence requires a majority of members.

It is, in all cases, forbidden to withdraw confidence over a matter that the chamber decided in the current legislative session.

If the chamber decides to withdraw confidence from the Prime Minister or from one of the ministers, and if the Government declared its allegiance to him before the no-confidence motion was put to a vote, the Government must resign.

If a motion to withdraw confidence is targeted at a Government member and the motion passes, then that Government member must resign.

### **Article 127**

The President of the Republic may only dissolve the House of Representatives after justifying his decision and successfully subjecting it to a referendum.

The chamber must not be dissolved during its first annual session, and it may not be dissolved for the same reason that justified the dissolution of the last chamber.

The President of the Republic has at most twenty days to both suspend the chamber's session and hold the referendum about the chamber's dissolution. If in the referendum the majority of citizens submitting a valid ballot agree with the dissolution, the President of the Republic issues the decision to dissolve and an invitation to early elections. Elections are to happen at most thirty days after the dissolution has been announced. The new chamber gathers within the first ten days after the final election result has been announced.

If the majority of citizens submitting a valid ballot fails to support the dissolution, the President of the Republic must resign from his position.

If the referendum or the elections do not happen within the required time frame, the chamber, without prompting, returns to its session on the day after the deadline has expired.

### **THIRD SECTION: THE CONSULTATIVE ASSEMBLY**

#### **Article 128**

The Consultative Assembly is composed of no fewer than 150 members, elected by universal, secret, direct ballot. In addition, the President of the Republic may appoint the equivalent of at most one tenth of the elected membership.

#### **Article 129**

A candidate for the Consultative Assembly must be Egyptian, enjoy his civil and political rights, and hold at least a certificate of higher education. By the date the registration of candidates opens, he must be at least 35 years of age.

The law specifies other conditions for membership, the voting system, and the definition of electoral districts.

#### **Article 130**

The term of membership in the Consultative Assembly is six years; It begins on the date of the term's first meeting. Fifty percent of the members stand for election every three years, in accordance with the law.

#### **Article 131**

If the House of Representatives is dissolved, the Consultative Assembly assumes the legislative responsibilities that were previously shared; the bills that the Consultative Assembly passes during this period of dissolution will be submitted for decision to the House of Representatives as soon as it is back in session.



If neither chamber is in session and it is important that measures be taken swiftly, the President of the Republic may issue decrees that assume the force of law. They are submitted to the House of Representatives and the Consultative Assembly, as the situation permits, within fifteen days of the date they resume their session.

If the decrees are not submitted to the two chambers, or if they are submitted but not passed, they lose their legal power with retroactive effect, unless the chamber affirms their validity for the previous period, or unless it addresses the decree's consequences in a different manner.

## **Chapter 2: The Executive Power**

### **FIRST SECTION: THE PRESIDENT OF THE REPUBLIC**

#### **Article 132**

The President of the Republic is the head of state and the leader of the executive power; he pursues the People's interests, preserves the independence of the homeland and its territorial integrity, and upholds the separation of powers.

He carries out his responsibilities in accordance with the Constitution.

#### **Article 133**

The President of the Republic is elected for a four-year term, which begins on the day after the term of his predecessor has expired. He may be reelected once.

The process of electing the President of the Republic begins at least ninety days before the previous presidential term expires. The election result must be announced at least ten days before the previous presidential term expires.

The President of the Republic must not hold any party office during his presidency.

#### **Article 134**

A candidate for the presidency must be Egyptian and have two Egyptian parents; he must never have held the citizenship of another state; he must enjoy his civil and political rights and must not be married to a non-Egyptian spouse. By the date the registration of candidates opens, he must be at least 40 years of age.

#### **Article 135**

To be electable, a candidate must receive endorsements from at least twenty of the combined elected membership of the House of Representatives and the Consultative Assembly, or enlist the endorsements of at least twenty thousand citizens from at least ten governorates who are entitled to vote. At least 1,000 endorsements must come from each of ten governorates.

Nobody may endorse more than one candidate. This is specified by law.

#### **Article 136**

The President of the Republic is elected by universal, secret, and direct ballot. The candidate who attracts the absolute majority of valid ballots wins. The law specifies the procedures for electing the President of the Republic.

### **Article 137**

The President of the Republic, before both the House of Representatives and the Consultative Assembly, and before beginning his term of office, delivers the following oath: “I swear by God Almighty that I will faithfully preserve the republican system, that I will respect the Constitution and the law, that I will fully devote myself to defending the People’s interest, that I will guard the independence of the nation and integrity of its soil.”

If the House of Representatives is dissolved, the oath of office is taken before the Consultative Assembly.

### **Article 138**

The law defines financial transactions permissible to the President of the Republic. He must not receive a second salary or other compensation. While in office, he must not – either in person or by proxy – engage in a free profession or work in the trade, finance, or industry sector. He must not purchase or rent state property. He must not sell or rent out his own property to the state or engage in a barter transaction with the state. Neither must he enter a contract with the state in which he figures as a supplier or contractor.

The President of the Republic is to provide a financial disclosure statement when his membership takes effect, when it ends, and at the end of each year during his tenure. The statement is to be presented to the House of Representatives.

If the President, either in person or by proxy, receives a monetary or in-kind gift as a result or on the occasion of his membership, the gift becomes the property of the state treasury.

All this happens as specified by law.

### **Article 139**

The President of the Republic selects a Prime Minister and directs him to form a Government and submit its program to the House of Representatives within at most thirty days. If the Government does not win the chamber's confidence, the President of the Republic appoints another Prime Minister from the party that holds the greatest number of seats in the House of Representatives. If that Prime Minister's Government does not win confidence within the same time frame, the House of Representatives elects a Prime Minister, whom the President of the Republic then tasks with forming a Government, in the hopes that it wins the chamber's confidence within another thirty-day period. If this does not happen, the President of the Republic dissolves the House of Representatives and calls for elections of a new House. The election is to happen within sixty days from the date the decision to dissolve was issued.

The combined time periods set forth in this article must not exceed 90 days.

If the House of Representatives is dissolved, the Prime Minister presents his Government and its program to the incoming House of Representatives. This happens during the chamber's first meeting.

### **Article 140**

The President of the Republic, with participation from the Council of Ministers, sets out official state policy. Then both supervise its implementation in accordance with the Constitution.

### **Article 141**

The President of the Republic wields his powers through the person of the Prime Minister, his deputies, and the ministers. This does not apply to the areas of defense, national security,

and foreign policy, and for the powers set forth in articles 139, 145, 146, 147, 148, 149 of this Constitution.

#### **Article 142**

The President of the Republic may delegate some of his competencies to the Prime Minister, his deputies, the ministers, or the governor. This happens in accordance with the law.

#### **Article 143**

The President of the Republic may invite the Government to deliberate important matters in a cabinet meeting; he presides over the meetings and charges the Prime Minister with compiling whatever reports on public affairs he deems necessary.

#### **Article 144**

As soon as both the House of Representatives and the Consultative Assembly have begun their annual legislative session, the President of the Republic may convene a combined meeting of the two chambers and deliver an address about the public policy of the state.

If necessary the President may make other statements or address either of the two chambers.

#### **Article 145**

The President of the Republic represents the state in its foreign relations. He concludes treaties. Once both chambers agree to the treaties, they are considered ratified. Once issued, these treaties have the force of law, in accordance with agreed-upon rules.

Peace treaties, pacts, and all treaties dealing with the rights of sovereignty must be passed with a two-thirds majority in both chambers in order to be considered ratified.

No treaty must be adopted that violates the rules of this Constitution.

#### **Article 146**

The President of the Republic is the commander-in-chief of the armed forces. Only after a vote in the National Defense Council and the agreement of the majority of the House of Representatives may he declare war or send the armed forces beyond state borders.

#### **Article 147**

The President of the Republic appoints both civilian and military public servants, and he dismisses them. He appoints the state's diplomatic representatives and removes them from office. He also receives the diplomatic representatives of foreign states and the appointees of foreign organizations in accordance with the law.

#### **Article 148**

After consultation with the Government and in accordance with the law, the President of the Republic declares the state of emergency. This declaration must be submitted to the House of Representatives within the following seven days.

If the declaration is made while the House is in recess, it must promptly be called back into session. If the chamber has been dissolved, the declaration must be made to the Consultative Assembly and within the seven-day period stipulated in the previous paragraph.

For the state of emergency to take effect, the consent of the majority in each of the two chambers is necessary. The declaration is valid for a specified period not to exceed six months. It can be extended once and for a period of similar length. Such an extension requires the prior consent of the People, expressed in a public referendum.

The House of Representatives must not be dissolved while the state of emergency is in effect.

#### **Article 149**

The President of the Republic has the power to issue a pardon for a crime or reduce a sentence.

A universal pardon is valid only if passed as a law.

#### **Article 150**

The President of the Republic may call for a referendum to decide upon important questions of the highest national interest.

If the referendum covers more than one topic, each topic requires its own vote.

The result of the referendum is binding for all state powers and the public.

#### **Article 151**

To tender his resignation, the President of the Republic must submit it in writing to the House of Representatives.

#### **Article 152**

The President of the Republic is impeached for felony or high treason if at least a third of the members of the House of Representatives sponsor a motion of impeachment, and the House passes the motion with a two-thirds majority.

As soon as the impeachment is in effect, the President of the Republic stops all work. This stoppage is treated as the result of a temporary hindrance that prevents the President of the Republic from assuming his responsibilities. It ends once the verdict is announced.

The President of the Republic is to be tried before a special tribunal headed by the President of the High Council of Judges and staffed by the senior deputies of the President of the High Constitutional Court and the State Council, and the two most senior presidents of the appeals courts. The Public Prosecutor assumes the role of prosecutor. If the most senior person is unable to play his part, the person next in seniority takes his place.

The law specifies the procedures of the trial as well as the sentence. If found guilty, the President of the Republic is relieved of his duties. This does not preclude additional penalties.

### **Article 153**

If a temporary hindrance prevents the President of the Republic from exercising his powers, the Prime Minister takes over his responsibilities.

If the position of the President of the Republic is vacant, be it due to resignation, death, long-term disability, or any other cause, the House of Representatives declares the position vacant and notifies the National Elections Commission. The President of the House of Representatives temporarily assumes the powers belonging to the President of the Republic.

If the House of Representatives is dissolved, the Consultative Assembly assumes its responsibilities, and the President of the Consultative Assembly assumes the responsibilities of the President of the House of Representatives.



The new President of the Republic must be elected within a time frame not exceeding 90 days from the date the position was declared vacant.

The person temporarily shouldering the duties of the presidency cannot be a candidate for that office. He cannot demand amendments to the Constitution, dissolve the House of Representatives or dismiss the Government.

#### **Article 154**

If the presidency is vacant while a referendum or an election for either the House of Representatives or the Consultative Assembly are being prepared, the election of the President of the Republic takes priority. The respective chamber will remain operative until the presidential election is completed.

### **SECOND SECTION: THE GOVERNMENT**

#### **Article 155**

The Government consists of the Prime Minister, his deputies, and the ministers. The Prime Minister heads the Government, supervises its work, and directs it in the performance of its duties.

#### **Article 156**

To qualify for being Prime Minister or a member of the Government, a person must be Egyptian, enjoy his civil and political rights, and be at least thirty years of age. He must not have held the citizenship of another state or must have renounced it within one year after turning eighteen.

It is forbidden to combine a membership in the Government with a membership in either the House of Representatives or the Consultative Assembly. Should a member of either chamber be appointed into Government, his seat becomes vacant from the date of the appointment, and the rules of Article 112 of this Constitution apply.

### **Article 157**

Before assuming their positions, the Prime Minister and the members of the Government deliver the following oath before the President of the Republic: “I swear by God Almighty that I will faithfully preserve the republican system, that I will respect the Constitution and the law, that I will fully devote myself to defending the People’s interest, that I will guard the independence of the nation and integrity of its soil.”

### **Article 158**

The law defines the financial transactions permissible to the prime minister and any member of the Government. Neither of them must receive a second salary or other compensation. While in office, he must not – either in person or by proxy – engage in a free profession, or work in the trade, finance, or industry sector. He must not purchase or rent state property. He must not sell or rent out his own property to the state or engage in a barter transaction with the state. Neither must he enter a contract with the state in which he figures as a supplier or contractor.

The member is to provide a financial disclosure statement when he takes office, when he leaves office, and at the end of each year. The statement is to be presented to the House of Representatives. If any member of the Government receives a monetary or in-kind gift as a result or on the occasion of his position, the gift becomes the property of the state treasury, in accordance with the law.

## **Article 159**

The Government has the following responsibilities:

1. Together with the President of the Republic, it draws up the state's public policy and supervises its implementation.
2. It directs the work of the ministries, and of organizations that are affiliated with them, and it coordinates among them.
3. It prepares bills and motions.
4. It issues administrative decrees in accordance with the law and monitors their execution.
5. It prepares the general budget of the state.
6. It prepares the general plan of the state.
7. It contracts loans and grants in accordance with the provisions of the Constitution.
8. It pursues the execution of the law, preserves national security, and protects the rights of the citizens and the interests of the state.

## **Article 160**

Within the general policy framework of the state, each minister designs the general policy of his ministry, pursues its execution, monitors, directs, and controls it.

## **Article 161**

Any member of the Government may deliver a statement about a matter within his purview before the House of Representatives, the Consultative Assembly, or one of their respective committees. The chamber or committee discusses that statement and issues an opinion about it.

### **Article 162**

The Prime Minister issues the regulations necessary for implementing the law. He does so without obstructing or altering the mandate contained in the law or creating exemptions to that mandate. He may delegate the right to issue regulations, unless the law itself stipulates who shall issue the regulations necessary for its implementation.

### **Article 163**

The Prime Minister issues the regulations to establish facilities, enable public services, and directs them both with the consent of the Council of Ministers. If this creates new burdens on the state treasury, the agreement of the House of Representatives is required.

### **Article 164**

To issue regulations, the Prime Minister needs the consent of the Council of Ministers.

### **Article 165**

The law defines the power to hire and dismiss civilian public servants and creates job descriptions at the senior level of public service. It defines the responsibilities and rights of public servants and the guarantees granted them.

### **Article 166**

The President of the Republic, the Public Prosecutor, and one third of the House of Representatives may submit a motion to impeach the Prime Minister or a member of the Government for crimes committed during or because of their tenure.

The decision to impeach is made if two thirds of the membership of the House of Representatives support the impeachment motion. A person who has been impeached is relieved of his duties until a verdict is reached. That a Government member terminates his service without being prosecuted does not preclude the possibility of bringing charges against him at a later time.

#### **Article 167**

If the entire Government or only one of its members tenders their resignation, they must submit it in writing to the President of the Republic.

### **Chapter 3: The Judicial Power**

#### **FIRST SECTION: GENERAL RULES**

#### **Article 168**

The judicial power is independent. It is exercised by the courts of varying specializations and levels of jurisdiction. They pass their rulings in accordance with the law. The law determines their jurisdictions. Interference in the affairs of the courts is a crime that has no statute of limitations.

#### **Article 169**

Every judicial body administers its own affairs and has its own budget. On legislative bills governing their affairs these bodies are to be asked for their opinion. This happens in accordance with the law.

### **Article 170**

The judges are independent. They cannot be terminated. They are beholden to no authority other than the law, and they are equal in rights and duties.

The law prescribes the conditions and procedures of their employment, and it stipulates how judges are to be held accountable. A judge can only be appointed with a full mandate, both with respect to his jurisdiction and with respect to the powers that the law has granted him. This is to happen in a manner that preserves the independence of the judiciary and its ability to do its work.

### **Article 171**

Court sessions are public unless a court, out of considerations for public order or decency, decides to conduct its proceedings in closed chambers. The verdict is to be pronounced in open session.

## **SECOND SECTION: THE JUDICIARY AND THE PUBLIC PROSECUTION**

### **Article 172**

The judiciary adjudicates all disputes and crimes except those adjudicated by a separate judicial branch. It also rules on disputes over the affairs of its members.

### **Article 173**

The Public Prosecution is an integral part of the judiciary. It investigates, indicts, and prosecutes criminal cases other than those exempted by law. The law defines additional competencies.

The Public Prosecution is led by the Public Prosecutor. He is appointed by the President of the Republic, who chooses from among the deputies to the President of the Court of Cassation, the presidents of the appeals courts, and the assistant public prosecutors. The appointment is made upon recommendation from the High Council of Judges. It is valid for four years or until the appointee reaches retirement age, whichever happens sooner. He may only be appointed once during his professional life.

### **THIRD SECTION: THE STATE COUNCIL**

#### **Article 174**

The State Council is an independent judicial branch. It alone adjudicates administrative disputes and disputes over the execution of its verdicts. It is responsible for disciplinary proceedings and their appeals. It issues judicial opinions on legal questions to the venues that the law defines. It reviews and rewords bills and legislative decisions that are referred to it, and it reviews contracts in which the state is a party.

The law defines its other competencies.

### **FOURTH SECTION: THE HIGH CONSTITUTIONAL COURT**

#### **Article 175**

The High Constitutional Court is an independent judicial branch. Its seat is in the city of Cairo. It alone decides on the constitutionality of laws and regulations.

The law defines its other competencies and regulates the procedures that are to be followed before the Court.

## **Article 176**

The High Constitutional Court is composed of the president and ten members. The law defines the judicial bodies and other judicial branches that nominate these members. It also defines the procedure of their appointment and the conditions they must meet to qualify. Justices are appointed by decree from the President of the Republic.

## **Article 177**

The President of the Republic or the House of Representatives submit the bills that govern political rights as well as presidential, legislative, and local elections to the High Constitutional Court before issuing them, so that the Court may examine their constitutionality *ex ante*. It issues its decision on this matter within 45 days of receiving it. If the Court does not issue a ruling, the bill becomes law.

If the Court rules that parts of the bill are unconstitutional, its ruling must be implemented.

The laws referred to it for *ex ante* review are not eligible for the *ex post* review covered by Article 175 of the Constitution.

## **Article 178**

The rulings of the High Constitutional Court are published in the Official Gazette. The same is true for the decisions it issues during its *ex ante* review of bills governing political rights, as well as the presidential, legislative, and local elections.

The law determines what happens to a legislative text that has been found unconstitutional.



## **FIFTH SECTION: JUDICIAL BODIES**

### **Article 179**

The State Affairs Body is an independent judicial body. It pursues civil claims on behalf of the state and legally represents the state in disputes. It supervises the legal affairs of the state bureaucracy.

It prepares contracts and settles disputes in which the state is a party, in accordance with the law.

The law defines its other competencies.

The members of the State Affairs Body receive the guarantees and have the rights and duties that attach to all members of the judiciary.

### **Article 180**

The Administrative Prosecution is an independent judicial body. It investigates financial and administrative irregularities, launches disciplinary proceedings before the courts of the State Council, and takes legal action to address shortcomings of public facilities. The law defines its other competencies.

Its members have the guarantees, rights, and duties that attach to all members of the judiciary.

## **SIXTH SECTION: THE LEGAL PROFESSION**

### **Article 181**

The legal profession is a free profession and indispensable for achieving justice. Attorneys enjoy independence as they practice law. While engaged in their professional work, they enjoy the guarantees that ensure their protection and that enable them to do their work effectively. This happens in accordance with the law.

## **SEVENTH SECTION: EXPERTS**

### **Article 182**

Notaries, practitioners of forensic medicine, and judicial experts are independent as they conduct their work. The law grants them the guarantees and protections that are necessary for their work.

## **Chapter 4: The System of Local Administration**

## **FIRST SECTION: THE LOCAL ADMINISTRATIVE DIVISION OF THE STATE**

### **Article 183**

The state is divided into local administrative units that are legal persons: governorates, regions, cities, districts, and villages. A local unit may contain several villages or districts, and it may establish additional administrative units that are legal persons in their own right. This happens in accordance with the law, the principle of decentralization, and the desire to empower the administrative units to provide good local facilities and services, achieve advancement and realize good governance.

#### **Article 184**

The state guarantees the necessary technical, administrative, and financial assistance to the local units, as well as a fair distribution of facilities, services, and resources. The state, in accordance with the law, is to even out disparities in development and living standards among the units.

#### **Article 185**

The local units support their operations with original and supplementary taxes and fees that are local in nature. In collecting these dues, the units follow the principles and procedures that apply to collecting funds for the state.

All happens in accordance with the law.

#### **Article 186**

The law regulates the cooperation among local units on activities of common interest. It also regulates the cooperation between the units and organs of the state.

#### **Article 187**

The law regulates the selection of the governors and the selection of the leaders of the other local administrative units. It also regulates their competencies.

## **SECOND SECTION: THE LOCAL ASSEMBLIES**

### **Article 188**

Each local unit elects an assembly through universal, secret and direct ballot. The assembly's mandate lasts four years.

A candidate for a seat in the local assembly must be at least 21 years of age by the date the registration of candidates opens.

The local assembly includes the local representatives of the executive. These representatives have no vote.

Every assembly elects its president and his vice president from among its elected members.

The law specifies other conditions for candidacy as well as the election procedures.

### **Article 189**

The local assembly deals with all matters that are of concern to the unit it represents. It establishes and directs local facilities, and it conducts economic, social, health-related, and other activities in accordance with the law.

### **Article 190**

Decisions that the local unit reaches on matters within its purview are final. The executive may only interfere in them for the purpose of preventing the assembly from going beyond its purview or to secure the public good or the good of the other local assemblies.

In the case of disputes over the competencies of these assemblies, the board for legislation and advisory opinions of the State Council makes a swift ruling, based on the law.

#### **Article 191**

Every assembly draws up its own budget and issues a final account, in accordance with the law.

#### **Article 192**

The local assemblies may not be dissolved by blanket administrative decree.

The law governs the procedure for dissolving a local council and calling for a new election.

### **Chapter 5: National Security and Defense**

#### **FIRST SECTION: THE NATIONAL SECURITY COUNCIL**

#### **Article 193**

A National Security Council shall be created, to be chaired by the President of the Republic. Its membership includes the Prime Minister, the presidents of the House of Representatives and the Consultative Assembly, the ministers of defense, interior, foreign affairs, finance, justice, and health, the Director of General Intelligence, the chairmen of the committees for defense and national security in both the House of Representatives and the Consultative Assembly.

The Council authorizes the strategies for ensuring the security of the country, deals with disasters and crises in all its forms, and adopts the necessary measures for containment. It

identifies the threats to homeland security within and beyond the national borders and the measures and steps that both the state and the People must take to thwart them.

The Council may invite additional persons with the requisite expertise and competence to its meetings. The invitees do not have the right to vote.

The law defines additional competencies of the Council and its operating procedures.

## **SECOND SECTION: THE ARMED FORCES**

### **Article 194**

The armed forces are owned by the People. Their role is to protect the country and preserve the security and integrity of its soil. The state alone creates such forces. It is forbidden for any person, group, or association to create formations or squadrons, or either military or paramilitary organizations.

The armed forces have a high council, as specified by law.

### **Article 195**

The Minister of Defense is the general commander of the armed forces. He is appointed from among the officers.

### **Article 196**

The law regulates the system of conscription, and it defines the conditions for service, promotion, and retirement in the armed forces.

The judicial committees for officers and personnel of the armed forces alone decide on all administrative disputes internal to the armed forces.

### **THIRD SECTION: THE NATIONAL DEFENSE COUNCIL**

#### **Article 197**

A National Defense Council shall be established, to be chaired by the President of the Republic. Its membership includes the Prime Minister, the presidents of the House of Representatives and the Consultative Assembly, the ministers of defense, foreign affairs, finance, and interior, the Director of General Intelligence, the Chief of Staff of the Armed Forces, and the commanders of the airforce, navy, and air defense, as well as the Director of the Body of Armed Force Field Operations and the Director of War Intelligence and Reconnaissance.

The Council examines all matters pertaining to preserving the safety and integrity of the country. It discusses the budget of the armed forces. It must be consulted on legislative bills that relate to the armed forces.

The law defines its other competencies.

The President of the Republic may invite persons with competence and expertise to the meetings of the Council. They do not have the right to vote.

### **FOURTH SECTION: THE MILITARY JUDICIARY**

#### **Article 198**

The military judiciary is an independent branch of the judiciary. It alone decides on all crimes related to the armed forces, their officers, and personnel.

Civilians may not be tried by the military judiciary unless they are accused of crimes that hurt the armed forces. The law specifies these crimes as well as other competencies of the military judiciary.

Members of the military judiciary are independent. They cannot be dismissed, and they have the guarantees, rights, and duties that attach to all members of the judiciary.

## **FIFTH SECTION: THE POLICE**

### **Article 199**

The police is a disciplinarian civilian organization with the President of the Republic as its highest leader. It carries out its duties in the name of the People, and its loyalty is to the Constitution and the law. It preserves public order, security, and decency, and implements the law and executive decrees. It guarantees to the citizens tranquility and the protection of their dignity, their rights and freedoms. All this happens in accordance with the law and in a way that allows police officers to carry out their duties.

## **PART FOUR: INDEPENDENT BODIES AND SUPERVISORY ORGANS**

### **Chapter 1: Common Provisions**

### **Article 200**

The independent bodies and supervisory organs listed in the Constitution are public legal persons that are neutral and technically, administratively, and financially independent. The law governs the other independent bodies and supervisory organs.



All bodies and supervisory organs must be consulted on legislative bills and draft decrees relating to their domain of work.

### **Article 201**

All independent bodies and supervisory organs must submit the reports they compile to the President of the Republic, the House of Representatives, and the Consultative Assembly. This must happen within thirty days of publication.

Upon receipt of the reports the House of Representatives has six months to review them and take appropriate action. Then it submits the reports to public opinion.

The supervisory organs inform the competent executive organs of any evidence of wrongdoing, irregularity, or crime.

This happens in accordance with the law.

### **Article 202**

The President of the Republic appoints the chairmen of the independent bodies and supervisory organs after agreement with the Consultative Assembly. The appointment lasts for four years and can be renewed once. The chairmen can only be fired with the agreement of a majority in the Consultative Assembly. The same prohibitions that govern ministers apply to them.

### **Article 203**

The law regulates the composition of each independent body or supervisory organ. It defines additional competencies that have not been listed in the Constitution and specifies their operating procedures. It grants their staff members the guarantees necessary for their work.

The law defines the procedures for employment, promotion, accountability and dismissal. It specifies other conditions that guarantee the neutrality and independence of staff members.

## **Chapter 2: The Supervisory Organs**

### **FIRST SECTION: THE NATIONAL COMMISSION TO COMBAT CORRUPTION**

#### **Article 204**

The National Commission to Combat Corruption specializes in fighting corruption and eliminating conflicts of interest. It also spreads the values of integrity and transparency, setting standards for both. It draws up the national strategy dedicated to these goals and ensures its implementation in cooperation with the other independent bodies. It supervises the organs that the law identifies as relevant.

### **SECOND SECTION: THE CENTRAL ACCOUNTING OFFICE**

#### **Article 205**

The Central Accounting Office monitors the state funds and other offices that the law specifies.

### **THIRD SECTION: THE CENTRAL BANK**

#### **Article 206**

The Central Bank lays down the monetary, credit, and banking policy and supervises its implementation. It monitors the performance of the banking sector and works to achieve price stability. It alone has the right to issue currency. All this must happen within the general economic policy of the state.

### **Chapter 3: The Economic and Social Council**

#### **Article 207**

The Economic and Social Council supports the participation of social groups in the drafting of economic, social, and environmental policies, and it aims to strengthen societal dialogue. The Government, the House of Representatives, and the Consultative Assembly must solicit the opinion of the Social and Economic Council on these very policies and on legislative proposals that are related to them.

The Council consists of 150 members at a minimum. They are chosen by the elected syndicates, unions, and associations of farmers, workers, professionals, and other social groups. Workers and farmers must have at least fifty percent representation in the Council.

It is forbidden to combine a membership in the Council with a membership in the Government or one of the parliamentary chambers.

The law specifies how the Council is to be formed, how its president is to be elected, how it does its work and how it submits its recommendations to the state authorities.

### **Chapter 4: The National Elections Commission**

#### **Article 208**

The National Elections Commission alone is responsible for administering referenda, as well as presidential, parliamentary, and local elections. Their mandate includes preparing the voter registry, providing input into the division of electoral districts, defining limits on election financing and spending, and announcing these limits. It also covers other measures and ends with the announcement of results.

The Commission may also be entrusted with supervising the elections to syndicates and other representative organizations.

Details are specified by law.

## **Article 209**

The National Elections Commission is led by a council composed of ten members. They are selected evenly from among the deputies of the President of the Court of Cassation, the presidents of the courts of appeals, deputies of the presidents of the State Council and the State Affairs Body, and the Administrative Prosecution. They are elected by the High Council of Judges and the special councils of the afore-mentioned bodies. These bodies cannot vote for their own members. The mandate to work for the council is full-time and lasts for one term of six years. The council is chaired by the most senior member that comes from the Court of Cassation.

In elections that are to be held every three years, half of the council's seats are to be opened to election.

The Commission may call upon public figures or experts in the field of elections, and it has its own executive organ.

Details are specified by law.

## **Article 210**

Individuals affiliated with the National Elections Commission manage the process of voting and vote counting for the referenda and for elections that are under the Commission's auspices. In that, they are supervised by the council of the National Elections Commission. They are granted the necessary guarantees to do their work with neutrality and independence.

As an exception to this rule the Commission assigns the supervision of voting and vote counting to members of the judiciary and of judicial bodies. This mandate lasts at least ten years from the Constitution's entry into force. Details are specified by law.

## **Article 211**

Decisions by the National Elections Commission that relate to referenda, the parliamentary and presidential elections, and their results are appealed to and decided by the High Administrative Court. Local elections are appealed to an administrative court.

The law specifies the appeals procedures in a way that does not disrupt the electoral process, which includes the announcement of the final results. The final results of referenda and presidential elections must not be appealed once they have been announced.

The final results must be announced no later than eight days after the polls have closed.

## **Chapter 5: The Independent Bodies**

### **FIRST SECTION: THE HIGH BODY FOR RELIGIOUS ENDOWMENT AFFAIRS**

## **Article 212**

The High Body for Religious Endowment Affairs organizes its public and private endowments, supervising and monitoring them. It ensures their adherence to standards of managerial and fiscal prudence and popularizes religious endowments among society.

## **SECOND SECTION: THE HIGH BODY FOR HERITAGE PRESERVATION**

### **Article 213**

The High Body for Heritage Preservation organizes the protection of Egypt's civilizational, architectural, and cultural heritage. It supervises all heritage sites, and it documents the maintenance of artifacts. In addition, it raises awareness of the contribution that this heritage has made to human civilization.

The High Body also documents the Revolution of January 25 and the other Egyptian revolutions that happened in the modern era.

## **THIRD SECTION: THE NATIONAL COUNCIL FOR EDUCATION AND SCIENTIFIC RESEARCH**

### **Article 214**

The National Council for Education and Scientific Research designs a national strategy for education in all its forms and stages and works toward deepening their integration. It revitalizes scientific research, and sets national standards for excellence in teaching and research. It then pursues the implementation of its strategy.

## **FOURTH SECTION: THE INDEPENDENT BODIES FOR JOURNALISM AND THE MEDIA**

### **Article 215**

The National Media Council organizes the affairs of radio and television, and it organizes the press, be it disseminated in print, by digital means, or otherwise. It preserves the

pluralism of the media, preventing their concentration or monopolization, and it protects the interests of the public. The permissions and standards it creates ensure that the different media abide by norms of professionalism and decency, preserve the Arabic language, and observe the values and constructive traditions of society.

#### **Article 216**

The National Body for the Press and the Media administers and develops the journalism and media establishments owned by the state. It also ensures their commitment to professionalism and managerial and fiscal prudence.

### **PART FIVE: FINAL AND TRANSITIONAL PROVISIONS**

#### **Chapter 1: Constitutional Amendments**

#### **Article 217**

Both the President of the Republic and the House of Representatives may request an amendment to one or more articles of the Constitution. In their request, each must specify the articles that are to be amended and the reasons for amendment. If the request comes from the House, it must be signed by at least one fifth of its membership.

Both the House of Representatives and the Consultative Assembly complete their discussion of the amendment request within thirty days from the date of receipt. Each chamber can decide to accept the request in whole or in part. This decision requires support from the majority of the chamber's membership.

If the request is rejected, it may not be reintroduced in the current legislative session.

## **Article 218**

If both chambers agree to the amendment request, each chamber discusses the articles whose amendment is sought. It does so sixty days from the date of agreement. If each chamber accepts the amendment with a two-thirds majority, the amendment will be subjected to a popular referendum no later than thirty days after the date of acceptance. The amendment becomes operative on the date its adoption by referendum is announced.

## **Chapter 2: General Provisions**

## **Article 219**

The principles of Islamic law (*sharia*) include general evidence, the foundational principles of Islamic jurisprudence (*usul al-fiqh*), the reliable sources from among the Sunni schools of thought (*madhahib*).

## **Article 220**

Cairo is the capital of the state. The decision to move the capital to another location must be passed as a law.

## **Article 221**

The law determines the state flag and emblem, as well as the state medals and badges. It defines the state's seal and the national anthem.

## **Article 222**

All laws and decrees issued before the Constitution was passed remain in effect. They may only be amended or canceled in accordance with the provisions of the Constitution.



### **Article 223**

No later than fifteen days after its passage, a law is to be published in the Official Gazette. It enters into effect thirty-one days from the date of publication, unless it specified a different date.

Legal provisions apply only once the law in question has entered into effect, not retroactively. Exceptions are possible for laws that do not apply to crime or taxation. In that case the law must pass the House of Representatives with a two-thirds majority.

### **Article 224**

Elections to the House of Representatives, the Consultative Assembly, and local councils are based on a single winner voting system , a list system , a combination thereof, or any other electoral system specified by law.

### **Article 225**

The Constitution enters into effect on the date its popular adoption by referendum has been announced. The Constitution is considered adopted if it garners the majority of valid ballots.

## **Chapter 3: Transitional Provisions**

### **Article 226**

The current term of the President of the Republic ends four years after his taking office. He may be reelected once.

### **Article 227**

In any office for which the Constitution or the law specifies a limited term, be it single or once-renewable, the term begins on the date on which the office is assumed. The term always ends once its incumbent reaches the legal retirement age.

### **Article 228**

The High Elections Committee in existence at the time this Constitution enters into effect is responsible for supervising the first legislative elections thereafter. Its funds and those of the High Committee for the Presidential Elections pass over to the National Elections Commission once it is established.

### **Article 229**

The procedures for electing the first House of Representatives begin no later than sixty days after the Constitution enters into effect. Its legislative term begins no later than ten days after the final election results have been announced.

In this House, the workers and farmers are to have at least fifty percent representation.

Any individual who works for another and receives a wage or a salary is considered a worker.

Any individual who worked in agriculture for a period of at least ten years prior to his candidacy to the House of Representatives is considered a farmer.

The law specifies the standards and permissions that qualify a candidate as a worker or farmer.

### **Article 230**

The current Consultative Assembly assumes all legislative powers starting on the date the Constitution enters into effect and ending when the new House of Representatives is seated. Once the House of Representatives is elected, all legislative powers pass over to it until the new Consultative Assembly is elected, which is to happen within a year after the House of Representatives is seated.

### **Article 231**

In the legislative elections that follow the entry into effect of the Constitution, two thirds of the seats are to be filled through the list system. One third is to be filled through the single winner system. Parties and independent candidates may run under either of the two systems.

### **Article 232**

Leaders of the dissolved National Democratic Party are banned for a period of ten years after the Constitution enters into effect from engaging in political work and standing for presidential and legislative elections. Anyone is considered a leader of the National Democratic Party who, on January 25, 2011, was a member of the party's general secretariat or the policies committee or the political bureau, or who held a seat in the People's Assembly or the Consultative Assembly during the two legislative terms preceding the Revolution.

### **Article 233**

Once the Constitution enters into effect, the first High Constitutional Court is composed of its current president and its ten most senior members. The remaining members return to the positions they held prior to being appointed to the Court.

#### **Article 234**

The special provision for appealing verdicts on crimes that are listed in the third part of Article 77 of the Constitution apply for one year after the Constitution enters into effect.

#### **Article 235**

The current system of local administration remains in existence until the system provided in the Constitution is implemented. This is to happen in stages over a period of ten years after the Constitution enters into effect.

#### **Article 236**

All constitutional declarations that the Supreme Council of the Armed Forces and the President of the Republic issued between February 11, 2011, and the entry into effect of the Constitution are hereby repealed. But their effects on the past remain in existence.