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Chicago 7th ed.  
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McGill Guide 9th ed.  
, "Preamble" [1964] 991.

MLA 8th ed.  
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OSCOLA 4th ed.  
, 'Preamble' (1964) 991

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# CONSTITUTION of the UNITED ARAB REPUBLIC<sup>1</sup>

March 25, 1964

## PREAMBLE

In reliance upon the popular will which made the glorious day of July 23, and by which it has realized the start of the comprehensive revolution – political, social and national – and hoisted over the national and heroic work of the Egyptian people, since that date, the banners of freedom, socialism and unity;

And in confirmation of the Charter which was adopted by the Conference of Popular Powers, and drawn out of the heart of the battles of the struggle, and from the very exercise of the vast and deep changing of the conditions of Egyptian society, so that it may be a thought guide to lead future steps; and which was thus able to enrich revolutionary thought by the experience of work and to re-poise this thought and place it in the service of the continuous and unceasing drive towards the realization of the mighty goals of the popular struggle;

And crowning the stage of the great conversion in which, through peaceful and revolutionary revolution at the same time, the people's domination over the ownership of means of production and their administration were realized, in consolidation of social democracy—the gateway to political democracy and its true and proper prelude;

And to render possible the progress towards the stage of the great forward drive, along which the Arab people in Egypt have started their march after having been able to realize their domination over their national wealth, and having traversed the stage of conversion advancing towards the consolidation of their political and social victories and aiming at the further attainment of sufficiency and justice, in realization of the society of prosperity, in which equal opportunities are ensured to individuals and class differences are liquidated;

And, in consolidation of the effectiveness and capability of the alliance

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of the forces of the working people, which has been placed by the great conversion stage at the head of the national action to lead it through the Socialist Union and by means of its democratic organizations;

In view of all that, and by the grace of God, the articles comprised in this Constitution shall become a basis for the economic and social order in the United Arab Republic until the National Assembly, which is popularly and directly elected, and which shall start its work on the morning of Thursday, the twenty-sixth of March, 1964, concludes its task of drawing up the draft of the permanent Constitution of the United Arab Republic, and until that draft Constitution is put to the people for a plebiscite so that they may vest it, from their free will, with the strength which shall render it the source of all powers.

## PART I

### THE STATE

*Art. 1.* The United Arab Republic is a democratic, socialist State based on the alliance of the working powers of the people.

The Egyptian people are part of the Arab nation.

*Art. 2.* Sovereignty is for the people, and its practice in the manner specified in the Constitution.

*Art. 3.* National unity, formed by the alliance of the people's powers, representing the working people, being the farmers, workers, soldiers, intellectuals and national capital, make up the Arab Socialist Union, as the power representative of the people, driver of the Revolution's potentialities, and protector of sound democratic values.

*Art. 4.* The United Arab Republic nationality is defined by the law.

*Art. 5.* Islam is the religion of the State and Arabic its official language.

## PART II

### BASIC CONSTITUENTS OF THE SOCIETY

*Art. 6.* Social solidarity is the basis of the Egyptian society.

*Art. 7.* The family is the basis of the society founded on religion, morality and patriotism.

*Art. 8.* The State guarantees equality of opportunity to all Egyptians.

*Art. 9.* The economic foundation of the State is the socialist system which prohibits any form of exploitation in a way which ensures the building of the socialist society with its twin foundations: sufficiency and justice.

*Art. 10.* The entire national economy is directed in accordance with the development plan laid down by the State.

*Art. 11.* Natural wealth, whether subterranean or within territorial waters, as well as all its resources and energy are the property of the State which guarantees their proper exploitation.

*Art. 12.* The people control all the means of production, and direct their surplus in accordance with the development plan laid down by the State to increase the wealth and to continuously raise the standard of living.

*Art. 13.* Ownership assumes the following forms:

(a) *State Ownership*

Or, the ownership of the people through the creation of an able and strong public sector which leads progress in all spheres and assumes the main responsibility in the development plan.

(b) *Co-operative Ownership*

Or, the ownership of all the members of the co-operative society.

(c) *Private Ownership*

A private sector which takes part in the development, within the framework of its overall plan, without any exploitation.

The people's supervision covers the three sectors and controls them all.

*Art. 14.* Capital is to be used in the service of the national economy and must not, in the ways of its use, be in conflict with the general good of the people.

*Art. 15.* Public funds have their sanctity and their protection is the duty of every citizen.

Citizens must safeguard and consolidate the ownership of the people, as the basis of the socialist system, and a source of the prosperity of the working people, and strength of the motherland.

*Art. 16.* Private ownership is safeguarded and the law organizes its social function, and ownership is not expropriated except for the general good and against a fair compensation in accordance with the law.

*Art. 17.* The law fixes the maximum limit of land ownership and defines the measures of protecting small land ownerships.

*Art. 18.* The State encourages co-operation and looks after co-operative establishments in all their forms.

*Art. 19.* The State guarantees, in accordance with the law, the consolidation of the family, and the protection of motherhood and childhood.

*Art. 20.* The State guarantees social insurance service and Egyptians have the right to aid in cases of old-age, sickness, incapacity to work and unemployment.

*Art. 21.* Work in the United Arab Republic is a right, a duty and an honor for every able citizen.

Public offices are an assignment for their occupants. The aim of State officials, in the performance of their functions, is to serve the people.

*Art. 22.* The institution of civil titles is prohibited.

*Art. 23.* The Armed Forces of the United Arab Republic belong to the people and their function is the protection of the socialist gains of the popular struggle, the safeguarding of the country and the security and integrity of its territory.

### PART III

#### PUBLIC RIGHTS AND DUTIES

*Art. 24.* Egyptians are equal before the law. They have equal public rights and duties without discrimination between them due to race, origin, language, religion or creed.

*Art. 25.* There is no crime or penalty except by virtue of the law. Penalty is inflicted only for acts committed subsequent to the promulgation of the law prescribing them.

*Art. 26.* Penalty is personal.

*Art. 27.* No person may be arrested or detained except in conformity with the provisions of the law.

*Art. 28.* The right of defence in person or by mandate is guaranteed by the law.

*Art. 29.* Every person accused of a crime must be provided with counsel for his defence.

*Art. 30.* No Egyptian may be deported from the country or prevented from returning to it.

*Art. 31.* No Egyptian may be prohibited from residing in any place and no Egyptian may be forced to reside in a particular place, except in the cases defined by the law.

*Art. 32.* The extradition of political refugees is prohibited.

*Art. 33.* Homes have their sanctity and they may not be entered, except in the cases, and in the manner, prescribed by the law.

*Art. 34.* Freedom of belief is absolute. The State protects the freedom of the practice of religion and creeds in accordance with custom provided this does not infringe upon public order or conflict with morality.

*Art. 35.* Freedom of opinion and scientific research is guaranteed. Every individual has the right to express his opinion and to publicise it verbally or in writing or by photography or by other means within the limits of the law.

*Art. 36.* Freedom of the press, printing and publication is guaranteed within the limits of the law.

*Art. 37.* Egyptians have the right to peaceable assembly, without carrying arms and without the need for prior notice.

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

*Art. 38.* All Egyptians are entitled to education which is guaranteed

by the State through the establishment of various kinds of schools, universities, educational and cultural institutions and the expansion thereof. The State gives special care to the physical, mental and moral growth of youth.

*Art. 39.* The State supervises public education which is regulated by law. Education, in its various stages, in State schools and universities is free of charge.

*Art. 40.* Just treatment of Egyptians is guaranteed by the State according to the work performed by them and through the fixing of working hours, assessment of wages, social insurance, health insurance, insurance against unemployment, and the organization of the right to rest and vacations.

*Art. 41.* The creation of syndicates is a guaranteed right. Syndicates have a moral person in the manner determined by the law.

*Art. 42.* Health care is a right to all Egyptians, guaranteed by the State through the establishment of various kinds of hospitals and health institutions, and the expansion thereof.

*Art. 43.* The defence of the motherland is a sacred duty, military service is an honor for Egyptians and conscription is obligatory in accordance with the law.

*Art. 44.* Payment of taxes and public imposts is a duty, in accordance with the law.

*Art. 45.* Egyptians have the right to vote in the manner specified by the Law. Their participation in public life is their national duty.

## PART V

### SYSTEM OF GOVERNMENT

#### CHAPTER I — THE HEAD OF STATE

*Art. 46.* The Head of State is the President of the Republic. He exercises his powers in the manner prescribed by this Constitution.

#### CHAPTER II — THE LEGISLATURE

*Art. 47.* The National Assembly is the organ exercising the legislative power.

*Art. 48.* The National Assembly exercises control over the work of the executive authority, in the manner prescribed by this Constitution.

*Art. 49.* The National Assembly is composed of members elected by secret public election.

The number of elected members and the conditions of membership are

determined by the law. The method and the rules of the election are defined by the law.

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

One half of the members of the Assembly at least must be of workers and farmers.

*Art. 50.* The age of the National Assembly member on election day should not be less than 30 years.

*Art. 51.* The duration of the National Assembly is five years from the date of its first meeting.

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

*Art. 52.* If the seat of a member becomes vacant before the end of his term, a successor is chosen to it in the manner prescribed in the Constitution, within 60 days from the date of the communication to the Assembly of the occurrence of the vacancy. The term of the new member will only be to the end of that of his predecessor.

*Art. 53.* The President of the Republic convokes the National Assembly and declares the closure of its session.

*Art. 54.* The seat of the National Assembly is in Cairo. However, in exceptional circumstances, it may be convoked to meet elsewhere, at the request of the President of the Republic.

Any meeting of the Assembly in other than its designated seat is illicit and the resolutions passed in it are invalid in accordance with the rules of the law.

*Art. 55.* The National Assembly is convoked for its ordinary annual session before the second Thursday of November. If it is not convoked, the Assembly shall meet, by force of law on the said day.

The session of the ordinary meeting continues during at least seven months. The session may not be closed before approval of the budget.

*Art. 56.* The National Assembly may not meet, without convocation, outside its session of meeting; otherwise, the meeting will be invalid and the resolutions passed in it will be null and void by force of law.

*Art. 57.* The President of the Republic may call the National Assembly to an extraordinary meeting, in case of necessity, or upon request, signed by a majority of the members of the Assembly. The President of the Republic announces the dismissal of the extraordinary meeting.

*Art. 58.* The member of the National Assembly shall take an oath, before the Assembly in a public meeting, before entering upon his duties, with the following terms:

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

*Art. 59.* The National Assembly shall elect, in its first meeting, a

president and two vice-presidents, who shall take charge of their duties until the end of the term of the Assembly. If the place of anyone of them becomes vacant, the Assembly shall elect the one who will replace him, until the end of his term.

*Art. 60.* The National Assembly lays down its own rules of procedure organising the manner of the fulfilment of its tasks.

*Art. 61.* The National Assembly alone is entitled to preserve order inside it. The President of the Assembly is entrusted with this task.

*Art. 62.* The National Assembly is competent to decide upon the validity of its members. A supreme court, determined by the law, shall be competent to investigate the validity of contestations presented to the Assembly, on being referred to it by the President of the Assembly. The result of the investigation is submitted to the Assembly to decide upon it. The membership will not be deemed invalid except by a decision taken by a majority of two thirds of its members.

The contestation must be decided upon within sixty days from the date of submission of the result of the investigation to the Assembly.

*Art. 63.* At the inaugural meeting of the ordinary session of the National Assembly, the President of the Republic shall give a statement of the general policy of the State. He may also give other statements on public matters which he deems necessary to communicate to the National Assembly.

*Art. 64.* The meetings of the National Assembly are public. However, a meeting in camera may be held at the request of the President of the Republic or of the Government, or of its President or of twenty of its members. The Assembly shall then decide whether the debate on the question submitted to it shall take place in a public meeting or in a meeting in camera.

*Art. 65.* The National Assembly may not pass a resolution unless a majority of its members attends the meeting. In cases other than those for which a specific majority is required, the resolutions shall be taken on an absolute majority of the votes of attending members. In case of a tied vote, the question on which the debate had taken place is considered rejected.

*Art. 66.* Every draft law is referred to a committee of the Assembly for study and presentation of a report thereon.

*Art. 67.* Every draft law proposed by one or more members is referred to a committee for study and giving an opinion on the suitability of its consideration by the Assembly. If the Assembly decides to consider it, the provision of the preceding article is applied to it.

*Art. 68.* No law can be promulgated unless it is ratified by the National Assembly.

No law can be decided on unless each single article of it has been put to the vote.



*Art. 69.* No draft law proposed by a member and rejected by the Assembly may be presented again in the course of the same session.

*Art. 70.* The imposition, modification or abolition of general taxes cannot be effected except in the cases decreed by the law. Noone may be exempted from their payment except in the cases specified by the law. Noone may be asked to pay other taxes or imposts except in the cases specified by the law.

*Art. 71.* The basic rules for collection of public funds and the procedure for their disbursement shall be regulated by the law.

*Art. 72.* The Government may not contract a loan, or bind itself to a project entailing expenditure of funds from the Treasury of the State in the course of a subsequent year or years, except with the approval of the National Assembly.

*Art. 73.* The rules for the award of salaries, pensions, indemnities, subsidies and gratifications from the Treasury of the State shall be determined by law which shall also regulate the cases of exception from these rules, and the authorities charged with their application.

*Art. 74.* The rules and procedures for granting concessions relating to investment of the sources of natural wealth and of public utilities are determined by law; disposal, without price, of real estate properties belonging to the State or the ceding of moveable properties of the State, and the rules and problems relating thereto are also determined by law.

*Art. 75.* The manner of the preparation of the budget and of its submission to the National Assembly, as well as the determination of the fiscal year are determined by Law.

*Art. 76.* The draft general budget of the State shall be submitted, at least two months before the expiration of the fiscal year, to the National Assembly for its examination and ratification. The budget is ratified title by title.

The National Assembly may not effect any modification of the draft, except with the approval of the Government.

*Art. 77.* In case the ratification of the new budget does not take place before the beginning of the fiscal year, the old budget shall be acted on pending such ratification.

*Art. 78.* The approval of the National Assembly is necessary for the transfer of any funds from one title of the budget to another title, as well as for any expenditure not included in it or in excess of its estimates.

*Art. 79.* The final account of the budget of the State is to be approved by the National Assembly.

*Art. 80.* The prescriptions relating to the General Budget of the State and its final account shall be applied on the independent and the appended budgets and their final accounts.

*Art. 81.* The special provisions regulating the budgets and final accounts of other public organisms are prescribed by law.

*Art. 82.* The Government shall submit, after its appointment, to the National Assembly, its program and shall request the Assembly's approval of it.

*Art. 83.* The National Assembly exercises control over the acts of the Government.

The Government and its members are responsible for their acts before the National Assembly which discusses their policy statements and reports.

*Art. 84.* The National Assembly has the right to withdraw its confidence from the Government or from any members thereof.

*Art. 85.* The Prime Minister and Ministers shall be heard in the National Assembly and its committees whenever they request to speak. They may be assisted by such high-ranking officials as they may deem necessary or delegate them on their behalf.

A minister shall have no counted vote when votes are taken, unless he is a member.

*Art. 86.* Every member of the National Assembly is entitled to address questions or interpellations to the Prime Minister or the Ministers concerning matters within their jurisdiction.

The Prime Minister and the ministers shall answer the questions put to them by members.

Debate on an interpellation shall take place at least seven days after its presentation, except in the case of urgency and with the government's consent.

*Art. 87.* Any twenty members of the National Assembly may ask for the discussion of a public question with a view to ascertaining the government's policy regarding such a question and exchanging views on it.

*Art. 88.* The Prime Minister may ask the National Assembly for a vote of confidence on the occasion of the presentation of his programme or on the occasion of the presentation of any statement from the Government on the general policy of the State.

*Art. 89.* The National Assembly may withdraw its confidence from the Government or from a minister.

A motion of no confidence may not be submitted except after an interpellation has been addressed to the Government or to the minister. Such a motion must be proposed by one tenth of the Assembly's members.

The Assembly may not take a decision on such a motion until after at least three days from the date of its presentation. Withdrawal of confidence from the Government or from a minister is pronounced by the majority of the members of the Assembly.

*Art. 90.* The Prime Minister must submit the resignation of the Government to the President of the Republic if the National Assembly withdraws its confidence from it.

If the National Assembly withdraws its confidence from any minister, he must resign his office.

*Art. 91.* The President of the Republic has the right to dissolve the National Assembly. The decision dissolving the National Assembly must comprise an invitation to the electors to conduct new elections within a period not exceeding sixty days, as well as a provision stipulating the convocation of the new Assembly during a period of ten days following the completion of elections.

*Art. 92.* No member of the National Assembly may, during the session, be subject to a criminal prosecution without the permission of the Assembly, except in *flagrante delicto*.

When any such prosecutions take place while the Assembly is not in session, the Assembly must be notified thereof.

*Art. 93.* Members of the National Assembly may not be censured for any opinions or thoughts expressed by them in the performance of their tasks in the Assembly or in its committees.

*Art. 94.* No member of the National Assembly may be deprived of his mandate except by a decision of a two-thirds majority of the Assembly, upon a proposal of twenty of its members, and this is on the grounds of loss of confidence or status, the violation of the member's mandate, the loss of his status as a worker or farmer upon which he was elected, or his negligence in attending the meetings of the Assembly or its committees.

*Art. 95.* The National Assembly alone may accept the resignation of its members.

*Art. 96.* No member of the National Assembly may at the same time assume any other public office in the Government or in the units of Local Administration.

Other cases of incompatibility are to be defined by the Law.

*Art. 97.* No member of the National Assembly may, during the period of his mandate, be appointed in any organization or company except in the cases specified by law.

*Art. 98.* No member of the National Assembly may, during the period of his mandate, purchase or rent any State property, or lease or sell to the State or to barter with it any part of his property.

*Art. 99.* Members of the National Assembly shall receive a remuneration determined by Law.

#### CHAPTER III - THE EXECUTIVE

*Art. 100.* The President assumes the executive power and he exercises it in the manner stipulated in the Constitution.

### Section I. The President of the Republic

*Art. 101.* The person to be elected President of the Republic must be an Egyptian born to Egyptian parents and enjoying civil and political

rights. His age must not be less than 35 years calculated according to the Gregorian calendar.

*Art. 102.* The National Assembly nominates the President of the Republic. The nomination is referred to the people for a plebiscite.

The nomination to the post of President of the Republic is made in the National Assembly upon the proposal of at least one third of its members.

The candidate who wins two thirds of the votes of the Assembly members is referred to the people for a plebiscite.

If none of the candidates obtains the said majority the nomination process is repeated two days after the first vote. The candidate winning the votes of an absolute majority of the Assembly members is referred to the citizens for a plebiscite.

The candidate is considered President of the Republic when he obtains an absolute majority of the votes cast in the plebiscite.

If the candidate does not obtain this majority, the Assembly nominates another candidate and the same procedure is followed.

*Art. 103.* The term of the Presidency is six Gregorian years starting on the date of the announcement of the result of the plebiscite.

*Art. 104.* Before exercising his powers, the President takes the following oath before the National Assembly:

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

*Art. 105.* The salary of the President of the Republic is fixed by law. Any amendment in the salary does not come into force during the presidential term in which it is decided upon.

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

*Art. 106.* During his term the President of the Republic may not exercise any free profession or undertake any commercial, financial or industrial activity. Nor may he acquire or take on lease any state property, sell to or exchange with the State any property of his whatsoever.

*Art. 107.* The President of the Republic may appoint one or more Vice-Presidents and relieve them of their posts.

Before exercising his functions, the Vice-President takes the following oath before the President of the Republic.

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

*Art. 108.* Procedures for the choice of a new President of the Republic begin sixty days before the expiry of the term of the President in office.

The new President is chosen at least one week before the expiry of the

term. Should this term expire without the choice of the new President being made for any reason whatsoever, the former President continues to exercise his functions until his successor is selected.

*Art. 109.* If on account of any temporary obstacle the President of the Republic is unable to carry out his functions, he shall delegate his powers to a Vice-President.

*Art. 110.* In the case of the President's resignation, permanent disability or death, the First Vice-President temporarily assumes the Presidency. The National Assembly then proclaims, by a two-thirds majority vote, the vacancy of the office of President. The President is chosen within a maximum period of sixty days from the date of the vacancy of the presidential office.

*Art. 111.* In case of resignation, the President addresses the letter of resignation to the National Assembly.

*Art. 112.* Any charge of high treason or disloyalty to the Republican system directed against the President of the Republic shall be made upon a proposal by at least one third of the members of the National Assembly. No indictment shall be issued except with the approval of a majority of the Assembly members.

The President is suspended from the exercise of his function as from the issue of the indictment. The First Vice-President shall take over the Presidency temporarily.

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

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

*Art. 113.* The President of the Republic, in conjunction with the Government, lays down the general policy of the State in all the political, economic, social and administrative domains, and supervises its implementation.

*Art. 114.* The President of the Republic appoints the Prime Minister and relieves him of his post.

The President of the Republic appoints the ministers, members of the government, and relieves them of their posts. Deputy Prime Ministers, Ministers of State and Deputy Ministers may also be appointed. The rules relating to the Ministers are applicable to them.

*Art. 115.* The President of the Republic has the right to call a meeting of the Council of Ministers and to attend its meetings. He will also preside over the meetings he attends. He has the right to demand reports from the Government or from its members.

*Art. 116.* The President of the Republic has the right to propose laws, and to object to and to issue laws:

*Art. 117.* If the President of the Republic objects to a draft law, he shall return it to the National Assembly within thirty days from the

date on which it is sent to him by the Assembly. If the draft law is not returned within this time limit, it shall become a law and shall be proclaimed.

*Art. 118.* If a law is returned, within the said time limit, to the Assembly and is ratified once again by it, by a majority of two thirds of its members, it shall become a law and shall be proclaimed.

*Art. 119.* If, during the recess between the sessions of the National Assembly, or during the period of its sessions, it has become necessary to take measures which cannot suffer delay, the President of the Republic may issue decisions in their respect, which shall have the force of law.

Such decisions must be submitted to the National Assembly within fifteen days from the date of their issue, if the Assembly is in session. In case of recess, they shall be submitted at its first meeting. In case they are not submitted, their force of law disappears with retroactive effect, without need for the issue of a decision to this effect. But if they are submitted and are not ratified by the Assembly, then the force of law which they had disappears from the date of opposition.

*Art. 120.* The President of the Republic may, in exceptional cases, and in virtue of an investiture from the National Assembly, issue decisions having the force of law. Such investiture shall only be for a definite period and shall specify the subjects of these decisions and the basis on which they are to be issued.

*Art. 121.* The President of the Republic may issue the decision necessary for organizing the public services.

*Art. 122.* The President of the Republic issues the regulations organizing security, the regulations needed for the implementation of the laws; he may also vest others with authority for their issue. The law may determine whoever will issue the decisions requisite for its implementation.

*Art. 123.* The President of the Republic is the Supreme Commander of the Armed Forces.

*Art. 124.* The President of the Republic is he who shall declare war, after the approval of the National Assembly.

*Art. 125.* The President of the Republic concludes treaties and communicates them to the National Assembly accompanied with suitable comments. These treaties, after their conclusion, ratification and publication according to the established procedure, shall have the force of law.

Nevertheless, peace treaties, pacts commercial and maritime treaties and treaties involving modifications in the territory of the State, or connected with the rights of sovereignty, or which lay upon the Treasury of the State charges not provided for in the budget, shall not be in force unless they are approved by the National Assembly.

*Art. 126.* The President of the Republic proclaims the state of emergency in the manner prescribed by the law. Such proclamation must be submitted to the National Assembly within the subsequent thirty days in order that the Assembly may take a decision thereon.

In case of dissolution of the National Assembly, the question is submitted to the new Assembly at its first meeting.

*Art. 127.* The President of the Republic has the right of amnesty or the reduction of a penalty. Nevertheless, general amnesty can only be in virtue of a law.

*Art. 128.* The President of the Republic appoints the civil and military officials and diplomatic representatives and dismisses them, in the manner prescribed by the law. He also gives accreditation to diplomatic representatives of foreign states.

*Art. 129.* The President of the Republic may call a referendum of the people in important matters affecting the supreme interests of the country. The manner of the referendum is determined by the law.

## Section II. The Government

*Art. 130.* The Government is the supreme executive and administrative organ of the State.

*Art. 131.* The Government is made up of the Prime Minister, the Deputy Prime Ministers and the Ministers. The Prime Minister shall direct the work of the Government and preside over the Council of Ministers.

*Art. 132.* The Government implements the general policy of the State in accordance with the laws and Republican Decrees and exercises all the powers necessary for that purpose.

*Art. 133.* The Government undertakes the organization and implementation of the economic and cultural tasks related to the socialist structure the improvement of the living conditions of the working people and the adoption of a sound foreign policy.

*Art. 134.* The Government exercises the following functions:

- (1) Directing, co-ordinating and overseeing the work of the Ministries and the public organizations and institutions.
- (2) Issuing administrative and executive decisions in accordance with the laws and decrees and supervising their implementation.
- (3) Preparing draft laws and decrees.
- (4) Appointing and dismissing state officials in accordance with the law.
- (5) Preparing the draft of the general budget of the State.
- (6) Drafting the State's overall plan to develop the national economy and taking the necessary measures to implement it.
- (7) Controlling the organization and management of the systems of exchange, credit and insurance in the State.
- (8) Contracting and granting loans within the limits of the general policy of the State.
- (9) Controlling all public organizations.
- (10) Supervising the implementation of laws, maintaining the security

of the State and protecting the interests of citizens and the interests of the State.

*Art. 135.* The Government supervises the work of the Ministries, the administrations and the public and local organizations. It may revoke or amend in the manner prescribed by the law any of its own decisions found to be unsuitable.

*Art. 136.* The State's control and inspection authorities come directly under the jurisdiction of the Prime Minister.

*Art. 137.* Whoever is appointed Minister must be an Egyptian, aged at least 30 years according to the Gregorian calendar and enjoying full civil and political rights.

*Art. 138.* Before exercising the functions of their posts, the members of the government take the following oath before the President of the Republic:

"I swear by Almighty God to uphold the Republican system with loyalty, to respect the Constitution and the law and to look after the interests of the people fully."

*Art. 139.* During the tenure of his office, the Minister may not practise a free profession or engage in a commercial, financial or industrial occupation or buy or rent any State property or lease or sell to or barter with the State any of his property.

*Art. 140.* The President of the Republic and the National Assembly have the right to bring a Minister to trial for crimes committed by him in the performance of his duties.

Any decision by the National Assembly to charge a Minister is adopted upon a proposal by at least one fifth of its members. No indictment is issued except with the approval of two thirds of the members of the Assembly.

*Art. 141.* The indicted Minister shall cease to function until his case is decided. The termination of his services does not prevent legal action from being taken or pursued against him.

The law prescribes the body concerned with the trial of Ministers and the procedures of their indictment and trial.

*Art. 142.* The members of the Government and the Deputy Ministers may hold seats in the National Assembly.

*Art. 143.* Members of the National Assembly may be appointed Ministerial Under-Secretaries for National Assembly Affairs.

The provisions governing them shall be specified by the law.

### Section III. National Defence

(a) *The National Defence Council:*

*Art. 144.* A council is established named "The National Defence Council" which shall be presided over by the President of the Republic.



*Art. 145.* The National Defence Council undertakes the examination of matters pertaining to methods of ensuring the country's security and safety. Its other prerogatives are appointed by the law.

(b) *The Armed Forces*

*Art. 146.* The State alone establishes the Armed Forces. No other organization or group may establish military or para-military formations.

*Art. 147.* The State, in accordance with the law, organizes the military training of the young. It also organizes the National Guard.

*Art. 148.* General mobilization is organised in accordance with the law.

*Art. 149.* The law prescribes the conditions of service and promotion for the officers of the Armed Forces.

#### Section IV. Local Administration

*Art. 150.* The United Arab Republic is divided into administrative units. Each or some of these units may have a moral person in accordance with the law.

*Art. 151.* The organizations representing the administrative units are competent with regard to all that pertains to the units which they represent and participate in the implementation of the general plan of the State. They may establish and manage utilities as well as economic, social and health projects, as stipulated by the law.

#### CHAPTER IV — THE JUDICIARY

*Art. 152.* Judges are independent. They are, in the administration of justice, subject to no other authority save that of the law.

*Art. 153.* The law regulates the various judicial jurisdiction and determines their competence.

*Art. 154.* The sessions of the courts are conducted in public, unless the court decides to hold them *in camera*, for considerations of public order or morality.

*Art. 155.* Rulings are to be pronounced and put into execution in the name of the nation.

*Art. 156.* Judges cannot be dismissed, as stipulated in the law.

*Art. 157.* The law regulates the conditions for the appointment, transfer and the adoption of disciplinary actions with regard to judges.

*Art. 158.* The law regulates the function of the public prosecution, its competence and its relation to the judiciary.

*Art. 159.* The appointment of members of the public prosecution, their discipline and dismissal is effected according to the conditions prescribed by the law.

*Art. 160.* The law regulates the organization of the State Security Courts, their competence and the conditions to be fulfilled by those who occupy the office of judge in them.

## PART V

### GENERAL PROVISIONS

*Art. 161.* Cairo is the capital of the United Arab Republic.

*Art. 162.* The National flag, and the provisions relating thereto shall be specified by law.

The emblem of the State and the provisions relating thereto shall also be specified by law.

*Art. 163.* The provisions of the laws apply only from the date of their entry into force, and may have no retroactive effect. However, provisions to the contrary may be made, in other than criminal matters, with the approval of the majority of the members of the National Assembly.

*Art. 164.* All laws shall be published in the Official Gazette within two weeks from the date of their promulgation.

*Art. 165.* The President of the Republic as well as the National Assembly may request a revision of one or more of the articles of the Constitution. The request for revision must specify the articles to be revised and the reasons justifying such a revision.

In case the request emanates from the National Assembly, it should bear the signatures of at least one third of its members.

In all cases, the Assembly shall discuss the revision in principle, and its decision should be issued by the majority of its members.

If the request is rejected, the revision of some articles cannot be requested once again before the expiration of one year from the date of rejection.

If the National Assembly approves the principle of revision, the articles to be revised shall be discussed by the Assembly after two months from the date of the said approval. If the modification is approved by two-thirds of the members of the Assembly, it shall come into force from the date of approval.

*Art. 166.* All the provisions of the laws, decrees, ordinances, and regulations enacted prior to proclamation of this Constitution remain in force. Nevertheless, these provisions may be repealed or amended in accordance with the rules and procedures established in this Constitution.

## PART VI

### TRANSITIONAL PROVISIONS

*Art. 167.* The first ordinary session of the National Assembly, after the

enforcement of this Constitution, is dismissed in the last week of June 1964. However, the dismissal of the Assembly shall not take place before the ratification of the budget.

*Art. 168.* The term of Presidency of the present President of the Republic shall end on 26th March, 1965.

*Art. 169.* The provisional Constitution issued on 13th Shaaban 1377 (Heg.), 5th March 1958, and the Constitutional Proclamation relating to the Political Organisation of the Supreme Powers of the State, promulgated on 28th Rabbi Akhar, 1382 (Heg), 27th September 1962, are no longer effective.

*Cairo, March 23, 1964*