



[HeinOnline](#)

Citations:

Bluebook 20th ed.

English original text of the Constitution of 1971 2 (1971) Table of Contents

ALWD 6th ed.

Chicago 7th ed.

, " , " Constitution of the United Arab Emirates, 1971 : 2-4

OSCOLA 4th ed.

, " 2

Provided by:

Harvard Law School Library

-- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at

<https://heinonline.org/HOL/License>

-- The search text of this PDF is generated from uncorrected OCR text.

**CONSTITUTION  
OF THE  
UNITED ARAB EMIRATES.  
INDEX**

**Preamble**

**Part One: The Union, its fundamental constituents and aims.**

**Article 1 - Article 12**

**Part Two: The Fundamental social and economic basis of the nion.**

**Article 13 - Article 24**

**Part Three: Freedom, rights and public duties.**

**Article 25 - Article 44**

**Part Four: The Union Authorities.**

**Article 45**

**Chapter I: The Supreme Council of the Union.**

**Article 46 - Article 50**

**Chapter II: The President of the Union and the Vice President.**

**Article 51 - Article 54**

**Chapter III: The Council of Ministers of the Union.**

**Article 55 - Article 67**

**Chapter IV: The Federal National Council.**

**Article 68 - Article 93**

**Section I: General Provisions.**

**Article 68 - Article 77**

**Section II: Organisation of work in the Federal National Council.**

**Article 78 - Article 88**

**Section III: Powers of the Federal National Council.**

**Article 89 - Article 93**

**Chapter V: The Judiciary in the Union and the Emirates.**

**Article 94 - Article 109**

**Part Five : Union Legislations and Decrees and the Authorities  
having jurisdiction therein.**

**Article 110 - Article 115**

**Chapter I : Union Laws.**

**Article 110 - Article 112**

**Chapter II: Laws issued by Decrees.**

**Article 113**

**Chapter III: Ordinary Decrees.**

**Article 114 - Article 115**

**Part Six: The Emirates.**

**Article 116 - Article 119**

**Part Seven : The Distribution of Legislative, Executive and  
International Jurisdictions between the Union  
and the Emirates.**

**Article 120 - Article 125**

**Part Eight: The Financial Affairs of the Union.**

**Article 126 - Article 136**

**Part Nine: The Armed Forces and the Security Forces.**

**Article 137 - Article 143**

**Part Ten: Final and Transitional Provisions.**

**Article 144 - Article 152**

**THE PROVISIONAL CONSTITUTION  
OF THE UNITED ARAB EMIRATES**

***We*, the Rulers of the Emirates of Abu Dhabi,  
Dubai, Sharjah, Ajman, Umm Al Quwain and Fujairah <sup>(1)</sup>:**

Whereas it is our desire and the desire of the people of our Emirates to establish a Union between these Emirates, to promote a better life, more enduring stability and a higher international status for the Emirates and their people;

Desiring to create closer links between the Arab Emirates in the form of an independent, sovereign, federal state, capable of protecting its existence and the existence of its members, in co-operation with the sister Arab states and with all other friendly states which are members of the United Nations Organisation and of the family of nations in general, on a basis of mutual respect and reciprocal interests and benefits,

Desiring also to lay the foundation for federal rule in the coming years on a sound basis, corresponding to the realities and the capacities of the Emirates at the present time, enabling the Union, so far as possible, freely to achieve its goals, sustaining the identity of its members providing that this is not inconsistent with those goals and preparing the people of the Union at the same time for a dignified and free constitutional life, and progressing by steps towards a comprehensive, representative, democratic regime in an Islamic and Arab society free from fear and anxiety;

And whereas the realisation of the foregoing was our dearest desire, towards which we have bent our strongest resolution, being desirous of advancing our country and our people to the status of qualifying them to take appropriate place among civilised states and nations;

---

1 - Ras El Khaimah joined the Union on the 10th of February 1972.

For all these reasons and until the preparation of the permanent Constitution for the Union may be completed, we proclaim before the Supreme and Omnipotent Creator, and before all the peoples, our agreement to this provisional Constitution, to which our signatures were appended, which shall be implemented during the transitional period indicated in it ;

*May Allah, our Protector and Defender, grant us success.*

## PART ONE

### THE UNION, ITS FUNDAMENTAL CONSTITUENTS AND AIMS

#### Article 1

The United Arab Emirates is an independent, sovereign, federal state and is referred to hereafter in this Constitution as the Union. The Union shall consist of the following Emirates:-

**Abu Dhabi - Dubai - Sharjah - Ajman - Umm Al Quwain -  
Fujairah - Ras Al - Khaimah. (1)**

Any other independent Arab country may join the Union, provided that the Supreme Council agrees unanimously to this.

---

(1) The original signatories of the Constitution did not include Ras Al Khaimah, which adhered to the Union on 10 February, 1962. A new paragraph was added by a Declaration of Constitutional Amendment No. 1 (1972) which reads as follows:-

In the event of the acceptance of a new member joining the Union, the Supreme Council of the Union shall determine the number of seats which will be allocated to that member in the Federal National Council, being in addition to the number stipulated in Article '68 of this Constitution.

## **Article 2**

The Union shall exercise sovereignty in matters assigned to it in accordance with this Constitution over all territory and territorial waters lying within the international boundaries of the member Emirates.

## **Article 3**

The member Emirates shall exercise sovereignty over their own territories and territorial waters in all matters which are not within the jurisdiction of the Union as assigned in this Constitution.

## **Article 4**

The Union may not cede its sovereignty or relinquish any part of its territories or waters.

## **Article 5**

The Union shall have a Flag, an Emblem and a National Anthem. The Flag and the Emblem shall be prescribed by Law. Each Emirate shall retain its own flag for use within its territories.

## **Article 6**

The Union is a part of the Great Arab Nation, to which it is bound by the ties of religion, language, history and common destiny.

The people of the Union are one people, and one part of the Arab Nation.

## **Article 7**

Islam is the official religion of the Union. The Islamic Shari'ah shall be a main source of legislation in the Union. The official language of the Union is Arabic.

## **Article 8**

The citizens of the Union shall have a single nationality which shall be prescribed by law. When abroad, they shall enjoy

the protection of the Union Government in accordance with accepted international principals.

No citizen of the Union may be deprived of his nationality nor may his nationality be withdrawn save in exceptional circumstances which shall be defined by Law.

#### **Article 9**

1. The Capital of the Union shall be established in an area allotted to the Union by the Emirates of Abu Dhabi and Dubai on the borders between them and it shall be given the name "Al Karama".

2. There shall be allocated in the Union budget for the first year the amount necessary to cover the expenses of technical studies and planning for the construction of the Capital. However, construction work shall begin as soon as possible and shall be completed in not more than seven years from the date of entry into force of this Constitution.

3. Until the construction of the Union Capital is complete, Abu Dhabi shall be the provisional headquarters of the Union.

#### **Article 10**

The aims of the Union shall be the maintenance of its independence and sovereignty. The safeguard of its security and stability. The defence against any aggression upon its existence or the existence of its member states. The protection of the rights and liabilities of the people of the Union. The achievement of close co-operation between the Emirates for their common benefit in realising these aims and in promoting their prosperity and progress in all fields. The provision of a better life for all citizens together with respect by each Emirate for the independence and sovereignty of the other Emirates in their internal affairs within the framework of this Constitution.

### **Article 11**

1. The Emirates of the Union shall form an economic and customs entity. Union Laws shall regulate the progressive stages appropriate to the achievement of this entity.
2. The free movement of all capital and goods between the Emirates of the Union is guaranteed and may not be restricted except by a Union Law.
3. All taxes, fees, duties and tolls imposed on the movement of goods from one member Emirate to the other shall be abolished.

### **Article 12**

The foreign policy of the Union shall be directed towards support for Arab and Islamic causes and interests and towards the consolidation of the bonds of friendship and co-operation with all nations and peoples on the basis of the principles of the charter of the United Nations and ideal international standards.

## **PART TWO**

### **THE FUNDAMENTAL SOCIAL AND ECONOMIC BASIS OF THE UNION**

#### **Article 13**

The Union and the member Emirates shall co-operate, within the limits of their jurisdiction and abilities, in executing the provisions of this Part.

#### **Article 14**

Equality, social justice, ensuring safety and security and equality of opportunity for all citizens shall be the pillars of the Society . Co-operation and mutual mercy shall be a firm bond between them.



### **Article 15**

The family is the basis of society. It is founded on morality, religion, ethics and patriotism. The law shall guarantee its existence, safeguard and protect it from corruption.

### **Article 16**

Society shall be responsible for protecting childhood and motherhood and shall protect minors and others unable to look after themselves for any reason, such as illness or incapacity or old age or forced unemployment. It shall be responsible for assisting them and enabling them to help themselves for their own benefit and that of the community.

Such matters shall be regulated by welfare and social security legislations.

### **Article 17**

Education shall be a fundamental factor for the progress of society. It shall be compulsory in its primary stage and free of charge at all stages, within the Union. The law shall prescribe the necessary plans for the propagation and spread of education at various levels and for the eradication of illiteracy.

### **Article 18**

Private schools may be established by individuals and organisations in accordance with the provisions of the law, provided that such schools shall be subject to the supervision of the competent public authorities and to their directives.

### **Article 19**

Medical care and means of prevention and treatment of diseases and epidemics shall be ensured by the community for all citizens.

The community shall promote the establishment of public and private hospitals, dispensaries and cure - houses.

## **Article 20**

Society shall esteem work as a corner-stone of its development. It shall endeavour to ensure that employment is available for citizens and to train them so that they are prepared for it. It shall furnish the appropriate facilities for that by providing legislations protecting the rights of the employees and the interests of the employers in the light of developing international labour legislations.

## **Article 21**

Private property shall be protected. Conditions relating thereto shall be laid down by Law. No one shall be deprived of his private property except in circumstances dictated by the public benefit in accordance with the provisions of the Law and on payment of a just compensation.

## **Article 22**

Public property shall be inviolable. The protection of public property shall be the duty of every citizen. The Law shall define the cases in which penalties shall be imposed for the contravention of that duty.

## **Article 23**

The natural resources and wealth in each Emirate shall be considered to be the public property of that Emirate. Society shall be responsible for the protection and proper exploitation of such natural resources and wealth for the benefit of the national economy.

## **Article 24**

The basis of the national economy shall be social justice. It is founded on sincere co-operation between public and private activities. Its aim shall be the achievement of economic development, increase of productivity, raising the standards of living and the achievement of prosperity for citizens, all within the limits of Law.

The Union shall encourage co-operation and savings.

**PART THREE**  
**FREEDOM, RIGHTS AND PUBLIC DUTIES**

**Article 25**

All persons are equal before the law, without distinction between citizens of the Union in regard to race, nationality, religious belief or social status.

**Article 26**

Personal liberty is guaranteed to all citizens. No person may be arrested, searched, detained or imprisoned except in accordance with the provisions of law.

No person shall be subjected to torture or to degrading treatment.

**Article 27**

Crimes and punishments shall be defined by the law. No penalty shall be imposed for any act of commission or omission committed before the relevant law has been promulgated.

**Article 28**

Penalty is personal. An accused shall be presumed innocent until proved guilty in a legal and fair trial. The accused shall have the right to appoint the person who is capable to conduct his defence during the trial. The law shall prescribe the cases in which the presence of a counsel for defence shall be assigned.

Physical and moral abuse of an accused person is prohibited.

**Article 29**

Freedom of movement and residence shall be guaranteed to citizens within the limits of law.

**Article 30**

Freedom of opinion and expressing it verbally, in writing or by other means of expression shall be guaranteed within the limits of law.

**Article 31**

Freedom of communication by post, telegraph or other means of communication and the secrecy thereof shall be guaranteed in accordance with law.

**Article 32**

Freedom to exercise religious worship shall be guaranteed in accordance with established customs, provided that it does not conflict with public policy or violate public morals.

**Article 33**

Freedom of assembly and establishing associations shall be guaranteed within the limits of law.

**Article 34**

Every citizen shall be free to choose his occupation, trade or profession within the limits of law. Due consideration being given to regulations organising some of such professions and trades. No person may be subjected to forced labour except in exceptional circumstances provided for by the law and in return for compensation.

No person may be enslaved.

**Article 35**

Public office shall be open to all citizens on a basis of equality of opportunity in accordance with the provisions of law. Public office shall be a national service entrusted to those who hold it. The public servant shall aim, in the execution of his duties, at the public interest alone.

**Article 36**

Habitations shall be inviolable. They may not be entered without the permission of their inhabitants except in accordance with the provisions of the law and in the circumstances laid down therein.

**Article 37**

Citizens may not be deported or banished from the Union.

**Article 38**

Extradition of citizens and of Political refugees is prohibited.

**Article 39**

General confiscation of property shall be prohibited. Confiscation of an individual's possessions as a penalty may not be inflicted except by a court judgement in the circumstances specified by law.

**Article 40**

Foreigners shall enjoy, within the Union, the rights and freedom stipulated in international charters which are in force or in treaties and agreements to which the Union is party. They shall be subject to the corresponding obligations.

**Article 41**

Every person shall have the right to submit complaints to the competent authorities, including the judicial authorities, concerning the abuse or infringement of the rights and freedom stipulated in this Part.

**Article 42**

Payment of taxes and public charges determined by law is a duty of every citizen.

### **Article 43**

Defence of the Union is a sacred duty of every citizen and military service is an honour for citizens, which shall be regulated by law.

### **Article 44**

Respect of the Constitution, Laws and orders issued by public authorities in execution thereof, observance of public order and respect of public morality are duties incumbent upon all inhabitants of the Union.

## **PART FOUR**

### **THE UNION AUTHORITIES**

### **Article 45**

The Union authorities shall consist of: -

1. The Supreme Council of the Union.
2. The President of the Union and his Deputy.
3. The Council of Ministers of the Union.
4. The Federal National Council.
5. The Judiciary of the Union.

### **CHAPTER 1 - THE SUPREME COUNCIL OF THE UNION**

### **Article 46**

The Supreme Council of the Union shall be the highest authority in the Union. It shall consist of the Rulers of all the Emirates composing the Union, or of those who deputise for the Rulers in their Emirates in the event of their absence or if they have been excused from attending.

Each Emirate shall have a single vote in the deliberations of the Council.

**Article 47**

The Supreme Council of the Union shall exercise the following matters:

1. Formulation of general policy in all matters invested in the Union by this Constitution and consideration of all matters, which leads to the achievement of the goals of the Union and the common interest of the member Emirates.
2. Sanction of various Union laws before their promulgation, including the Laws of the Annual General Budget and the Final Accounts.
3. Sanction of decrees relating to matters, which by virtue of the provisions of this Constitution are subject to the ratification or agreement of the Supreme Council. Such sanction shall take place before the promulgation of these decrees by the President of the Union.
4. Ratification of treaties and international agreements. Such ratification shall be accomplished by decree.
5. Approval of the appointment of the Chairman of the Council of Ministers of the Union, acceptance of his resignation and his removal from office upon a proposal from the President of the Union.
6. Approval of the appointment of the President and Judges of the Supreme Court of the Union, acceptance of their resignations and their dismissal in the circumstances stipulated by this Constitution. Such acts shall be accomplished by decrees.
7. Supreme Control over the affairs of the Union in general.
8. Any other relevant matters stipulated in this Constitution or in the Union laws.

### **Article 48**

1. The Supreme Council shall lay down its own bye-laws which shall include its procedure for the conduct of business and the procedure for voting on its decisions. The deliberations of the Council shall be secret.
2. The Supreme Council shall establish a general Secretariat which shall consist of an adequate number of officials to assist it in the execution of its duties.

### **Article 49**

Decisions of the Supreme Council on substantive matters shall be by a majority of five of its members provided that this majority includes the votes of the Emirates of Abu Dhabi and Dubai. The minority shall be bound by the view of the said majority.

But, decisions of the Council on procedural matters shall be by a majority vote. Such matters shall be defined in the bye-laws of the Council.

### **Article 50**

Sessions of the Supreme Council shall be held in the Union capital. Sessions may be held in any other place agreed upon beforehand.

## **Chapter II - THE PRESIDENT OF THE UNION AND HIS DEPUTY**

### **Article 51**

The Supreme Council of the Union shall elect from among its members a President and a Vice President of the Union. The Vice President of the Union shall exercise all the powers of the President in the event of his absence for any reason.



## **Article 52**

The term of office of the President and the Vice President shall be five Gregorian years. They are eligible for re-election to the same offices.

Each of them shall, on assuming office, take the following oath before the Supreme Council

**" I swear by Almighty God that I will be faithful to the United Arab Emirates; that I will respect its Constitution and its laws; that I will protect the interests of the people of the Union; that I will discharge my duties faithfully and loyally and that I will safeguard the independence of the Union and its territorial integrity."**

## **Article 53**

Upon vacancy of the office of the President or his Deputy for death or resignation, or because either one of them ceases to be Ruler in his Emirate for any reason, the Supreme Council shall be called into session within one month of that date to elect a successor to the vacant office for the period stipulated in Article 52 of this Constitution.

In the event that the two offices of the President of the Supreme Council and his Deputy become vacant simultaneously, the Council shall be immediately called into session by any one of its members or by the Chairman of the Council of Ministers of the Union, to elect a new President and Vice President to fill the two vacant offices.

## **Article 54**

The President of the Union shall assume the following powers:

1. Presiding the Supreme Council and directing its discussions.
2. Presiding the Supreme Council into session, and terminating its sessions according to the rules of procedure upon which

the Council shall decide its bye-laws. It is obligatory for him to convene the Council for sessions, whenever one of its members so requested.

3. Calling the Supreme Council and the Council of Ministers into joint session whenever necessity demands.
4. Signing Union laws, decrees and decisions which the Supreme Council has sanctioned and promulgating them.
5. Appointing the Prime Minister, accepting his resignation and relieving him of office with the consent of the Supreme Council. He shall also appoint the Deputy Prime Minister and the Ministers and shall receive their resignations and relieve them of office in accordance with a proposal from the Prime Minister of the Union.
6. Appointing the diplomatic representatives of the Union to foreign states and other senior Union officials both civil and military (with the exception of the President and Judges of the Supreme Court of the Union) and accepting their resignations and dismissing them with the consent of the Council of Ministers of the Union. Such appointments, acceptance of resignations and dismissals shall be accomplished by decrees and in accordance with Union laws.
7. Signing of letters of credence of diplomatic representatives of the Union to foreign states and organisations and accepting the credentials of diplomatic and consular representatives of foreign states to the Union and receiving their letters of credence. He shall similarly sign documents of appointment and credence of representatives.
8. Supervising the implementation of Union laws, decrees and decisions through the Council of Ministers of the Union and the competent Ministers.
9. Representing the Union internally, vis-a-vis other states and in all international relations.

10. Exercising the right of pardon and commutation of sentences and approving capital sentences according to the provisions of this Constitution and Union laws.
11. Conferring decorations and medals of honour, both civil and military, in accordance with the laws relating to such decorations and medals.
12. Any other power vested in him by the Supreme Council or vested in him in conformity with this Constitution or Union laws.

### **Chapter III - THE COUNCIL OF MINISTERS OF THE UNION**

#### **Article 55**

The Council of Ministers of the Union shall consist of the Prime Minister, his Deputy and a number of Ministers.

#### **Article 56**

Ministers shall be chosen from among citizens of the Union known for their competence and experience.

#### **Article 57**

The Prime Minister, his Deputy and the Ministers shall, before assuming the responsibilities of their office, take the following oath before the President of the Union:

**"I swear by Almighty God that I will be loyal to the United Arab Emirates; that I will respect its Constitution and laws; that I will discharge my duties faithfully; that I will completely observe the interests of the people of the Union and that I will completely safeguard the existence of the Union and its territorial integrity."**

### **Article 58**

The law shall define the Jurisdiction of the Ministers and the powers of each Minister . The first Council of Ministers of the Union shall be composed of the following Ministers:

1. Foreign Affairs
2. Interior
3. Defence
4. Finance, Economy and Industry
5. Justice
6. Education
7. Public Health
8. Public Works and Agriculture
9. Communications, Post, Telegraph and Telephones
10. Labour and Social Affairs
11. Information
12. Planning

### **Article 59**

The Prime Minister shall preside over the meetings of the Council of Ministers. He shall call it into session, direct its debates, follow up the activities of Ministers and shall supervise the co-ordination of work between the various Ministries and in all executive organs of the Union.

The Deputy Prime Minister shall exercise all the powers of the Prime Minister in the event of his absence for any reason.

### **Article 60**

The Council of Ministers, in its capacity as the executive authority of the Union, and under the supreme control of the President of the Union and the Supreme Council, shall be responsible for dealing with all domestic and foreign affairs

which are within the competence of the Union according to this Constitution and Union laws.

The Council of Ministers shall, in particular, assume the following powers:

1. Following up the implementation of the general policy of the Union Government both domestic and foreign.
2. Initiating drafts of Federal Laws and submitting them to the Federal National Council before they are raised to the President of the Union for presentation to the Supreme Council for sanction.
3. Drawing up the annual general budget of the Union, and the final accounts.
4. Preparing drafts of decrees and various decisions.
5. Issuing regulations necessary for the implementation of Union laws without amending or suspending such regulations or making any exemption from their execution. Issuing also police regulations and other regulations relating to the organization of public services and administrations, within the limits of this Constitution and Union laws. A special provision of the law or the Council of Ministers, may charge the competent Union Minister or any other administrative authority to promulgate some of such regulations.
6. Supervising the implementation of Union laws, decrees, decisions and regulations by all the concerned authorities in the Union or in the Emirates.
7. Supervising the execution of judgements rendered by Union Law Courts and the implementation of international treaties and agreements concluded by the Union.
8. Appointment and dismissal of Union employees in accordance with the provisions of the law, provided that their appointment and dismissal do not require the issue of a decree.

9. Controlling the conduct of work in departments and public services of the Union and the conduct and discipline of Union employees in general.
10. Any other authority vested in it by law or by the Supreme Council within the limits of this Constitution.

#### **Article 61**

Deliberations of the Council of Ministers shall be secret. Its resolutions shall be passed by a majority of its members. In the event that voting is evenly divided, the side on which the Prime Minister has voted shall prevail. The minority shall abide by the opinion of the majority.

#### **Article 62**

While in office, the Prime Minister, his Deputy or any Union Minister, may not practice any professional, commercial or financial occupation or enter into any commercial transactions with the Government of the Union or the Governments of the Emirates, or combine with their office the membership of the board of directors of any financial or commercial company.

Furthermore, they may not combine with their office more than one official post in any of the Emirates and shall relinquish all other local official posts, if any.

#### **Article 63**

The members of the Council of Ministers shall aim to serve in their conduct the interests of the Union, the promotion of public welfare and totally renounce personal benefits. They must not exploit their

#### **Article 64**

The Prime Minister and the Ministers shall be politically responsible collectively before the President of the Union and the Supreme Council of the Union for the execution of the general policy of the Union both domestic and foreign. Each of them shall be personally responsible to the President of the

Union and the Supreme Council for the activities of his Ministry or office.

The resignation of the Prime Minister, his removal from office, his death, or the vacating of his office for any reason whatsoever shall involve the resignation of the whole Cabinet. The President of the Union may require the Ministers to remain in office temporarily, to carry out immediate administration, until such time as a new Cabinet is formed.

#### **Article 65**

At the beginning of every financial year, the Council of Ministers shall submit to the President of the Union for presentation to the Supreme Council, a detailed statement of internal achievements, on the Union's relations with other states and international organisations, together with the recommendations of the Cabinet on the best and most practical means of strengthening the foundations of the Union, consolidating its security and stability, achieving its goals and progress in all fields.

#### **Article 66**

1. The Council of Ministers shall draw up its own bye-laws including its rules of procedure.
2. The Council of Ministers shall establish a general Secretariat provided with a number of employees to assist it in the conduct of its business.

#### **Article 67**

The Law shall prescribe the salaries of the Prime Minister, his Deputy and the other Ministers.

## **Chapter IV - THE Federal National Council**

### ***Section 1 - General Provisions.***

#### **Article 68**

The Federal National Council shall be composed of forty <sup>(1)</sup> members. Seats shall be distributed to member Emirates as follows: -

<b>Abu Dhabi</b>	<b>8 seats</b>
<b>Dubai</b>	<b>8 seats</b>
<b>Sharjah</b>	<b>6 seats</b>
<b>Ras AI – Khaimah</b>	<b>6 seats</b>
<b>Ajman</b>	<b>4 seats</b>
<b>Umm AI – Quwain</b>	<b>4 seats</b>
<b>Fujairah</b>	<b>4 seats</b>

#### **Article 69**

Each Emirate shall be free to determine the method of selection of the citizens representing it in the Federal National Council.

#### **Article 70**

A member of the Federal National Council must satisfy the following conditions:

1. Must be a citizen of one of the Emirates of the Union, and permanently resident in the Emirate he represents in the Council.
2. Must be not less than twenty-five Gregorian years of age at the time of his selection.
3. Must enjoy civil status. Good conduct, reputation and not previously convicted of a dishonorable offence unless he has been rehabilitated in accordance with the law.
3. Must have adequate knowledge of reading and writing.

---

(1) Decision of the Supreme Council of the Union No. 3, 1972



### Article 71

Membership of the Federal National Council shall be incompatible with any public office in the Union, including Ministerial portfolios.

### Article 72

The term of membership in the Federal National Council shall be two Gregorian years commencing from the date of its first sitting. When this period expires, the Council shall be completely renewed for the time remaining until the end of the transitional period as laid down in Article 144 of this Constitution.

Any member who has completed his term may be re-elected.

### Article 73

Before assuming his duties in the Council or its Committees, a member of the Federal National Council shall take the following oath before the Council in public session: -

**“I swear by Almighty God that I will be loyal to the United Arab Emirates; that I will respect the Constitution and the laws of the Union and that I will discharge my duties in the Council and its Committees honestly and truthfully”.**

### Article 74

If, for any reason, a seat of any member of the Council becomes vacant before the end of the term of his membership, a replacement shall be selected within two months of the date on which the vacancy is announced by the Council, unless the vacancy occurs during the three months preceding the end of the term of the Council.

The new member shall complete the term of membership of his predecessor.

### **Article 75**

Sessions of the Federal National Council shall be held in the Union capital. Exceptionally, sessions may be held in any other place within the Union on the basis of a decision taken by a majority vote of the members and with the approval of the Council of Ministers.

### **Article 76**

The Council shall decide upon the validity of the mandate of its members. It shall also decide upon disqualifying members, if they lose one of the required conditions, by a majority of all its members and on the proposal of five among them. The Council shall be competent to accept resignation from membership. The resignation shall be considered as final from the date of its acceptance by the Council.

### **Article 77**

A member of the Federal National Council shall represent the whole people of the Union and not merely the Emirate, which he represents in the Council.

### ***Section 2 - Organisation of work in the Council***

### **Article 78**

The Council shall hold an annual ordinary session lasting not less than six months, commencing on the third week of November each year. It may be called into extraordinary session whenever the need arises. The Council may not consider at an extraordinary session any matter other than those for which it has been called into session.

Notwithstanding the preceding paragraph, the President of the Union shall summon the Federal National Council to convene its first ordinary session within a period not exceeding sixty days from the entry into force of this Constitution. This session shall end at the time appointed by the Supreme Council by decree.

### **Article 79**

The Council shall be summoned into session, and its session shall be terminated by decree issued by the President of the Union with the consent of the Council of Ministers of the Union. Any meeting held by the Council without a formal summons, or in a place other than that legally assigned for its meeting in accordance with this Constitution, Shall be invalid and shall have no effect.

Nevertheless, if the Council is not called to hold its meeting for its annual ordinary session before the third week of November, the Council shall be ipso facto in session on the twenty first of the said month.

### **Article 80**

The President of the Union shall inaugurate the ordinary annual session of the Council whereupon he shall deliver a speech reviewing the situation of the country and the important events and affairs which happened during the year and outlining the projects and reforms, the Union Government plans to undertake during the new session. The President of the Union may depute his Vice-President or the Prime Minister to open the session or to deliver the speech.

The National Council shall select, from among its members, a committee to draft the reply to the Opening Speech, embodying the Council's observations and wishes, and shall submit the reply after approval by the Council to the President of the Union for submission to the Supreme Council.

### **Article 81**

Members of the Council shall not be censured for any opinions or views expressed in the course of carrying out their duties within the Council or its Committees.

### **Article 82**

Except in cases of "flagrant delicate", no penal proceedings may be taken against any member while the

Council is in session, without the authorisation of the Council. The Council must be notified if such proceedings are taken while it is not in session.

### **Article 83**

The President of the Council and its other members shall be entitled, from the date of taking the oath before the Council, to a remuneration which shall be determined by law, and to travelling expenses from their place of residence to the place in which the Council is meeting.

### **Article 84**

The Council shall have a Bureau consisting of a President, a First and Second Vice President and two controllers. The Council shall select them all from among its members.

The term of office of the President and the two Vice Presidents shall expire when the term of the Council expires or when it is dissolved in accordance with the provisions of the second paragraph of Article 88.

The term of office of the controllers shall expire with the choice of new controllers at the opening of the next ordinary annual session. If any post in the Bureau becomes vacant, the Council shall elect who shall fill it for the remaining period.

### **Article 85**

The Council shall have a Secretary-General who shall be assisted by a number of staff who shall be directly responsible to the Council. The Council's standing orders shall lay down their conditions of service and their powers.

The Council shall lay down its standing orders, issued by decree promulgated by the President of the Union with the consent of the Council of Ministers.

The standing orders shall define the powers of the President of the Council, his two Vice Presidents and the Controllers and shall define generally all matters pertaining to

the Council, its committees, its members, its Secretariat, its employees, its rules and procedures of discussion and voting in the Council and the Committees and other matters within the limits of the provisions of this Constitution.

#### **Article 86**

Sessions of the Council shall be public. Secret sessions may be held at the request of a representative of the Government, the President of the Council or one third of its members.

#### **Article 87**

Deliberations of the Council shall not be valid unless a majority of its members at least are present. Resolutions shall be taken by an absolute majority of the votes of members present, except in cases where a special majority has been prescribed. If votes are equally divided, the side which the President of the session supports shall prevail.

#### **Article 88**

Meetings of the Council may be adjourned by a decree promulgated by the President of the Union with the approval of the Council of Ministers of the Union for a period not exceeding one month, provided that such adjournment is not repeated in one session except with the approval of the Council and for once only. The period of adjournment shall not be deemed part of the term of the ordinary session.

The Council may also be dissolved by a decree promulgated by the President of the Union with the approval of the Supreme Council of the Union, provided that the decree of dissolution includes a summons to the new Council to come into session within sixty days of the date of the decree of dissolution. The Council may not be dissolved again for the same reason.

### *Section 3 - Powers of the National Council*

#### **Article 89**

In so far as this does not conflict with the provisions of Article 110, Union Bills, including financial bills, shall be submitted to the Federal National Council before their submission to the President of the Union for presentation to the Supreme Council for ratification.

The Federal National Council shall discuss these bills and may pass them, amend or reject them.

#### **Article 90**

The Council shall examine during its ordinary session the Annual General Budget draft law of the Union and the draft law of the final accounts, in accordance with the provisions in Chapter Eight of this Constitution.

#### **Article 91**

The Government shall inform the Federal National Council of international treaties and agreements concluded with other states and the various international organisations, together with appropriate explanations.

#### **Article 92**

The Federal National Council may discuss any general subject pertaining to the affairs of the Union unless the Council of Ministers informs the Federal National Council that such discussion is contrary to the highest interests of the Union. The Prime Minister or the Minister concerned shall attend the debates. The Federal National Council may express its recommendations and may define the subjects for debate. If the Council of Ministers does not approve of these recommendations, it shall notify the Federal National Council of its reasons.

### **Article 93**

The Government of the Union shall be represented at sessions of the Federal National Council by the Prime Minister or his deputy or one member of the Union Cabinet at least. The Prime Minister or his deputy or the competent Minister, shall answer questions put to them by any member of the Council requesting explanation of any matters within their jurisdiction, in conformity with the procedures prescribed in the standing orders of the Council.

## **Chapter V - THE JUDICIARY IN THE UNION AND THE EMIRATES**

### **Article 94**

Justice is the basis of rule. In performing their duties, judges shall be independent and shall not be subject to any authority but the law and their own conscience.

### **Article 95**

The Union shall have a Union Supreme Court and Union Primary Tribunals as explained hereinafter.

### **Article 96**

The Union Supreme Court shall consist of a President and a number of judges, not exceeding five in all, who shall be appointed by decree, issued by the President of the Union after approval by the Supreme Council. The law shall prescribe the number of the chambers in the Court, their order and procedures, conditions of service and retirement for its members and the preconditions and qualifications required of them.

### **Article 97**

The President and the Judges of the Union Supreme Court shall not be removed while they administer justice. Their tenure of office shall not be terminated except for one of the following reasons :

1. Death.
2. Resignation.
3. Expiration of term of contract for those who are appointed by fixed term contract or completion of term of secondment.
4. Reaching retirement age.
5. Permanent incapacity to carry the burdens of their duties by reasons of ill health.
6. Disciplinary discharge on the basis of the reasons and proceedings stipulated in the law.
7. Appointment to other offices, with their consent.

#### **Article 98**

The President and the Judges of the Union Supreme Court shall, before holding office, swear on oath before the President of the Union and in the presence of the Union Minister of Justice, that they will render justice without fear or favour and that they will be loyal to the Constitution and the laws of the Union.

#### **Article 99**

The Union Supreme Court shall have jurisdiction in the following matters: -

1. Various disputes between member Emirates in the Union, or between any one Emirate or more and the Union Government, whenever such disputes are submitted to the Court on the request of any of the interested parties.
2. Examination of the constitutionality of Union laws, if they are challenged by one or more of the Emirates on the grounds of violating the Constitution of the Union.  
Examination of the constitutionality of legislations promulgated by one of the Emirates, if they are challenged



by one of the Union authorities on the grounds of violation of the Constitution of the Union or of Union laws.

4. Examination of the constitutionality of laws, legislations and regulations in general, if such request is referred to it by any Court in the country during a pending case before it. The aforesaid Court shall be bound to accept the ruling of the Union Supreme Court rendered in this connection.
4. Interpretation of the provisions of the Constitution, when so requested by any Union authority or by the Government of any Emirate. Any such interpretation shall be considered binding on all.
5. Trial of Ministers and senior officials of the Union appointed by decree regarding their actions in carrying out their official duties on the demand of the Supreme Council and in accordance with the relevant law.
6. Crimes directly affecting the interests of the Union, such as crimes relating to its internal or external security, forgery of the official records or seals of any of the Union authorities and counterfeiting of currency.
7. Conflict of jurisdiction between the Union judicial authorities and the local judicial authorities in the Emirates.
8. Conflict of jurisdiction between the judicial authority in one Emirate and the judicial authority in another Emirate. The rules relating thereof shall be regulated by a Union Law.
9. Any other jurisdiction stipulated in this Constitution, or which may be assigned to it by a Union law.

#### **Article 100**

The Union Supreme Court shall hold its sittings in the capital of the Union. It may, exceptionally, assemble when necessary in the capital of any one of the Emirates.

### **Article 101**

The judgements of the Union Supreme Court shall be final and binding upon all.

If the Court, in ruling on the constitutionality of laws, legislations and regulations, decides that a Union legislation is inconsistent with the Union Constitution, or that local legislations or regulations under consideration contain provisions which are inconsistent with the Union Constitution or with a Union law, the authority concerned in the Union or in the Emirate, accordingly, shall be obliged to hasten to take the necessary measures to remove or rectify the constitutional inconsistency.

### **Article 102**

The Union shall have one or more Union Primary Tribunals which shall sit in the permanent capital of the Union or in the capitals of some of the Emirates, in order to exercise the judicial powers within the sphere of their jurisdiction in the following cases :

1. Civil, commercial and administrative disputes between the Union and individuals whether the Union is plaintiff or defendant.
2. Crimes committed within the boundaries of the permanent capital of the Union, with the exception of such matters as are reserved for the Union Supreme Court under Article 99 of this Constitution.
3. Personal status cases, civil and commercial cases and other cases between individuals which shall arise in the permanent capital of the Union.

### **Article 103**

The law shall regulate all matters connected with the Union Primary Tribunals in respect of their organisation,

formation, and chambers. Local jurisdiction, procedures to be followed before them, the oath to be sworn by their judges, conditions of service relating to them and the ways of appeal against their judgements.

The law may stipulate that appeals against the judgements of these Tribunals shall be heard before one of the chambers of the Union Supreme Court, in the cases and according to the procedures prescribed therein.

#### **Article 104**

The local judicial authorities in each Emirate shall have jurisdiction in all judicial matters not assigned to the Union judicature in accordance with this Constitution.

#### **Article 105**

All or part of the jurisdiction assigned to the local judicial authorities in accordance with the preceding Article may be transferred by a Union law issued at the request of the Emirate concerned, to the Primary Union Tribunals.

Circumstances, in which appeals against judgements by the local judicial authorities in penal, civil, commercial and other litigations may be referred to the Union Tribunals, shall be defined by a Union law provided that its decision in such appeals shall be final.

#### **Article 106**

The Union shall have a Public Prosecutor who shall be appointed by a Union decree issued with the approval of the Council of Ministers, assisted by a number of members of the Public Prosecutor's office.

The law shall regulate matters relating to the members of the Union Public Prosecutor's Office with respect to their method

of appointment, ranks, promotion, retirement and the qualifications required of them.

Besides, the Union Law of Criminal Procedure and trials shall regulate the power of this body and its procedures and the competence of its assistants from the police and the public security officers.

#### **Article 107**

The President of the Union may grant pardon from the execution of any sentence passed by a Union judicature before it is carried out or while it is being served or he may commute such sentence, on the basis of the recommendation of the Union Minister of Justice, after obtaining the approval of a committee formed under the chairmanship of the Minister and consisting of six members selected by the Union Council of Ministers for a term of three years which may be renewed. The members of the committee shall be chosen from citizens of good repute and capability.

Membership of the committee shall be gratis. Its deliberations shall be secret. Its decisions shall be issued by a majority vote.

#### **Article 108**

No sentence of death imposed finally by a Union judicial authority shall be carried out until the President of the Union has confirmed the sentence. He may substitute it by an attenuate sentence in accordance with the procedure stipulated in the preceding Article.

### Article 109

There shall be no general amnesty for a crime or for specified crimes except by law.

The promulgation of the law of amnesty shall consider such crimes being deemed non avenue, and shall remit the execution of the sentence or the remaining part of it.

## **PART FIVE**

### **UNION LEGISLATIONS AND DECREES AND THE AUTHORITIES HAVING JURISDICTION THEREIN**

#### **Chapter 1 -UNION LAWS**

#### **Article 110**

1. Union laws shall be promulgated in accordance with the provisions of this Article and other appropriate provisions of the Constitution.
2. A draft law shall become a law after the adoption of the following procedure :
  - (a) The Council of Ministers shall prepare a bill and submit it to the Federal National Council.
  - (b) The Council of Ministers shall submit the bill to the president of the Union for his approval and presentation to the Supreme Council for ratification.
  - (c) The President of the Union shall sign the bill after ratification by the Supreme Council and shall promulgate it.
3. (a) If the Federal National Council inserts any amendment to the bill and this amendment is not acceptable to the President of the Union or the Supreme Council, or if the Federal National Council rejects the bill, the President of the Union or the

Supreme Council may refer it back to the National Council. If the Federal National Council introduces an amendment on that occasion which is not acceptable to the President of the Union or the Supreme Council, or if the Federal National Council decides to reject the bill, the President of the Union may promulgate the law after ratification by the Supreme Council.

- (b) The term "bill" in this clause shall mean the draft which is submitted to the President of the Union by the Council of Ministers including the amendments, if any, made to it by the Federal National Council.

4. Notwithstanding the foregoing, if the situation requires the promulgation of Union laws when the National Council is not in session, the Council of Ministers of the Union may issue them through the Supreme Council and the President of the Union, provided that the Federal Council is notified at its next meeting.

#### **Article 111**

Laws shall be published in the Official Gazette of the Union within a maximum of two weeks from the date of their signature and promulgation by the President of the Union after the Supreme Council has ratified them. Such laws shall become in force one month after the date of their publication in the said Gazette, unless another date is specified in the said law.

#### **Article 112**

No laws may be applied except on what occurs as from the date they become in force and no retroactive effect shall result in such laws. The law may, however, stipulate the contrary in matters other than criminal, if necessity so requires.

### **Chapter 11 - LAWS ISSUED BY DECREES**

#### **Article 113**

Should necessity arise for urgent promulgation of Union laws between sessions of the Supreme Council, the President of the

Union together with the Council of Ministers may promulgate the necessary laws in the form of decrees which shall have the force of law, provided that they are not inconsistent with the Constitution.

Such decree-laws must be referred to the Supreme Council within a week at the maximum for assent or rejection. If they are approved, they shall have the force of law and the Federal National Council shall be notified at its next meeting.

However, if the Supreme Council does not approve them, they shall cease to have the force of law unless that it has decided to sanction their effectiveness during the preceding period, or to settle in some other way the effects arising therefrom.

#### **Chapter 111 - ORDINARY DECREES**

##### **Article 114**

No decree may be issued unless the Council of Ministers has confirmed it and the President of the Union or the Supreme Council, according to their powers, has ratified it. Decrees shall be published in the Official Gazette after signature by the President of the Union.

##### **Article 115**

While the Supreme Council is out of session and if necessity arises, it may authorise the President of the Union and the Council of Ministers collectively to promulgate decrees whose ratification is within the power of the Supreme Council, provided that such authority shall not include ratification of international agreements and treaties or declaration or remission of martial law or declaration of a defensive war or appointment of the President or Judges of the Union Supreme Court.

**PART SIX**  
**THE EMIRATES**

**Article 116**

The Emirates shall exercise all powers not assigned to the Union by this Constitution. The Emirates shall all participate in the establishment of the Union and shall benefit from its existence, services and protection.

**Article 117**

The exercise of rule in each Emirate shall aim in particular at the maintenance of security and order within its territories, the provision of public utilities for its inhabitants and the raising of social and economic standards.

**Article 118**

The member Emirates of the Union shall all work for the co-ordination of their legislations in various fields with the intention of unifying such legislations as far as possible.

Two or more Emirates may, after obtaining the approval of the Supreme Council, agglomerate in a political or administrative unit, or unify all or part of their public services or establish a single or joint administration to run any such service.

**Article 119**

Union law shall regulate with utmost ease matters pertaining to the execution of judgements. requests for commissions of rogation, serving legal documents and surrender of fugitives between member Emirates of the Union.



**PART SEVEN**  
**DISTRIBUTION OF LEGISLATIVE, EXECUTIVE AND**  
**INTERNATIONAL JURISDICTIONS BETWEEN THE**  
**UNION AND THE EMIRATES**

**Article 120**

The Union shall have exclusive legislative and executive Jurisdiction in the following affairs :

1. Foreign affairs.
2. Defence and the Union Armed Forces.
3. Protection of the Union's security against internal or external threat.
4. Matters pertaining to security, order and rule in the permanent capital of the Union.
5. Matters relating to Union officials and Union judiciary.
6. Union finance and Union taxes, duties and fees.
7. Union public loans.
8. Postal, telegraph, telephones and wireless services.
9. Construction, maintenance and improvement of Union roads which the Supreme Council has determined to be trunk roads. The organisation of traffic on such roads.
10. Air Traffic Control and the issue of licences to aircrafts and pilots.
11. Education.
12. Public health and medical services.
13. Currency board and coinage.
14. Measures, standards and weights.
15. Electricity services.
16. Union nationality, passports, residence and immigration.

17. Union properties and all matters relating thereto.
18. Census affairs and statistics relevant to Union purposes.
19. Union Information.

#### **Article 121**

Without prejudice to the provisions of the preceding Article. The Union shall have exclusive legislative jurisdiction in the following matters:

Labour relations and social security, real estate and expropriation in the public interest, extradition of criminals, banks, insurance of all kinds, protection of agricultural and animal wealth, major legislations relating to penal law, civil and commercial transactions and company law, procedures before the civil and criminal courts, protection of cultural, technical and industrial property and copyright, printing and publishing, import of arms and ammunitions except for use by the armed forces or the security forces belonging to any Emirate, other aviation affairs which are not within the executive jurisdiction of the Union, delimitation of territorial waters and regulation of navigation on the high seas.

#### **Article 122**

The Emirates shall have jurisdiction in all matters not assigned to the exclusive jurisdiction of the Union in accordance with the provisions of the two preceding Articles.

#### **Article 123**

As an exception to paragraph 1 of Article 120 concerning the exclusive jurisdiction of the Union in matters of foreign policy and international relations, the member Emirates of the Union may conclude limited agreements of a local and administrative nature with the neighbouring states or regions, save that such agreements are not inconsistent with the interests of the Union or with Union laws and provided that the Supreme Council of the Union is informed in advance. If the Council objects to the conclusion of such agreements, it shall be

obligatory to suspend the matter until the Union Court has ruled on that objection as early as possible.

The Emirates may retain their membership in the OPEC organisation and the Organisation of Arab Petroleum Exporting Countries or may join them.

#### **Article 124**

Before the conclusion of any treaty or international agreement which may affect the status of any one of the Emirates, the competent Union authorities shall consult that Emirate in advance. In the event of a dispute, the matter shall be submitted to the Union Supreme Court for ruling.

#### **Article 125**

The Governments of the Emirates shall undertake the appropriate measures to implement the laws promulgated by the Union and the treaties and international agreements concluded by the Union, including the promulgation of the local laws, regulations, decisions and orders necessary for such implementation.

The Union authorities shall supervise the implementation by Emirate's Governments of the Union laws, decisions, treaties, agreements and Union judgements. The competent administrative and judicial authorities in the Emirates should forward to the Union authorities all possible assistance in this connection.

### **PART EIGHT**

#### **FINANCIAL AFFAIRS OF THE UNION**

#### **Article 126**

The general revenues of the Union shall consist of the income from the following resources :

1. Taxes, fees and duties imposed under a Union law in matters within the legislative and executive jurisdiction of the Union.
2. Fees and rates received by the Union in return for services provided.
3. Contribution made by member Emirates of the Union in the Annual Budget of the Union in accordance with the article herein coming after.
4. Union income from its own properties.

#### **Article 127**

The member Emirates of the Union shall contribute a specified proportion of their annual revenues to cover the annual general budget expenditure of the Union, in the manner and on the scale to be prescribed in the Budget Law.

#### **Article 128**

The law shall prescribe the method of preparing the general budget of the Union and the final accounts. The law shall also define the beginning of the financial year.

#### **Article 129**

The draft annual budget of the Union, comprising estimates of revenues and expenditure, shall be referred to the Federal National Council at least two months before the beginning of the financial year, for discussion and submission of comments thereon, before the draft budget is submitted to the Supreme Council of the Union, together with those comments, for assent.

#### **Article 130**

The annual general budget shall be issued by a law. In all cases, where the budget law has not been promulgated before the beginning of the Financial year. Temporary monthly funds may be made by Union decree on the basis of one twelfth of the funds of the previous financial year. Revenues shall be collected and

expenditure disbursed in accordance with the laws in force at the end of the preceding financial year.

#### **Article 131**

All expenditure not provided for in the budget, all expenditure in excess of the budget estimates and all transfers of sums from one part to another of the Budget must be covered by a law.

Notwithstanding the foregoing, in cases of extreme urgency, such expenditure or transfer may be arranged by decree-law in conformity with the provisions of Article 113 of this Constitution.

#### **Article 132**

The Union shall allocate in its annual budget a sum from its revenue to be expended on building, and construction projects, internal security and social affairs according to the urgent needs of some of the Emirates.

The execution of these projects and the disbursement thereon shall be drawn from these funds. Accomplished by means of and under the supervision of the competent Union bodies with the agreement of authorities of the Emirates concerned. The Union may establish a special fund for this purpose.

#### **Article 133**

No Union tax may be imposed, amended or abolished except by virtue of law. No person may be exempted from payment of such taxes except in the cases specified by law.

Union taxes, duties and fees may not be levied on any person except within the limits of the law and in accordance with its provisions.

#### **Article 134**

No public loan may be contracted except by a Union law. No commitment involving the payment of sums from Union

Exchequer in a future year or years may be concluded except by means of a Union law.

**Article 135**

The final accounts of the financial administration of the Union for the completed financial year shall be referred to the Federal National Council within the four months following the end of the said year, for its comments thereon, before their submission to the Supreme Council for approval, in the light of the Auditor-General's report.

**Article 136**

An independent Union department headed by an Auditor-General who shall be appointed by decree, shall be established to audit the accounts of the Union and its organs and agencies, and to audit any other accounts assigned to the said department for that purpose in accordance with the law.

The law shall regulate this department and shall define its jurisdiction and the competence of those working therein, and the guarantees to be given to it, its head and the employees working in it in order that they may carry out their duties in the most efficient manner.

**PART NINE**

**ARMED FORCES AND SECURITY FORCES**

**Article 137**

Every attack upon any member Emirates of the Union shall be considered an attack upon all the Emirates and upon the existence of the Union itself, which all Union and local forces will co-operate to repel by all means possible.

**Article 138**

The Union shall have army, navy and air forces with unified training and command. The Commander in Chief of

these forces and the Chief of the General Staff shall be appointed and dismissed by means of a Union decree.

The Union may have A Union Security Forces.

The Union Council of Ministers shall be responsible directly to the President of the Union and the Supreme Council of the Union for the affairs of all these forces.

#### **Article 139**

The law shall regulate military service, general or partial mobilisation, the rights and duties of members of the Armed Forces, their disciplinary procedures and similarly the special regulations of the Union Security Forces.

#### **Article 140**

The declaration of defensive war shall be declared by a Union decree issued by the President of the Union after its approval by the Supreme Council. Offensive war shall be prohibited in accordance with the provisions of international charters.

#### **Article 141**

A Supreme Defence Council shall be set up under the chairmanship of the President of the Union. Among its members shall be the Vice President of the Union, the Chairman of the Council of Ministers of the Union, the Ministers of Foreign Affairs, Defence, Finance, Interior, the Commander in Chief and the Chief of the General Staff. It shall advise and offer views on all matters pertaining to defence maintenance of the peace and security of the Union. Forming of the armed forces, their equipment and development and the determination of their posts and camps.

The Council may invite any military adviser or expert or other persons it wishes to attend its meetings but they shall have

no decisive say in its deliberations. All matters pertaining to this Council shall be regulated by means of a law.

#### **Article 142**

The member Emirates shall have the right to set up local security forces ready and equipped to join the defensive machinery of the Union to defend, if need arises, the Union against any external aggression.

#### **Article 143**

Any Emirate shall have the right to request the assistance of the Armed Forces or the Security Forces of the Union in order to maintain security and order within its territories whenever it is exposed to danger. Such a request shall be submitted immediately to the Supreme Council of the Union for decision.

The Supreme Council may call upon the aid of the local armed forces belonging to any Emirate for this purpose provided that the Emirate requesting assistance and the Emirate to whom the forces belong agree.

The President of the Union and the Council of Ministers of the Union collectively, may, if the Supreme Council is not in session, take any immediate measure which cannot be delayed and considered necessary and may call the Supreme Council into immediate session.

## **PART TEN**

### **FINAL AND TRANSITIONAL PROVISIONS**

#### **Article 144**

1. Subject to the provisions of the following paragraphs, the provisions of this Constitution shall apply for a transitional period of five Gregorian years beginning from the date of its entry into force in accordance with provisions of Article 152.



2. (a) If the Supreme Council considers that the topmost interests of the Union require the amendment of this Constitution, it shall submit a draft constitutional amendment to the Federal National Council.
- (b) The procedure for approving the constitutional amendment shall be the same as the procedure for approving laws.
- (c) The approval of the Federal National Council for a draft constitutional amendment shall require the agreement of two-thirds of the votes of members present.

The President of the Union shall sign the constitutional amendment in the name of the Supreme Council and as its representative and shall promulgate the amendment.

3. During the transitional period, the Supreme Council shall adopt the necessary measures to prepare a draft permanent Constitution to take the place of this temporary constitution. It shall submit the draft permanent Constitution to the Federal National Council for debate before promulgating it.

4. The Supreme Council shall call the Federal National Council into extraordinary session at a time not more than six months before the end of the period of validity of this temporary Constitution. The permanent Constitution shall be presented at this session. It shall be promulgated according to the procedure laid down in paragraph 2 of this Article.

#### **Article 145**

Under no circumstances, may any of the provisions of this Constitution be suspended, except when Martial Law is in force and within the limits specified by this law.

Notwithstanding the foregoing, sessions of the Federal National Council of the Union may not be suspended during that period nor may the immunity of its members be violated.

#### **Article 146**

In case of necessity defined by law, Martial law shall be declared by a decree promulgated with the approval of the Supreme Council on the basis of a proposal made by the President of the Union with the consent of the Council of Ministers of the Union. Such decree shall be notified to the Federal National Council at its next meeting.

Martial law shall be similarly lifted by decree issued with the approval of the Supreme Council when the need, for which it was imposed, no longer exists.

#### **Article 147**

Nothing in the application of this Constitution shall affect treaties or agreements concluded by member Emirates with states or international organisations unless such treaties or agreements are amended or abrogated by agreement between the parties concerned.

#### **Article 148**

All matters established by laws, regulations, decrees, orders and decisions in the various member Emirates of the Union in effect upon the coming into force of this Constitution, shall continue to be applicable unless amended or replaced in accordance with the provisions of this Constitution.

Similarly, the measures and organisations existing in the member Emirates shall continue to be effective until the promulgation of laws amending them in accordance with the provisions of the Constitution.

#### **Article 149**

As an exception to the provisions of Article 121 of this Constitution, the Emirates may promulgate legislations necessary for the regulation of the matters set out in the said Article without violation of the provisions of Article 151 of this Constitution.

### **Article 150**

The Union authorities shall strive to issue the laws referred to in this Constitution as quickly as possible so as to replace the existing legislations and systems, particularly those which are not consistent with the provisions of the Constitution.

### **Article 151**

The provisions of this Constitution shall prevail over the Constitutions of the member Emirates of the Union and the Union laws which are issued in accordance with the provisions of this Constitution shall have priority over the legislations, regulations and decisions issued by the authorities of the Emirates.

In case of conflict, that part of the inferior legislation which is inconsistent with the superior legislation shall be rendered null and void to the extent that removes the inconsistency. In case of dispute, the matter shall be referred to the Union Supreme Court for its ruling.

### **Article 152**

This Constitution shall take effect from the date to be fixed in a declaration to be issued by the Rulers signatories to this Constitution.

Signed in Dubai on this day the 18th of July, 1971, corresponding to this day the 25th of the month of Jammed Awwal 1391.

(Signatures of the Rulers of Abu Dhabi, Dubai, Sharjah, Ajman, Umm Al Quwain, Fujairah). 1

---

1. Ras Al Khaimah Joined the Union on the 10th February, 1972

**In The Name Of Allah , the Gracious, the Merciful**

**Declaration**

**On setting the date of execution**

**of the U.A.E. Temporary Constitution Provisions**

***We***, the rulers of Abu Dhabi, Dubai, Sharjah, Ajman, Umm Al Quwain and Fujairah Emirates.

After pursuing Article 152 of the U.A.E Temporary Constitution which was signed by us in Dubai on the Twenty-fifth day of Jumada Al-Awal 1391 Hijri , corresponding to the Eighteenth day of July 1971.

**Declare as follows:**

The U.A.E Temporary Constitution provisions referred to above shall be effective as from the issuance of this declaration.

**Issued at Dubai, this Fifteenth day of Shawal 1391 Hijri, corresponding to this Second day of December 1971.**

**Ruler of Abu Dhabi Emirate**

**Ruler of Dubai Emirate**

**Ruler of Sharjah Emirate**

**Ruler of Ajman Emirate**

**Ruler of Umm Al Quwain Emirate**

**Ruler of Fujairah  
Emirate.**