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Law No. 120 of the year 1980

Concerning the Formation of the Shurah Council

As Amended By Laws Nos. 10/1989, 8/1995, 13/2000, 166/2000 And 167/2000

In the Name of the People,

The President of the Republic,

The People's Assembly passed the following law, and it is hereby promulgated by us:

Part – 1

Formation Of The Shurah Council

Article – 1

The Shurah Council shall be formed of two hundred and sixty four members.¹

Two thirds of the Council members shall be elected through general, secret and direct ballot, provided that at least half of them shall be workers or farmers. The President of the Republic shall appoint the remaining third of the Council's members.

Article – 2

The Arab Republic of Egypt shall be divided into eighty-eight constituencies. The boundaries of each constituency and its components shall be determined according to the table attached to the present law.²

Two members shall be elected for each constituency, at least one of them shall be a workers or farmers.

Article – 3

The Shurah Council membership term shall be six calendar years from the date of its first meeting.

The elections and choice of half of the elected and appointed members shall be renewed every three years. The council member whose term of membership has terminated may be re-elected or re-appointed.

¹ Amended as per Laws Nos. 10/1989, 8/1995, 13/2000, 166/2000 then 167/2000.

² Amended as per Laws Nos. 10/1989, 8/1995, 13/2000, 166/2000 then 167/2000.

Those whose term of membership terminates at the end of the first three years shall be determined through the ballot which the council shall carry out according to the rules to be set by its statute.

The election shall take place during the sixty days period preceding the end of the term of membership. The appointment of the members shall take place during the thirty days period preceding the end of the term of membership.

Article – 4

Should the seat of the elected member become vacant before the end of his term, a supplementary election shall be conducted electing his replacement. Every eligible candidate meeting candidature requirements shall be entitled to run for this election.

If the member whose seat becomes vacant is an appointed member, another member shall be appointed to replace him.

In both cases, the membership term of the new member shall continue until completing the membership term of his predecessor.

Article – 5

If it is impossible to carry out the election on the scheduled date for a compelling necessity, elected and appointed members whose terms are due to end shall be extended in office upon the proposal of the President of the Republic, pending election of the new members.

The president of the Republic shall declare the end of the state of necessity upon termination of its causes. The decree issued in this regard shall include and invitation to the electorate to carry out new elections within a date not exceeding sixty days from the date of that declaration.

Part – 2

Nomination and Appointment for Shurah Council Membership

Article – 6³

Subject to the provisions prescribed in law No. 73 of the year 1956 regulating the exercise of political rights, whoever is nominated or appointed as a member of the Shurah Council shall fulfill the following requirements:

1. He shall be of Egyptian nationality, born of Egyptian father.

³ Amended as per Law No. 10/1989

2. His name shall be listed in one of the voter lists in the Arab Republic of Egypt, and no cause shall have taken place necessitating the deletion of his entry in the said list according to the relevant law.
3. He shall be at least thirty five years of age on the day of election or appointment.
4. He shall be a holder of at least a basic education completion certificate or equivalent. For births before January 1, 1970, literacy will suffice. ⁴
5. He shall have fulfilled the obligatory military service, or been exempted from it according to the law.
6. He shall not have been deprived of his membership by a decision of the Shurah Council or the People's Assembly due to loss of confidence or repute, or breach of his membership duties according to the provisions of article 96 of the constitution.

However, he may be nominated or appointed in either of the two following cases:

- A. Lapse of the renewal period of the membership term of half of the number of members or lapse of the legislative term during which the decision depriving the member from his membership was issued, according to each case.
- B. Issue of a decision from the Shurah Council or the People's Assembly canceling the decision depriving the right to be nominated or appointed. The decision of the Council or Assembly in this case shall be issued with the approval of the majority of its members upon a proposition submitted by at least thirty members, after the lapse of the session during which the membership deprivation decision was issued.

Article - 7⁵

No one shall nominate himself in more than one constituency. If he nominates himself in more than one constituency he shall be considered a candidate in the constituency in which his nomination was first recorded.

Article - 8⁶

The nomination request for the Shurah Council membership shall be submitted in writing to the Security Directorate in the governorate in which the candidate desires to nominate himself for one of its constituencies, during the period to be determined by a decree of the Minister of the Interior provided that this period shall not be less than five days from the date of opening the nomination period.

⁴ Amended as per Law No. 176/2005

⁵ Amended as per law No. 10/1989

⁶ Amended as per Laws Nos. 10/1989, 13/2000 then 167/2000.

The request for nomination shall be accompanied by a receipt of one thousand pounds deposited in the treasury of the relevant governorate's security directorate, and by documents to be determined by a decree of the Minister of Interior which establish the eligibility of the candidate according to the law. Candidates shall confirm their status as a worker or farmer through a declaration submitted by the candidate, coupled with the relevant supporting documents.

The papers and documents submitted by the candidate shall be considered official papers in applying the provisions of the Penal Code.

Article - 9⁷

The list of candidates shall be displayed in the constituency in a manner determined by a decree of the Minister of Interior during for 5 days following the end of the nomination period.

The names of the candidates and the status, as a worker or farmer, established for each of them shall be displayed on that list, according to article (8).

A decree of the Minister of Interior shall be issued establishing one or more committees in each governorate under the supervision of a counselor or an equivalent ranked member of one of the judiciary bodies. The committee shall consist of q member of the judiciary of at least the rank of a judge or an equivalent rank to be chosen by the Minister of Justice and a representative of the Ministry of Interior to be selected by its Minister.

Any candidate whose name is not mentioned in the list may request the said committee to include his name throughout the period of displaying the list. He may also object to including the name of any of the candidates or stating an incorrect status before his name or the name of any other candidate, throughout the period of displaying the list.

The said committee shall decide on the objections within a period of at most ten days from the date of closing the nomination period. The names of the candidates shall be published in the constituency and in two daily newspapers.

Article - 10⁸

If only two candidates are nominated in the constituency, of whom at least one is a worker or farmer, their uncontested winning of the election shall be announced.

If only one candidate is nominated in the constituency, his uncontested winning of the election shall be announced, and a complementary election shall be carried out for

⁷ Amended as per Laws Nos. 10/1989 then 167/2000.

⁸ Amended as per Law No. 10/1989.

choosing the second member from among the workers and farmers, if the candidate announced to be winning uncontested is a worker or farmer.

Article - 11⁹

Any candidate may relinquish his nomination by serving a notice through a bailiff to the security directorate in the governorate, at least ten days before the election day. Relinquishing his nomination shall be recorded next to his name in the list of candidates in the constituency if his name was inscribed in that list. The relinquishment shall be announced on the day of the election on the door of the head office of the constituency and the subsidiary committees. The Ministry of the Interior shall also announce this relinquishment well before the date determined for elections, in two daily newspapers.

Article – 12¹⁰

The Shurah Council member shall be elected by the absolute majority of the valid votes given in the election.

If the two candidates obtaining the absolute majority are from other than the workers and farmers, the one acquiring the highest number of votes shall be announced as winning the election, and the election shall be repeated in the constituency between the two candidates from the workers and farmers who obtained the highest number of votes. In this case, the election of the candidate acquiring the highest number of votes shall be announced. If the absolute majority is not fulfilled for one of the two candidates in the constituency, the election shall be repeated between the four candidates acquiring the highest number of votes, providing at least half of them shall be from among the workers and farmers, in which case the election of the two candidates obtaining the highest number of votes shall be announced providing at least one of them shall be from among the workers and farmers.

Article – 13

The membership of the Shurah Council and that of the People's Assembly or the municipalities shall not be combined. Nor shall the membership of the Shurah Council and the positions of mayors and sheikhs or membership of their relevant committees be combined.

A candidate for membership of the Shurah Council shall be considered temporarily relinquishing his other membership or position referred to in the previous clause, upon assuming his work in the council.

The member shall be considered finally relinquishing his other membership or position with the lapse of one month from the date of determining the validity of his

⁹ Amended as per Law No. 10/1989.

¹⁰ Amended as per Law No. 10/1989.

membership of the Shurah Council if he does not express his wish to maintain his other membership or position.

Until final relinquishment takes place, the member shall only receive his Shurah Council membership remuneration.

Article – 14

The Council shall have an independent budget. This budget shall be included in one budget line in the state's budget. The statute of the council shall indicate the method of preparing, studying and approving the draft annual budget of the council, as well as the method of preparing, arranging and controlling the Council's accounts, and the method of preparing and endorsing the annual final account without restriction by the governmental rules.

Article – 15

The Shurah Council, upon the proposal of its office, shall set a statute for regulating its personnel affairs having the force of law. The provisions applicable to the civil servants of the state shall apply to the council personnel where no provision is prescribed in the said statute.

Until the statute referred to in the previous clause is set, the provisions applicable to the personnel of the People's Assembly shall apply to the council personnel.

The speaker of the council shall have the powers vested in the concerned minister and the minister of finance by the laws and regulations.

The office of the council shall be concerned with issues referred to it by a decree of the President of the Republic or the Cabinet of the Ministers, as well as issues which according to the laws and regulations require consultation by the Shura Council or require consultation or approval by the Minister of Finance or the Central Agency for Planning and Management or any other entity.

Article – 16

The President of the Republic may refer to the Shurah Council one of the issues lying within the powers of the council as prescribed in article (194) of the Constitution.

Article – 17

The President of the Republic shall issue a decree referring to the Shurah Council the issues lying within its competence, as mentioned in the first five items of article (195) of the Constitution.

The Shurah Council shall express its view on the issues referred to it, within a period not exceeding one month from the date of receiving the Presidential decree. It may also request extending that period for a term not exceeding another similar period.

If the period referred to in the previous clause lapses and the council did not notify its view to the President of the Republic, the issue referred to the council shall be considered as approved thereby.

Article – 18

The speaker of the People's Assembly shall refer to the speaker of the Shurah Council the issues lying within his powers according to the provisions prescribed in the first and second items of article (195) of the Constitution.

The provisions of the second and third clauses of the previous article shall apply in this respect.

Article - 19¹¹

Shurah Council members shall receive a monthly honorarium of LE 1,000 from the date of swear-in oath by the member. The honorarium shall not be subject to assignment or seizure and shall be exempt from taxes of all kinds.

Article - 20¹²

The Speaker of the Shurah Council shall receive a remuneration equivalent to total remunerations paid to the vice-president, without prejudice to the provisions of Article 19 hereof.

Article – 21

The speaker of the Shurah Council, upon his election as speaker shall be prevented from exercising a commercial or non-commercial profession, or assuming any public or private position.

If he is a civil servant of the state or the public sector, the provision of article (24) of law No. 38 for the year 1972 concerning the People's Assembly shall apply to him, taking into consideration not combining the remuneration payable to him from the council and the salary of his position or his original work.

Article – 22

¹¹ Amended as per Law No. 176/2005.

¹² Amended a

Appeals against the election of Shurah Council members according to article (93) of the constitution shall be submitted to the speaker of the Shurah Council within the fifteen days of the announcement of the election result. The appeal shall include the reasons it is based upon, and the appellant's signature on it shall be authenticated.

The statute of the Council shall regulate the procedures to be followed in deciding on the validity of appeals, and in verifying the validity of membership. This shall all be according to article (93) of the Constitution.

Article – 23

The Speaker of the People's Assembly, during the dissolution period of the Shurah Council, shall assume all administrative and financial powers vested in the office and the speaker of the Council.

The speaker of the Shurah Council, during the dissolution period of the People's Assembly, shall assume all administrative and financial powers vested in the office and the speaker of the Assembly.

The Prime Minister, during the dissolution periods of the Shura Council and the People's Assembly, shall assume all financial and administrative powers vested in the offices and speakers of the Council and the Assembly.

Article - 24¹³

Subject to the provisions of the present law, the provisions prescribed in law No. 73 for the year 1956 regulating the exercise of political rights, and the provisions prescribed in articles (2), (3 – clause 2), (7), (8), (10), (11), (14), (19), (24), (25), (26), (27), (28), (30), (33), (34), and (39) of law No. 38 for the years 1972 concerning the People's Assembly shall apply to the Shurah Council.

Article – 25

This law shall be published in the Official Gazette, and shall go into effect starting from the day following its publishing. This law shall be stamped by the state's seal and enforced as one of its laws.

2005

**Issued at the Presidency on July 2,
Hosni Mubarak**

¹³ Amended as per Law No. 10/1989.