

**Law No. 120 of 1980**

**Concerning**

**The Shura Council**

*Amended as per laws Nos.10/1989, 8/1995, 13/2000, Decision-laws No.166/2000, 167/2000, 23/1979, Laws No.176/2005, 62/2010, and Decree-law No.109/2011.*

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 Shura Council**

**Article 1 <sup>1</sup>**

The Shura Council shall be comprised of 390 members selected through the public direct secret ballot method, provided at least half of them are workers and peasants (farmers).

**Article 2 <sup>2</sup>**

Half of the Shura Council members shall be elected through the individual candidates system and the other half through the closed party lists system. The number of members representing

---

<sup>1</sup> Article 1 (first and second paragraphs) was abolished by the decree law no. 109 of 2011. The first paragraph was adjusted by decision of law 167 of 2000. The article was previously adjusted by decision law no. 166 of 2000, and laws no. 10 of 1989, no. 8 of 1995, no. 13 of 2000.

<sup>2</sup> Article 2 is abolished by decree law no. 109 of 2011; the first paragraph was previously adjusted by the decision law no. 167 of 2000. The article was adjusted by decision law no. 166 of 2000 and laws no. 10 of 1989 and no. 8 of 1995 and no. 13 of 2000.

each governorate through the lists should be equal with the number of members representing it through the individual candidates system.

The Arab Republic of Egypt shall be divided into (65) constituencies allocated for the individual candidates' system election method. Two members for each constituency shall be elected, at least one of whom shall be of workers and peasants.

The Republic shall also be divided into another (28) constituencies allocated for the lists system.

A law shall be issued to determine the scope of each constituency for the individual or lists systems, the administrative components of each constituency, and the number of members representing each constituency allocated for lists.

Taking into account the provisions of article sixteen of this law, the number of candidates on any of the lists should be equal to the number of seats allocated to the constituency, provided at least half of them are workers and peasants. A candidate who is not in the category of workers and peasants should not follow the name of another candidate that is out of this category. In all cases, each list should include at least one female candidate. A list may include candidates of one party or more.

A condition for the continuation of membership of the Shura Council members of workers and peasants is that they should maintain the status on which they were elected. If one of them loses this status, his membership shall be dropped by a majority of two thirds of the members of the council.

Taking into account the provisions of Article 3 bis (f) of the exercise of political rights, one standard code shall be allocated, at the republic's level, for the lists of the related party or parties, after consulting with the competent authority of the party.

### **Article 3**

The term of the Shura Council shall be 6 calendar years from the date of its first meeting. Half of members are to be re-elected and re-assigned every three years, as well as those whom their membership is expired.

Identify the members whom their membership duration expires at the end of the first three years through lottery conducted by the Council as per the rules set in the internal regulation. Election for renewal of the Council shall be carried out during the last sixty days of the term, and members assigned within 30 days before the expiration.

### **Article 4<sup>3</sup>**

---

<sup>3</sup> Article is abolished by the decree law no. 109 of 2011; the first paragraph was adjusted by law no. 176 of 2005, and it was previously adjusted by law no. 10 of 1989.

If a member seat was vacant before the expiration of membership, supplementary elections shall be conducted in the same way used before, unless he was elected through the lists system. If the member was one of those (elected through lists system), and one candidate or more stayed in the same party list not elected, the member with the vacant seat shall be replaced by the following member in his list, taking into consideration the percentage of labors and peasants.

It is better to consider the 50% stated for labors and peasants for each constituency separately. This is also applied if the appointed member with the vacant seat appointed another person in his place.

In all cases, the membership of the new member shall continue till the duration of previous member ends.

#### **Article 5**

If elections were not conducted in the time specified for a certain reason, based on the law the duration of membership shall be extended for elected and appointed members, as per the President's suggestion until electing new members.

The President announces the end of urgency if the reasons thereof are ended. The decision issued call members for conducting new elections in time; a period not exceeds 60 days as from date of announcement.

### **Chapter Two Nomination for the Membership of the Shura Council**

\*\*\*\*\*

#### **Article 6<sup>4</sup>**

Subject to the provisions prescribed in the law no. 73 of 1956 on regulating the exercise of political rights, whoever is nominated for membership to the Shura Council shall fulfill the following requirements:

1. He shall be of Egyptian nationality and born of an Egyptian father
2. His name shall be registered in the voter database in any of the governorates of the republic, and that no impediment has occurred that would require cancelling his record, in accordance with the relevant law.
3. He shall be at least 35 years of age on the day of election.
4. He shall be holder of at least the elementary education certificate or its equivalent. Regarding those born before 1 January, 1970<sup>5</sup>, reading and writing well shall be at a satisfactory level.
5. He shall have fulfilled the obligatory military service, or have been exempted from it according to the law.

---

<sup>4</sup> Item 2 of the article in the decree law no. 109 of 2011 was abolished; the article was previously adjusted by law no. 10 of 1989.

<sup>5</sup> Adjusted by law no. 176 of 2005

6. He shall not have been deprived of his membership by a decision of the People's Assembly or the Shura Council due to the loss of trust or repute, or breach of the duties of his membership, according to the provisions of Article 96 of the Constitution; However, he may be nominated in either of the two following cases:

A. Lapse of the legislative term during which the decision depriving him of the membership was issued.

B. Issue of a decision by the People's Assembly or the Shura Council to annul the impediment that prevents nomination as a result of a breach of membership duties. The decision of the Council in this case shall be issued with the approval of the majority of its members following the submission of a proposition by thirty members, after the lapse of the session during which the membership deprivation decision was issued.

#### **Article 7<sup>6</sup>**

A candidate has no right to nominate himself in more than one electoral constituency; if he did so then he shall be deemed a candidate in the first constituency where he was nominated in the first place.

#### **Article 8<sup>7</sup>**

The independent candidate shall submit his request for nomination for the membership of the Shura Council, in writing, to the election committee in the governorate in which he wishes to be nominated at one of its constituencies, within the period specified by HEC, provided it is no less than 5 days from the date the nomination starts.

The nomination application should come together with a deposit receipt of 1000 LE to the treasury of the competent court of first instance, along with the documents determined by HEC as a proof for meeting the conditions required by this law for nomination. The status of the worker or peasant shall be recorded under a confirmation provided by the candidate, accompanied by supporting documents.

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

The provisions stated in the preceding three paragraphs apply to candidates of closed party lists. The competent body of the party or related parties shall take charge of their nomination procedures through an application submitted as per the form prepared by HEC, and the 1000 LE amount provided for in the second paragraph needs to be deposited for each candidate from the list candidates.

#### **Article 9<sup>8</sup>**

---

<sup>6</sup> Adjusted by law no. 10 of 1989

<sup>7</sup> Article is abolished by decree law no. 109 of 2011; the article was previously adjusted by decision law no. 167 of 2000, and laws no. 10 of 1989 and 13 of 2000.

<sup>8</sup> Article was abolished by decree law no. 109 of 2011; it was previously adjusted by decision law no. 167 of 2000, and law no. 10 of 1989.

Taking into consideration what is stipulated in Article 16, during the day following the closing of nomination, in the manner determined by HEC, two lists shall be displayed, one for the closed lists and the other for individual candidates. Both lists should contain the names of the candidates and each one's status, and the first one should specify the list to which the candidate belongs. The two lists shall continue to be displayed for the next three days.

Each candidate who had applied for nomination but his name was not included in the designated list may request from the committee who adjudicates challenges stated in Article Nine bis, to include his name, throughout the display period and the following day.

Any candidate may object to the inclusion of a name of any candidate or an incorrect status opposite to his name or the name of another candidate in the list displayed, throughout the duration of display of this list.

Any party which provided a list in the constituency may exercise the right stated in the two preceding paragraphs for its candidate whose name is listed in any of the two mentioned lists.

### **Article 10<sup>9</sup>**

If no more than two candidates (at least one of them is a peasant or worker) were nominated in an individual system constituency, the elections shall be conducted on time and who obtains 2% of the number of voters registered in the constituency shall be declared elected.

If only one individual candidate applies for candidacy in the constituency, he shall be declared elected if he obtains the percentage stated in the previous paragraph and a supplementary vote shall be conducted to choose the second member, without breaching the stated percentage for peasants and workers, if who was declared elected was a non-worker/ peasant.

If more than two candidates were nominated in the constituency, with only one of them was a peasant or worker, he shall be declared elected if he obtains the stated percentage, and an election shall be conducted to choose the second member out of the rest of candidates, and whoever gets the absolute majority shall be declared elected. However, if the absolute majority was not realized for any of them, a re-election among the ones who got the highest votes shall be conducted.

If no more than one list is submitted in the constituency allocated for lists, the candidates whose names are on the list shall be declared elected, provided the percentage stated in the last paragraph of Article 12 is realized. If not realized, a supplementary vote shall be conducted to fill the seats allocated to the constituency.

### **Article 11<sup>10</sup>**

---

<sup>9</sup> The article was abolished by decree law no. 109 of 2011, it was previously adjusted by law no. 10 of 1989.

<sup>10</sup> The article was abolished by decree law no. 109 of 2011; it was previously adjusted by law no. 10 of 1989.

A candidate may withdraw from nomination by announcing it to a process server who submits the withdrawal announcement to the elections committee of the governorate at least 15 days before the elections, and withdrawal shall be recorded opposite to his name on the list of candidates in the constituency, if his name is recorded in that list.

Amendment may be made to the candidates of lists or withdrawal from nomination in these lists by a request submitted to HEC by the competent body of the party or related parties at least 15 days before the elections.

HEC shall publish the withdrawal by individual candidates or amendment or withdrawal from lists in two daily widespread newspapers at an adequate time before the election date. Withdrawal from candidacy shall be announced on elections day at the gate of the constituency and sub-committees.

## **Article 12 <sup>11</sup>**

The individual candidate shall be elected by the absolute majority of valid votes cast in the election. If the two candidates who gained the absolute majority were not workers and peasants, the one with the largest number of votes shall be declared elected, and a re-election in the constituency shall be conducted between the candidates from workers and peasants who obtained the largest number of votes. In this case, the one with the largest number of votes shall be declared elected.

If the absolute majority stated in the previous paragraph was not realized except for one candidate, he shall be declared elected and a re-election shall be conducted between the two candidates who obtained the largest number of votes after him. However, if the one declared elected was not a peasant or worker, a re-election shall be conducted between the candidates from peasants and workers who obtained the largest number of votes.

If the absolute majority stated in the first paragraph was not realized for any of the candidates in the constituency, a re-election shall be conducted among the four candidates who obtained the largest number of votes, provided at least half of them are workers and peasants. In this case, the two candidates who got the highest number of votes shall be declared elected, provided one of them, at least, is a worker or peasant.

Representatives of each constituency of the closed lists shall be elected by giving each list a number of the constituency seats by the number of valid votes the list obtained to the total number of valid votes of voters that the parties' lists (that have the right to represent, according to the next paragraph) had obtained in the constituency, adhering to the order on each list, and the remaining seats shall be distributed to the lists according to the sequence of the highest remaining votes for each list.

The party or party coalition whose lists do not gain at least half percent of the number of valid

---

<sup>11</sup> The article was abolished by decree law no. 109 of 2011; it was previously adjusted by law no. 10 of 1989.

votes in the constituencies of the republic that are allocated to the lists, may not have representation in the assembly.

### **Article 13**

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

A candidate elected for membership to the Shura Council from among the persons mentioned in the previous article, shall be considered as temporarily relinquishing his other memberships or position upon assuming his work in the Shura Council.

The member shall be considered as completely relinquishing his other memberships or positions with the lapse of one month from the date of determining the validity of his membership in the Shura Council if he does not express his wish to maintain his other membership or positions.

Until final relinquishment takes place, the member shall not be paid except his remuneration as a member of the Shura Council.

### **Article 14**

The Council shall have an independent budget and the budget shall be listed as one figure in the state budget.

The statute of the Council shall indicate the way of preparing, studying, and approving the annual draft budget, the method of preparing, regulating, and auditing the Council's accounts, and the method of preparing and endorsing the annual final account, without being restricted by the governmental rules.

### **Article 15**

The Shura Council shall set, upon the proposition of its office, a statute, having the force of law, for regulating its personnel affairs. Where no provision is prescribed in the said statute, the provisions applicable to the civil servants of the state shall apply to the Council's personnel.

Until setting the statute referred to in the previous clause, the provisions of the currently applied personnel statute in the Council shall continue to apply.

The speaker of the Council shall have the powers vested in the ministers and the Minister of the Treasury as prescribed in the laws and regulations.

The office of the Assembly shall be concerned with issues for which a decree of the President of the Republic or the Cabinet of Ministers shall be issued, as well as the issues in whose regard the laws and regulations provide for consulting the view or getting the approval of the Ministry of the Treasury or the Central Agency for Organization and Administration, or any other entity.

#### **Article 16**

The President has the right to refer to the Shura Council any of the issues, within the Council specialties stated in article 194 of the Constitution.

#### **Article 17**

The President shall refer to the Shura Council, by decision, the issues within his powers that are stated in the first five items of article 195 of the Constitution.

Shura Council must give opinion in terms of the issues referred thereto within a period not exceeds one month as from the date of receiving the Presidential decision, and the Council may ask to extend the period for another month. Should the period above ended and the President did not express his opinion, the issue referred to the Council shall be deemed approved by the President.

#### **Article 18**

The Head of People Assembly refers to the Shura Council the issues within his specialties in accordance with the provisions stated in the first and second items of article 195 of the Constitution.

This shall also be applied for the second and third paragraphs of article above.

#### **Article 19**<sup>12</sup>

The Shura Council member shall receive a monthly honorarium of LE 1000 from the date of swear-in oath by the member. The honorarium shall not be subject to interdiction or seizure and shall be exempt from taxes of all kinds.

#### **Article 20**<sup>13</sup>

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

---

<sup>12</sup> Adjusted by law no. 176 of 2005

<sup>13</sup> Adjusted by law no. 176 of 2005

If he is a civil servant of the state or a public sector worker, the provision of Article 24 of law no. 38 of 1972 shall apply to him, providing he shall not combine the remuneration payable to him and the salary of his position or his original work.

#### **Article 22 <sup>14</sup>**

The Court of Cassation adjudicates the accuracy of membership of Shura Council members, and submits challenges along with evidences to the Court within a period not exceeds 30 days, as from the date of announcing elections results. The Court adjudicates the challenges within 90 days as from the date of receipt.

The membership shall be deemed invalid as from the date of informing Shura Council with the Court decision.

#### **Article 23**

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

The speaker of the Shura 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 People's Assembly.

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

#### **Article 24 <sup>15</sup>**

Taking into consideration not to breach the provisions of this law, the Shura Council is subject to provisions stated in the law no. 73 of 1956 in terms of organizing practice of political rights and provisions stated in articles two and five (bis), seven, eight, nine (bis) as well as nine "a" (bis) and nine "b" (bis), in addition to articles ten, eleven, fourteen, sixteen, nineteen, twenty four, twenty five, twenty six, twenty seven, twenty eight, thirty, thirty three, thirty four, thirty nine of law no. 38 for 1972 in terms of People Assembly affairs.

#### **Article 25**

The present law shall be published in the Official Journal and shall come into force effective from the date of its publication.

The present law shall be stamped with the seal of the State and shall be enforced as one of its laws.

Issued at the Presidency of the Republic on 15 Shaaban, 1400 (Islamic Calendar) corresponding to 28 June, 1980 (Gregorian calendar).

---

<sup>14</sup> Abolished by text of decree law no. 109 of 2011.

<sup>15</sup> Text of article was abolished by decree law no. 109 of 2011, and it was previously adjusted by law no. 10 of 1989.

**Anwar Al Sadat**