

Constitution

Aug 08, 2007

HelplineLaw.com - We, the Rulers of the Emirates of Abu Dhabi, Dubai, Sharjah, Ajman, Umm Al Quwain and Fujairah (1):

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

Constitutional Amendment No. (1) of 1996

The federation supreme council, after perusing the Federation Temporary Constitution and the approval of the Cabinet, and Based on what was considered by the Federation Supreme

Council and approved by the Cabinet and the Federal National Council and certified by the Federation Supreme Council, Resolved:

PART ONE

Article One

The word "Temporary" is canceled from the United Arab Emirates Constitution wherever it is.

Article Two

Abu Dhabi City is the Capital of the Federation.

Article Three

Any text or provision contrary to this amendment is canceled.

Article Four

This constitutional amendment shall be applicable as of the date of issuance there of and be published in the official gazette.

Zayed Bin Sultan Al-Nhayan President of United Arab Emirates Issued by us at the presidential palace in Abu Dhabi, On: 22 Rajab 1417 Hijri Corresponding to: 2 Dec. 1996

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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 cornerstone 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.

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.

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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 National Assembly of the Union.
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 I 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.
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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 Union 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 organisation 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.

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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 NATIONAL ASSEMBLY OF THE UNION

Section 1

General Provisions.

Article 68

The National Assembly of the Union shall be composed of forty (1) members. Seats shall be distributed to member Emirates as follows:

Abu Dhabi 8 seats

Dubai 8 seats

Sharjah 6 seats

Ras AI ? Khaimah 6 seats

Ajman 4 seats

Umm AI ? Quwain 4 seats

Fujairah 4 seats

Article 69

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

Article 70

A member of the Union National Assembly 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 Assembly.
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 dishonourable offence unless he has been rehabilitated in accordance with the law.
4. Must have adequate knowledge of reading and writing.

Article 71

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

Article 72

The term of membership in the Union National Assembly shall be two Gregorian years commencing from the date of its first sitting. When this period expires, the Assembly 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 Assembly or its Committees, a member of the Union National Assembly shall take the following oath before the Assembly 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 Assembly and its Committees honestly and truthfully? .

Article 74

If, for any reason, a seat of any member of the Assembly 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 Assembly, unless the vacancy occurs during the three months preceding the end of the term of the Assembly.
The new member shall complete the term of membership of his predecessor.

Article 75

Sessions of the Union National Assembly 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 Assembly 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 Assembly shall be competent to accept resignation from membership. The resignation shall be considered as final from the date of its acceptance by the Assembly.

Article 77

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

Section 2

Organisation of work in the Assembly

Article 78

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

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Article 87

Deliberations of the Assembly 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 Assembly 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 Assembly and for once only. The period of adjournment shall not be deemed part of the term of the ordinary session.

The Assembly 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 Assembly to come into session within sixty days of the date of the decree of dissolution. The Assembly may not be dissolved again for the same reason.

Section 3

Powers of the National Assembly

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 National Assembly of the Union before their submission to the President of the Union for presentation to the Supreme Council for ratification.

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

Article 90

The Assembly 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 Union Assembly of international treaties and agreements concluded with other states and the various international organisations, together with appropriate explanations.

Article 92

The Union National Assembly may discuss any general subject pertaining to the affairs of the Union unless the Council of Ministers Informs the Union National Assembly that such discussion is contrary to the highest interests of the Union. The Prime Minister or the Minister concerned shall attend the debates. The Union National Assembly 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 Union National Assembly of its reasons.

Article 93

The Government of the Union shall be represented at sessions of the Union National Assembly 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 Assembly requesting explanation of any matters within their jurisdiction, in conformity with the procedures prescribed in the standing orders of the Assembly.

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.
3. 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 tile 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.

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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 Union National Assembly.

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 Union National Assembly 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 Union National Assembly rejects the bill, the President of the Union or the Supreme Council may refer it back to the National Assembly. If the Union National Assembly introduces an amendment on that occasion which is not acceptable to the President of the Union or the Supreme Council, or if the Union National Assembly 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 Union National Assembly.

4. Notwithstanding the foregoing, if the situation requires the promulgation of Union laws when the National Assembly 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 Union Assembly 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 Union National Assembly 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 12

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.

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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.

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PART SEVEN

Please refer to the official web site of the Government of United Arab Emirates for Part Seven.

?Editor

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 Union National Assembly 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.

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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.

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 Union National Assembly.
 - b. The procedure for approving the constitutional amendment shall be the same as the procedure for approving laws.
 - c. The approval of the Union National Assembly 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 Union National Assembly for debate before promulgating it.
4. The Supreme Council shall call the Union National Assembly 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 National Assembly 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 Union National Assembly 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.

no Data

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