

**Official Journal- Issue No.39. Dated 28<sup>th</sup> of September 1972**

**Law No. 38 1972**  
**Concerning**  
**The People's Assembly**

*Amended as Per laws Nos.16/1974, 109/1976, 14/1977, 21/1979, 22/1979, 23/1979, 114/1983, 188/1986, 201/1990, 13/2000, 167/2000, 12/2002 and 175/2005*

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 People's Assembly**

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

The People's Assembly shall be formed of four hundred and forty four members to be chosen by general secret direct election, providing that at least half of them shall be workers and farmers.

The President of the Republic may appoint at most ten members in the People's Assembly.

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

In applying the provisions of this law, the term "farmer" shall mean the person whose sole work and main source of living is cultivation, and resides in the countryside, providing he, his wife and minor children shall not own or lease more than ten faddans.

The term "worker" shall mean the person who depends mainly on his income from manual or mental work in agriculture, industry, or services. He shall not be a member of a professional syndicate, or recorded in the commercial register, or a holder of a high academic qualification. Members of trade unions who are non-holders of high academic qualifications, and also any person who began his life as a worker and then obtained a high academic qualification shall be exempt. In both cases, for any person to be considered as a worker, he shall be enrolled in a trade union.

A change in status to worker or farmer shall not be accepted after May 15, 1971. A candidate's status as worker or farmer is determined by the status he occupied as of May 15, 1971, or by the status he held at the time of nomination.

The quality of worker shall not change after the end of his services so long as he fulfills the foregoing conditions and is enrolled in a trade union.

---

<sup>1</sup> Amended as per Laws Nos 109/1976 then 12/2002

<sup>2</sup> Amended as per Laws Nos 109/1976 then 12/2002

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

The Arab Republic of Egypt shall be divided into constituencies. These constituencies shall be determined according to the relevant law. Two members shall be elected for each constituency, of whom one at least shall be a worker or a farmer.

For maintaining membership in the Assembly as elected members from among workers and farmers, one must maintain the same status on the basis of which they were elected. If one of them forfeits that quality, he shall be deprived of the membership by virtue of a two thirds majority decision to be issued by the Assembly.

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

The term of the People's Assembly shall be five calendar years from the date of its first meeting.

Election for renewal of the Assembly shall be carried out during the last sixty days of the term.

## **Part 2**

### **Nomination for Membership to the People's Assembly**

### **Article 5**

Subject to the provisions prescribed in the law regulating the exercise of political rights, whoever is nominated for membership to the People's Assembly shall fulfill the following requirements:

1. He shall be of Egyptian nationality and born of an Egyptian father
2. His name shall be listed in one of the electoral lists, and no reason is given for the removal of his name.
3. He shall be at least thirty 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, reading and writing well shall be at a satisfactory level.<sup>5</sup>
5. He shall have fulfilled the obligatory military service, or have been exempted from it according to the law.
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 a legislative term during which the decision depriving him of the membership was issued.

---

<sup>3</sup> Amended as per Laws Nos. 21-22/1979, 114/1983, 188/1986 then 201/1990

<sup>4</sup> Amended as per Law No. 201/1990

<sup>5</sup> Amended as per Laws Nos. 109/1976, 14/1977, 114/1983 then 175/2005

- B. Issue of a decision by the People's Assembly or the Shura Council to annul the nomination as a result of a breach of membership duties. The decision of the Assembly 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.
- C. Issue of a decision by the People's Assembly to annul the nomination as a result of a breach of membership duties. The decision of the Assembly 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 5 (bis) <sup>6</sup>**  
CANCELLED

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

The request for nomination to the membership of the People's Assembly shall be submitted in writing to the Security Directorate in the governorate where the candidate desires to be nominated for one of its constituencies, during the period to be determined by the decree of the Minister of Interior, provided this period shall not be less than five days from the date the nomination period begins.

The request for nomination shall be accompanied by a receipt issued against depositing one thousand pounds in the treasury of the concerned governorate's Security Directorate, and by the documents to be determined by a decree of the Minister of Interior, to establish the fulfillment of the conditions the law requires for nomination. The status of the worker or farmer shall be established by virtue of a declaration to be 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 7**

The nomination requests shall be recorded in a special register, in order of the dates they receive them, and receipts shall be issued. The procedures to be determined by a decree of the Minister of Interior shall be followed in respect to the submission of a nomination.

**Article 8<sup>8</sup>**

One or more committees shall undertake examining the nomination requests and determining the candidate's status, based on the documents he submits according to the provision of the previous article, along with preparing the candidates lists in each governorate. The committee shall be headed by one of the judiciary bodies' members in the rank of a court president or equivalent, with the membership of a member of these

---

<sup>6</sup> Cancelled as per Decree Law No. 201/1990

<sup>7</sup> Amended as per Laws nos. 109/1976, 114/1983, 188/1986, 201/1990, 167/200, 13/2000 then 175/2005

<sup>8</sup> Amended as per Law No. 109/1976

bodies in the rank of a judge or equivalent to be appointed by the Minister of Justice, and a representative of the Ministry of Interior to be appointed by the Minister of Interior.

A decree by the Minister of Interior shall be issued concerning the formation of these committees.

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

A list consisting of the names and status of candidates shall be displayed in each constituency for four days following the end of the nomination period, in the manner to be defined by a decree by the Minister of Interior.

Whoever has applied for nomination and his name does not appear on the list may request that committee prescribed in the present article include his name on the list during the display period..

All candidates may object to the inclusions of the name of any other candidate or to the indication of an invalid status next to his name or the name of other candidates on the list where his name is included, throughout the time the list is displayed.

One or more committees are to be set by decree of the Minister of Interior in each governorate under a member of the judiciary bodies in the rank of counselor or equivalent, with the membership of a member of the judiciary body in at least the rank of a judge or equivalent, to be chosen by the Minister of Justice, and a representative of the Ministry of Interior to be chosen by its Minister, shall decide on the said objections within a period of at most seven days from the day marking the end of the nomination period.

The names of candidates shall be published in each of their constituencies, and in two widely circulated daily newspapers.

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

Every interested party may obtain an official copy of the voters' list in the constituency for a fee of L.E 100. A copy shall be given to the applicant within 3 days from date payment of fee.

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

For election campaigning, compliance shall be observed with the provisions of the Constitution, the law, as well as the following rules:

1. refraining from exposing sanctity of the private life of any candidate;
2. commitment to maintain national unity and abstention from using religious slogans;
3. prohibiting the use of state-owned buildings, establishments, and means of transport or those owned by public sector companies, public business sector companies, and companies which the state contributes to their capital, for the purpose of election

---

<sup>9</sup> Amended as per Laws Nos. 109/1976, 114/1983, 188/1986, 201/1990 then 167/2000

<sup>10</sup> Amended as per Laws Nos. 201/1990 then 175/2005

<sup>11</sup> Amended as per Laws Nos. 23/1979 then 175/2005

campaigning;

4. prohibiting the expenditure of public funds and the funds of public sector companies, public business sector companies, and companies which the state contributes to their capital, for the purpose of election campaigning;
5. prohibiting the use of places of worship, schools, universities and other educational institutions in election campaigns;
6. prohibition of receiving funds from abroad, from any foreign person or any foreign or international body or its representative in the country for spending on election campaigns or for payment to voters to abstain from casting their votes or so doing in a particular way.

The foregoing rules shall be in addition to the rules concerning the means and methods regulating the election publicity, including the maximum limit of expenditure that may not be exceeded in spending on campaigning, and for which a decision shall be issued from the higher elections committee Higher Elections Commission and published in two widely circulated newspapers.

The concerned governor may order the removal of the posters and all other means of publicity that are used in breach of any provision of the said rules, at the expense of the individual who violated the provision.

A penalty of confinement to jail for a period of not less than one year and a fine of not less than fifty thousand pounds and not exceeding one hundred thousand pounds in addition to confiscating the funds received shall be inflicted on whomever breaches the provisions of item 6 of the rules referred to in the present article.

A penalty of confinement to jail for a period of not less than three months and a fine of not less than five thousand pounds and not exceeding twenty thousand pounds or either penalty shall be inflicted on whoever violates the other rules referred to hereinbefore.

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

No person may nominate himself in more than one constituency, and if he nominates himself in more than one constituency, he shall be considered as a candidate where he first recorded his nomination.

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

Any candidate may relinquish his nomination by serving a notice through a bailiff to the security directorate nomination 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 recorded on the list. This relinquishment shall be announced on the day of the election on the door of the head office of the constituency and the polling station. The Ministry of Interior shall announce this

---

<sup>12</sup> Amended as per Laws nos. 188/1986 then 201/1990

<sup>13</sup> Amended as per Laws nos. 188/1986 then 201/1990

relinquishment well before the date determined for elections, in two widely circulated daily newspapers.

#### **Article 14**

The President of the Republic, in exceptional conditions, may shorten the time limits prescribed in Articles 6, 9 and 13 of the present law.

#### **Article 15**<sup>14</sup>

The People's Assembly members shall be elected by the absolute majority of the number of valid votes made in the election. If the two candidates obtaining the absolute majority are other than workers or farmers, the one with the highest number of votes shall be announced as the winner of the election and a run off election shall be held 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 one 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 provided at least one of them is a worker or a farmer.

#### **Article 16**<sup>15</sup>

CANCELLED

#### **Article 17**<sup>16</sup>

If only two persons are nominated in the constituency, of whom at least one is a worker or a farmer, the election shall take place on its scheduled date and the one who obtains 10% of the number of votes for that constituency shall be announced as the winner.

If only one person is nominated in the constituency, he shall be announced as winning the election if he obtains the percentage referred to in the previous clause, and a complementary election shall be carried out for choosing the second member from among the workers and farmers, if the one announced to have won the election is other than a worker or a farmer.

If more than two candidates are nominated in the constituency and only one of them is a worker or a farmer, this candidate shall be announced as the winner if he obtains the aforementioned percentage, and an election shall be carried out to choose the second member from among the remaining candidates. If the absolute majority is not fulfilled for one of them, a run off election will take place between the two candidates obtaining the highest number of votes.

---

<sup>14</sup> Amended as per Laws nos. 188/1986 then 201/1990

<sup>15</sup> Cancelled per Law no. 201/1990

<sup>16</sup> Amended as per Laws Nos. 114/1983, 188/1986 then 201/1990

In cases where the candidate does not obtain the 10% referred to in the previous clauses, a complementary election shall be carried out for filling the seat for which he was nominated.

**Article 18**<sup>17</sup>

Should the seat of the elected member become vacant before the end of his tenure, a complementary election shall be conducted electing his replacement. Every eligible candidate meeting candidature requirements shall be entitled to run for this election, without prejudice to the provision of Para (1) of the Article 3 hereof.

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

In both cases the term of membership of the new member shall continue until the completion of the term of his predecessor's membership.

**Article 19**

After announcing the result of the election, the applicant for nomination shall be refunded the amount he deposited in the treasury of the governorate after deducting the expenses related to campaign materials and removing posters that are payable to him in accordance with Articles 9, 11, and 13 of the present law.

**Article 20**

The appeal filed for invalidation of an election shall be submitted according to article 93 of the Constitution. The appeal is made to the speaker of the People's Assembly within the first fifteen days following the announcement of the election result and should include the reasons for the appeal and the signature of the individual filing the appeal shall be authenticated.

The statute of the People's Assembly shall regulate the procedures to be followed in determining the validity of appeals and verifying the validity of membership.

**Part 3**

**Membership in the People's Assembly**

**Article 21**<sup>18</sup>

CANCELLED

**Article 22**<sup>19</sup>

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 People's Assembly and the positions of mayors and sheikhs or the membership of their relevant committees be combined.

---

<sup>17</sup> Amended as per Laws Nos. 114/1983, 188/1986 then 201/1990 and 175/2005

<sup>18</sup> Cancelled as per Decree- Law No. 201/1990

<sup>19</sup> Amended as per Decree - Law No. 201/1990

### **Article 23**

A candidate elected for membership to the People's Assembly 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 People's Assembly.

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 People's Assembly 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 People's Assembly.

### **Article 24**

If the People's Assembly member is, when elected, a civil servant of the State or a worker in the public sector, he shall give all his time to the Assembly's membership, and his position or work shall be maintained for him, besides calculating the period of his membership within his due pension or remuneration.

In this case, the People's Assembly member shall receive the salary, allowances, and increments prescribed for his position or original work from the entity where he is appointed, throughout the period of his membership.

No special treatment or privilege shall be determined for him in his position or original work during the period of his membership in the People's Assembly.

### **Article 25**

A member of the People's Assembly shall not, in the case prescribed in the previous article, be subject to the annual reports system at the entity of his position or original work. His promotion by seniority shall take place, on his turn, or if the next most senior member is promoted.

No disciplinary measure shall be taken against a member of the People's Assembly who is a civil servant of the State or a worker for the public sector, because of his work or position, nor shall his services be terminated by other than the disciplinary measures except following approval by the People's Assembly according to the procedures prescribed in its statute.

### **Article 26**

The People's Assembly member, on the termination of his membership period, shall return to the position he filled before his election or to which he has been promoted, or to any similar position.

### **Article 27**

Subject to the provisions prescribed in Articles 33 and 34, the People's Assembly may, upon the request of the Assembly's office, for public interest considerations, devote all or part of their time to their Assembly membership except in the following instances:

- A. University Presidents and Vice Presidents, the teaching and research staff members in universities, and those practically as good as them among the officials at the ministries, public authorities and public organizations exercising a scientific activity.
- B. Chairmen of public authorities, general organizations, and the economic units affiliated to them.
- C. Incumbents of one of the key management positions in the government, its local units, the public authorities, the general organizations and the economic units affiliated to them.

In this case, the provision of Article 24 shall apply in respect to the member who is considered a full-time member.

### **Article 28**<sup>20</sup>

A People's Assembly member may not be appointed in government or public sector positions and the like, or in foreign companies during his membership term, and any other appointment shall be null and void unless the appointment is the result of promotion or transfer from one entity to another, or takes place by virtue of a court ruling or according to a law.

### **Article 29**<sup>21</sup>

The People's Assembly 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 30**<sup>22</sup>

A subscription for special first class travel on the ARE railways or by another means of public transport, or by aircraft shall be issued for each member of the People's Assembly from the place he chooses in his constituency to Cairo.

The statute of the Assembly shall indicate the other facilities it provides to its members to enable them to exercise their responsibilities.

The provisions prescribed in the previous article shall apply to any amounts that might be paid to the Assembly's members for the said purpose, concerning the impermissibility of relinquishing or placing them under interdiction and their exemption from all taxes.

### **Article 31**<sup>23</sup>

---

<sup>20</sup> Amended as per Law No. 109/1976

<sup>21</sup> Amended as per Law No. 175/2005

<sup>22</sup> Amended as per Law No. 109/1976

<sup>23</sup> Amended as per Law No. 174/2005

The Speaker of the People's Assembly shall receive a remuneration equivalent to total remunerations paid to the vice-president without prejudice to the provisions of Article 29 hereof.

**Article 32**<sup>24</sup>

The speaker of the People's Assembly, upon his election as speaker shall be prevented from exercising any commercial or non-commercial profession or assuming any public or private position.

If he is a civil servant of the state or a public sector worker, the provision of Article 24 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 33**<sup>25</sup>

The member elected as deputy speaker of the People's Assembly shall give all his time to the tasks of his deputyship. The provision of Article 24 shall apply in his respect if he is a civil servant of the state or a public sector worker. If he is none of these, the office of the Assembly shall determine the remuneration to be paid to him in return for his full-time deputyship.

The deputy speaker of the Assembly shall receive the representation allowance prescribed for the ministers and its provisions shall apply to him. The said representation allowance and the allowances determined for his position or original work shall not be combined.

**Article 34**<sup>26</sup>

The Assembly may, according to its statutes, determine the full-time work by the heads of the original committees in the Assembly. In this case, the provision of Article 24 shall apply in respect of the head of committee if he is a civil servant of the state or a public sector worker. If he is none of these, the office of the assembly shall determined the remuneration to be paid to him in return for his full-time headship of the committee.

**Article 41 (Bis)**<sup>27</sup>

CANCELLED

**Article 34 (Bis-1)**<sup>28</sup>

CANCELLED

**Article 34 (Bis-2)**<sup>29</sup>

CANCELLED

---

<sup>24</sup> Amended as per Decree- Law No. 201/1990

<sup>25</sup> Amended as per Decree- Law No. 201/1990

<sup>26</sup> Amended as per Law No. 16/1974 then Decree-Law No. 201/1990

<sup>27</sup> Cancelled as per Law No 175/2005

<sup>28</sup> Cancelled as per Law No 175/2005

<sup>29</sup> Cancelled as per Law No 175/2005

**Article 34 (Bis- 3)** <sup>30</sup>  
CANCELLED

**Article 34 (Bis- 4)** <sup>31</sup>  
CANCELLED

**Final and Transitional Provisions**

**Article 35**

The Assembly shall have an independent budget and the budget shall be included as one figure in the state budget.

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

**Article 36** <sup>32</sup>

The People's Assembly 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 Assembly's personnel.

Until setting the statute referred to in the previous clause, the provisions of the currently applied personnel statute in the Assembly as well as the general regulatory rules issued by a decision of the office or speaker of the Assembly shall continue to apply.

The speaker of the Assembly 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 37** <sup>33</sup>

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.

---

<sup>30</sup> Cancelled as per Law No 175/2005

<sup>31</sup> Cancelled as per Law No 175/2005

<sup>32</sup> Amended as per Law No. 109/1976

<sup>33</sup> Amended as per Decree-Law No. 201/1990

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 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 38**

The provisions prescribed in the present law shall apply to the members of the current People's Assembly from among the civil servants of the state and the public sector workers, from the date on which they take the oath prescribed in Article 90 of the Constitution.

All pension settlement or determination for government officials among the Assembly's members shall be cancelled according to Article 49 of law No. 158 of the year 1963 as amended by decree-law no. 106 of the year 1971, providing they shall return to the government treasury whatever pension amounts that have been paid to them.

### **Article 39**<sup>34</sup>

Subject to the rules and provisions regulating the resignation of officers of the armed forces and police, the members of general intelligence and administrative control agencies, these persons may not be nominated, nor shall the members of judiciary bodies and the governors be nominated before submitting their resignations from their positions. The resignation shall be considered accepted from the date of its submission.

The chairmen and members of the boards of public authorities and public sector companies as well as the workers in the administrative body of the state and the public sector shall be considered on paid leave from the date of submitting their nomination papers until the end of the general elections and run-offs.

### **Article 40**<sup>35</sup> CANCELLED

### **Article 41**

Law No. 158 of the year 1963 concerning the People's Assembly and law No. 53 of the year 1964 on possible exception from certain conditions of the People's Assembly membership, as well as decree-law no. 82 of the year 1971 concerning nomination to membership of the of the People's Assembly shall be superseded.

### **Article 42**

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

---

<sup>34</sup> Amended as per Law No. 109/1976

<sup>35</sup> Cancelled as per Law No. 114/1983

Unofficial Translation

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

**Anwar El Sadat**

Issued at the Presidency of the Republic on 15 Shaaban, 1392 (Islamic Calendar)  
corresponding to 23 September, 1972 (Gregorian Calendar).