

The Constitution of the United Arab Emirates

Preamble

** The expression “provisional” has been cancelled from the Constitution of the United Arab Emirates wherever mentioned by virtue of Article (1) of the Constitutional Amendment No. (1) of 1996 making this Constitution the permanent constitution. The previous title of the Constitution reads as follows: “The Provisional Constitution of the United Arab Emirates”.*

** Amended by:*

Constitutional Amendment No. (1) dated 10/02/1972

Constitutional Amendment No. (1) dated 06/11/1976

Constitutional Amendment No. (2) dated 28/11/1976

Constitutional Amendment No. (1) dated 07/11/1981

Constitutional Amendment No. (1) dated 15/10/1986

Constitutional Amendment No. (1) dated 28/10/1991

Constitutional Amendment No. (1) dated 02/12/1996

Constitutional Amendment No. (1) dated 10/01/2004

Constitutional Amendment No. (1) dated 10/02/2009

We, the Rulers of the Emirates of Abu Dhabi, Dubai, Sharjah, Ajman, Umm Al-Quwain and Fujairah,

Whereas it is our will and the desire of the people of our Emirates to establish a Union between these Emirates, to promote a better life, more solid 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 that are members of the United Nations Organization 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, in line with the realities and the capacities of the Emirates at the present time, enabling the Union, giving free hand to the Union to achieve its objectives, sustaining the identity of its members providing that this is not inconsistent with those objectives 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 realization of the foregoing is our dearest wish, 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 civilized states and nations;

Announce to Allah, the Supreme and Almighty, and to all the people our approval of the Constitution undersigned by us.*

** This paragraph was amended as the Constitution has become permanent. The previous text reads as follows “For all the foregoing and until the permanent constitution is prepared, we announce to Allah,*

the Supreme and Almighty, and to all the people our approval of the Constitution undersigned by us during the transitional period referred to therein”.

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

UNITED ARAB EMIRATES CONSTITUTION

Part I. The Federation, Its Constituencies and Principal Aims

Article (1)

The United Arab Emirates is a Federal, independent and sovereign state, referred to hereafter in this Constitution as the Federation.

The Federation is composed of the following Emirates:

Abu Dhabi, Dubai, Sharjah, Ajman, Umm Al-Quwain, Fujaira, Ras Al-Khaimah*.

** The words “Ras Al-Khaimah” were added by decision of the Federal Supreme Council 2/1972 after Ras Al-Khaimah Emirate and the territories attached to it joined the UAE. The previous text reads as follows “Abu Dhabi, Dubai, Sharjah, Ajman, Umm Al-Quwain, and Fujairah”.*

Any other independent Arab state may join the Federation after securing the approval of the Federation Supreme Council by unanimous vote. Upon acceptance of a new member in the Federation, the Federation Supreme Council shall determine the number of seats reserved for such member in the Federated National Council in addition to the number provided for in Article (68) of this Constitution.*

** This paragraph was added by the Constitutional Amendment No. (1) dated 01/02/1972.*

Article (2)

In carrying out the duties entrusted to it by virtue of the present Constitution, the Federation shall exercise sovereignty over all territories and territorial waters falling within the international boundaries of the member Emirates.

Article (3)

The member Emirates shall exercise sovereignty over their territories and territorial waters in all matters that do not fall within the jurisdiction of the Federation by virtue of the present Constitution.

Article (4)

The Federation may not assign its sovereignty or abandon any part of its land or water.

Article (5)

The Federation shall have its own flag, emblem and national hymn. The law shall determine the flag and the emblem and each Emirate shall keep its own flag to be used within its territory.

Article (6)

The Federation forms part of the big Arab Nation to which it is linked by ties of common religion, language, history and fate.

The people of the Federation are one people and form part of the Arab Nation.

Article (7)

Islam is the official religion of the Federation and the Muslim Shari'a is a main source of its legislation. Arabic is the official language of the Federation.

Article (8)

The citizens of the Federation shall have a single nationality fixed by law. They shall enjoy abroad the protection of the Federal Government in accordance with the international principles in effect.

Nationality may neither be forfeited nor withdrawn from the nationals save in exceptional circumstances provided for in the law.

Article (9)

Abu Dhabi City shall be the capital city of the Federation.

** This article was amended by the Constitutional Amendment No. (1) dated 02/12/1996. The previous Article (9) reads as follows:*

"1. The capital city of the Federation shall be established in an area granted by Abu Dhabi and Dubai emirates on the borders between them, which shall be called Karama, or dignity.

2. An amount sufficient to cover the costs of the technical studies and planning for establishing the capital city shall be allocated in the Federation's budget for the first year. Works for establishing the capital city shall be started as early as possible so that they must be completed within a maximum of seven years starting from the date the Constitution takes effect.

3. Until the capital city of the Federation is established, Abu Dhabi shall be the temporary seat of the Federation."

Article (10)

The aims of the Federation shall be the maintenance of its independence, sovereignty; the safeguard of its security and stability; the defense against any aggression on its existence or the existence of the member Emirates; the protection of the rights and liberties of the people of the Federation; the achievement of close

co-operation between the Emirates for their common benefit in realizing these aims and in promoting their prosperity and progress in all fields; the provision of a better life for all citizens together with the respect by each member Emirate of 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 a single economic and customs entity. Federal 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 Federation is guaranteed and may not be restricted except by a Federal 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 Federation aims towards the support of Arab and Islamic causes and interests and towards the consolidation of the bonds of friendship and co-operation with all nations and peoples on basis of the principles of the Charter of the United Nations and the international moral standards.

Part II. The Fundamental Social and Economic Basis of the Federation

Article (13)

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

Article (14)

Equality, social justice, safety, security and equal opportunities for all citizens shall be the pillars of the Society. Solidarity and compassion shall constitute the closest bonds between them.

Article (15)

Family is the basis of society. It is founded on religion, morals and patriotism. The law shall guarantee its existence, safeguard and protect it from deviation.

Article (16)

Society shall include in its care childhood and motherhood and shall protect minors and others unable to look after themselves for whatever reason, such as illness or incapacity or old age or forced unemployment. It shall extend assistance and rehabilitation to them for their own benefit and that of the Society. Such matters shall be regulated by welfare and social security legislations.

Article (17)

Education is 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 set forth the necessary schemes for the propagation and generalization of education at various levels and for the eradication of illiteracy.

Article (18)

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

Article (19)

The community shall ensure for all citizens medical care and means of prevention and treatment of diseases and epidemics. It shall encourage the establishment of public and private hospitals, dispensaries and treatment centers.

Article (20)

Society shall consider work as a cornerstone of its development. It shall strive towards making it available for citizens and training them so that they are prepared for it. It shall create the appropriate circumstances by enacting legislations protecting the rights of the employees and the interests of the employers in the light of developing international labor legislations.

Article (21)

Private property shall be protected. Restrictions relating thereto shall be laid down by law. No one shall be deprived of his property except in circumstances dictated by public benefit in accordance with the provisions of the law and in consideration of a just compensation.

Article (22)

Public property shall be inviolable; its protection shall be the duty of every citizen. The law shall state the cases in which the breach of this duty shall be penalized.

Article (23)

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

Article (24)

The basis of the national economy is 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, rise in the standards of living and achievement of prosperity for the citizens, all within the limits of law. The Federation encourages cooperation and savings.

Part III. Public Freedom, Rights and Duties

Article (25)

All persons are equal before the law, without discrimination 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 apprehended, frisked, detained or imprisoned except in accordance with the law. No person shall be subjected to torture or to degrading treatment.

Article (27)

Crimes and punishments shall be determined by the law. No penalty shall be imposed for any act or omission committed prior to promulgation of the relevant law.

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 has the capacity to defend him during the trial. The law shall prescribe the cases in which the presence of a counsel for defense is a must.

Physical and moral harm to an accused is prohibited.

Article (29)

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

Article (30)

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

Article (31)

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

Article (32)

Freedom of 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 association shall be guaranteed within the limits of the law.

Article (34)

Every citizen shall be free to choose his occupation, trade or profession within the limits of the law and with due observance of the regulations organizing some of these professions and trades.

No person may be subjected to forced labor except in exceptional circumstances provided for in the law and in return for a consideration.

No person may be enslaved.

Article (35)

Public functions are available to all citizens on the basis of equal opportunity for all and in accordance with the provisions of the law.

Public functions are a national service assigned to those who carry them out. In the performance of his duties the public employee's only aim is to serve public interest.

Article (36)

Dwellings are inviolable; they may not be accessed without permission of their lawful occupiers except in accordance with the law and in the instances determined therein.

Article (37)

Citizens may not be deported or banished out of the Federation.

Article (38)

Turning in citizens and political refugees is prohibited.

Article (39)

Public confiscation of property is prohibited. The sanction of private confiscation shall not be enforced except by court order and in the instances provided for in the law.

Article (40)

Aliens shall enjoy in the Federation all rights and liberties provided in international Charters in force or in treaties or conventions in which the Federation is a party. In exchange they have to abide by the corresponding duties.

Article (41)

Every person shall have the right to submit complaints to the competent authorities, including the judicial authorities concerning the violation of the rights and liberties set forth in this Part.

Article (42)

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

Article (43)

Defense of the Federation is a sacred duty of every citizen; military service, as regulated by law, is an honor for citizens.

Article (44)

Respect of the Constitution and the laws, as well as the orders issued by public authorities in implementation thereof and the observance of public order and respect of public morals are duties incumbent upon all inhabitants of the Federation.

Part IV. The Federal Authorities

Article (45)

The Federal Authorities are composed of:

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

Chapter One. The Federal Supreme Council

Article (46)

The Federal Supreme Council is the highest authority in the Federation. It shall consist of the Rulers of all the Emirates composing the Union, or of their substitutes in the event of their absence or their incapacity to attend.

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

Article (47)

The Federal Supreme Council shall be in charge of the following matters:

1. Formulation of the general policy in all matters vested in the Federation by this Constitution. It shall examine all matters leading to the achievement of the Federation's objectives and the common interests of the member Emirates.
2. Ratification of the various Federal laws before their promulgation, including the Laws on the Annual General Budget and the Closing Accounts.
3. Sanction of decrees relating to matters that by virtue of the provisions of this Constitution are subject to the ratification or approval of the Supreme Council. Such sanction shall take place before the promulgation of these decrees by the President of the Federation.
4. Ratification by Decree of the treaties and international agreements.
5. Approval of the appointment of the Prime Minister of the Federation, acceptance of his resignation and his removal from office upon proposal from the President of the Federation.
6. Approval of the appointment of the President and Judges of the Federal Supreme Court, acceptance of their resignation and their dismissal in the circumstances provided for in this Constitution. All Such decisions shall be issued by decrees.
7. Supreme Control over the affairs of the Federation, in general.
8. Any other relevant matters provided for in this Constitution or in the Federal laws.

Article (48)

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

Article (49)

Decisions of the Supreme Council on substantive matters shall be taken by a majority vote 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 opinion of the said majority. The Council's decisions on procedural matters shall, however, be taken by a simple majority vote. Such matters shall be defined in the Council bye-laws.

Article (50)

Meetings of the Supreme Council shall be held in the Federal capital or in any other place agreed upon beforehand.

Chapter Two. The President and Vice President of the Federation

Article (51)

The Federal Supreme Council 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 whatever 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 shall be faithful to the United Arab Emirates; respect its Constitution and its laws; protect the interests of the people of the Union; and I shall discharge my duties faithfully and loyally and safeguard the independence of the Union and its territorial integrity."

Article (53)

Upon vacancy of the office of the President or Vice President by reason of death or resignation, or the termination of the rule of any one of them over this Emirate for whatever reason, the Supreme Council shall be convened 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 Prime Minister of the Federation, 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. Convening the Supreme Council into meeting, and adjourning same according to the rules of procedure decided by the Council in its by - laws. The Council must be convened for a meeting at the request of one of its members.
3. Calling for a joint meeting between the Supreme Council and the Council of Ministers whenever necessity so requires.
4. Signing Federal laws, decrees and decisions that the Supreme Council ratifies and promulgates.
5. Appointing the Federal Prime Minister, accepting his resignation and relieving him from office with the consent of the Supreme Council. He shall also appoint the Deputies* Prime Minister and the Ministers and accept their resignations and relieve them from office upon a proposal from the Prime Minister of the Federation.

** The term "Deputy" has been replaced by "Deputies" by virtue of article (1) of the Constitutional Amendment No. (1) dated 10/02/2009.*

6. Appointing the diplomatic representatives of the Federation to foreign states and other senior Federal 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 upon approval of the Council of Ministers of the Federation. Such appointments, acceptance of resignations and dismissals shall be decided by decrees and in accordance with the Federal laws.
7. Signing the letters of credence of diplomatic representatives of the Federation to foreign states and organizations and accepting the credentials of diplomatic and consular representatives of foreign states to the Union and receiving their letters of credence. He shall as well sign documents of appointment and credence of the representatives.
8. Supervising the implementation of Federal laws, decrees and decisions through the Council of Ministers of the Federation and the competent Ministers.
9. Representing the Federation internally, and towards other states as well as 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 the Federal laws.
11. Conferring decorations and medals of Honor, 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 the Federal laws.

Chapter Three. The Council of Ministers of the Federation

Article (55)

The Council of Ministers of the Federation shall consist of the Prime Minister, his Deputies* and a number of Ministers.

** The term "Deputy" has been replaced by "Deputies" by virtue of article (1) of the Constitutional Amendment No. (1) dated 10/02/2009.*

Article (56)

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

Article (57)

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

"I swear by Almighty God that I shall be loyal to the United Arab Emirates; respect the Constitution and laws of the Federation; discharge my duties faithfully; that I shall fully take care of the interests of the people of the Federation and fully preserve the entity of the Federation and its territorial integrity."

** The term "Deputy" has been replaced by "Deputies" by virtue of article (1) of the Constitutional Amendment No. (1) dated 10/02/2009.*

Article (58)

The law shall determine the jurisdiction of the Ministries and the powers of each Minister. The first Council of Ministers of the Union shall be composed of the following Ministries:

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

12. Planning

Article (59)

** This article was amended by the Constitutional Amendment No. (1) dated 10/02/2009.*

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 supervise the coordination of work between the various Ministries and in all executive bodies of the Federation.

One of the deputies of the Prime Minister shall exercise all the powers of the Prime Minister in the event of his absence for any reason, and such by virtue of the commission of the President of the Federation, and upon the recommendation of the Prime Minister.

Article (60)

The Council of Ministers, in its capacity as the executive authority of the Union, shall, under the supreme control of the President of the Federation and the Supreme Council, be in charge of running all domestic and foreign affairs that are within the jurisdiction of the Union according to this Constitution and the Federal laws.

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

1. Follow up the implementation of the general policy of the Federal Government both domestic and foreign.
2. Propose drafts of Federal laws and refer same to the Federal National Council before their submission to the President of the Federation who in turn shall submit same to the Supreme Council for ratification.
3. Draw up the annual general budget of the Union, and the closing accounts.
4. Prepare drafts of decrees and various decisions.
5. Issue regulations necessary for the implementation of Federal laws without amending or suspending such regulations or making any exemption from their execution; issue arrest reports and other regulations relating to the organization of public services and administrations, within the limits provided for in this Constitution and the Federal laws. By special law provision or by decision of the Council of Ministers, the competent Federal Minister or any other administrative authority may be charged to issue some of these regulations.
6. Supervise the implementation of Federal laws, decrees, decisions and regulations by all the concerned authorities in the Federation or in the Emirates.
7. Supervise the enforcing of judgments rendered by the Federal Courts and the implementation of international treaties and agreements concluded by the Federation.
8. Appoint and dismiss Federal public servants in accordance with the provisions of the law, provided that their appointment or dismissal does not require the issuance of a decree.
9. Control the performance of the Federal public directorates and departments and the conduct and discipline of Federal public servants in general.
10. Any other authority vested in it by law or by the Supreme Council, within the limits of this Constitution.

Article (61)

Deliberations of the Council of Ministers are secret; its resolutions shall be taken by a majority vote and, in case of a tie, the side which the Prime Minister supports shall prevail.

Article (62)

While in office, the Prime Minister, the Deputies of the Prime Minister, or any Federal Minister may not practice any professional, commercial or financial activity or enter into any commercial transactions with the Federal Government or the Governments of the Emirates or hold, besides his office, more than one official post in the Government of an Emirate.

** This article was amended by Constitutional Amendment No. (1) dated 10/02/2009. The previous article reads as follows:*

“While in office, the Prime Minister, the Deputy Prime Minister, or any Federal Minister may not practice any professional, commercial or financial activity or enter into any commercial transactions with the Federal Government or the Governments of the Emirates or be, besides his office, a member of a board of directors of a commercial or financial company.

The Prime Minister may not hold, besides his post, more than one official post in an Emirate and shall give up all his other local official posts, if any.”

Article (63)

The members of the Council of Ministers must, in their conduct, aim at achieving the interests of the Federation, giving preeminence to public interest, completely negating personal interest, abstaining from exploitation of their official positions in any manner whatsoever for their own benefit or the benefit of those with whom he is connected with private relationship.

Article (64)

** This article was amended by Constitutional Amendment No. (1) dated 10/02/2009.*

The Prime Minister, his deputies, and the Ministers are politically jointly responsible, before the President of the Federation and the Federal Supreme Council, to implement the general policy of the Federation inside the country and abroad. Each one of them shall be held personally liable for the acts of his ministers or his position before the President of the Federation and the Federal Supreme Council.

The resignation of the Prime Minister, his removal from office, death or the vacancy of his position for any reason whatsoever shall lead to the resignation of the government as a whole. The President of the Federation may ask the ministers to temporarily maintain their office in order to expedite urgent matters until the formation of the new government.

Article (65)

At the beginning of each financial year, the Council of Ministers shall submit to the President of the Federation, for review by the Supreme Council, a detailed report of the work accomplished inside the country and the relations of the Federation with other States and international organizations, accompanied by the

recommendations of the government as to the best means to strengthen the structure of the Federation, consolidate its peace and stability, achieve its objectives and its progress in all fields.

Article (66)

1. The Council of Ministers shall draw up its own by-laws embodying its rules of procedures.
2. The Council of Ministers shall have a Secretariat General composed of a number of employees to assist it in the conduct of its work.

Article (67)

The salaries of the Prime Minister, his Deputies* and the other Ministers shall be determined by law.

** The term "Deputy" has been replaced by "Deputies" by virtue of article (1) of the Constitutional Amendment No. (1) dated 10/02/2009.*

Chapter Four. The Federal National Council

Section 1. General Provisions

Article (68)

The Federal National Council consists of forty* members. The seats are allocated to the member Emirates as follows:

Abu Dhabi - 8 seats

Dubai - 8 seats

Sharjah - 6 seats

Ajman - 4 seats

Umm Al-Quwain - 4 seats

Al Fujairah - 4 seats

Ras Al-Khaimah - 6 seats

** The number of the members of the Council was increased by the Decision of the Federal Supreme Council No. (3) of 1972 after Ras Al-Khaimah Emirate joined the UAE. The previous number was 34 members. Six seats were allocated to Ras Al-Khaimah.*

Article (69)

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

Article (70)

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

1. be a citizen of one of the Emirates of the Federation, and permanently residing in the Emirate he represents in the Council;
2. be not less than twenty five Gregorian years of age at the time of his selection;
3. enjoy civil capacity, good conduct, good reputation and not previously convicted of a dishonorable offense unless he has been rehabilitated in conformity with the law;
4. have adequate reading and writing knowledge.

Article (71)

Membership of the Federal National Council may not be combined with any public function in the Federation, including Ministerial portfolios.

Article (72)

Membership in the Federal National Council shall be four Gregorian years* commencing from the date of its first meeting.

** The term of the legislative chapter was increased from two to four years. The new term was applied to the 14th legislative chapter by Article (3) of Constitutional Amendment No. (1) dated 10/02/2009 which reads as follows:*

"The term of the present Federal National Council shall be extended so that the term stated in Article (72) of the present Amendment be applied."

The Amendment took force from the date it was promulgated on February 10th, 2009.

Article (73)

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

"I swear by Almighty God that I shall be loyal to the United Arab Emirates; respect the Constitution and the laws of the Federation and that I shall discharge my duties in the Council and its Committees honestly and truthfully".

Article (74)

If, for any reason, a seat of any member in the Council becomes vacant before the expiry of the term of his membership, a replacement shall be selected within two months as of the date on which the vacancy is

proclaimed by the Council, unless the vacancy occurs during the three months preceding the end of the term of the Council.

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

Article (75)

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

Article (76)

The Council shall decide upon the validity of the mandate of its members and forfeiture of their membership should they cease to satisfy one of its conditions. This decision shall be taken by a majority vote of all its members, upon proposal of five of them. The Council shall be competent to accept resignation from membership which shall be considered as final from the date of its acceptance by the Council.

Article (77)

A member of the Federal Council represents the whole people of the Federation and not merely the Emirate that he represents in the Council.

Section 2. Organization of Work in the Council

Article (78)

** This article was amended by Constitutional Amendment No. (1) dated 10/02/2009.*

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

Article (79)

The Council shall be convened into session, and its session shall be terminated by decree issued by the President of the Federation with the consent of the Federal Council of Ministers. Any meeting held by the Council without a formal convocation or in a place other than that legally assigned for its meeting in accordance with this Constitution, shall be invalid and without any effect.

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

Article (80)

The President of the Federation shall open the Council's first ordinary annual session and shall deliver a speech that includes the status of the country, the most important events and major affairs that occurred during the year and the projects and reforms the Government intends to achieve during the coming session.

The President of the Union may delegate for the inauguration of the session or for delivering the speech the Vice President or the Prime Minister of the Federation.

The Federal Council shall select, from among its members, a committee to prepare the draft reply to the inaugural speech including the Council's observations and wishes. After approval of the Council, the reply shall be submitted to the President of the Federation for consideration by the Supreme Council.

Article (81)

The Council members shall assume no liability on account of the ideas and opinions dispensed by them during the performance of their duties inside the Council or the committees.

Article (82)

When the Council is in session, and in cases other than flagrant delict, no criminal measures may be taken against any of its members except with the authorization of the Council. Should such measures be taken when the Council is not in session, it should be notified thereof.

Article (83)

As of the date of taking oath, the President of the Council and all its members deserve a remuneration determined by law as well as a transportation allowance from their dwelling place to the place where the meetings were held.

Article (84)

The Council shall have an office Board composed of a President, and Vice Presidents and two controllers both chosen from among its members.

The tenure of office of both the President and Vice President shall end by the expiry of the term of the Council or by its dissolution in accordance with paragraph two of Article (88).

The controllers' term of office shall end by selecting two new controllers at the beginning of the next ordinary session. Where any position in the Council's Bureau becomes vacant, the Council shall choose a replacement for the remaining period.

Article (85)

The Council shall have a General Secretariat headed by a General Secretary. The Council's by-law specifies the General Secretary's responsibilities. The Council makes its by-law and this by-law is issued by decision

of the President of the UAE subject to the approval of the Federal Supreme Council.*

** This article was amended by Constitutional Amendment No. (1) dated 10/02/2009. The previous text reads as follows:*

“The Council shall have a General Secretariat assisted by a number of employees subordinated directly to the Council. The Council’s by-law specifies the conditions of their service and responsibilities. The Council makes its by-law. The by-law are issued by the President of the UAE subject to the approval of the Council of Ministers. The by-law specifies:

- the responsibilities of the Council, of the Chairman’s deputies, of the Controllers, and in general everything related to the Council’s affairs, committees, members, General Secretariat’s Bureau, the Council’s employees;*
- the rules and procedures of deliberations and voting; and*
- any other matters provided in the Constitution.”*

Article (86)

Meetings of the Council are public but may be held in camera if so requested by the government’s representative, the President of the Council or one-third of its members.

Article (87)

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

Article (88)

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

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

Section 3. Jurisdiction of the Council

Article (89)

In so far as this does not conflict with the provisions of Article (110), Federal draft laws, including financial bills, shall be submitted to the National Federal Council prior to their submission to the President of the Union for presentation to the Supreme Council for ratification. The National Federal Council shall discuss these bills and may pass, amend or reject them.

Article (90)

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

Article (91)

The Government shall notify the Federal National Council of the international treaties and conventions concluded with other states and the various international organizations, together with appropriate explanations. The President of the Council shall determine, by virtue of a decision thereby, the international treaties and agreements to be discussed by the Federal National Council prior to the ratification thereof.

** This article was amended by Constitutional Amendment No. (1) dated 10/02/2009. The previous text reads as follows:*

“The Government shall notify the Federal National Council of the international treaties and conventions it concludes with the other states and various international organizations, together with appropriate explanations.”

Article (92)

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

Article (93)

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

** The term “Deputy” has been replaced by “Deputies” by virtue of article (1) of the Constitutional Amendment No. (1) dated 10/02/2009.*

Chapter V. The Judiciary in the Federation and in 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 Federation shall have a Federal Supreme Court and Federal Tribunals of first degree as detailed hereinafter.

Article (96)

The Federal 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 Federation 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 conditions and qualifications to be met by them.

Article (97)

The President and the Judges of the Federal Supreme Court shall not be removed during the exercise of their judiciary functions. Their tenure of office shall not be terminated except for one of the following reasons:

1. Death.
2. Resignation.
3. Expiration of contract term for those appointed for a fixed term or completion of term of their assignment.
4. Reaching retirement age.
5. Incapacity to carry on their functions for health reasons.
6. Disciplinary discharge on 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 Federal Supreme Court shall, before holding office, swear on oath before the President of the Federation and in the presence of the Federal Minister of Justice, that they will render justice without fear or favoritism and that they will be loyal to the Constitution and the laws of the Federation.

Article (99)

The Federal Supreme Court shall have jurisdiction in the following matters:

1. Various disputes between member Emirates in the Federation, or between any one Emirate or more and the Federal Government, whenever such disputes are submitted to the Court on the request of any of the interested parties.
2. Examination of the constitutionality of Federal laws, if they are challenged by one or more of the Emirates on the grounds of violating the Federal Constitution. Examination of the constitutionality of legislations promulgated by one of the Emirates, if they are challenged by one of the Federal authorities on the grounds of violation of the Federal Constitution or the Federal 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 the examination of a pending case. The aforesaid Court shall be bound to accept the ruling of the Federal Supreme Court rendered in this connection.
4. Interpretation of the provisions of the Constitution, when so requested by any Federal 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 Federation appointed by decree regarding their actions in carrying out their official duties, on demand of the Supreme Council and in accordance with the relevant law.
6. Crimes directly affecting the interests of the Federation, such as crimes relating to its internal or external security, forgery of the official records or seals of any of the Federal authorities and counterfeiting of currency.
7. Conflict of jurisdiction between the Federal and 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 thereto shall be regulated by a Federal Law.
9. Any other jurisdiction provided for in this Constitution, or which may be assigned to it by a Federal law.

Article (100)

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

Article (101)

The judgments of the Federal Supreme Court shall be final and binding on all. If the Court, in ruling on the constitutionality of laws, legislations and regulations, decides that a Federal legislation is in violation of the Federal Constitution, or that local legislations or regulations under consideration contain provisions which violate the Federal Constitution or with a Federal law, the authority concerned in the Federation or in the Emirate, accordingly, shall be obliged to take the necessary measures to remove or rectify the constitutional violation.

Article (102)

The Federation shall have one or more Federal court of first instance seated in the permanent capital of the Federation or in the capital of some Emirates in order to perform their judicial functions within their jurisdiction in the following lawsuits:

1. Civil, commercial and administrative litigations between the Federation and individuals whether the Federation is plaintiff or defendant.

2. Crimes perpetrated within the boundaries of the permanent Federal capital, except those crimes that fall within the jurisdiction of the Federal Supreme Court according to article (99) of this Constitution.
3. Personal status, civil, commercial and other litigations between individuals that arise in the permanent Federal capital.

Article (103)

The law regulates all matters concerning the Federal courts of first instance relating to their organization, formation, circuits, territorial jurisdiction, procedures, the oath taken by the judges of these courts, conditions of their employment and the modes of challenging their decisions.

The law may provide for the appeal of their judgments before one of the Chambers of the Federal Supreme court in the instances and according to the procedures provided for therein.

Article (104)

The local judiciary bodies in each Emirate shall have jurisdiction in all judicial matters that have not been entrusted to the Federal judiciary by virtue of this Constitution.

Article (105)

A Federal law enacted upon request of a specific Emirate may transfer all or part of the competences of the local judiciary authorities in accordance with the preceding article to the Federal court of first instance.

Likewise, a Federal law shall determine the instances in which it is allowed to appeal the decisions of the local judiciary authorities in criminal, civil, commercial and other matters, before the Federal courts provided that the judgment rendered by these courts are final.

Article (106)

The Federation shall have a public prosecutor, appointed by a Federal decree issued with the approval of the Council of Ministers, assisted by a number of members of the public prosecution.

The law regulates the affairs of the members of the Federal prosecution as concerns their appointment, rank, promotion, retirement and the qualifications to be met by them.

The Federal law on criminal procedures and trials regulates the jurisdiction of this authority, its procedures, the powers of the assisting police and public security forces.

Article (107)

The President of the Federation, prior to the execution of the verdict or in the course thereof, may grant pardon as concerns the execution of the penalty sentenced by a Federal judiciary authority, or commute it. This will take place upon proposal of the Federal Minister of justice and after approval of a Committee headed by the Minister and composed of six members chosen by the Federal Council of Ministers, for a period of three years renewable, from among learned and qualified citizens in the country.

Membership in the Committee is gratuitous, deliberations are secret and its resolutions are taken by an absolute majority vote.

Article (108)

Death penalty decided by a final sentence from a Federal judicial authority may not be executed except after ratification of the judgment by the President of the Federation. He may substitute it by a commuted penalty in accordance with the procedures set forth in the preceding Article.

Article (109)

General amnesty for a specific crime or crimes shall only be granted by law. The promulgation of the law of amnesty shall result in considering such crimes as if never committed and exonerating from the execution of the penalty or the remaining part of it.

Part V. Federal Legislations and Decrees and the Authorities in Charge

Chapter One. Federal Laws

Article (110)

1. Federal 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 National Federal Council.
- b) The Council of Ministers shall submit the bill to the President of the Federation for his approval and presentation to the Supreme Council for ratification.
- c) The President of the Federation shall sign the bill after ratification by the Supreme Council and shall promulgate it.

3. a) If the National Federal Council enters any amendment to the bill and this amendment is not acceptable to the President of the Federation or the Supreme Council, or if the National Federal Council rejects the bill, the President of the Federation or the Supreme Council may return it to the National Federal Council. If the National Federal Council introduces an amendment thereto that is not acceptable to the President of the Federation or the Supreme Council, or if the Federal National Council decides to reject the bill, the President of the Federation 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 Federation by the Council of Ministers including the amendments, if any, made to it by the National Federal Council.

4. Notwithstanding the foregoing, if the situation requires the promulgation of Federal laws when the National Federal Council is not in session, the Council of Ministers of the Federation may issue them

through the Supreme Council and the President of the Federation, provided that the Federal Council is notified of it 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 Federation pursuant to their ratification by the Supreme Council. 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)

Laws shall have no effect except on what occurs as from the date they become in force without retrospective effect. When necessary and in matters other than criminal, the law may provide otherwise.

Chapter Two. Laws Issued by Decrees

Article (113)

Should necessity arise for urgent promulgation of Federal laws between sessions of the Supreme Council, the President of the Federation 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 maximum of one week for approval or rejection. If they are approved, they shall have the force of law and the National Federal Council shall be notified at its next meeting. However, if the Supreme Council does not approve them, they shall cease to have the force of law unless it has decided to sanction their effectiveness during the preceding period, or to settle in some other way the effects arising therefrom.

Chapter Three. Ordinary Decrees

Article (114)

No decree may be issued unless the Council of Ministers has confirmed it and the President of the Federation 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 Federation.

Article (115)

While the Supreme Council is out of session and if necessity arises, it may authorize the President of the Federation and the Council of Ministers collectively to promulgate decrees which 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 Federal Supreme Court.

Part VI. The Emirates

Article (116)

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

Article (117)

Governance 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 Federation shall all work for the co-ordination of their legislations in various fields targeting the unification of 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 services.

Article (119)

With a view to provide the utmost degree of facility, the Federal law shall regulate matters pertaining to the enforcement of judgments, rogatory commissions, serving legal documents and surrendering fugitives between the member Emirates of the Federation.

Part VII. Allocation of Legislative, Executive and International Jurisdictions Between the Federation and the Emirates

Article (120)

The Federation shall have exclusive jurisdiction in the following affairs:

1. Foreign affairs.
2. Defense and Federal armed forces.
3. Protection of the Federal security from all local and foreign dangers threatening it.
4. Matters concerning security, order and governance in the permanent capital of the Federation.
5. Matters concerning Federal employees and the Federal judiciary.
6. Federal finance, taxes, fees and dues.
7. Federal public loans.
8. Postal, telegraphic, telephonic and wireless services.
9. Building of Federal roads which the Supreme Council considers main roads, the maintenance and improvement thereof and organizing traffic on these roads.
10. Aeronautic control and issuance of airplane and pilots licenses.
11. Education.
12. Public health and medical services.
13. Exchange and currency.
14. Measures, dry measures and weights
15. Electricity services.
16. Federal nationality, passports, residence and immigration.
17. Federal property and all matters relating thereto.
18. Census and statistical matters regarding Federal objectives.
19. Federal information.

Article (121)

Without prejudice to the provisions of the preceding Article, the Federation shall have exclusive legislative jurisdiction in the following matters:

- labor relations and social security;
- ownership of real properties 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 intellectual, technical and industrial property and copyright, printing and publishing rights;

- import of arms and ammunitions except for use by the armed forces or the security forces belonging to any Emirate;
- other aeronautic affairs which are not within the executive jurisdiction of the Federation;
- delimitation of territorial waters and regulation of navigation on the high seas;
- organizing the free zone areas, determining the method of creation of such zones and the scope of its exception from the implementation of the Federal laws.*

** This paragraph was added by the Constitutional Amendment No. (1) dated 10/01/2004.*

Article (122)

The Emirates shall have jurisdiction in all matters not assigned to the exclusive jurisdiction of the Federation 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 Federation in matters of foreign policy and international relations, the member Emirates of the Federation may conclude limited agreements of a local and administrative nature with the neighboring states or regions, provided that such agreements are not inconsistent with the interests of the Federation or with Federal laws and further provided that the Federal Supreme Council is informed in advance. If the Council objects to the conclusion of such agreements, the matter must be suspended until the Federal Court has given its ruling thereon in the shortest time possible.

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

Article (124)

The competent Federal authorities, before concluding any international treaty or agreement that may affect the position of any Emirate, shall seek the opinion of the said Emirate in advance and in case of difference of opinion, the matter shall be referred for decision to the Federal Supreme Court.

Article (125)

The governments of the Emirates shall take the necessary measures to implement the laws enacted by the Federation as well as all international treaties and agreements concluded by it including issuance of all laws, regulations, decisions and local orders necessary for this implementation.

The Federal authority shall supervise the implementation by the governments of the Emirates of all laws, regulations, international treaties and agreements and Federal judicial decisions. The competent administrative and judicial authorities in the Emirates shall extend in this respect all possible assistance to the Federal authorities.

Part VIII. Financial Affairs of the Federation

Article (126)

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

1. Taxes, fees and duties imposed under a Federal law in matters within the legislative and executive jurisdiction of the Federation.
2. Fees and rates received by the Federation in return for services provided by it.
3. Contribution made by member Emirates of the Federation to the Annual Budget of the Federation in accordance with the following article.
4. Income to the Federation 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 Federation, 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 Federation and the final accounts. The law shall also determine the beginning of the financial year.

Article (129)

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

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 allocation funds may be made by Federal 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 Federation 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, through and under the supervision of the competent Federal bodies with the agreement of the authorities of the Emirates concerned.

The Federation may establish a special fund for this purpose.

Article (133)

No Federal 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.

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

Article (134)

Public loans may not be contracted or engagements taken, involving obligations that may result in expending sums from the public treasury of the Federation for one or more future years, except by a Federal law.

Article (135)

The closing account of the Federal financial administration for the past year shall be submitted to the Federal National Council within the four months subsequent to the end of the said year for its comments thereon before presenting it to the Supreme Council for approval in the light of the public comptroller's report.

Article (136)

An independent Federal Administration, headed by a public comptroller appointed by decree, shall be established to control the Federation's accounts and the subordinate bodies and organizations, as well as any other accounts referred to this administration for control in accordance with the law.

The law shall regulate this Administration, its jurisdiction, the powers of those working for it and the guarantees to be provided for it, its president and its employees in order to carry on their functions in the best possible way.

Part IX. Armed Forces and Security Forces

Article (137)

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

Article (138)

The Union shall have an army, navy and air force with unified training and command. Appointment and discharge of the Commander in Chief of these forces and the Chief of the General Staff shall be by a Federal decree. The Federation may have Federal Security Forces. The Federal Council of Ministers shall be responsible directly to the President of the Federation and the Federal Supreme Council for the affairs of all these forces.

Article (139)

The law shall regulate military service, general or partial mobilization, the rights and duties of members of the Armed Forces, their disciplinary rules as well as the special regulations of the Federal Security Forces.

Article (140)

The declaration of defensive war shall be declared by a Federal decree issued by the President of the Federation after its approval by the Supreme Council. As for offensive war, it shall be prohibited in compliance with the provisions of international Charters.

Article (141)

A Supreme Defense Council shall be formed, headed by the President of the Federation and shall have among its members a Vice President, the Federal Prime Minister, the Ministers of Foreign Affairs, Defense, Finance, Interior, the Commander in Chief and the Chief of the General Staff. It shall give its opinion and advice on all matters pertaining to defense, maintenance of peace and security of the Federation; forming, equipping and developing the armed forces and determining the sites of their posts and camps.

The Council may commission any military adviser or expert and others to attend its meetings but they shall have no voting power in the deliberations. All matters pertaining to this Council shall be regulated by means of a law.

Article (142)

Abrogated by Constitutional Amendment No. (1) dated 06/11/1976.

Article (143)

Any Emirate shall have the right to request the assistance of the Armed Forces or the Security Forces of the Federation 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 Federal Supreme Council 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 seeking assistance and the Emirate to which the forces belong agree.

The President of the Federation and the Council of Ministers of the Federation 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 X. Final and Transitional Provisions

Article (144)

1. *Abrogated by Constitutional Amendment No. (1) dated 02/12/1996.*

2. a) If the Supreme Council considers that the topmost interests of the Federation require the amendment of this Constitution, it shall submit a draft constitutional amendment to the Federal National Council.

b) The procedure for approving the constitutional amendment shall be the same as the procedure for approving laws.

c) The approval of the National Federal Council, for a draft constitutional amendment, shall require the agreement of two-thirds of the votes of attending members.

d) The President of the Union shall sign the constitutional amendment in the name of the Supreme Council and in his stead and shall promulgate the amendment.

3. *Abrogated by Constitutional Amendment No. (1) dated 02/12/1996.*

4. *Abrogated by Constitutional Amendment No. (1) dated 02/12/1996.*

Article (145)

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

Notwithstanding the foregoing, sessions of the Federal National Council 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 basis of the proposal made by the President of the Federation with the consent of

the Federal Council of Ministers. Such decree shall be notified to the Federal National Council at its next meeting.

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

Article (147)

Nothing in the application of this Constitution shall affect treaties or agreements concluded by member Emirates with States or International Organizations 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 Federation 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 systems 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 Federal 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 Federation and the Federal 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 Federal Supreme Court for its ruling.

Article (152)

This Constitution shall come into force as of the date fixed by an announcement* issued by the Rulers signatories of this Constitution.

** This announcement has been issued in Dubai on 02 December 1971, corresponding to 15 Shawal 1391.*

Signed in Dubai this day the Eighteenth of July 1971

Corresponding to the Twenty Fifth day of the month Jamadi El Awal 1391 H.