DOCUMENT

THE PROVISIONAL CONSTITUTION
OF THE UNITED ARAB AMIRATES

We the Rulers of

Abu Dhabi, Dubayy, Sharjah, Ajman, Ummal-Qaywayn and Fujayrah;

Now that our will and that of our people have seen fit to establish a Union of these Amirates for the purpose of providing a better life, a more solid stability and a higher international status for the Amirates and their people:

And desirous of establishing stronger relations among the Arab Amirates in the form of an independent sovereign federal state able to protect its entity and that of the member states, co-operating with the sister Arab states and all other friendly member states of the United Nations and the international family of states in general, on the basis of reciprocal respect and the exchange of interests and benefits;

And desirous of establishing a basis of federal rule on a sound basis within the coming few years in harmony with the Amirates' existing conditions and potential, to enable the Union to achieve its aims and safeguard the individual entity status of its member-states in a manner which does not contradict these aims, preparing the Union's people for a free dignified constitutional life, progressing at the same time towards a complete representative democratic rule in an Islamic Arab Society free of fear and uncertainty.

And as we truly aspire for the realization of all the foregoing with all our determination, to enable our countries and our people to attain the status qualifying them to take their place among the civilized states and the people of the world;

For this purpose and until the preparation of the Permanent Constitution of the Union, we do hereby solemnly declare, before Almighty God and all the people, our agreement on this provisional Constitution to which we apply our signatures hereunder that it shall be applied during the said transitory period.

May God grant us success for He is our God and our refuge.
Part One

The Union Structure And Basic Aims

Article 1

The United Arab Emirates are a sovereign independent Federal State (which shall be referred to hereafter in this Constitution as the Union).

The Union shall consist of the following Emirates:

Abu Dhabi—Dubayy—Sharjah—Ajman—Ummal-Qaywayn and Fujayrah;

Any other independent Arab country may join the Union if the Union Supreme Council unanimously approves.

Article 2

The Union, in virtue of the provisions of this Constitution, shall exercise sovereignty on all territorial lands and waters within the international boundaries of the member-Emirates.

Article 3

The member-Emirates shall exercise sovereignty on their territorial lands and waters in all matters which do not fall within the domain of Union in accordance with this Constitution.

Article 4

The Union shall not abandon its sovereignty on any part of its land or waters.

Article 5

The Union shall have its own flag insignia and national anthem. Both the flag and the insignia shall be defined by a law, while each Emirate may keep its own flag for use within its territory.
Article 6

The Union is a part of the Greater Arab Homeland bound with ties of religion, language, history and common destiny. The people of the Union is one people and is a part of the Arab Nation.

Article 7

Islam shall be the official religion of the Union. The Islamic Shari'ah shall be a major source of legislation while the official language of the Union shall be the Arabic language.

Article 8

The nationals of the Union shall have one nationality to be defined by a law. These nationals when abroad, shall enjoy the protection of the Union’s Government in accordance with the accepted international procedures.

No national shall have its nationality withdrawn from him nor shall any national be deprived of his nationality, except in exceptional circumstances stipulated by law.

Article 9

1. The Capital of the Union shall be established in an area to be given to the Union by both Abu Dhabi and Dubayy and situated on their joint border and shall be called “Al-Karamah”.

2. Sufficient funds shall be allocated in the Union’s budget for the first year to cover the expenses of technical studies and town planning of the capital, the construction of which shall be started as soon as possible and completed within 7 years from the date this Constitution becomes operative.

3. Until the capital is established, Abu Dhabi shall be the temporary seat of the Union.
Article 10

The aims of the Union shall be to preserve its independence, sovereignty, security and stability, to repulse any aggression on its entity or the entity of the member-Amirates, to safeguard the rights and liberties of the people of the Union, and the realization of the cohesive cooperation among the Amirates for their common interests in pursuance of these aims for their prosperity and progress in all aspects to provide the better life for all the citizens while every member-Amirates shall respect the independence and sovereignty of the other Amirates in matters relating to their internal affairs within the framework of this Constitution.

Article 11

1. The member-Amirates of the Union shall unify their customs—economic affairs, and Federal laws shall regulate the appropriate phased-stages for the realization of this unity.

2. The free movement of capital and goods among the member-Amirates of the Union shall be guaranteed and can only be restricted by a Federal law.

3. All Taxes, fees, excise and royalties levied on the movement of goods from one Amirate to another among the member-Amirates shall be abolished.

Article 12

The aims of the Union's foreign policy shall be to support Islamic and Arab issues and interests and to consolidate ties of friendship and cooperation with all states and nations on the basis of the United Nations Charter and International Code of Ethics.

Part Two

The Union's Basic and Economic Principles

Article 13

The Union and the member-Amirates thereof shall cooperate each within the limits of its prerogatives and potential in the implementation of the provisions of this part.
Article 14

The foundations of the society shall be equality, social justice, law, order and security with equal opportunities for all citizens, all of whom shall be bound together with solidarity, charity and love.

Article 15

The family shall be the basis of the society which shall be founded on religion, ethics and love of the motherland. The entity of the family shall be guaranteed by law which shall also protect and safeguard it against deviation.

Article 16

Society shall care for the mother and child and protect those under age and other people who cannot look after themselves for various reasons such as sickness, infirmity, old age or compulsory unemployment. Society shall take upon itself to care and work for the rehabilitation of these people for their own good and that of the society as a whole.

Laws shall be drawn up to regulate general assistance and social security related to this situation.

Article 17

Education is a fundamental factor in the progress of the society. It shall be compulsory in its elementary stage and free of charge throughout all its stages within the Union. The necessary plan for making education available at all stages shall be drawn up and governed by law, likewise the elimination of illiteracy.

Article 18

Individuals and organizations may open private schools in accordance with the provisions of the law but shall be subject to the control and directives of the authorities concerned.
Article 19

Society shall guarantee to all citizens health care, protective facilities and treatment for illness and epidemics.

Society shall encourage the opening of hospitals, clinics, public and private treatment centres.

Article 20

Society realises that work and employment are basic factors in its march towards prosperity and shall, therefore, provide it to the citizens and train them to qualify for it. It shall do this with the help of necessary legislation to protect the rights of workers and employers with the ever-developing international labour legislation.

Article 21

Private ownership shall be protected and the necessary laws in this respect shall be enacted. No one shall have his property expropriated except in circumstances dictated by public interest in accordance with the law and in return of a just compensation.

Article 22

Public funds shall be inviolable and it is the duty of each and every citizen to safeguard public funds. A law shall define circumstances in which violators shall be penalized.

Article 23

The natural wealth and resources in every Amirate shall be considered as public property of that Amirate. Society shall regulate the protection and beneficial exploitation of such resources to the good of national economy.

Article 24

National economy shall be based on social justice and on sound co-operation between the public and private sectors. Its aim shall be to realise economic
development, increase production, raising the standard of living and providing prosperity for the citizens within the framework of the law.

It shall also encourage co-operation and savings.

Part Three

Freedoms — Rights and Public Duties

Article 25

All individuals are equal before the law and there shall be no discrimination between the citizens of the Union on account of origin, place of residence, religion or social status.

Article 26

Personal freedom shall be guaranteed for all individuals. No one shall be arrested or searched or apprehended or imprisoned except in accordance with the provisions of the law.

No citizen shall be subjected to torture or humiliating treatment.

Article 27

Crimes and penalties shall be defined by law. There shall be no penalties for what was committed or done prior to the law concerned.

Article 28

The penalty is personal and the accused shall be innocent until proven guilty in a just and legal trial. The accused shall have the right to appoint whoever is capable of defending him during the trial. the law shall define the circumstances where a lawyer must attend for the accused.

It is forbidden to inflict on the accused any physical or mental harm.
Article 29

Free movement and residence shall be guaranteed to all citizens within the framework of this law.

Article 30

Freedom of opinion and expression and the freedom to express by word of mouth or by writing, and all other forms of expressing this freedom shall be guaranteed within the framework of the law.

Article 31

Freedom of secrecy of postal and telegraphic correspondence and other means of communication shall be guaranteed in accordance with the law.

Article 32

Freedom to exercise religious worship shall be guaranteed in accordance with established and accepted procedures, provided it does not disturb public peace or violate public morals.

Article 33

Freedom of meetings and formation of societies shall be guaranteed within the limits of law.

Article 34

Every citizen shall be free to choose his own work, employment or trade within the limits of the law and in accordance with the legislation regulating such jobs and trades.

No work shall be imposed on any one except in exceptional circumstances prescribed by law and provided he is fully compensated.

No person shall be enslaved.
Article 35

Civil Service shall be opened to all citizens on the basis of equal opportunities, in accordance with the provisions of law.

Civil Service jobs shall be considered as a national duty by all those employed in such jobs. In the performance of his duties, the Civil Servant shall aim only at serving the public interest.

Article 36

Homes shall be inviolable and entering these homes shall not be allowed without the permission of the occupier except in accordance with the provisions of the law and the circumstances stipulated therein.

Article 37

Citizens shall not be deported or exiled from the Union.

Article 38

Extradition of citizens and political refugees shall be forbidden.

Article 39

Public confiscation of money shall be forbidden but the penalty of private confiscation shall be only on the basis of a decision from a Court and in circumstances prescribed by the law.

Article 40

Foreigners in the Union shall enjoy the rights and freedoms stipulated in accepted and established International Charters or in accordance with Treaties and Agreements to which the Union is a party thereof, while they shall be expected to do the duties called for accordingly.
Article 41

Any citizen may file a complaint to the appropriate authority, including the judicial authority, if the rights and freedoms stipulated in this Part have been violated.

Article 42

The payment of taxes and dues stipulated by law is a duty upon every citizen.

Article 43

The defence of the Union is a sacred duty of every citizen. Military Service is an honour for every citizen and shall be regulated by law.

Article 44

It shall be the duty of all the people of the Union to respect the Constitution, laws and orders issued by public authorities, as well as keeping the peace and respecting public order.

Part Four

Federal Authorities

Article 45

Federal Authorities shall consist of:

1. Supreme Council of the Union
2. President of the Union and his Deputy
3. The Union’s Council of Ministers
4. The Federal National Council
5. The Federal Judicature
Chapter One

Supreme Council of the Union

Article 46

The Supreme Council of the Union shall be the highest authority in the Union. It shall consist of all the Rulers of the member-Amirates or their Deputies in their absence, or when they are unable to attend.

Every Amirate shall have one vote in the deliberations of the Council.

Article 47

The Supreme Council of the Union shall assume responsibility for the following —

1. Planning the general policy in all matters delegated to the Union in accordance with this Constitution and to consider all that may assist in the realization of the Union’s aims and the common interests of the member-Amirates.

2. Ratification of the various Federal laws including the annual laws governing the Union’s annual general budget and balance sheet.

3. Ratification of the decrees related to matters subject to the ratification or approval by the Supreme Council, in accordance with the provisions of this Constitution, prior to the issuance of such decrees by the President of the Union.

4. Ratification of International Treaties and Agreements. Ratification shall be done by a decree.

5. Approving the appointment of the Union’s Prime Minister, accepting his resignation and relieving him of his duties upon the suggestion of the President of the Union.

6. Approving the appointment of the President and members of the Supreme Federal Court, accepting their resignations and relieving them of their duties
in the circumstances provided in this Constitution. All this shall be done by a decree.

7. Higher supervision of all affairs of the Union in general.

8. Any other prerogatives stipulated in this Constitution or in Federal laws.

Article 48

1. The Supreme Council shall draw up its own by-laws which shall include the procedure of the Council’s functions and the method of voting on the Council’s decisions. The Council’s discussions shall be treated as secret.

2. The Supreme Council shall establish a General Secretariat staffed with an adequate number of staff to assist in the performance of the Council’s functions.

Article 49

The decisions of the Supreme Council in subject matters shall be by a majority of five votes which must include the votes of Abu Dhabi and Dubayy. The minority shall be bound by the vote of the majority.

The Council’s decisions in procedural matters should be by a majority of votes. These matters shall be defined by the by-laws of the Council.

Article 50

The Supreme Council shall hold its meetings in the Union’s capital. The Council may convene in any other place to be previously agreed.
Chapter Two

The President of the Union and his Deputy

Article 51

The Supreme Council of the Union shall elect from amongst its members a President for the Union and a Vice-President. The Vice-President shall exercise all the prerogatives of the President in the absence of the President.

Article 52

The terms of the President and the Vice-President shall be five calendar years. They may be re-elected for the same office. Upon assuming the responsibilities of his office, each of them shall repeat the following oath before the Supreme Council:—

“I swear by Almighty God to be loyal to the United Arab Emirates, respect its Constitution and laws, safeguard the interests of the people of the Union, perform my duty with honesty and sincerity and preserve the independence of the Union and the security of its land.”

Article 53

When the office of the President or Deputy shall become vacant on account of death, resignation or termination of the rule of either of them in his own Emirate for any reason, the Supreme Council shall be convened within a month of such a situation in order to elect a successor to the vacant office for the duration of the period defined in Article 52 of this Constitution.

When both offices of the President of the Supreme Council and his Deputy become vacant at the same time, then the Council shall be convened immediately upon an invitation from any of its members or from the Prime Minister of the Union to elect a President and a Vice-President to fill the two vacant offices.
Article 54

The President of the Union shall exercise the following prerogatives:—

1. He shall preside over the meetings of the Supreme Council and direct its discussions.

2. He shall convene the Supreme Council and declare the end of the meeting, in accordance with procedures defined by the Council in its by-laws. The Council shall be called to meet when any member asks for such a meeting.

3. He shall call for a joint meeting between the Supreme Council and the Council of Ministers of the Union when it is necessary so to do.

4. He shall sign the laws, decrees and Federal decisions as approved by the Supreme Council.

5. He shall appoint the Union's Prime Minister, accept his resignation and terminate his term with the approval of the Supreme Council. He shall also appoint the Deputy Prime Minister and the Ministers of the Union, accept their resignations and terminate their terms of office upon the suggestion of the Prime Minister of the Union.

6. He shall appoint the Union's diplomatic representatives to serve in other countries. He shall likewise appoint the senior Federal civil and military personnel [excluding the President and members of the Supreme Federal Court], accept their resignations and terminate their services with the approval of the Council of Minister of the Union. The appointment, resignation or termination of service shall be done by decrees and in accordance with Federal laws.

7. He shall sign the credentials of diplomatic representatives of the Union to serve abroad while he shall accept and receive the credentials of foreign diplomatic and consular representatives accredited to the Union. He shall also sign the representatives' letters to credence.

8. He shall supervise the implementation of Federal laws, decrees and decisions through the Federal Council of Ministers and the Ministers concerned.
9. He shall represent the Union inside the Union and before foreign states in all international relations.

10. He shall exercise the right to pardon or commute a penalty. He shall approve the death sentence in accordance with the provisions of this Constitution and Federal laws.

11. He shall confer civil and military medals and decorations in accordance with the special laws governing these medals and decorations.

12. Any other prerogative granted to him by the Supreme Council or by the provisions of this Constitution of Federal laws.

Chapter Three

Federal Council of Ministers

Article 55

The Federal Council of Ministers shall consist of a Prime Minister, his Deputy and a number of Ministers, the total of whom shall not exceed fourteen members.

Article 56

Ministers shall be selected from among the citizens of the Union and shall be qualified with experience and efficiency.

Article 57

Prior to their assuming the responsibilities of their office, the Prime Minister, his Deputy and all the Ministers shall repeat the following oath before the President of the Union:

"I swear by Almighty God to be loyal to the United Arab Emirates, respect the Union, Constitution and laws, perform my duties with honesty, safeguard the interests of the Union people and preserve to my utmost the an entity of the Union and security of its land".
Article 58

The prerogatives of the Ministers and ministries shall be defined by a law. The first Federal Council of Ministers shall consist of the following Ministries:—

1. Foreign affairs
2. Interior
3. Defence
4. Finance, Economy and Industry
5. Justice
6. Education
7. Public Health
8. Public Works and Agriculture
9. Communications, P.T.T.
10. Labour and Social Welfare
11. Information
12. Planning

Article 59

The Prime Minister shall preside over the meetings of the Council of Ministers, he shall call for the meetings, lead the discussions, follow up the activities of the Ministers, supervise the coordination of work between the various ministries and of all Federal executive departments.

The Deputy Prime Minister shall exercise all the prerogatives of the Prime Minister in his absence.

Article 60

Being the Federal Executive Authority under the higher control of the President of the Union and the Supreme Council, the Council of Ministers shall be responsible for carrying out the internal and foreign affairs which are within the domain of the Union in accordance with this Constitution and Federal laws.

The Council of Ministers shall in particular exercise the following prerogatives:—

1. To follow up the implementation of general policy of the Union Government within and without the Union.
2. To propose Federal draft laws and presentation of same to the Federal National Council prior to presentation to the President and the Supreme Council for ratification.

3. To prepare the Federal general annual budget and balance sheet.

4. To prepare various draft decisions and decrees.

5. To draw up the necessary regulations for the implementation of Federal laws, disciplinary regulation, regulations pertaining to the organization of departments and public authorities within the limits of the provisions of this Constitution and Federal laws. The Council of Ministers through special provisions in the law, to delegate the Federal Minister concerned or any other administrative authority to issue some of these regulations.

6. To supervise the implementation of Federal decisions, regulations, decrees and laws through all the departments concerned in the Union or the Amirates.

7. To supervise the implementation of the Federal Court’s decisions, International Treaties and Agreements concluded by the Union.

8. To appoint and terminate the services of Federal Civil Servants, in accordance with the provisions of the law, whose appointment or termination of services does not require the issuance of decrees.


10. Any other prerogatives delegated to it by law or by the Supreme Council within the limits of this Constitution.

Article 61

The discussions of the Council of Ministers shall be secret, its decisions taken by a majority of the members’ votes and when votes are equal, then the side with which the Prime Minister has voted shall be considered the majority vote.

The minority shall be bounded by the vote of the majority.
Article 62

The Prime Minister, his Deputy or any other Federal Minister shall not be permitted while in office to take up or practice any financial, commercial or professional work or enter into any commercial dealings with either the Federal Government or the Governments of the Emirates or to combine between his ministerial post and the directorship of any commercial or financial company.

He shall also not be permitted to hold, in addition to his post, more than one official post in one Amirate and must relinquish all other official local posts, if any.

Article 63

Members of the Council of Ministers shall aim to serve the interests of the Union, promote public welfare, completely denounce personal interests and shall not exploit their official status in any way for their personal interests or for the interests of those with whom they are closely related.

Article 64

On a political level, the Prime Minister and Ministers are collectively responsible before the President and the Supreme Council of the Union for the implementation of general policy of the Union internally and abroad. Each one of them is personally responsible, before the President and the Supreme Council of the Union, for his post and the functioning of his Ministry.

The whole Cabinet shall resign in the event of the resignation of the Prime Minister relieving him of his duties, his death or if his office post becomes vacant. The President of the Union may ask the Ministers to stay temporarily in their posts to conduct urgent matters pending the formation of a new Cabinet.

Article 65

At the beginning of each fiscal year, the Council of Ministers shall submit to the President of the Union for presentation to the Supreme Council, a detailed report of the internal achievements, the Union's relations with other states and international organizations, accompanied by the Cabinet's recommendations on the best methods to consolidate the Union, its security and stability and the realization of all its aims and progress in all fields.
Article 66

1. The Council of Minister shall draw up its by-laws to include its functional procedure.

2. The Council of Ministers shall establish a general secretariat staffed with an adequate number of staff to help in the performance of the Council of Ministers' functions.

Article 67

The salaries of the Prime Minister, his Deputy and the rest of the Ministers shall be fixed by a law.

Chapter Four

The Federal National Council

Section One

General Conditions

Article 68

The Federal National Council shall consist of forty members with the seats distributed among the member-Amirates as follows:

- Abu Dhabi: 8 Seats
- Dubayy: 8 Seats
- Sharjah: 6 Seats
- Ajman: 4 Seats
- Ummal-Qaywayn: 4 Seats
- Fujairah: 4 Seats
Article 69

It shall be left to every Amirate to select its representatives to the Federal National Council in the manner it elects so to do.

Article 70

A member of the Federal National Council must be:—

1. A citizen of one of the Amirates of the Union and a permanent resident in the Amirate which he represents.

2. He must be not less than 25 years of age [calendar years]

3. He must have full civil rights of good reputation, sound character, never sentenced in a crime involving honor unless he has been granted rehabilitation in accordance with the law.

4. He must have adequate knowledge of reading and writing.

Article 71

It shall not be permitted to combine between the membership of the Federal National Council and any other public post in the Union, including ministerial portfolios.

Article 72

Term of the membership of the Council shall be two calendar years starting from the date of the first meeting. The Council shall fix the renewal period until the end of the transitory period referred to in Article 144 of this Constitution.

The re-election of members whose membership has expired shall be allowed.
Article 73

The member of the Federal National Council shall, prior to starting his duties in the Council and its Committees, repeat the following oath in an open session:

“\(\text{I swear by Almighty God to be loyal to the United Arab Emirates, to respect the Constitution of the Union and its laws and to perform my duties in the Council and its Committees with honesty and sincerity.}\)"

Article 74

If the place of a member of the Council becomes vacant prior to the expiry of the term of his membership for any reason whatsoever, a substitute shall be selected within two months from the date the Council announces such a vacancy, unless this vacancy occurs within the three months preceding the end of the Council term.

The new member shall complete the period of his predecessor.

Article 75

The Council shall hold its meetings in the capital of the Union but may convene at any other place within the Union upon a decision passed by a majority vote in the Council and with the approval of the Council of Ministers.

Article 76

The Council shall decide the validity of the membership of its members and shall also decide to deprive them of the membership if they lose one qualification and this shall be done upon the suggestion of five members and then passed by a majority vote. The Council shall be the competent authority to accept the resignation of members which shall be considered as final from the date of Council accepts it.

Article 77

The members of the Federal Council shall represent the whole of the people of the Union and not only the Amirate which he represents in the Council.
Section Two

How the Council Functions

Article 78

The Council shall convene in an annual ordinary session to last for a period of not less than six months starting from the third week of November of each year. It could be convened in an extraordinary session whenever the need arises but the Council, when convened in an extraordinary session, shall not debate, except the matters for which it was convened. The provisions of the foregoing paragraph notwithstanding, the President of the Union shall convene the Federal National Council to its first ordinary session within a period not to exceed sixty days from the date this Constitution becomes operative and this session shall come to an end at the date to be fixed by the Supreme Council by a decree.

Article 79

Convening the Council and ending the session shall be done by a decree issued by the President of the Union with the approval of the Council of Ministers of the Union. Any meeting held by the Union without an official invitation, or if the meeting is held in any other place than that officially appointed for its meetings, in accordance with this Constitution, shall be void and shall not carry any effect.

However, if the Council shall not be invited to meet in its annual ordinary session prior to the third week of November, it shall automatically meet on the twenty-first of that month.

Article 80

The President of the Union shall declare the ordinary session open, deliver the message containing details of the conditions in the country. The most important events and affairs which took place that year, and announce the reforms and projects which the Federal Government intends to introduce in a new session.

The President of the Union may delegate his Deputy or the Federal Prime Minister to act for him in opening the session.

The Federal Council shall elect a Committee from among the members to prepare a reply to the President’s opening speech, to include the Council’s
observations and aspirations, which shall be approved by the Council, presented to the Federal President, then finally present it to the Supreme Council.

Article 81

Members of the Council shall not be censored for the thoughts and ideas which they shall express while doing their duties inside the Council or in its Committees.

Article 82

No penal procedures shall be taken when the Council is sitting against any member of the Council without the permission of the Council, except in the act of his committing a crime if such an action is taken against a member when the Council is not sitting then the Council shall be informed.

Article 83

Starting from the date the President of the Council and all the Members of the Council swear the oath, they shall be entitled to remunerations to be fixed by a law as well as travel expenses from their place of residence to the Council's meeting place.

Article 84

The Council shall have a President first and second deputies and two controllers, all of whom shall be elected by the Council from among its members.

The term of office of the President and both Deputies shall expire when the term of the Council expires or when it has been dissolved in accordance with the provisions of Article 88 (2).

The term of office of both controllers shall expire at the opening of the following annual ordinary session when two new controllers shall be elected. If any of these posts become vacant, the Council shall then elect a member substitute to complete the remaining period.
Article 85

The Council shall have a Secretary General to be assisted by a number of staff directly under the Council's supervision. The Council's by-laws shall outline the conditions of their employment and their work.

The Council shall draw up its own by-laws which shall be issued by a decree from the President of the Union with the approval of the Council of Ministers.

The by-laws shall define the prerogative of the Council's President, his two Deputies, and the two controllers. In general, they shall outline all that is connected with the Council's affairs, committees, members, secretariat, employees, procedures of debate and voting in the Council and Committees, and other matters within the framework of this Constitution.

Article 86

The meeting of the Council shall be opened but it shall meet in secret sessions if a request to do so is put forward by the Government's representative, the Council's President or one-third of its members.

Article 87

The debate of the Council shall not be valid unless with the presence of the majority of its members at least. Decisions shall be passed with an absolute majority of the votes of the members present, other than the sessions in which a particular majority is conditional. If the votes are equal then the side with which the President of the session has voted shall be considered as the majority vote.

Article 88

The Federal President with the approval of the Federal Council of Ministers may issue a decree to postpone the meetings of the Council for a period not exceeding one month, providing this is not repeated in the same session except with the approval of the Council and for one time only. The period of postponement shall not be considered as part of the ordinary session.

The Federal President with the approval of the Federal Supreme Council may issue a decree dissolving the Federal National Council, provided this decree contains an invitation convening the new Council within a period not to exceed sixty days from
the date of the dissolution of the Council. The Council shall not be dissolved twice for the same session.

Section Three

The Council's Prerogatives

Article 89

Without violating the provisions of Article 110, the Federal draft laws, including the financial draft laws, shall be presented to the Federal National Council before they are presented to the President of the Union for submission to the Supreme Council for approval. The Federal National Council shall debate these draft laws and shall have the right to approve, amend or reject them.

Article 90

In its ordinary session, the Council shall debate the Federal annual general budget draft law, the final accounts draft law, in accordance with the provisions of Part 8 of this Constitution.

Article 91

The Government shall notify the Federal Council about the International Treaties and Agreements concluded with other states and various international organizations, accompanied by the necessary details.

Article 92

The Federal National Council may debate any general subject connected with the affairs of the Union unless the Council of Ministers notifies the Federal National Council that the discussion of such a subject is detrimental to the higher interests of the Union. The Prime Minister or the Minister concerned shall be present at these discussions. The Federal National Council may express its recommendations and the subjects it wishes to discuss. If the Council of Ministers rejects these recommendations, then the Federal National Council shall be notified by the Council of Ministers of the reasons for rejection.
Article 93

The Federal Government shall be represented at the meetings of the Federal National Council by the Prime Minister, his Deputy or one Minister at least of the Federal Cabinet.

The Prime Minister, his Deputy or the Minister concerned shall answer all the questions put to them by any member of the Council enquiring about matters falling within their domain in accordance with the procedures defined in the Council’s by-laws.

Chapter Five

Judicature in the Union and the Amirates

Article 94

Justice is the basis of rule. Judges are independent and shall be under no authority to perform their duties except the laws and their consciences.

Article 95

The Union shall have one Higher Court, and a number of First Instance Federal Courts, as shown hereafter:

Article 96

The Higher Federal Court shall consist of a President, and a number of Judges, their total number not to exceed five, all of whom shall be appointed by a decree issued by the President of the Union after being approved by the Supreme Court. A law shall define the organization of the Court, its order, procedure, conditions of service, pension, and the qualifications of its members.

Article 97

The President of the Higher Federal Court and the member judges cannot be relieved from their positions while they are in their jobs, except for one of the following reasons:
1. Death

2. Resignation

3. End of Contract of those who are on contract or on secondment

4. Reaching retirement age

5. If they cannot carry on with their duties for health reasons.

6. Dismissal for disciplinary reasons on the basis of reasons and proceedings stipulated in the law

7. Appointment to other offices with their agreement.

Article 98

Prior to their assuming their duties, the Higher Federal Court President and Judges shall swear an oath before the President of the Union and in the presence of the Minister of Justice to the effect that they shall issue their sentence on the basis of justice without fear of bias, and that they shall be loyal to the Constitution and the laws of the Union.

Article 99

The Higher Federal Court shall deal with the following matters:

1. Disputes between the member-Amirates of the Union or between one member-Amirate and the Federal Government, if such disputes are submitted to the Court upon the request of either of the parties concerned.

2. The constitutionality of the Federal laws, if contested by one or more Amirates on the grounds that such laws contradict the Federal Constitution.

The Constitutionality of legislation issued by an Amirate, if contested by any Federal authority and claimed to be contradicting the Federal Constitution or laws.
3. Also, the constitutionality of laws, legislation, by-laws in general, if such a claim is referred to it by any other court in the country. Such a court shall be bounded by the decision of the Higher Federal Court issued on the subject.

4. Interpreting the provisions of the Constitution, if asked to do so by any Amirate Government or any Federal Authority. The Court’s interpretation shall be binding to all concerned.

5. To question Ministers and senior Federal employees, appointed by a decree, about their performance of their duties, if the Court is asked so to do by the Supreme Court and in accordance with the special law for this procedure.

6. Crimes with direct effect on the interests of the Union such as those connected with the security of the Union, forgery of official seals and documents of any Federal Authority and crimes of forging of currency.

7. Disputes in jurisdiction between Federal judicature and the local judicial bodies in the Amirates.

8. Disputes in jurisdiction between judicial bodies in the member-Amirates. Procedures for this shall be outlines by a Federal law.

9. Any other subjects defined in this Constitution, or which may be referred to it by a Federal law.

Article 100

The Higher Federal Court shall convene in the Federal capital. It may, when necessary, convene in the capital of any one of the Amirates.

Article 101

The sentences passed by the Higher Federal Court shall be final and binding to all concerned.

If the Court decides, when considering the constitutionality of laws, legislation and by-laws that a Federal legislation is contrary to the Federal Constitution or that any local legislation or by-laws contain in violation of the Federal Constitution or of any Federal law, then it shall be the duty of the Authority concerned in the Union or
the Amirate to take whatever steps are necessary to correct or remove the constitutional violations.

Article 102

The Union shall have one or more First Instance Courts to meet in the Federal permanent capital or the capitals of the Amirates to exercise its judicial powers in the following:—

1. Administrative, commercial and civil disputes between the Union and individuals whether the Union is the plaintiff or the accused.

2. Crimes committed within the boundaries of the Federal capital except those crimes which fall within the domain of the Higher Federal Court in accordance with Article 99 of this Constitution.

3. Matters pertaining to personal status, civil and commercial issues between individuals residing in the Federal permanent capital.

Article 103

A law shall regulate all the issues related to the Federal First Instance Courts such as organization, departments, areas of the prerogatives it covers, procedures oaths to be sworn by its Judges, conditions of service and methods of contesting their sentence.

Article 104

Local judicial bodies in each Amirate shall attend to all judicial matters which have not been delegated to Federal Courts in accordance with the provisions of this Constitution.

Article 105

By a Federal law issued upon the request of Authority concerned, certain or all of the prerogatives of the local judicial bodies could be transferred to the Federal First Instance Courts.
A Federal law shall define the penal, civil and commercial cases in which sentences issued by local judicial bodies can be appealed before Federal Courts. The sentences of these Federal Courts shall be final.

Article 106

The Union shall have an Attorney General to be appointed by the Federal Decree to be issued with the approval of the Council of Ministers. The Attorney General shall be assisted by a number of employees in the office of the Attorney General.

A law shall regulate all matters related to the matters of the Federal Attorney General's office, such as their appointment, grade, promotion, pension and their qualifications.

The Federal law governing the penal trials and procedures shall regulate the prerogatives of this body, its procedures and the authority of its assistance in the public security section.

Article 107

The President of the Union may grant a pardon before carrying out a penalty passed by a Federal Judicial body or while being executed, or may commute that sentence upon a suggestion by the Federal Minister of Justice and after the approval of the Committee presided over by the Minister, consisting of six members selected by the Federal Cabinet from among experienced and reputable citizens in the country who shall serve on this Committee for a period of three years, which may be renewed.

No remuneration to the members, the meetings shall be secret and decisions shall be passed by a majority vote.

Article 108

No death sentence passed by any Federal judicial body shall be carried out except after it has been approved by the President of the Union. He may commute the sentence, taking into consideration the procedure stipulated in the previous clause.

Article 109

A complete pardon for a specific crime or crimes cannot be granted except by a law. The issuance of such a pardon law shall consider these crimes as not having
been committed and the pardon shall cover either the whole penalty or the remaining part thereof.

Part Five

Federal Legislation and Decrees

Chapter One

Federal Laws

Article 110

1. Federal laws shall be issued in accordance with the provisions of this clause and other appropriate provisions of this Constitution.

2. The draft law shall become law after the following procedures:

a) The Council of Ministers shall draft the law and present it to the Federal National Council.

b) The Council of Ministers shall submit the draft law to the President for his approval and then present it to the Supreme Council for ratification.

c) The President of the Union shall sign the law and order the issuance of same after ratification by the Supreme Council.

3. (a) If the Federal National Council introduces an amendment on the draft law and it is not accepted by the Federal President or the Supreme Council, or in the event of the Federal National Council rejecting the draft, then the Federal President or the Supreme Council may return it to the Federal National Council. If the Federal National Council introduces any amendment on this draft which is not accepted by the Federal President, or if the Supreme Council and/or the Federal National Council decide to reject the draft law, then the President of the Union may issue the law after ratification by the Supreme Council.
(b) The expression "Draft Law" mentioned in this paragraph means the draft presented by the Council of Ministers to the President of the Union embodying all the amendments introduced by the Federal National Council, if any.

4. However, if the need arises to issue Federal laws, in the absence of the Federal National Council the Council of Ministers may arrange for these laws to be issued by the Supreme Council and the President of the Union, provided the Federal Council is notified of this in the first meeting it shall hold thereafter.

Article 111

Laws shall be published in the Official Gazette of the Union within two weeks at the most from the date they were signed and issued by the Federal President and after ratification by the Supreme Council and shall become operational after one month from the date of their publication in the said Gazette unless another date is specified in the said law.

Article 112

The provision of these laws shall not be applicable except on matters taking place after the date of their becoming operational and shall not have a retroactive effect on matters which have taken place prior to the said date. When necessary, the laws could specify otherwise, except in penal matters.

Chapter Two

Laws Issued by Decrees

Article 113

If, between the sessions of the Supreme Council, the situation demands the immediate issuance of Federal laws then the President of the Union and the Council of Ministers together may issue whatever is necessary in the form of decrees which shall have the same effect as laws, provided they are not contrary to the provisions of the Constitution.

These laws by decrees shall be submitted to the Supreme Council at the most within a week to decide whether they shall be passed or rejected. If the Council
approves them, then they shall have the force of a law and the Federal National Council shall be notified about these decrees.

If the Supreme Council does not approve them, unless it is decided to consider them as valid during the previous period or settle any consequences thereof in one way or another.

Chapter Three

Ordinary Decrees

Article 114

No decree shall be issued unless approved by the Council of Ministers and ratified by the President of the Union or the Supreme Council, each according to his own prerogatives. After the President signs the decrees, they shall be published in the Official Gazette.

Article 115

The Supreme Council may delegate the President of the Union and the Council of Ministers together to issue whatever decrees are necessary in the absence of Supreme Council and the ratification of which is prerogative of the said Council, provided that such a delegation of power shall not include ratification of International Treaties, Agreements, the enforcement and lifting of martial law, declaration of a defensive war or the appointment of the President and member-Judges of the Higher Federal Court.

Part Six

The Amirates

Article 116

The Amirates shall exercise all the powers which this Constitution has not delegated to the Union. The Amirates shall co-operate together in the building up of the Union and benefit from its existence, services and work together to safeguard it.
Article 117

The rule in every Amirate shall aim, in particular, at preserving law and order in that Amirate, providing public facilities and raising its social and economic standard.

Article 118

The member-Amirates in the Union shall work towards the coordination of its legislation in various fields for the purpose of unification as much as possible.

After the approval of the Supreme Council two or more Amirates may form one administrative or political unit or unify part or all of their public departments or form one or joint administration to conduct the affairs of any of these departments.

Article 119

A Federal law shall regulate, with maximum possible flexibility, matters relating to the implementation of judicial sentences and judicial summons and extradition of fugitives running away from justice among the member-Amirates.

Part Seven

Distribution of Legislative, Executive and International

Prerogatives between the Union and the Amirates

Article 120

The Union shall be responsible for legislation and execution in the following matters:

1) Foreign Affairs

2) Federal Armed Forces and Defence

3) Safeguarding the Security of the Federation from within and without
4) Security, Law and Government Affairs in the permanent capital of the Union.

5) Affairs of Federal employees and judicature

6) The Union’s finance, taxes, fees and royalties

7) Federal General Loans

8) Postal, telegraph, telephone and wireless services

9) Road construction in the Union which the Supreme Council decides as main highways and the maintenance and improvement of these roads and controlling the traffic thereon.

10) Air traffic control and licensing of air crafts and pilots

11) Education

12) Public health and medical services

13) Currency

14) Measures and weights

15) Electrical services

16) Federal nationality, passports, residence and immigration

17) Federal property and all that is connected with it.

18) Census and statistics connected with Federal aims.

19) Federal information
Article 121

Without violating the provisions of the previous Article, the Union shall be responsible for legislation with regard to the following matters:

Labour relations and social security—estate ownership and expropriation for public interests—extradition of criminals—banks—insurance—protection of animals and agricultural resources—major legislation connected with penal laws, commercial and civic affairs, companies procedures before penal and civic Courts—protection of writers, composers, industrial, artistic and literary copyrights, publications—importation of weapons and ammunition unless it is imported for the use of the armed and security forces of any Amirate—other aviation matters which are not within the domain of the Union’s executive prerogatives—defining the territorial waters and regulating navigation on the high seas.

Article 122

The Amirates shall be responsible for all matters which do not fall under the responsibility of the Federal Authorities as stipulated in the provisions of the previous two Articles.

Article 123

The Amirates may, with the exemption of the provisions of Article 120 (1) which stipulate the responsibility of the Union for Foreign Affairs and International relations, conclude limited agreements of purely local administrative nature with the neighbouring States provided the Agreements do not contradict the Federal laws and the interests of the Union and provided the Supreme Council of the Union is notified in advance. If the Council objects to such Agreements, then the matter shall be postponed until the Federal Government decides on this objection at the earliest possible moment.

The member-Amirates may retain their membership in the OPEC Organization and the Arab Oil Producing Countries Organization or join them if they are not members of these two Organizations.

Article 124

Prior to the conclusion of any International Agreement or Treaty which might affect the status of any Amirate, the Federal Authorities concerned shall explore the
opinion of this particular Amirate beforehand and in the event of a dispute, the matter shall be referred to the Higher Federal Court for a decision.

Article 125

The Governments of the Amirates shall take all necessary measures for the implementation of the laws issued by the Union, together with the International Agreements and Treaties concluded by the Union including the issuance of laws, by-laws, decisions and local instruction necessary for the implementation thereof.

The Federal Authorities shall supervise the implementation by the Amirate Governments of the Federal laws, decisions, International Agreements and Treaties and judicial decisions. Judicial and administrative authorities in the Amirates shall offer all possible assistance in this respect to the Federal Authorities.

Part Eight

Federal Financial Affairs

Article 126

The revenue of the Union consists of the following:—

1) Taxes, fees and royalties levied in accordance with the Federal law in matters which are within the domain of the Union's legislative and executive prerogatives.

2) Fees and wages received by the Union in consideration of services rendered.

3) The Amirates' contribution in the annual budget of the Union as stipulated in the following Article.

4) Federal Revenue from its own properties.

Article 127

The member-Amirates shall allocate a fixed proportion of their annual revenue to cover the Federal annual budget expenditure on the basis and in the sum fixed by the budget law.
Article 128

A law shall define the basis of the preparation of the Federal General Budget and final accounts and fix the start of the financial year.

Article 129

The Federal annual draft budget, the estimated revenue and expenditure shall be presented at least two months before the beginning of the financial year to the Federal National Council for discussions and comments, prior to presenting the draft budget to the Federal Supreme Council with these comments for ratification.

Article 130

The annual general budget shall be issued by a law.

When the budget law is not issued before the beginning of the financial year, it is possible to approve interim monthly allocations by a Federal decree on the basis of one-twelfth of the previous financial year’s allocation. Revenue shall be collected and expenditure spent in accordance with laws which were in force at the end of the previous financial year.

Article 131

Every sum spent not included in the budget or in excess of the estimates therein, and the transfer of any sum from one section of the budget to another must be done by a law.

However, in cases where it is absolutely necessary, it is possible to have this expenditure or transfer which is being done by a decree to be ratified by a law, in accordance with the provisions of Article 113 of this Constitution.

Article 132

The Union shall allocate in its annual budget a proportion of its revenue to cover reconstruction and development projects, internal security and social affairs in the light of the needs of certain Amirates. The authorities concerned in the Union shall supervise the execution of these projects, and how the allocations for these projects are spent, in cooperation with the authorities of the Amirate concerned.
The Union may open a special fund for this purpose.

Article 133

No Federal tax shall be levied, amended, adjusted or abolished except with a law. No one shall be exempt from paying these taxes except in the cases stipulated in the laws. No one, also, shall be called upon to pay money, taxes, or Federal royalties, except within the limits of the law and in accordance with its provisions.

Article 134

No public loans shall be concluded, or commitments which may result in expenditure from the Federal General Treaty in a future year or years shall be allowed, except with a Federal law.

Article 135

The final accounts of the Federal Financial Authority for the previous financial year shall be presented within four months following the end of the said year to the Federal National Council for their comments prior to presenting these accounts to the Supreme Council for ratification in the light of the Auditor General’s report.

Article 136

A separate Federal Department shall be formed, the head of which shall be an Auditor General appointed by a decree for the purpose of auditing the accounts of the Union and all the Organizations affiliated to it. This department shall also audit any other accounts referred to it in accordance with a law.

A law shall define the organization of this Department, specify its authority, the authority of its employees and the necessary guarantees which have to be provided for the Department, its head and its employees, to enable them to perform their duties in the best manner.
Part Nine

The Armed Forces and the Security Forces

Article 137

Every aggression on any one of the member-Amirates of the Union shall be considered as an aggression of all the member-Amirates and on the entity of the Union. All Federal and local forces shall cooperate to repel this aggression with all possible means.

Article 138

The Union shall have land, naval and air armed forces, of a unified standard of training under one command. The appointment of a Commander-in-Chief and a Chief of Staff for these forces shall be by a Federal decree; likewise, relieving them of their duties.

The Union may have Federal security forces.

The Federal Council of Ministers shall be directly responsible before the President of the Union and the Federal Supreme Council for all matters relating to these forces.

Article 139

A law shall regulate and control the military service, general or partial mobilization, the rights and duties of members of the armed forces, rule of discipline and regulations governing the Federal Security Forces.

Article 140

Declaration of a Defensive war shall be made by a decree issued by the President of the Union after the Supreme Council approves this decree. An offensive war is prohibited in accordance with International Pacts.
Article 141

A Higher Defence Council shall be formed with the President of the Union as Chairman of the Council. It shall include as members, the Union’s Vice-President, Prime Minister of the Union, Minister of Foreign Affairs, Defence, Finance, Interior, the Commander-in-Chief and the Chief of Staff, to offer their opinions and views on all matters related to defence, safeguarding the safety and security of the Union, equipping and preparing the armed forces, and fixing the location of their camps and installations.

The Council may invite to its meetings military experts and advisers whose presence is deemed beneficial but they shall not have a decisive say in the discussion.

A law shall regulate the functioning of this Council.

Article 142

The member-Amirates shall have the right to form local armed forces which shall be equipped and able to join the Federal defence system against any foreign aggression.

Article 143

Any Amirate may call for help upon the armed forces or the Federal Security Forces to preserve law and order in its territory if subjected to any danger. The Amirate’s request shall be presented immediately to the Federal Higher Council for the appropriate action.

For this purpose, the Higher Council may seek the help of the local armed forces of any certain Amirate provided the requesting Amirate and the Amirate whose forces are being used both agree to this procedure.

The President of the Union and the Federal Council of Ministers together may, if the Higher Council is not meeting take any immediate measures necessary for this situation and convene the Supreme Council immediately.
Part Ten

Interim and Permanent Provisions

Article 144

1) Subject to the provisions of the following paragraphs, the provisions of this Constitution shall be applicable during a transitory period of five calendar years starting from the date it becomes operational, in accordance with the provisions of Article 152.

2) (a) If the Supreme Council decides that the interests of the Union demand the amendment of the Constitution, draft amendment to the Federal National Council.

(b) The procedure for the ratification of the Constitution amendment shall be similar to the procedure for the ratification of laws.

(c) Two-thirds of the votes of the present members of the Federal National Council shall be required for the ratification of the Constitutional draft amendment.

(d) The President of the Union shall sign and issue the Constitutional amendment on his behalf and in the name of the Supreme Council.

3) During the transitory period, the Supreme Council shall take the necessary measures for the preparation of a permanent Constitution to supersede the provisional Constitution. The draft of the permanent Constitution shall be presented to the Federal National Council for a debate prior to its issue.

4) The Supreme Council shall convene the Federal National Council for an extraordinary meeting within a period not exceeding six months prior to the expiry of the provisional Constitution. The draft of the permanent Constitution shall be discussed in the meeting. It shall be issued in accordance with the measures stipulated in paragraph two of this Article.
Article 145

No provision of this Constitution shall be suspended, except during martial law and within the limits stipulated by the law governing the martial law.

It shall not be allowed to suspend the meetings of the Federal National Council or deprive members of their immunity during the period of the martial law.

Article 146

Martial law shall be declared by decree with the approval of the Supreme Council upon a request by the President of the Union and the approval of the Federal Council of Ministers in emergencies defined by a law. This decree shall be transmitted to the Federal National Council in the first meeting to be held.

Martial law shall be lifted by a decree issued with the approval of the Supreme Council when the emergency situation ceases to exist.

Article 147

The implementation of this Constitution shall not violate the Treaties and Agreements which the member-States have concluded with other States, and International Organizations unless they have been amended or annulled with the Agreement of the parties concerned.

Article 148

All laws, by-laws, decrees, orders and decisions in force at the time this Constitution becomes operational in the various Amirates, members of the Union, and which are in accordance with the situations prevailing therein, shall remain valid unless amended or annulled in accordance with the stipulations of this Constitution.

Likewise, all measures and systems prevailing therein shall remain applicable until the issuance of laws amending such measures and systems in accordance with the provisions of this Constitution.
Article 149

An exemption is made from the provisions of Article 121 of this Constitution where the Amirates shall be allowed to issue legislation necessary for organizing matters mentioned in the said Article without any breach of the provisions of Article 151 of this Constitution.

Article 150

Federal Authorities shall issue the laws referred to in this Constitution with maximum possible speed to replace the present legislation, especially that which contradicts the provisions of this Constitution.

Article 151

The provisions of this Constitution shall over rule the Constitutions of the member-Amirates of the Union. The Federal laws issued in accordance with the provisions of the Constitution shall over-rule all legislation by-laws and decisions issued by the Amirates' Authorities.

In the event of a contradiction, then the part of the lower legislation which contradicts the higher legislation shall become void and in the event of a dispute, the matter shall be referred to the Higher Federal Court for its decision.

Article 152

This Constitution shall become operational from the date to be fixed by a declaration issued by the Rulers signatory to this Constitution.

Signed in Dubayy on the Eighteenth Day of July 1971, equivalent to the twenty-fifth day of Jumad Al Awwal 1391

Signed..............
Zayd Bin Sultan Al Nahyan
Ruler of Abu Dhabi

Signed..............
Hamid Bin Rashid Al Nuaymi
for/Ruler of Ajman

Signed..............
Rashid Bin Sa’id Al-Maktum
Ruler of Dubayy

Signed .............
Rashid Bin Ahmad Al-Mu’alla
for/Ruler of Ummal-Qaywayn

Signed .............
Khalid Bin Muhammad Al-Qasimi
Ruler of Sharjah

Signed .............
Mohammad Bin Hamad Al-Sharqi
Ruler of Fujayrah.