



Official Gazette of Iraq

Al-Waqai' Al-Iraqiyya

الوقائع العراقية

وهقايعى عىراقى

الجريدة الرسمية لجمهورية العراق

رؤژنامهى فهرمى كوّمارى عىراق



تصدر عن وزارة العدل

وهزارهتى داد دهرى دهكات

Legislation

No.65

State Council Law

No. (65) of 1979

With its amendments

قانون هورى الدولة

مع تعديلاته

Translated in

Ministry Of Justice

Iraqi Official Gazette Department

Translation Section

2022



Laws

Section one The Council Formation

Article 1⁽¹⁾

First: A council called (the State Shura (Consultation) Council) shall be established and have a legal personality and linked to the Ministry of Justice, its headquarters shall be in Baghdad, consisted of a Chairmen and two vice-chairmen, one for legislation, opinion and fatwa (a ruling based on a legal point of view given by a recognized authority. Translator.) affairs, the other for administrative judiciary affairs, and a number of Counsellors not less than (50) fifty Counsellors and number of assistant counsellors shall not be less than (25) twenty-five and not more than half of the number of Counsellor

Second: The council shall have an independent accounting unit within the budget of the Ministry of Justice.

Third: For the purposes of this law, the Chairmen of the council, his/ her two deputies, the Counsellors and the assistants Counsellor shall be deemed judges when they exercise the functions of the administrative judiciary.

Article 2⁽²⁾

First: The Council shall be consisted of the following:

- a. The General Body
- b. Presidency Body
- c. Specialized Bodies
- d. The Supreme Administrative Court



Laws

- e. Administrative Judiciary Courts
- f. Courts for employees

Second:

- a. The General body shall consisted of the Chairman of the council, his/ her two deputies, and Counsellor, the sessions shall be held under the chairmanship of the council's Chairman or whomever he/ she authorizes from among his/ her two deputies in his/ her absence.
- b. 1. The General Body shall be held with presence of the majority of its members.
2. The General Body shall take its decisions by a majority of the present members, and if the votes are equal, the side with which the chairman votes shall prevail.
- c. The assistant Counsellors shall attend the General Body's meetings and participate in the discussion without the right to vote.

Third:

- a. The Presidency Board shall be held under the chairmanship of the Council's Chairman and the membership of his/ her two deputies, heads of bodies and the President of the Supreme Administrative Court.
- b. The Presidency body shall concern with considering the following:
 - 1. Submitting an annual report, or whenever it deems it necessary, to the General Secretariat of the Council of Ministers, which includes what judgments or research have shown in terms of deficiencies or ambiguities in the forced legislation, cases of abuse of power by any of the administration's authorities or exceeding of their powers or a proposal to prepare new legislation.
 - 2. Reconsidering the increase or merge of the number of specialized bodies in the Council them.
 - 3. Suggesting the formation of other courts for the administrative judiciary or the judiciary of employees in the centres of the governorates, when necessary.
 - 4. Choosing the two vice-chairmen of the Council from among the Counsellors.



Laws

5. Recommending the appointment of the Counsellor or the assistant Counsellor in the council or promoting him/ her to a Counsellor.
6. Recommending the assignment of those stipulated in Articles (24) and (25) of this law.
7. Recommending the appointment of a Secretary General of the Council from among the Council's employees.

Fourth:

- a. The Supreme Administrative Court shall be formed in Baghdad and shall be held under the chairmanship of the Council Chairman or whomever he/ she authorizes from among the Counsellors and the membership of (6) six Counsellors and (4) four assistant Counsellors named by the Council's Chairman
- b. The Supreme Administrative Court shall exercise the jurisdictions exercised by the Federal Court of Cassation stipulated in the Civil Procedure Law No. (83) of 1969 when considering appeal against the decisions of the Administrative Judiciary Court and the Employee Judiciary Court.
- c. The Supreme Administrative Court shall be competent to consider the following:
 1. Appeals against decisions and rulings issued by the Administrative Judiciary Court and the Employee Judicial Courts.
 2. The dispute over the assignment of jurisdiction to hear the case between the Administrative Judiciary Court and the Employee Judicial Court.
 3. The dispute arising over the implementation of two contradictory peremptory-degree rulings issued by the Administrative Judiciary Court or the Employee Judicial Court in one issue if the litigants themselves or one of them shall be a party to these two rulings, and one of the two rulings shall be prevailed and decided to implement it without the other ruling.



Laws

Fifth:

- a. The specialized committee shall be held under the chairmanship of the Vice Chairman for Legislation, opinion and Fatwa Affairs or the most senior Counsellors and a number of Counsellors and assistant Counsellors, provided that their percentage shall not exceed one-third of the number of Counsellors.
- b. The Chairman of the council may, when necessary, nominate whomever he/ she deems fit to head the specialized committee.

Sixth: Each of the competent bodies shall have a secretary whose rank not less than that of a director who holds a primary university degree in law and assisted by a number of employees.

Article 3 ⁽³⁾

First: The Council shall have a Secretary-General whose grade is not lower than the first grade holding a primary university degree in law, and shall be linked to the President of the Council and assisted by a number of employees, and he/ she shall carry out the following:

- a. Organizing of the Council's correspondence.
- b. Following-up on the subjects provided for in articles (5) and (6) of this law.
- c. Supervising the organization and tabulation of the Council's decisions.
- d. Preparing the basic documents of the cases submitted to the General Body and shall have a rapporteur.

Second: The Council shall be consisted of the following formations:

- a. Financial and administrative affairs section.
- b. Legislation resources section.
- c. Information system section.
- d. Section of Administration of the Supreme Administrative Court.



Laws

- e. Specialized bodies Secretariat.
- f. Planning and following-up department Section.
- g. Sections of Administration of Employee Court Judiciary in Baghdad and other provinces.
- h. Auditing and internal control Section.
- i. Retirement Section.
- j. Technical office.
- k. The council office chairman.

Third: The Secretary-General shall supervise the formations stipulated in Paragraphs (a, b, c, d, f, i, j, k, l) of Item (2) of this article.

Fourth: The formations provided for in Paragraphs (a, b, c, d, f, g, h, i, j, k, l) of Item (2) of this article shall be administered by an official entitled Director has at least a primary university degree in the specialty field and experience and a of not less than (8) eight years' service.

Fifth: The functions of the formations and its divisions stipulated in Paragraph (2) of this article shall be determined by instructions issued by the Minister of Justice.

Article 4⁽⁴⁾

The Council shall be responsible for the functions of the administrative judiciary, fatwa, drafting, preparing, studying and auditing draft laws and expressing opinion on the legal matters of the State and the public sector.

Article 5⁽⁵⁾

The Council shall practice the following in the field of codification:



Laws

First: Preparing and drafting draft legislation related to ministries or entities not affiliated with a ministry at the request of the competent minister or the supreme head of the agency after attaching to it what includes the foundations of the required legislation with all its basic documents and the opinions of the relevant ministries or authorities.

Second: Auditing all draft legislation prepared by ministries or entities not affiliated with a ministry in terms of form and subject matter as following:

- a. The competent ministry or the entity not affiliated with a ministry shall commit to sending the draft legislation to the relevant ministry, ministries or authorities to express their opinion on it before presenting it to the Council.
- b. The draft legislation shall be sent to the Council by a letter signed by the competent minister or the supreme head of the agency with its compelling reasons and the opinions of the relevant ministry, ministries or agencies, accompanied by all the preparatory work, and it may not be submitted directly to the Presidential Office, except in the cases directed by the Office.
- c. The Council shall study the draft and reformulate it when necessary, propose alternatives it deems necessary, express an opinion on it, submit it with the Council's recommendations to the Presidency Office and send a copy of the draft and the Council's recommendations to the relevant ministry or agency.

Third: Contributing to ensuring the unity of legislation, unifying the foundations of legislative drafting and standardizing legal terminology and expressions.

Fourth: The Presidency of the Council shall submit, whenever it deems necessary, to the Presidency Office, a report every six months including what rulings or researches show of deficiencies or ambiguities in the existing legislation, or cases of abuse of power by any of the administration's authorities, or those authorities' transgression of their authority.



Laws

Article 6

The Council, in the field of opinion and legal advice, shall exercise the following:

First: Giving legal advice on matters submitted to it by supreme authorities.

Second: Giving legal advice in international agreements and treaties prior to their conclusion or accession.

Third: Expressing an opinion on controversial matters between ministries or between them and entities not affiliated with the Ministry if the parties to the case litigate before the Council, and the Council's opinion shall be binding on these parties

Fourth: Expressing an opinion on legal matters if there is a hesitation in a ministries or entities not affiliated with a ministry, provided that it shall be accompanied with the legal department's opinion on them, with determining the points required to be given an opinion on them and the reasons of presenting them to the Council, and the Council's opinion shall be binding on the ministry or the entity requesting the opinion.

Fifth: Explanation the legal provisions upon an inquiry by a ministry or entities not affiliated with a ministry.

Sixth: It shall not permissible for anyone other than the competent minister or the supreme head of the entity not affiliated with a Ministry presenting the cases to the Council. ⁽⁶⁾

Article 7

First: An administrative judiciary court and an employee judiciary court shall be formed under the chairmanship of the vice president for administrative justice affairs or Counsellor and two members of the Counsellors or assistant Counsellors in the following areas:



Laws

- a. **The northern region:** It shall include the governorates of Nineveh, Kirkuk and Salah al-Din, and its centre shall be in the city of Mosul
- b. **The central region:** It shall include the governorates of Baghdad, Anbar, Diyala and Wasit, and its centre shall be in Baghdad
- c. **The Middle Euphrates region:** It shall include the governorates of Karbala, Najaf, Babylon and Qadisiyah, and its centre shall be in Hilla
- d. **The southern region:** It shall include the governorates of Dhi Qar, Muthanna, Basra and Maysan, and its centre shall be in the city of Basra.

Second: It is permissible, when necessary, to form other courts for the administrative judiciary and for the judiciary of employees in the governorate centres with a statement issued by the Minister of Justice based on a proposal from the Presidency and shall be published in the Official Gazette.

Third: Judges of the first or second category may be assigned, by nomination of the Supreme Judicial Council, to administrative courts or employee justice courts.

Fourth: The Judicial Administrative Court shall be competent to adjudicate the validity of individual and organizational administrative orders and decisions issued by employees and bodies in ministries and entities not affiliated with a ministry and the public sector, which a reference has not been appointed to appeal them, based on a request by a person with a known interest and a possible case. However, the potential interest is sufficient if there is reason to fear harm to those concerned.

Fifth: The following shall be deemed among the grounds for appealing orders and decisions, in particular:

1. The order or decision includes a breach or violation of the law, regulations, instructions or bylaws.
2. That the order or decision is issued in violation of the rules of jurisdiction or defective in its form, procedures, place or its cause.



Laws

3. The order or decision contains a mistake in the application of laws, regulations, instructions, or bylaws, or in their interpretation or contains abuse or arbitrary in using authority or deviation from it.

Sixth: The employee's or the authority's refusal or abstention from taking an order or decision that they should have legally taken shall be deemed by the virtue of decision or order.

Seventh:

- a. Before submitting the appeal to the Administrative Court, it shall be required that a grievance be lodged with the competent administrative authority within (30) thirty days from the date on which he/ she is notified or considered notified of the appealed administrative order or decision, and this authority shall decide on the grievance within (30) days from the date of registering the grievance with it.
- b. When the grievance is not decided upon or rejected by the competent administrative authority, the complainant shall submit his/ her appeal to the court within (60) sixty days from the date of rejection of the grievance in fact or in judgment, and the court shall register the appeal with it after the legal fee is levied, and the forfeiture of the right to appeal before it shall not prevent it from visit the ordinary judiciary to claim his/ her rights to compensation for damages arising from the breach or violation of the law.

Eighth:

- a. The Administrative Judiciary Court shall decide on the appeal submitted to it, and may decide to reject the appeal or repeal or amend the contested order or decision with a judgment for compensation, if necessary, based on the plaintiff's request.
- b. The court's decision stipulated in Paragraph (A) of this Item shall be subjected to appeal in cassation before the Supreme Administrative Court within (30) thirty days from the date of its being notified or considered notified.
- c. The uncontested decision of the court and the decision of the Supreme Administrative Court issued as a result of the appeal shall be final and binding.



Laws

Ninth:

- a. The employee justice courts shall be competent to adjudicate the following matters:
 1. Examining the lawsuits filed by the employee against the state departments and the public sector regarding the rights arising from the Civil Service Law or the laws or regulations that govern the relationship between the employee and the entity in which he/ she works.
 2. Examining the lawsuits filed by the employee against the state departments and the public sector to appeal the disciplinary penalties stipulated in the Disciplinary Law of State and Public Sector Employees No. (14) of 1991.
- b. The lawsuits filed in accordance with the provisions of Paragraph (a) of this Item shall not be heard after the lapse of (30) thirty days from the date on which the employee is notified of the objected order or decision if he/ she is inside Iraq and (60) sixty days if he/ she is outside it.
- c. Decisions of the Employees Judiciary Court issued in accordance with the provisions of Paragraph (a) of this Item may be appealed in cassation before the Supreme Administrative Court within (30) thirty days from the date of its being notified or considered notified.
- d. The unchallenged decision of the Employees Judiciary Court and the decision of the Supreme Administrative Court issued as a result of the appeal shall be final and binding.

Tenth: Judgments of the Supreme Administrative Court, the Administrative Judiciary Court and the Employees Judiciary Court shall be issued in the name of the people and implemented in accordance with the law.

Eleventh: The provisions of Civil Procedures Law No. (83) of 1969, Evidence Law No. (107) of 1979, Criminal Procedures Law No.(23) of 1971 and Judicial Fee Law No. (114) of 1981 regarding the procedures followed by the Supreme Administrative Court, the Administrative Judiciary Court and the Employees Judiciary Court shall be applied where there is no special text in this law.



Laws

Twelfth: If the jurisdiction of the Administrative Judiciary Court or the Employees Judiciary Court conflicts with the jurisdiction of a civil court, the authority shall appoint a body called) which consists of (6) members, (3) three shall be chosen by the President of the Federal Court of Cassation from among the members of the Court and (3) three shall be chosen by the Chairman of the State Consultation Council from among the members of the Council. The body shall meet under the chairmanship of the president of the Federal Court of Cassation, and the body's decision issued by mutual consent or by majority shall be final and binding.

Article 8

The council shall refrain from expressing opinion and legal advice for cases before judiciary and decisions which have a legal appeal reference.

Article 9

The Minister of Justice may refer to the Council the cases which he/ she decides to be referred to it, assign one or more of its members to study and express an opinion on them or prepare draft legislation in matters referred to him/ her.

Article 10

The Minister of Justice may mandate the Council member to represent the Ministry or the Council in committees established outside ministry.



Laws

Section Three

The Conduct of Work in the Council

Article 11

- First: The Drafts of the legislations and cases referred to the Council shall be registered in a special register with the Secretary-General of the Council.
- Second: The Secretary-General shall check the availability of the conditions provided for in articles (5), (6) and (7) of this law and shall set out his/ her remarks to the Chairman.
- Third: The Chairmanship of the Council shall request the Ministry or the relevant authority to complete the deficiencies before referring the project or the issue to one of the bodies.
- Fourth: The Chairman shall refer draft legislation and cases before the Council to a body or to a special body consisting with the approval of the Minister of Justice for the purpose of studying it or expressing an opinion on them.

Article 12

- First: The Secretary of the body shall register the draft legislation and the cases referred to the body then submit them to the Chairman.
- Second: The Chairman of the board shall refer the draft legislation or case with the basic documents to one or more members of the body for consideration and preparation of a report on the subject with the draft legislation or opinion.



Laws

Article 13

The member of the board who is charged with studying the matter referred to him/ her may request the presence of a representative of the relevant authority to supplement the information, provided that he/ she has at least a rank of General Manager.

Article 14

First: The report of the board member with the draft opinion shall be distributed to the members for discussion and decision making.

Second: The report of the board member and the draft of the legislation shall be distributed to the members for discussion and decision making. The board may invite the representative of the relevant authority or authorities to attend to discuss the draft.

Article 15

First: What the board accomplishes, with the exception of draft laws, shall be referred to the Chairman of the Council and submitted to the Minister of Justice, and upon his/ her approval, it shall become final, but if the Chairman has an opinion that contradicts the opinion of the board, he/ she shall return it to board, and then it shall hold its meeting under his/ her chairmanship, and if its decision is issued by mutual consent, it shall be become final, otherwise, the president may refer the case to the General Board or the expanded board that consisted of the relevant specialized body and another specialized body appointed by the Chairman, and the two bodies shall be held under his/ her chairmanship and the final decision shall be issue by mutual consent or by majority, and if the votes are equal, then the side with which the Chairman votes shall prevail.⁽⁷⁾



Laws

Second: The member of the board shall prepare a summary of the principle contained in the resolution.

Article 16

Repealed. ⁽⁸⁾

Article 17

First: The Chairman of the Council shall refer the accomplishments of draft laws of a body or the special body to the General Body to discuss the principles contained in the draft law, in the presence of a representative of the relevant entity or entities, if necessary or on the recommendation of the body charged with studying the draft and leave its drafting to the body entrusted with it in the beginning.

Second: The Council's Chairman may refer the case to the General Board in the following cases:

- a. If one of the boards approves a new principle.
- b. If the Council has a previous opinion that contradicted the new opinion.
- c. If the board charged with studying the case recommends that or if there is a disagreement thereabout.
- d. If the Council's Chairman see that the issue is of importance or constitutes an important principle. ⁽⁹⁾

Third: The General Body shall take its decisions by a majority of the members present, and if the votes are equal, the Chairman's side shall prevail.



Laws

Article 18

The Minister may ask the General Body to reconsider its decision with a statement of the compelling reasons for that. In this case, he/ she may head the General Body, and the decision shall be taken by a majority of the members of the General Body, and its decision shall become final.⁽¹⁰⁾



Laws

Section Four Service in the Council

Article 19

The appointment of the Chairman, the Vice-Chairman, the counsel and the Assistant Counsel shall be stipulated the general conditions to be met for appointment in the public position.

Article 20 ⁽¹¹⁾

A person to be appointed as a counsellor shall be required to be:

First: Iraqi by birth and from Iraqi parents.

Second: Not more than (55) fifty five years old.

Third: having an initial university degree in law.

Fourth:

- a. have an actual service after graduating from the college for a period of no less than (18) eighteen years in a judicial or legal position in the state departments and the public sector.
- b. The service period stipulated in Para (a) of this Item shall be (16) sixteen years for the holder of a master's degree in law and (14) fourteen years for the holder of a Doctorate degree in law, whether this service is before or after obtaining one of these two certificates, and the minimum period of study to obtain one of these two certificates shall be deemed a service for the purposes of this law.



Laws

- c. The period of service in the posts stipulated in Paragraph (a) of this Item shall be combined with each other for the purpose of appointment.

Article 21 ⁽¹²⁾

A person to be appointed as an assistant counsellor shall be required to be:

First: Iraqi by birth and from Iraqi parents.

Second: No more than (50) fifty years old.

Third: having an initial university degree in law.

Fourth:

- a. Having an actual service after graduating from the college for a period of no less than (14) fourteen years in a judicial or legal position in the state departments and the public sector.
- b. The service period stipulated in Para (a) of this Item shall be (12) twelve years for the holder of a master's degree in law and (10) ten years for the holder of a doctorate in law, whether this service is before or after obtaining one of these two certificates, and the minimum period of study to obtain one of these two certificates shall be deemed a service for the purposes of this law.
- c. The period of service in the posts stipulated in Paragraph (a) of this item shall be combined with each other for the purpose of appointment.

Article 22

First: The Chairman, Vice-Chairman, Counsellor and Assistant Counsellor shall be directly appointed by a presidential decree. ⁽¹³⁾



Laws

Second: The Chairman's salary shall be (220) dinars and the Vice- Chairman and the Counsel shall be (200) dinars.

Article 23 ⁽¹⁴⁾

The Assistant Counsel may be promoted to the position of a Counsel, provided that he/ she has spent a period of not less than (3) three years in his/ her position, during which he/ she has proven good efficiency and ability to work, and has published at least two valuable legal researches based on assessment and the recommendation of the Presidency body.

Article 24

First: The Minister of Justice may assign first-rank judges and Directors-General of the Ministry's departments and agencies, judicial inspectors, the Chief Public Prosecutor and the Attorney-General to serve on the Council in as Counsellors in accordance with the conditions stipulated in the advanced articles for two years renewable for one time only.

Second: General managers of State departments directorate whose experience in legal, administrative or economic matters and meet the conditions stipulated in the advanced articles may be assigned to serve in the Council as counsels for a period of two years renewable for one time only by Republican decree at the suggestion of the Minister of Justice and the approval of the competent minister.

Article 25

First: Minister of Justice may, with the approval of the Minister of Higher Education and Scientific Research, seek the help of the the expertise of a member of the teaching staff



Laws

of Iraqi universities to participate in some of the Council's work relevant to its competence.

Second:

- a. A faculty member in the Faculty of Law who meets the conditions stipulated in the advanced articles may be assigned to work as a Counsel in the council for a period of two years, renewable only once, by a presidential decree based on the proposal of the Minister of Justice and the approval of the Minister of Higher Education and Scientific Research.
- b. A faculty member assigned to work as a Counsel in the State Shura (Consultation) Council shall receive the salary, allowances and financial privileges that a Counsel receives in the Council. ⁽¹⁵⁾

Article 26

The number of assigned counsels may not exceed one third of the counsels.

Article 27

The Chairman, the Vice- Chairman, the Counsellor, the Assigned Counsellor and the Assistant Counsellor may not be arrested or taking criminal action against him/ her only in the event that they commit a flagrant felony unless by obtaining the Minister of Justice's permission.

Article 28 ⁽¹⁶⁾

First: The Chairman, the Vice- Chairman, the Counsellor, the Assigned Counsellor and the Assistant Counsellor shall be granted occupational allowances (25%) twenty five per cent of the nominal salary.



Laws

Second: An employee of the Board who is not a member of the Board shall be granted occupational allowances (50%) fifty per cent of the nominal salary.

دائرة الوقائع العراقية / قسم الترجمة



Laws

Chapter Five Final provisions

Article 29

First: The Minister of Justice shall, by Ministerial Order, appoint the Legal codifiers as counsellors or Assistant counsellors in accordance with the conditions provided for in this law within (30) days from the date of publication in the Official Gazette.

Second : The Minister shall appoint the judge serving in the of Legal Codification Bureau as an Counsellor or Assistant Counsellor or in accordance with the conditions set forth in this Law, provided that his/ her written consent thereon is obtained and then shall be subject to the provisions of this Law.

Third: The Minister may appoint a Secretary-General, from among the staff of the Legal Codification Bureau, as an exemption to the provisions of this Law.

Article 30

The Civil Service Law shall be applied where there is no special provision is mentioned in this law.

Article 31 ⁽¹⁷⁾

The phrase (Employee Judicial Court) shall replace the phrase (General Discipline Council) wherever it appears in the laws, regulations, and instructions.



Laws

Article 32

Legal Codification Bureau Law No. (49) of 1933 shall be repealed, except for Article (6) thereof.

Article 33

The Minister of Justice may issue the necessary instructions for the implementation of the provisions of this Law.

Article 34 ⁽¹⁸⁾

The Assistant Counsellor appointed in the State Shura (Consultation) Council before 1/ 1/ 2012 shall be considered Counsellor in the Council from the date of entry into force of this law, provided that he has spent at least (2) two years in his/ her job.

Article 35

This law shall be implemented (30) days after its promulgation in the Official Gazette.



Laws

References

1. The article has been replaced according to the law of the Fifth Amendment No. (17) Of 2013.
2. Ibid
3. Ibid
4. Ibid
5. The article has been replaced according to the law of the second amendment no. (106) of 1989.
6. Ibid
7. Ibid
8. Ibid
9. Ibid
10. The article has been replaced according to third amendment No.(36) of 2001
11. The article has been replaced according to the law of the Fifth Amendment no. (17) of 2013.
12. Ibid
13. The article has been replaced according to the law of the second amendment no. (106) of 1989.
14. The article has been replaced according to the law of the Fifth Amendment no. (17) of 2013.
15. The article has been replaced according to the fourth amendment no.(98) Of 2001
16. The article has been replaced according to the law of the Fifth Amendment no. (17) of 2013.



Laws

17. Ibid

18. It is included in the Fifth Amendment No. (17) of 2013, Article (10).

دائرة الوقائع العراقية / قسم الترجمة



Laws

State Council Law

**It was promulgated in Official Gazette of Iraqi, Issue No. (4456),
on 07/ 08/ 2017**



Laws

In the name of the people:

Presidency Council

Resolution No. (28)

Pursuant to the approval of the Parliament, in accordance with the provisions of Item (First) of Article (61), Item (Third) of Article (73) and Article (101) of the Constitution, the President decided On 23/ 7/ 2017 promulgating the following law:

Law no. (71) Of 2017

State Council Law

Article 1

A state council shall be established under this Law. It shall concern with the functions of the Administrative Judiciary, al-Fatwa (Legal advisory opinion) and the Drafting. It shall be deemed an independent body with moral personality represented by the Chairman of the Council who he/ she shall be selected by the Chairmanship of the Council, provided that he/ she is from among its counsellors and appointed pursuant to the law.

Article 2

The provisions of the State Shura (Consultation) Law No.(65) of 1979 and its amendments, shall, with the exception of / Paragraph (Fourth) Article (6) thereof, be applied to the State



Laws

Council provided for in Article (1) of this law, and the naming of the State Council shall replace the State Shura (Consultation) Council wherever it mentioned in the legislation.

Article 3

First: The obligations and rights of the State Shura (Consultation) Council shall be transferred to the State Council established under this Law and its courts, administration, associates and funds shall be transferred to the State council.

Second: All assets of real estates and movables designated to the State Shura (Consultation) Council or they were at its disposal shall be transferred and registered in the name of the State Council.

Article 4

The Chairman of the State Council shall have the competent Minister's power provided for in the legislation.

Article 5

The State Council shall have an independent financial budget financed by State General Budget.

Article 6

The Ministry of Finance shall separate the budget of the State Shura (Consultation) Council from the Ministry of Justice for the current fiscal year after its reallocation in the light of the needs of the State Council for the remainder of the year.



Laws

Article 7

The reference to (Minister of Justice) shall be deleted wherever it mentioned in the legislative texts relevant to the work of the Council and replaced with (Chairman of State Council).

Article 8

This law shall be implemented from the date of its ratification by the President of the Republic.