

**Oman's Constitution of 1996  
with Amendments through  
2011**

## **CHAPTER FIVE**

### **Majlis Oman**

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#### **Article (58)**

Majlis Oman shall consist of:

1. Majlis AlDawla.
2. Majlis AlShura

#### **Article (58)(bis)**

Majlis Al Dawla shall consist of a chairman and members whose number, inclusive of the Chairman, shall not exceed the total number of members of Majlis Al Shura, and whom shall be appointed by virtue of a Royal Decree.

#### **Article (58)(bis I)**

Members of Majlis Al Dawla shall be selected from the following categories:

- Former Ministers, Undersecretaries of the ministries, and their equivalents.
- Former ambassadors.
- Former senior judges.
- Retired senior officers.
- Those who are known for their competence and experience in the fields of science, arts, and culture, and professors of universities, colleges, and higher

institutes.

- Dignitaries and businessmen.
- Persons who had performed great services to the Nation.
- Whomever His Majesty the Sultan chooses and who does not fall under the previous categories.

### **Article (58)(bis 2**

Without prejudice to Article 58 (bis1), whomever is chosen as a member of Majlis Al Dawla shall be:

- An Omani national.
- Aged not less than forty years of the Gregorian calendar on the date of appointment.
- Never sentenced to a felony or crime involving moral turpitude or trust, even if he was rehabilitated.
- Not affiliated to a security or military authority.
- Not interdicted by a judicial judgment.
- Not suffering from a mental illness.

### **Article (58)(bis 3**

The term of Majlis Al Dawla shall be four years of the Gregorian calendar commencing from the date of its first meeting, provided that in all cases it shall not be less than the term of Majlis Al Shura.

### **Article (58)(bis 4**

Majlis Al Dawla shall, at its first session, elect from amongst its members, and for a duration identical to its term, two deputies for the Chairman. If the seat of either of them falls vacant, the Majlis shall elect another member to replace him until the end of its term. In all cases, the election shall be made by direct secret vote and the absolute majority of the members of the Majlis.

### **Article (58)(bis 5**

The membership to Majlis Al Dawla shall expire due to one of the following reasons:

- Expiry of the term of the Majlis.
- Relief from membership.
- Death or total disability.

### **Article (58)(bis 6**

A member of Majlis Al Dawla may request to be relieved from his membership to the Majlis through an appeal to the Chairman of the Majlis. The Chairman in turn shall raise this appeal to His Majesty the Sultan.

In all cases, a member of Majlis Al Dawla shall be relieved if he no longer fulfils any one of the conditions of membership upon which he was appointed, has lost confidence or esteem, or has violated the duties of membership.

## **Article (58)(bis 7**

It is not permissible, except for the two categories stipulated in the fifth and eighth Clauses of Article (58)(bis 1), to combine both the membership to Majlis Al Dawla and undertaking an employment in the public sector.

## **Article (58)(bis 8**

Majlis Al Shura shall consist of elected members representing all the Wilayat of the Sultanate.

The number of members of Majlis Al Shura shall be determined so that each Wilayat shall be represented by one member if that Wilayat has a population not exceeding thirty thousand on the commencement date of candidature, or two members if the Wilayat population exceeds that limit on the same date.

## **Article (58)(bis 9**

The election of the members of Majlis Al Shura shall be conducted through a direct secret vote in accordance with the manner specified in the Election Law.

## **Article (58)(bis 10**

A candidate of Majlis Al Shura shall be:

- An Omani national by origin.
- Aged not less than thirty years of the Gregorian calendar on the commencement date of candidature.
- With a level of education that is not less than the General Education Diploma.
- Never sentenced to a felony or crime involving moral turpitude or trust, even if he was rehabilitated.
- Enrolled in the election register.
- Not affiliated to a security or military authority.
- Not interdicted by a judicial judgment.
- Not suffering from a mental illness.

It is permissible for whoever completes his membership term to run again as a candidate to Majlis Al Shura.

## **Article (58)(bis 11**

The term of Majlis Al Shura shall be four years of the Gregorian calendar commencing from the date of its first meeting. The elections for the new Majlis shall take place during the last ninety days prior to the end of the current term. If the elections are not held at the end of the term of the Majlis or have been delayed for whatever reason, the Majlis shall continue until a new Majlis is elected. The term of the Majlis shall not be extended unless there is a necessity and pursuant to a Royal Decree provided that the extension shall not exceed the period of one session.

## **Article (58)(bis 12)**

Majlis Al Shura shall convene upon an invitation by His Majesty the Sultan in an extraordinary meeting, prior to the first session, for the purpose of electing its Chairman and two Deputies to the Chairman for a duration identical to its term. The member oldest in age shall chair this meeting. If the seat of any of them falls vacant, the Majlis shall elect a replacement until the end of its term. In all cases, the election shall be by direct secret vote and the absolute majority of the members of the Majlis.

## **Article (58)(bis 13)**

If the seat of any member of Majlis Al Shura falls vacant prior to the expiry of its term, the seat shall be occupied by one of the candidates from the same Wilayat in accordance with their sequence in the election results for the Majlis for that same term so that the candidate with the most votes acquired shall be put forward, and that is within a period of sixty days from the date of informing the Majlis of the vacancy of the seat. The term of the new member shall be in continuation of the term of his predecessor. This seat shall not be occupied if it falls vacant within the six months preceding the date of expiry of the term of the Majlis.

## **Article (58)(bis 14)**

The supervision of the elections of Majlis Al Shura and the disposal of electoral challenges shall be undertaken by a supreme committee that enjoys independence and neutrality, and chaired by one of the deputy presidents of the Supreme Court. The Law shall prescribe the manner of its formation, its competences, and the regulations for its functions.

## **Article (58)(bis 15)**

The membership to Majlis Al Shura shall expire for any one of the following reasons:

- Expiry of the term of the Majlis.
- Resignation.
- Death or total disability.
- Revocation of membership.
- Dissolution of the Majlis.

## **Article (58)(bis 16)**

The resignation from the membership of Majlis Al Shura shall be submitted in writing to the Chairman to present it to the Majlis to decide its acceptance or rejection. The internal regulations of the Majlis shall regulate the provisions relating to this matter.

## **Article (58)(bis 17)**

The membership of a member to Majlis Al Shura shall not be revoked unless the member loses one of the conditions on which he had been elected, violates his membership duties, or loses confidence or esteem. The membership shall be revoked by a resolution from the Majlis by the majority of two thirds of its members.

## **Article (58)(bis 18)**

It shall not be permissible to combine both the membership to the Majlis and employment in the public sector. In case a public employee is elected to the membership of the Majlis, his service shall be considered terminated from the date of the announcement of the results, and in case of a challenge to his membership he shall retain his employment without remuneration until a final decision is issued on the challenge. If the decision is made to invalidate his membership and annul the decision of his win, he shall return to his employment and his remuneration shall be paid to him from the date of his return to work. If the challenge is rejected, his service shall be terminated from the date of the announcement of the results, and he shall be granted an extraordinary pension specified by the Law on the condition that he has accumulated on that date a term of service for pension that is not less than ten years of the Gregorian calendar.

## **Article (58)(bis 19)**

His Majesty the Sultan, in circumstances His Majesty determines, may dissolve Majlis Al

Shura and call for a new election within four months from the date of dissolution.

## **Article (58)(bis 20)**

The members of Majlis Al Dawla and Majlis Al Shura shall swear in a public meeting, each before his respective Majlis, and prior to assuming his duties in the Majlis, the following oath:

"I swear by Allah the Almighty to be faithful to my Sultan and my Country, to honour the Basic Statute of the State and the applicable Laws, to preserve the safety of the State, the fundamental constituents of the Omani Society and its inherent values, and to perform my duties in the Majlis and its Committees faithfully and honestly."

The Chairman of Majlis Al Dawla shall swear, prior to assuming his duties in the Majlis, the oath specified in the previous paragraph before His Majesty the Sultan.

## **Article (58)(bis 21)**

The Chairman of Majlis Al Dawla and the Chairman of Majlis Al Shura, their deputies, and every member of the two Majlis shall pursue in the performance of their duties the interest of the Nation in accordance with the Laws in force. They shall not exploit their membership in any manner for their own interest or for the interest of those related to them or with whom they have a special relationship. The Law shall determine the acts that they shall not undertake.

## **Article (58)(bis 22)**

A member of Majlis Al Dawla or Majlis Al Shura shall not be liable for opinions or statements he expresses before the Majlis or its Committees on issues that fall within the scope of the competences of the Majlis.

## **Article (58)(bis 23)**

Except in the case of flagrante delicto, no punitive action shall be taken against a member of Majlis Al Dawla or Majlis Al Shura during the annual session except with the prior permission from the Majlis concerned. The permission shall be issued by the Chairman of the concerned Majlis when it is not in session.

## **Article (58)(bis 24**

It is not permissible to combine memberships to both Majlis Al Dawla and Majlis Al Shura.

## **Article (58)(bis 25**

Majlis Al Dawla and Majlis Al Shura shall each issue its respective internal regulations.

These regulations shall prescribe the procedures for performing the duties of the Majlis and its Committees, maintenance of order, principles of discussion and voting, the method of questioning in relation to Majlis Al Shura, and other prerogatives stipulated for the members and the penalties that may be imposed on a member in violation of the procedures for performing the duties in the Majlis or failure to attend the meetings of the Majlis or its Committees without an acceptable excuse.

## **Article (58)(bis 26**

Majlis Oman shall have an ordinary session of not less than eight months per year, to be convened upon a summoning from His Majesty the Sultan during the month of November every year. It is not permissible for the session to go on recess prior to the approval of the annual budget of the State.

## **Article (58)(bis 27**

As an exception to the provisions of Article (58) (bis 26) His Majesty the Sultan shall summon Majlis Oman for its first meeting following the general elections of Majlis Al Shura within a month from the date of the declaration of the results of that election.

## **Article (58)(bis 28**

His Majesty the Sultan may summon Majlis Oman, outside the regular session, to convene in circumstances which His Majesty determines.

## **Article (58)(bis 29**

The summoning to Majlis Oman to convene in ordinary or extraordinary sessions and its adjournment shall be in accordance with an appropriate legal instrument.

## **Article (58)(bis 30**

Majlis Al Dawla and Majlis Al Shura shall convene their sessions at their seats in the city of Muscat and His Majesty the Sultan may summon either to convene at any other location.

## **Article (58)(bis 31**

The sessions of Majlis Al Dawla and Majlis Al Shura shall be public. Closed sessions may be convened in circumstances that so require by the agreement between the Council of Ministers and either of the two Majlis.

### **Article (58)(bis 32)**

The validity of a meeting of Majlis Al Dawla and Majlis Al Shura requires the presence of the majority of the members, including the Chairman or one of his Deputies. If the required number is not achieved, the meeting shall be postponed to the next meeting.

### **Article (58)(bis 33)**

The decisions of Majlis Al Dawla and Majlis Al Shura shall be adopted by the absolute majority of the present members except in circumstances that require a special majority. In the case of a tie vote, the side that includes the Chairman shall prevail.

### **Article (58)(bis 34)**

If Majlis Al Shura is dissolved, Majlis Al Dawla sessions shall be suspended.

### **Article (58)(bis 35)**

Draft laws prepared by the Government shall be referred to Majlis Oman for approval or amendment, and then they shall be directly submitted to His Majesty the Sultan to be promulgated.

In case of any amendments by Majlis Oman on the draft law, His Majesty the Sultan may refer it back to the Majlis for reconsideration of the amendments and then resubmission to His Majesty the Sultan.

### **Article (58)(bis 36)**

Majlis Oman may propose draft laws and refer them to the Government for review, and then the Government shall return the same to the Majlis. The procedures stipulated in Article (58)(bis 35) shall be followed in approving, amending or promulgating the said draft laws.

### **Article (58)(bis 37)**

The draft laws shall be referred by the Council of Ministers to Majlis Al Shura, which shall decide on the draft by approval or amendment within a maximum period of three months from the date of referral. The same shall then be referred to Majlis Al Dawla which shall decide on it by approval or amendment within a maximum period of forty five days from the date of referral. If the two Majlis disagree upon the draft law, they shall hold a joint meeting under the chairmanship of the Chairman of Majlis Al Dawla and by his invitation, to discuss the differences between the two Majlis, and then vote on the draft law in the same meeting. The decisions shall be adopted by absolute majority of the members present, and in all cases the Chairman of Majlis Al Dawla shall submit the draft to His Majesty the Sultan along with the opinion of the two Majlis.

### **Article (58)(bis 38)**

Draft laws of an urgent nature shall be referred by the Council of Ministers to Majlis Al Shura which shall make a decision for its approval or amendment within a maximum period of one month from the date of referral and then they shall refer the same to Majlis Al Dawla which shall make a decision for approval or amendment within a maximum period of fifteen days from the referral date. The Chairman of Majlis Al Dawla shall submit the same to His Majesty the Sultan along with the opinion of the two Majlis.

### **Article (58)(bis 39)**

His Majesty the Sultan may promulgate Royal Decrees that have the force of law between the sessions of Majlis Oman and while Majlis Al Shura is dissolved and the sessions of Majlis Al Dawla are suspended.

### **Article (58)(bis 40)**

Draft development plans and the Annual Budget of the State shall be referred by the Council of Ministers to Majlis Al Shura for discussion and to make recommendations thereon within a maximum period of one month from date of referral and then the same shall be referred to Majlis Al Dawla for discussion and recommendations within a maximum period of fifteen days from the date of referral. The Chairman of Majlis Al Dawla shall return the same along with the recommendations of the two Majlis to the Council of Ministers. The Council of Ministers shall inform the two Majlis of the recommendations that were not adopted in this respect along with the reasons therefore.

### **Article (58)(bis 41)**

The draft economic and social agreements that the Government intends to conclude or accede to shall be referred to Majlis Al Shura for consideration and to present the findings reached on the same to the Council of Ministers to take what it deems appropriate.

### **Article (58)(bis 42)**

The State Financial and Administrative Audit Institution shall send a copy of its annual report to Majlis Al Shura and Majlis Al Dawla.

### **Article (58)(bis 43)**

Upon a request signed by at least fifteen members of Majlis Al Shura, any of the Services Ministers may be subject to interpellation on matters related to them exceeding their competences in violation of the Law. The Majlis shall discuss the same and submit its findings in this regard to His Majesty the Sultan.

### **Article (58)(bis 44)**

The Services Ministers shall provide an annual report to Majlis Al Shura on the implementation stages of the projects related to their Ministries. The Majlis may invite any of them to provide a statement on some matters within the competences of his Ministry, and to discuss the same with him.