

Project on Law

The system of State bodies of Egypt

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1.The head of the State

1.1President

Abdel Fattah El-Sisi

He is a retired military officer and Egyptian politician who has served as the sixth and current president of Egypt since 2014. From 2019 to 2020, he also served as chairperson of the African Union. the president is also the supreme commander of the Armed Forces, and head of the executive branch of the Egyptian government.



1.2. Qualifications for the candidate

Article 141 of the Egyptian Constitution establishes the requirements one must meet in order to become president.

The president of the republic should:

- be an Egyptian citizen, be born to Egyptian parents (never having dual nationality)
- have participated in the military or be exempted from it
- cannot be less than 40 years old

1.3.Manner of election, term of office

Elections in Egypt are held for the President and a bicameral legislature. The President of Egypt is elected for a four-year term by popular vote.

Suffrage is universal and compulsory for every Egyptian citizen over 18. Failure to vote can result in fine or even imprisonment, but in practice a significant percentage of eligible voters do not vote. About 63 million voters are registered to vote out of a population of more than 100 million. Turnout in the 2011 parliamentary election was 54%

Egyptian presidential elections are held using a two-round system; the next election should be held in 2024. The House of Representatives sits for a five-year term but can be dissolved earlier by the president.

1.4.Functions

Under the present 2014 Constitution, the president is the head of state as well as that of the executive. The president lays down, along with the prime minister and the cabinet, the state's general policy and oversees its implementation. The president represents Egypt in foreign relations and has the power to ratify treaties, can issue decrees having the force of law when the House of Representatives is in recess and such decrees are subject for approval by the House after resuming its sessions at the end of the recess, and acts as the supreme commander of the armed forces. The president has also the power of pardon, and can exercise necessary powers in times of emergencies

1.5. Termination of his office

- The president may resign by delivering their resignation to the People's Assembly under the 2012 and 2014 Constitutions.
- Impeachment is a procedure by which the Parliament can remove the President if he/she is found guilty of violating the Constitution, of treason or of corruption

2. Legislative power

2.1 Parliament

The Parliament of Egypt is the bicameral legislature of the Arab Republic of Egypt. It is composed of an upper house (the Senate) and a lower house (the House of Representatives).

The Parliament is located in Cairo, Egypt's capital. Under the country's 2014 constitution, as the legislative branch of the Egyptian state the Parliament enacted laws, approved the general policy of the State, the general plan for economic and social development and the general budget of the State, supervised the work of the government, and had the power to vote to impeach the president of the Republic, or replace the government and its prime minister by a vote of no-confidence.

The parliament is made up of 596 seats, with 448 seats elected through the individual candidacy system, 120 elected through winner-take-all party lists (with quotas for youth, women, Christians, and workers) and 28 selected by the president. It is the fifth-largest legislative chamber in the world behind the National People's Congress and the largest parliamentary body in the Arab world.

2.2. Manner of formation/election

The 2014 constitution that was passed in the 2014 constitutional referendum has put into place the following rules: the House that is elected following the ratification of the constitution must have at least 450 members. In addition, prospective members must be Egyptian, must be at least 25 years old and must hold an education certificate. Also, the president can appoint, at the most, five percent of the members in the chamber.

The House sits for a five-year term but can be dissolved earlier by the president. All seats are voted on in each election. The House of Representatives members are elected by absolute majority of legitimate votes cast.

The House may demand the resignation of the cabinet by adopting a motion of censure. For this reason, the Prime Minister of Egypt and his cabinet are necessarily from the dominant party or coalition in the House. When the president and house come from opposing parties (a situation which did arise historically, but not since the 1970s), this would lead to the situation known as cohabitation.

2.3. Qualifications for the candidates

- To be an Egyptian, enjoying the Egyptian nationality alone, and enjoying his civil and political rights.
- To be listed in the voters' database in any of the governorates of the Republic, and not have had a reason that necessitates deletion or lifting of his registration in accordance with the law regulating that.
- He shall not be less than twenty-five Gregorian years on the date of opening the candidacy door.
- To have at least a certificate of completion of the basic education stage.
- To have performed military service, or to have been legally exempted from its performance.
- His membership has not been revoked by a decision of the House of Representatives or the Senate; Because of loss of confidence and esteem, or due to breach of membership duties.

2.4.Functions

The House of Representatives has various competences stated in Chapter Five of the Constitution. According to article 86 the House of Representatives shall undertake:

- Legislation
- Review and approval of agreements and treaties
- Review and approval of the State plan and budget
- Discussion of the president of the Republic's statement and the government program
- Amendments to the Constitution
- Approval of declarations of war and emergency

In practice, the People's Assembly had very little power prior to the 2011 Egyptian revolution. It was dominated by the National Democratic Party, and there was little substantive opposition to executive decisions.

3. Executive power

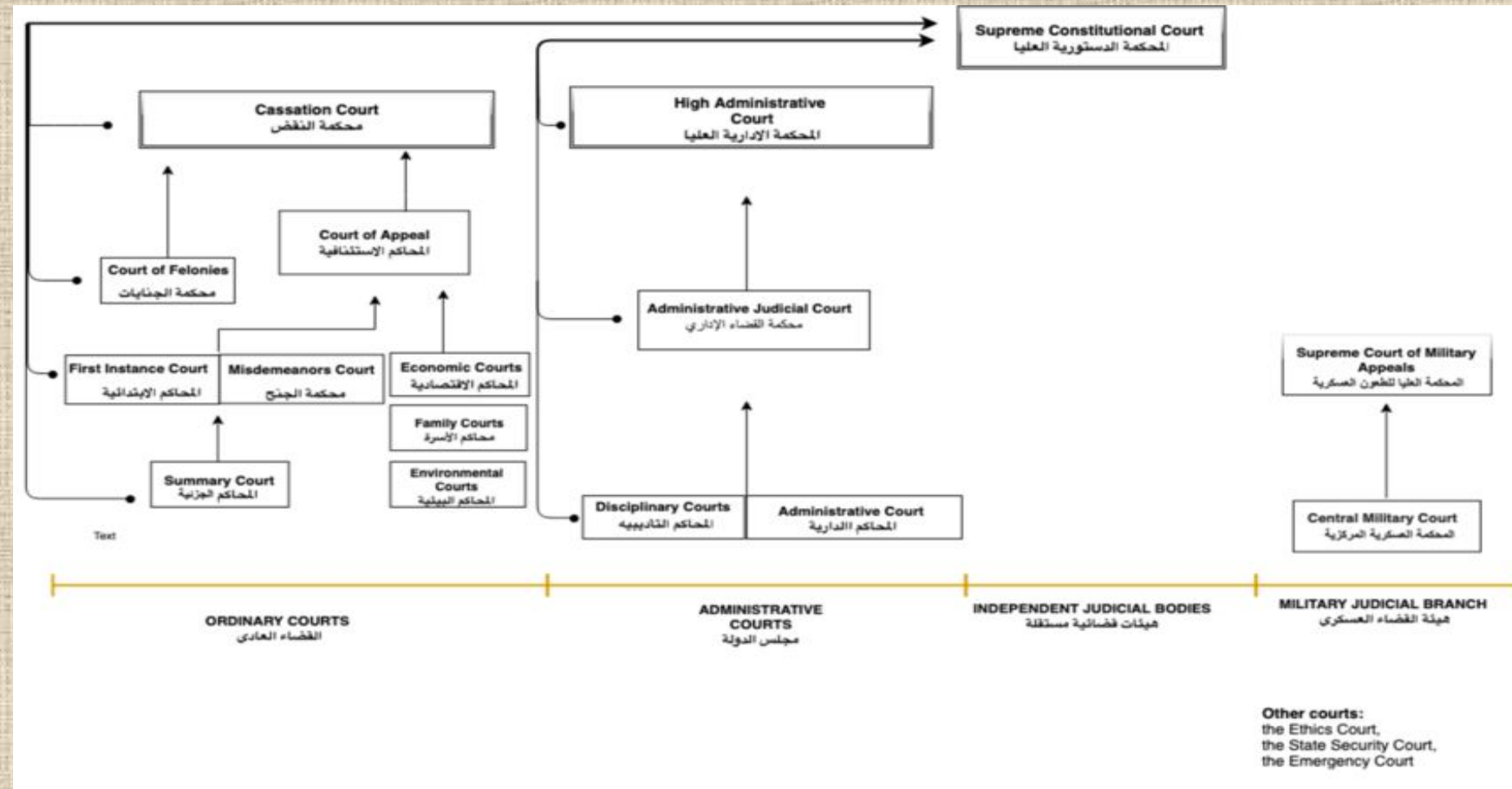
3.1. Government Branch

	Main Powers	Election Process	Election Cycle <u>1</u>
Executive	The president is the head of state, supreme commander of the armed forces, and head of the executive branch of government. The prime minister is the head of the government, heads the cabinets, and may propose laws.	The president is elected by the absolute majority vote through a two-round system. The prime minister is appointed by the president and approved by parliament.	6 years
Judicial	The judicial system is an independent branch of the government which includes both secular and religious courts.	Supreme constitutional court judges are appointed by the president of the republic.	No term limit
Legislative	The parliament enacts laws, approves the general policy of the state, supervises the work of the government, and has the power to vote to impeach the president of the republic, or replace the government and its prime minister by a vote of no-confidence. However, even though the powers of the parliament have increased since the 1980 amendments of the constitution, the parliament continues to lack the powers to balance the extensive powers of the president.	The advisory council has 176 members elected by absolute majority vote through a two round system and 88 members appointed by president. The people's assembly has 166 members elected by absolute majority vote through a two-round system and 332 members elected through a closed-list proportional representation system.	Advisory Council: 6 years; People's Assembly: 5 years

4. Judicial power

4.1. Courts system

Egypt has three supreme courts: the Supreme Constitutional Court, Court of Cassation, and Supreme Administrative Court. The Court of Cassation is the supreme court of the common court system. The Supreme Administrative Court is the highest court of the administrative court system, called the State Council.



Thank You