

## CONSTITUTIONAL DECLARATION

### The Supreme Council of the Armed Forces

After considering the Constitutional Declaration that was issued on 13 February 2011;  
And the Constitutional Declaration that was issued on 30 March 2011;

**Decides:**

#### **(Article 1)**

The following provisions will be added to the Constitutional Declaration dated 30 March 2011: Article 30(3), Article 53(bis), Article 53(bis)(1), Article 53(bis)(2), Article 56(bis), Article 60(bis), and Article 60(bis)(1), in accordance with the following:

**Article 30(3):** Where parliament is dissolved, the president will take the oath of office before the High Constitutional Court's General Assembly.

**Article 53(bis):** The Supreme Council of the Armed Forces, as it was composed on the day on which this Constitutional Declaration entered into force, is responsible for deciding on all issues related to the armed forces, for appointing its leaders, for extending their terms of office. The head of the Supreme Council of the Armed Forces will exercise all the powers that are granted by the laws and regulations to the commander-in-chief of the armed forces and to the minister of defense until a new constitution enters into force.

**Article 53(bis)(1):** The president declares war pursuant to the approval of the Supreme Council of the Armed Forces.

**Article 53(bis)(2):** In the event of unrest within the country that requires the intervention of the armed forces, the president may, with the Supreme Council of the Armed Forces' approval, issue a decision to join the armed forces in the mission to maintain security and defend vital state institutions.

Egyptian law sets out the armed forces' powers, its mission, the situations in which force may be used and in which detentions and arrests may be made, its judicial mandate, and the situations in which it enjoys immunity.

**Article 56(bis):** The Supreme Council of the Armed Forces will assume the authorities set out in Article 56(1) of the Constitutional Declaration dated 30 March 2011 until a new parliament is elected and assumes its authorities.

**Article 60(bis):** If a barrier arises that prevents the Constituent Assembly from completing its work, the Supreme Council of the Armed Forces will within one week form a new constituent assembly – which is representative of all society's components – to prepare the draft new constitution within three months from the day on which the new assembly is formed. The draft constitution will be put to a referendum 15 days after it is completed, for approval by the people through a national referendum.

The procedures relating to the parliamentary elections will begin within one month after the people's approval of the new constitution is announced.

**Article 60(bis)(1):** If the president, the head of the Supreme Council of the Armed Forces, the prime minister, the Supreme Council of the Judiciary or a fifth of the Constituent Assembly find that the draft constitution includes one or more provisions that conflicts with the revolution's objectives and its main principles through which the higher interests of society will be realized, or that conflicts with the recurring principles in Egypt's previous constitutions, any of the aforementioned bodies may request that the constituent assembly reconsider these provisions in no more than 15 days. Should the Constituent Assembly maintain the provision, the aforementioned bodies may refer the matter to the High Constitutional Court. The Court will issue its decision within seven days from the day on which the matter was referred to it.

The High Constitutional Court's decision will be binding. It will be published free of charge in the Official Gazette within three days from its date of issuance.

In any event, the date on which the draft constitution is to be put to a popular referendum in accordance with Article 60 of this Constitutional Declaration will be determined according to the date on which the final version of the draft constitution is prepared in accordance with the provisions of this article.

**(Article Two)**

**Article 38** of the Constitutional Declaration dated 30 March 2011 will be replaced with the following provision: "The right to be a candidate for membership of the People's Assembly and of the Shoura Council will be determined by law in accordance with what the electoral system determines".

**(Article Three)**

This Constitutional Declaration is to be published in the Official Gazette. It will be in force from the date on which it is published.

Issued in Cairo on 27 Rajab 1433 H  
(Approved 17 June 2012 M)

**Field Marshall Hussein Tantawi**  
Head of the Supreme Council of the Armed Forces