



**ROYAL DECREE
NO. 86/97
On the Formation of
The Council of Oman**

We, Qaboos Bin Said, the Sultan of Oman,

And the Royal Decree No. 94/91 on the Establishment of Majlis A'Shura and its amendments there to.

And the Internal Regulation of Majlis A'Shura issued by the Royal Decree No. 98/91 on the remuneration of the President and members of Majlis A'Shura,

And as an elaboration to the bases of participation in view in a way that leads to the exploitation of the expertise of scholars and specialists and contribute to the implementation of the comprehensive development strategy and serve the public interest,

And in accordance with the exigencies of public interest.

Have decreed the following :

Article (1) : The Council of Oman shall be formed from :

- The State Council
- Majlis A'Shura

Article (2) : His Majesty the Sultan shall open the council of Oman at the beginning of every new term for The State Council and Majlis A'Shura. His Majesty may call for a joint session of the two councils to discuss certain issues determined by His Majesty when the session is called for. In this case, no other issues shall be discussed. The joint sessions shall be chaired by the President of The State Council or the President of Majlis A'Shura, as specified by a Royal decision. All members of the two Councils should attend the opening sessions of the Council of Oman and the joint sessions called for by His Majesty the Sultan, in addition to the joint session

between the Council of Oman and the Defence Council stipulated in Article (7) of the Basic Statute of the of the State. No member is allowed to absent himself from attending any of those sessions except for extraordinary reasons.

- Article (3) :** Recommendations in the joint sessions called for by His Majesty the Sultan are to be issued by the majority of votes of the attending members, except for the President, who shall make the casting vote if the votes are equal.
- Article (4) :** The provision of the attached rules of establishment shall be applicable to The State Council and Majlis A'Shura. The Internal Regulations of each of the two Councils shall be issued by a Royal Decree.
- Article (5) :** Royal Decree No. 94/91 and 98/91, are hereby cancelled. Whatever may contradict with this Decree or its provisions is also cancelled.
- Article (6) :** This Decree shall be published in the Official Gazette and come into effect as from the date of its publication.

*Issued on 16th Sha'aban 1418 AH
Corresponding to 16th December 1997 AD*

*Qaboos Bin Said
Sultan of Oman*

The Rules of Establishment of the State Council and Majlis A'Shura

Chapter One : Common Provisions

- Article (1) :** Each of The State Council and Majlis A'shura shall have its own legal entity and financial and administrative independence, and its domicile shall be located in Muscat.
- Article (2) :** The membership term of each of the Sate and A'shura Councils shall be three Gregorian years. Membership of The State Council might be renewed for similar terms, however, membership of the A'Shura Council might be renewed for one term only in accordance with prevailing procedures.
- Article (3) :** Before assuming his duties, the Presidents of each of the two councils shall make the following oath before His Majesty the Sultan, (I swear, by the Name of Almighty Allah, to be allegiant to His Majesty the Sultan and to my country, and to respect the Basic Statute of the State and the enforceable laws, and to maintain the security of the State as well as the basic principles and authentic values of the Omani society, and to perform my duties in the council and its committees with full responsibility and trust). All members shall take the same oath - each before his respective council - before assuming their duties.
- Article (4) :** Members of either Councils shall relinquish their membership in the following cases
- If the member lost any of the conditions of membership.
 - If the member lost confidence and esteem.
 - If the member failed to perform his duties according to the provisions to that effect.
- Article (5) :** Each of The State Council and Majlis A'Shura shall have a General Secretariat formed of the Secretary General and a number of assistants and employees. The Secretary General shall be appointed by a Royal Decree and shall be given the status of an Under Secretary.
- Article (6) :** Each of The State Council and Majlis A'Shura shall hold four regular sessions annually during the months of January, March, May and October. The President

may call for an extraordinary session whenever necessary

- Article (7) :** The Council of Ministers shall allocate two annual meetings: one shall be attended by the President and members of the Bureau of the State council, and the other by the President and members of the Bureau of the Majlis A'shura. The meeting shall be devoted to follow up the coordination between the Government at one hand, and either of The State Council and Majlis A'Shura at the other. The council of Ministers may form a joint committee with either State Council or Majlis A'Shura. This committee shall undertake coordination of the relation between the Government and any of the two Councils in issues that serve the public interests, particularly with regard to the recommendations referred by His Majesty The Sultan to the Government to explore its opinion about the feasibility of to executing these recommendations or to identify out the best means to utilize them. The Committee shall also undertake the preparations for the annual coordination meeting referred to in the above paragraph.
- Article (8) :** Ministries, Government departments, public authorities and institutions shall cooperate with The State Council and Majlis A'Shura to make their tasks easier and to furnish them with any necessary data or information related to the fields of there competences.
- Article (9) :** The Presidents of The State Council and Majlis A'Shura shall each submit annual reports to His Majesty the Sultan on the results of work of their respective councils.
- Article (10) :** Entitlements of the Presidents of the two councils and remuneration for the members shall be determined by Royal orders.

* amended vide Royal Decree No. 104/2000

Chapter Two : The State Council

- Article (11) :**
- a. The State Council membership shall not exceed in number the membership of the A'shura Council, and shall be appointed by a Royal Decree.*
 - b. The President of The State Council shall be appointed by a Royal Decree.**
 - c. During the first session, The State Council members shall elect from among themselves two Vice Presidents.
- Article (12) :** Members of the State Council shall be selected from the flowing categories:
- a. Former ministers and under secretaries or those of similar status.
 - b. Former ambassadors.
 - c. Former senior judges.
 - d. Former retired senior officers.
 - e. People of competence and expertise in the fields of science, literature, and culture, in addition to academicians of university collages and institutes of higher education
 - f. Notable figures and businessmen.
 - g. Persons who have accomplished noble services for the country.
 - h. Whoever is deemed fit by His Majesty the Sultan for membership of the Majlis and may not fit any of the above categories.
- Article (13):** Without prejudice to the provisions of Article (12), the member of the State Council should satisfy the following conditions:
- a. To be of Omani nationality by origin in concordance with the law.
 - b. To be at least of 40 years of age.
 - c. To be a person of high esteem and good reputation and has a suitable work experience. He should not have been convicted of any offence of dishonesty unless otherwise granted judicial pardon.
- Article (14):** The member of The State Council may ask to be relieved from the Council's membership by submitting a request to the President of the Majlis. The President

has to submit the request to His Majesty the Sultan.

Article (15): If, for any reason, the post of a member of The State Council becomes vacant before the end of its term, a substitute member shall be appointed by a Royal Decree to fill the vacancy up to the end of the term.

Article (16): Membership of The State Council and Majlis A'shura cannot be hold jointly. No member, except for those mentioned in paragraph (e) and (h) of Article (12) is allowed to hold simultaneously the membership of the Majlis, and public office.

Article (17): The State Council shall assist the Government in the execution of the comprehensive development strategy and in issues that contribute to the affirmation of the original values of the Omani society and maintenance its achievements, as well as confirming the principles stipulated by the Basic Statute of the State.

Article (18): To achieve its goals, The State Council shall have the following competence:

- a. Prepare studies that contribute to the implementation of the development plans and programmes and assist in finding out appropriate solutions to the economic and social impediments.
- b. Offer proposals that might encourage investment in the production and services sectors and develop resources.
- c. Offer consultation and proposals in the filed of policies, plans and program related to administrative reforms and performance improvement.
- d. Review of bills or draft-laws prior to promulgation, except the administrative and procedural laws, and the laws which the Council of Ministers recommends to be submitted directly to His Majesty the Sultan. The State Council shall forward its recommendation regarding the referred bills or draft-laws to the Council of Ministers.*.
- e. Study and state views on issues that serve the public interest which might be referred to the Majlis by His Majesty the Sultan or as circumstances dictate.

Article (19): The Majlis as shall submit the results of its studies, proposals and recommendations to His Majesty the Sultan or to the Council of Ministers as the situation requires.

Article (20): The State Council shall have a bureau consisting of the President, the two Vice Presidents, and four members that are elected by the Majlis in its first session.

* amended vide Royal Decree No. 50/2000

** amended vide Royal Decree No. 104/2000

Chapter Three : Majlis A' Shura

Article (21): Majlis A'Shura shall consist of representatives of the Wilayats (districts) of the Sultanate, and whose election should be conducted as follows:

- a. Each wilayat (district), the population of which is 30 thousand or more, shall elect two representatives.
- b. Each wilayat (district), the population of which is less that 30 thousand, shall elect one representative.
- c. Election results shall be announced by the Minister of Interior. Those who acquire the highest number of votes shall be representatives of their respective wilayats (districts) at the Majlis.
- d. The Minister of Interior, in co-ordination with the concerned authorities, shall issue a statement of the wilayats (districts) classified according to the size of their population. He shall also issue the regulation charter for the

A'Shura Council elections through a ministerial decision.

- Article (22):** Candidates to the membership of the Majlis A'Shura shall satisfy the following conditions
- a. To be of Omani nationality by origin in concordance with the law.
 - b. To be at least 30 Gregorian years of age.
 - c. To be of status and good reputation in the wilayat (district), and should not have been convicted of any offence or crime of dishonesty or honour, save where has been re-instated.
 - d. To be of reasonable level of culture, and to possess reasonable working experience.
- Article (23):** The President of the Majlis shall be appointed by a Royal Decree.
- Article (24):** The Majlis shall elect two Vice-Presidents from among its members during its first session.
- Article (25):** The Majlis shall have a Bureau that consists of the President, his two Vice-Presidents and six members to be elected by the Majlis during its first session
- Article (26):** Membership of the Majlis A'Shura and The State Council cannot be held simultaneously, nor the membership of the Majlis A'Shura and any Public Office. If a Public Sector employee is elected, then his services will be considered terminated from the date of the beginning of Majlis A'Shura membership. Para (c) of Article (22) of the Pension and After-Service Gratuity Law applies in this case.
- Article (27):** If the position of a member of the Majlis A'Shura becomes vacant for whatever reason there may be prior to the conclusion of the term of the Council by one session, the candidate that got the second highest vote shall succeed in the position to complete the term of the Council.
- Article (28):** Majlis A'shura shall assist the government in all matters that concern the Omani society and provide all appropriate proposals the Majlis might find necessary to support the society's fundamental values and principles
- Article (29):** To achieve its goals, Majlis A'shura shall have the following competences:
- a. Review of draft laws prior to promulgation, except for the Administrative and Procedural laws, and the laws which the Council of Ministers recommends to be submitted directly to His Majesty the Sultan. The Majlis A'Shura shall forward its recommendation regarding the referred draft-laws to the Council of Ministers.
 - b. Suggest the most appropriate views for developing all the social and economic valid laws in the sultanate and refer the proposed draft amendments of these laws to the State council.
 - c. Set forth views to the issues submitted to it by the government and present adequate proposals to them via the General Secretariat of the Council of Ministers.
 - d. Participation in the preparation of the development plans in the country and comment on the general framework of those plans referred to the Majlis by the government.
 - e. Participation in deepening the public awareness of the development plans and their objectives, roles, and priorities, and the effort made for the implementation of those plans so as to verify the nature of the urgent needs of the regions as well as reinforcing the ties between the government and the citizens.
 - f. Participation in all effort made for conserving the environment and protecting it from pollution damages.
 - g. Consider of all matters relating to public services and utilities suggest the best ways for developing and improving their performance.
 - h. Consider of all possible impediments that might confront the economy sector and set forth the appropriate remedies for them.

- i. State views to the other issues, which His Majesty the Sultan may refer to the Majlis.

Article (30): Without prejudice to Article (29), paragraphs (a, b, c, and d), Majlis A'shura shall submit its recommendations to His Majesty the Sultan.

Article (31): Ministers of public services shall submit to the Majlis annual reports in respect of their Ministries achievements and plans. The Majlis has the right to call on any of the Ministers, when required, to present a statement before the Majlis about some of the issues related to his Ministry's concern and subject them for discussion.

* Article (21),(22),(23),(26) and (27) were amended as per Royal Decree No. 35/2000