

Law No. 126 Of The Year 2008
On Amending Provisions Of The Child Law
Promulgated By Law No. 12 Of The Year 1996
And Penal Code Promulgated By Law No. 58 Of The Year 1937
And Law No.143/ 1994 On Civil Status

**In the name of the People,
President of the Republic,**

The Peoples' Assembly has passed the following law and it has been promulgated:

Article One

Texts of articles (2), (3), (4), (17), (49), (53), (54 - clause 2), (65), (68), (70), (75), (86), (94), (95), (96), (97), (98), (99), (101), (104), (107), (111), (112), (113), (114), (116), (117), (125), (127), (134 - clause 2) shall be replaced by the following texts of the referred to Child Law:

Article (2):

The term child in respect of care stipulated in the present law shall mean each and every child who did not exceed the age of 18.

The age of any child shall be established by the birth certificate, national code or any other official document.

Should there be no such official document, the age shall be determined by one of the bodies designated by a decree from the Minister of Justice in agreement with the Minister of Health.

Article (3):

The present law shall particularly ensure the following principles and rights:

- a) The right of the child to life, subsistence and growth in a responsible and close family, to enjoy different precautions and to be protected from all forms of violence, harm, sexual, spiritual and physical abuse, negligence, delinquency or any other form of mistreatment and exploitation.
- b) Protection from any kind of discrimination among children as a result of the place of birth, parents, sex, religion, race, disability or any other

situation and guarantee of equality among such children in utilizing all their rights.

- c) The right of the child capable of having his own viewpoints to obtain the information that would shape his views, express the same and be listened to him in all matters related thereto including the judicial and administrative procedures, as per the procedures prescribed by the law.

Protection of the child and his best interest shall have the priority in all the decrees and procedures related to childhood, whatever the body issuing or considering the same.

Article (4):

The child shall have right to his kinship to his lawful parents and the right to enjoy their care.

The child shall furthermore have the right to prove his legal kinship to his parents through whatever means necessary including the scientific means.

Parents shall provide necessary care and protection to their child. However, the State shall provide a substitute for each child deprived from the care of his family and shall prohibit adoption.

Article (17):

The civil registration officer shall issue the birth certificate on the relevant form after registering the incident to include the data stated in Article 16 of the present law. The first birth certificate of the child shall be handed over at no fees nor insurance contribution by the parent of the infant after verifying his identity. The executive regulations implementing the present law shall identify other persons entitled to receive the birth certificate. One extract of the birth certificate shall be treated as per Article (2) of the Family Insurance Law promulgated by Law No.11 of the year 2004.

Article (49):

The following children shall have the right to obtain a monthly pension from the Ministry of Social Solidarity not less than 60 pounds according to the conditions and rules stated in Social Insurance Law:

- 1- Orphan children or children of unknown father or parents.

- 2- Children of supporting mother and those of a divorced mother, whether married or deceased.
- 3- Children of legally confined, locked up or jailed father or supporting jailed or locked up mother for at least one month".

Article (53):

Child education at different stages shall aim at realizing the following objectives:

- 1- Developing the personality, talents and mental and physical potentials of the child in light of educational programs that focus on boosting the child indignity and self-esteem as well as contribution and responsibility.
- 2- Developing the respect for the general rights and freedoms of human beings.
- 3- Reinforcing the child respect to his parents, cultural identity, language and national and religious values.
- 4- Upbringing the child on belongingness to his nation, fraternity, tolerance and respect of others.
- 5- Instilling the values of equality among individuals and nondiscrimination due to religion, race, sex, ethnic or social origin, disability or any other form of discrimination.
- 6- Boosting the respect and preservation of natural environment.
- 7- Preparing the child for a responsible life in a coherent civil society based on awareness of rights and commitment to obligations."

Article (54), second clause:

The administration of the child education shall lie on the custodian. Should there be disagreement on what will serve the best interest of the child, such matter shall be submitted by those involved to the president of the family court- in his capacity as a judge of the summary proceedings- to issue his judgment on a petition giving due consideration to the wealth of the person in charge, without prejudice to the rights of the custodian to the educational administration of the child.

Article (65):

No child may be employed at any kind of work that- due to its nature or circumstances- would put the health, safety or morals of the child to danger. Moreover, no child may particularly work in any of the worst forms of work for children as identified in the Agreement No. 182 of the year 1999.

Without prejudice to what is stipulated in the first clause, the executive regulations implementing the present law shall identify the system of children employment, work circumstances and fields of work, crafts, industries allowed therefor according to children different ages.

Article (68):

The employer hiring a child or more shall observe the following:

- 1- Affix in a clear place at the place of work a copy including the provisions incorporated in this chapter.
- 2- Prepare an updated list of the basic data of each child working thereat including the child name, date of birth, nature of his work, working hours, periods of rest and the content of the certificate establishing his qualification for work. Such list shall be submitted to the competent persons, when requested.
- 3- Inform the competent administrative body of the names of the currently employed children and the names of persons in charge of supervising their work.
- 4- Provide housing for children other than the housing of adults, in case the circumstances of work entail their overnight stay.
- 5- Keep at the place of work the official documents that establish the age of all working children and their health conditions to be submitted on demand. The employer shall be held responsible for checking the age of children working thereat.
- 6- The employer shall provide at the place of work the occupational health and safety precautions and shall train children on using the same."

Article (70):

Any female worker at the state, public sector, public business sector and private sector shall- whether full timer or part timer- be entitled to a

paid three- month leave after delivery. In all cases, the female worker may not be entitled to a leave more than three times throughout her service period.

The daily working hours of the pregnant woman shall be decreased by at least one hour starting from the sixth month of the pregnancy. Moreover, the pregnant woman may not work extra hours during pregnancy till 6 month after the date of delivery.

Article (75):

The State shall ensure the protection of the child from disability and all kinds of work that damage the health, physical, spiritual, mental or social growth thereof. Accordingly, the State shall take necessary measurements to early detect disability and to rehabilitate and employ disabled persons on reaching the age of work.

Necessary measurements shall be taken to ensure the media contribution in awareness programs with regard to the protection from disability, instruction of others of the rights of disabled children and provision of awareness to those taking care of disabled children to facilitate their integration in the society."

Article (86):

Rehabilitation tools, spare parts thereof, means and equipment of producing the same and means of rehabilitation and transportation for disabled children shall be exempt from all kinds of taxes and charges.

Using such tools and devices by normal persons for no reason shall be prohibited. Violating such shall give rise to imprisonment for a period not less than one year and a fine at no less than two thousand pounds and at no more than ten thousand pounds plus confiscating such tool or device."

Article (94):

The criminal responsibility on the child who did not reach the age of twelve at the time of committing crime shall lapse.

However, if the child exceeded the age of seven and did not reach the age of twelve years old and a felony or misdemeanor was committed therefrom, the Child Court shall solely consider such matter and shall render its judgment in pursuance of one of measurements stipulated in items 1, 2, 7, 8 of Article (101) of the present law.

The judgment may be challenged by way of appeal in application of the articles 7 and 8 before the appeal body authorized with considering the challenges in children cases, pursuant to Article (132) of the present law."

Article (95):

Without prejudice to the provisions of Article (111) of the present law, the provisions stated in this part shall apply on the child who did not reach the age of 18 on committing the crime or at the presence of the child in a dangerous situation.

Article (96):

The child shall be deemed exposed to danger if he was found in a situation that threatens the safety of his upbringing in any of the following cases:

- 1- If the child safety, ethics, health or life was put to danger.
- 2- If the circumstances of raising a child in his family, school, care institution or others jeopardize the safety of the child or if the child was exposed to negligence, abuse, violence, exploitation or displacement.
- 3- If the child was- for no reason- deprived from his right to full or partial custody or vision of one of his parents or whomever is entitled to the said.
- 4- If the child provider stopped to spend on him, if the child lost one or both of his parents or if any or both parents or the person in charge of the child abandoned him.
- 5- If the child was deprived from the basic education or if his educational future was exposed to danger.
- 6- If the child within the scope of the family, school, care institution or others was forced to commit violence, acts against morals, pornography, commercial exploitation, molestation, sexual abuse or to illegally use alcohols or drugs that affect the mental state.
- 7- If the child was doing acts of mendicancy as for instance selling trivial goods or services or doing acrobatics, etc...as a useless source of living.
- 8- If the child collects the remains of cigarettes, wastes or trashes.

- 9- If the child does not have a domicile or if he usually sleeps in the streets or other places inappropriate for housing or overnight stay.
- 10- If the child socializes with suspects, perverted persons or those of bad reputation.
- 11- If the child misconducts and disobeys his father, administrator, custodian, person in charge thereof or mother in case of the death, absence or disqualification of his administrator.

In such case, no action even inquiry procedures may be taken against the child except upon the complaint of the father, administrator, custodian, mother or the person in charge.

- 12- If the child does not have a legitimate source of living nor a provider.
- 13- If the child suffers a physical, mental and psychological illness that affects his ability to choose and recognize things in a way that would affect his safety or the safety of others.
- 14- If the child whose age was below the age of seven committed a felony or misdemeanor.

Except for cases specified in items 3 and 4, any person exposes the life of the child to a dangerous case shall be punished by imprisonment for not less than six months and/ or a fine not less than two thousand pounds and not more than five thousand pounds.

Article (97):

A General Committee for Child Protection shall be established in each governorate under the presidency of the governor, the membership of the heads of security directorates authorized with social, education and health affairs, a representative of the civil society institutes and any person the governor deems his assistance necessary, upon a resolution of the governor.

Such committee shall undertake the design of the general policies of child protection in the governorate and the follow-up of implementing such policies.

A Sub-Committee for Child Protection shall be constituted in each circuit and police station, upon a resolution of the General Committee. During constitution, security, social, psychological, medical, and

educational officials shall be included to form a committee of at least five members and maximum seven including the head. The committee may include among its members one or more representatives of the civil society institutes concerned with child affairs.

The sub-committees for child protection shall undertake to spot all cases that are exposed to danger, provide the needed treatment and protection for all such cases and follow-up procedures to be taken.

Subject to the provisions of Article (144) of the present law, a General Department for Child Rescue shall be established at the National Council for Childhood and Maternity to receive complaints from children and adults and handle the same to quickly rescue children from any violence, danger or negligence. The Department shall include representatives of Ministries of Justice, Interior, Social Solidarity and Local Development to be designated by the competent ministers, representatives of civil society institutes chosen by the general secretary of the council and any person the general secretary deems his assistance necessary.

The General Department for Child Rescue shall have the power of investigating the reports referred thereto, following - up the results of investigation and sending reports of the findings to the competent bodies.

Article (98):

If the child was exposed to one of the dangerous situations stipulated in items 1 and 2, items 5 to 14 of Article 96 of the present law, such child shall be referred to the Sub-Committee for Child Protection to apply its provisions in Article (99-Bis) of the present law. The committee may - if necessary - require from the child prosecution to serve a written warning to the custodian of the child to make correct the reasons of exposing the child to danger. Such warning may be objected before the Child Court during 10 days from receiving the same. Procedures stipulated for objecting the criminal orders shall be followed in considering and settling such objection. The judgment in such case shall be deemed final.

If the child was found in one of the dangerous cases referred to in the previous clause- after the warning became final- the matter of the child shall be referred to the Sub-Committee for Child Protection. Such committee - in addition to the authorities prescribed in the previous clause - may refer the matter to the child prosecution to carry out measurements set forth in Article (101) of the present law. In the event that the child did not reach the age of 7, no measurement other than handing over or placing the child at one of the specialized hospitals may be taken."

Article (99):

Sub-committees for child protection shall receive complaints on children exposure to danger. In such case, the committee may - after verifying the complaint - summon the child, parents, custodian, person in charge thereof and listen to their statements on the facts- subject matter of the complaint.

The committee shall examine and deal with the complaint. If the committee fails to so do, such committee shall report the incident and procedures thereof to the General Committee for Child Protection to adopt necessary legal proceedings."

Article (101):

Any of the following measurements shall apply on any child who did not reach the age of fifteen and committed a crime:

- 1- Reprimand.
- 2- Handing over.
- 3- Joining training and rehabilitation.
- 4- Imposition of specific duties.
- 5- Judicial probation.
- 6- Carrying out public utility works that would not harm the health or psychology of the child. The executive regulations implementing the present law shall identify the types of such works and their limitations.
- 7- Placement at one of the specialized hospitals.
- 8- Placement at one of the social care institutes.

Except for confiscation, imprisonment or remedy the situation, the child may not be judged by one of the penalties or measurements stipulated in any other law."

Article (104):

Training and rehabilitation of the child shall be made through a suitable specialized center, factory, shop or farm that accepts his training as adjudicated by the court, for a period to be designated by the latter. The

stay of the child at the referred to places may not exceed 3 years, save as such training and rehabilitation would not cause the child to drop out from the basic education.

Article (107):

The child may be placed at one of the juvenile social care institutes following or acknowledged by the Ministry of Social Affairs. If he child was disabled, the placement shall be at an appropriate rehabilitation institute. In such case, the court may not specify the period of placement. The court shall follow up the case of the juvenile through the report submitted by the institute of the child every 2 months at most for the court to decide on ending or replacing the measurement, as the case may be. The placement shall be made for the shortest possible period. In all cases, the court may not adjudicate placement except as a last resort.

In all cases, the placement period may not exceed 10 years for felonies and 5 years for misdemeanors.

Article (111):

Any child who did not exceed the age of 18 at the time of committing the crime may not be sentenced to death, life imprisonment or maximum security imprisonment.

Notwithstanding the provisions of Article (17) of the Penal Code, if the child who exceeded the age of 15 or committed a crime that entails death, life imprisonment or maximum security imprisonment penalty shall be sentenced to imprisonment. If the punishment of the crime was imprisonment then the child shall be sentenced to confinement at no less than three months.

The court may - instead of the lock up judgment- adjudicate another measurement as stipulated in item 8 of Article (101) of the present law.

If the child who exceeded the age of 15 committed a misdemeanor that gives rise to a lock up punishment, the court may- instead of the stipulated punishment- judge one of the measurements provided for in items 5, 6, and 8 of Article (101) of the present law."

Article (112):

Children may not be detained, locked up or jailed with adults in one place. In case of detention, children shall be classified according to their age, sex and type of crime.

Any civil servant or person commissioned to perform public service who detained, locked up or jailed a child with adults in one place shall be punished by imprisonment for minimum 3 months and maximum 2 years and/ or a fine not less than one thousand pounds and not more than 5 thousand pounds.

Article (113):

Negligence of a child by any person in charge of the same shall give rise to punishment by a fine at no more than 300 pounds after being warned as per the first clause of Article (98) of the present law, if such negligence led to exposing the child to a dangerous situation as stated in clause one of Article (98) of the present law.

Article (114):

Failure to take care of a child by the person in charge thereof that led to committing a crime or exposing the child to dangerous situation as stipulated in the present law shall be punished by a fine not less than 200 pounds and not exceeding 1000 pounds.

If such crime or dangerous situation resulted from a major omission, the punishment shall be imprisonment for a period not less than 3 months and not more than one year and/ or a fine not less than 1000 pounds and not exceeding 5000 pounds.

Article (116):

Without prejudice to the provisions of complicity, any adult who instigated, prepared for, took part in or facilitated by any other means the commitment of a misdemeanor by a child and did not attain his goal shall be punished by no more than half the maximum limit of punishment prescribed for such crime.

Imprisonment for not less than 6 months shall be the punishment if the perpetrator who used force or threatened the child, was his principal, person in charge of his upbringing, custodian or if the child was handed over to such person by virtue of law or if the perpetrator was a servant for any of the aforementioned persons.

In all cases, if the crime was made to more than one child even at different times, the imprisonment shall be not less than one year and not more than seven years.

Any adult who instigated, prepared for, took part in or facilitated by any other means the commitment of a felony by a child and did not attain

his goal shall be punished by the penalty stipulated for the attempt to commit the instigated crime.

Article (117):

Employees appointed by the Minister of Justice in agreement with the Minister of Social Affairs shall have the authority of law investigation officers as regards the crimes committed by children, cases of exposing the same to danger plus other crimes stated in the present law."

Article (125):

The child shall have the right to get the legal assistance and shall have - as per the articles of felonies and misdemeanors which entail imprisonment - an attorney-at-law to defend the child during the investigation and judgment. If the child did not choose an attorney-at-law, the public prosecution or the court shall appoint an attorney-at-law, as per the rules stipulated in the Criminal Procedural Law.

Article (127):

Observers referred to in Article (118) of the present law for each child accused of a felony or misdemeanor and before considering the lawsuit shall prepare a file including a complete examination of the educational, physical, mental, physiological and social state of the child. Such file shall be the base for considering the lawsuit.

The court before rendering its judgment shall discuss the observers who prepared the referred to examination report and may demand additional examination.

Article (134 - second clause):

President of the Child Court, his vice-president or an expert thereat shall visit care, training and rehabilitation centers, social care institutes, specialized hospitals, punitive institutes and other bodies - within its jurisdiction - that cooperate with the Child Court at least every three months to ensure meeting their obligations of rehabilitating and reintegrating the child in the society. The president of the Child Court may send a report of his remarks to the competent General Committee for Child Protection to act accordingly.

Article Two

A second clause in Article (1) and other articles and clauses with numbers (7-Bis), (7-Bis-A), (7-Bis-B), (15 - Last clause), (31 - second clause), (31-Bis), (32 - item 5), (50 - third clause), (65-Bis), (76-Bis),

(98-Bis), (99-Bis), (99-Bis-A), (116-Bis), (116-Bis-A), (116-Bis-B), (116-Bis-c), (116-Bis-d), (144-Bis), (144-Bis-A), (144-Bis-B), (144-Bis-c) shall be added to the referred to Child Law with the following texts:

Article (1) - clause two:

The state shall at least ensure the child rights mentioned in the Child Right Convention and other related international conventions implemented in Egypt.

Article (7-Bis):

Each child shall have the right to obtain the health and social care services and treatment. The State shall carry out all necessary measurements to ensure that all children are enjoying the highest possible level of health.

The state shall further provide parents, child and all the sectors of the society with basic information related to health and nutrition of the child, privileges of breast feeding, principles of maintaining health, safety as well as environment in addition to protection from accidents and shall help the same to benefit from such information.

The state shall also guarantee- in all cases- the right of the child to clean, healthy and suitable environment and shall carry out all necessary measurements to remove any matters detrimental to his health.

Article (7-Bis-A):

Giving due consideration to the rights and obligations of the custodian of the child and his right to discipline the child, the child may not be deliberately exposed to any abuse, illegal or harmful exercise.

The Sub-Committee for Child Protection shall carry out the legal proceedings necessary on violating the text of the previous clause.

Article (7-Bis-B):

The State shall give priority to keeping the life of the child, safely upbringing the same away from armed conflicts and ensuring his non-involvement in military acts. The State shall further guarantee the child rights in cases of emergencies, catastrophes, wars and armed conflicts and shall carry out necessary measurements to pursue and punish anyone who would commit against the child a war crime, genocide or crimes against humanity.

Article (15 - last clause):

Notwithstanding the provisions of articles (4, 21, 22) of the present law, the mother shall have the right to advise the birth of her newborn, register the same at the birth records and extract a birth certificate thereto stating her name. Such certificate will be disregarded, should the birth incident be not established.

Article 31, second clause:

Each child referred to in the first clause shall have the right to enjoy the day care services and the State shall carry out all necessary measurements to ensure such right.

Article (31-Bis):

In all women prisons, a day care meeting the conditions of such prisons shall be established. Such day care shall allow the child of the imprisoned woman to be placed thereat till he reaches the age of 4, on condition that the mother would take care of her child during his first year.

The regulation on how the imprisoned mother would be in contact with her child to provide him necessary care should be issued by decree from the Minister of Interior. The mother shall be prohibited from taking her child to her cell and may not be deprived from seeing her child or taking care of the same as a punishment for her crime.

Article (32 - item 5):

Children need for refreshment, entertainment, playing and doing art works appropriate for their ages shall be met.

Article (50 - third clause):

Without prejudice to the provisions of Traffic Law, any person who leases to a child or allows the latter to drive a vehicle shall be punished by the same punishment. The court may suspend the license of the vehicle as well as the place renting the same for maximum three months. In case of recurrence, the license of the place shall be revoked or the place shall be closed if it was not licensed.

Article (65-Bis):

Medical examination shall be conducted before joining the work to guarantee his qualification for work. The examination shall be conducted periodically at least each year in pursuance of the executive regulations.

In all cases, the work may not cause pain, physical or psychological harm to the child nor deprive the same from his right to education,

entertainment and development of his talents and abilities. The employer shall effect an insurance for the child and protect the same from occupational damage during his working period.

The annual leave of the child shall exceed the adult annual leave by seven days and such leave may not be postponed or canceled for any reason.

Article (76-Bis):

The handicapped child shall be entitled to education, vocational training and rehabilitation at same schools, institutes and training centers of normal children, except for exceptional cases that result from the nature and the percentage of disability.

In such exceptional cases, the State shall provide education and training at special classes, schools, institutes or training centers that meet the following conditions:

- 1- Follow the regular educational system as well as the vocational training and rehabilitation system provided for normal children.
- 2- Meet the needs of handicapped child and be in vicinity of his domicile.
- 3- Provide complete education or rehabilitation as regards the handicapped children, whatever their ages and level of disability.

Article (98-Bis):

Anyone who came to know about a child exposure to danger shall provide whatever assistance needed that would ward off the danger or remove the same.

Article (99-Bis):

The Sub-Committee for Child Protection shall take the necessary procedures and measurements as follows:

- 1- Keeping the child in his family plus obliging the parents to carry out necessary procedures in order to remove any imminent danger, during specific periods of time and under a periodic supervision of the committee for child protection.

- 2- Keeping the child in his family and regulating the assistance of the body authorized with providing the social, pedagogical and health services necessary for the child and his family.
- 3- Keeping the child in his family and adopting necessary procedures to prevent his connection to persons that pose a threat to his health or physical or moral safety.
- 4- Recommendation at the competent court to temporarily place the child at a family, body, social or educational institute or when necessary at a health or medical institute till the removal of the threat, in accordance with the duly stipulated procedures.
- 5- Recommendation at the competent court to take urgent measurements necessary for placing the child at a care, rehabilitation or medical institute or at a trusted family, body or educational or social institute for the period needed to remove the threat, if the child is exposed to danger or negligence by the parents or the person in charge thereof.
- 6- The committee may - if necessary - refer the matter to the Family Court to consider obliging the person in charge of the child to a temporary child maintenance. The judgment of the court shall be executable and not challengeable.

In cases of imminent danger, the General Department for Child Rescue at the National Council for Childhood and Maternity or the Protection Committee- whichever closer- shall take prompt necessary procedures to get the child out of the place at which he is exposed to danger and move him to a safe place with the assistance of the competent authorities, if needed.

An imminent danger shall mean any positive or negative act threatens the life, physical or moral safety of the child in an unrecoverable way."

Article (99-Bis-A):

The child protection committees shall periodically follow up the procedures and results of implementing the child related measurements and it may - if necessary - recommend the reconsideration, replacement or cessation of such measurements in order to keep the child at his family without being separated therefrom except as a last resort for the shortest possible period of time, on condition that the child will be returned to his family at the soonest possible date.

Article (116-Bis):

The minimum penalty stipulated for any crime committed by an adult against a child, a parent, custodian, administrator, person in charge of a child or servant at any of the aforementioned persons shall be doubled.

Article (116-Bis-A):

Any person importing, issuing, producing, preparing, displaying, printing, promoting, acquiring or broadcasting any pornographic materials involving children or are related to children sexual abuse shall be punished by imprisonment for not less than 2 years and a fine at no less than ten thousand pounds and at no more than 50 thousand pounds. Tools and equipment used to commit such crime and money resulted therefrom shall be confiscated. Moreover, places used in such crime shall be closed for at least six months, without prejudice to the rights of third party bona-fida.

Notwithstanding any severer punishment stipulated in any other law, the same punishment shall apply on the following:

- a) Anyone using the computer, internet or animation to prepare, keep, process, display, publish, print or promote any pornographic materials or activities that are related to instigating or exploiting children in prostitution and pornography or to slandering or selling such children.
- b) Anyone using the computer, internet or animation to instigate children to go astray, commit crimes or to carry out illegal activities or pornography, even if no crimes did occur.

Article (116-Bis-B):

Notwithstanding any severer punishment stipulated in any other law, any person publishing or broadcasting through media any information, data, drawings or pictures related to the identity of a child being referred to the bodies handling children exposed to danger or violating the law shall be punished by a fine not less than ten thousand pounds and not exceeding fifty thousand pounds.

Article (116-Bis-C):

The provisions of criminal lawsuits lapsed by conciliation or reconciliation stipulated in Criminal Procedural Law or any other law shall apply on the crimes committed by children.

Article (116-Bis-D):

The children - witnesses or victims- throughout all stages of investigation, judgment and execution shall have the right to be listened

thereto and to be treated in dignity and passion with complete respect to their physical, psychological and moral safety. Such children shall further have the right to protection, health, social and legal assistance, rehabilitation and integration in the society, in light of the guiding principles of the United Nation on providing justice to the children- victims of crimes and witnesses thereon.

Article (144-Bis):

A fund following the National Council for Childhood and Maternity called Child and Maternity Care Fund shall be established and shall have its independent juristic personality and budget. The fiscal year of such Fund shall start and end at the beginning and end of the fiscal year of the State respectively. Any surplus shall be carried over from one fiscal year to another.

Article (144-Bis-A):

The Fund shall have a board of directors under the presidency of the secretary general of the National Council for Childhood and Maternity. The constitution of the board of directors of the Fund and the operation system thereof shall be made upon a decree of the Prime Minister. The term of the Fund board shall be three renewable years.

Article (144-Bis-B):

The board of the Fund shall be the dominating body on its affairs and shall particularly have the right to the following:

- 1- Carry out necessary actions to develop the resources of the Fund.
- 2- Establish schools, houses and hospitals for children.
- 3- Establish service and production projects, parties, charities, exhibits and matches to realize the purpose of the National Council for Childhood and Maternity after obtaining necessary license from competent bodies.
- 4- Provide assistance to bodies concerned with childhood and maternity.
- 5- Carry out any act that would support the child rights.

Article (144-Bis-C):

The resources of the Fund shall include the following:

- a) Amounts contained in the public budget for supporting the Fund.

- b) Fines and reconciliation sums for crimes stipulated in the present law.
- c) Investment returns of the Fund and real estates allocated or devolved thereto.
- d) Grants, assistances, donations and wills the board of the Fund decided to accept. Such grants, assistances, donations and wills shall be exempted from all kinds of taxes.

Article Three

The following terms shall be replaced by the term as respectively assigned thereto:

- The terms "fifteen years" and "thirteen years" shall be replaced by the terms "fourteen years" and "twelve years" respectively in Article (64) of the present law.
- The term "seven pm" shall be replaced by the term "eight pm" in Article (66) of the present law.
- The term "did not exceed the age of" shall be replaced by the term "did not reach the age of" in Article (109) of the present law.
- The term "did not exceed" shall be replaced by the term "did not reach" in Article (119) of the present law.
- The terms "exceeded fifteen years old", "he did not exceed it" and "exceeded eighteen years old" shall be replaced by the terms "reached fifteen years old", "he did not reach it" and "reached eighteen years old" respectively in Article (133) of the present law.
- The term "those who did not exceed" shall be replaced by the term "those who did not reach" in Article (139) of the present law.
- The term "the Minister authorized with social affairs" shall be replaced by the term "the Minister of Social Affairs" whenever mentioned in the present law.
- The terms "The Child Court" and "Child Prosecution" shall be replaced by the terms "Juvenile Court", and "Juvenile Prosecution"

respectively whenever mentioned in the present law or in any other law¹.

Article Four

Two new articles of numbers (242-Bis) and (291) shall be added to the aforesaid Penal Code with the following texts:

Article (242-Bis):

Without prejudice to the provisions of Article (61) of the Penal Code and notwithstanding any severer punishment in any other law, any person causing injury stipulating punishment as per articles 241 and 242 of the Penal Code through female circumcision shall be punished by imprisonment for no less than 3 months and at no more than 2 years or a fine at no less one thousand pounds and at no more than 5 thousand pounds.

Article (291):

Any prejudice to the child right to protection against exploitation, sexual, commercial or economical abuse or against being used in scientific researches and experiments shall be prohibited. The child shall have the right to be instructed to face such dangers.

Notwithstanding any severer punishment stated in any other law, any person who sells, buys or offers a child for selling in addition to delivering, receiving or moving a child as a servant, sexually or commercially exploiting the same or employing him in compulsory work or other illegal purposes - even if the crime occurred abroad - shall be punished by maximum imprisonment for not less than 5 years and a fine of at least 50 thousand pounds and maximum 200 thousand pounds.

The same punishment shall apply in respect of any person who facilitates or instigates a child to commit one of the acts mentioned in the previous clause- even if the crime did not occur accordingly.

Without prejudice to the provisions of Article (116-Bis) of the Child Law, the punishment shall be doubled if it is committed by an organized criminal group across the national borders.

Without prejudice to the provisions of Article (116-Bis) of the previous mentioned law, any person who removes one of the organs of the

¹ Added by the rectification issued in the Official Journal, issue No. 28, dated 10 July 2008.

child or part thereof shall be punished by maximum imprisonment. The approval of the child or person in charge thereof shall be disregarded.

Article Five

A new Article No. (31-Bis) shall be added to Law No. (143) of the year 1994 on Civil Status with the following text:

Article (31-Bis):

No person may have his marriage contract registered, if he did not reach the age of eighteen.

Before registration, a medical examination for those who are about to be married shall be conducted to check whether any party is suffering from any disease that might affect his life and health as well as the life and health of his future spouse and offspring. The couple shall be informed of the results of such examination. The identification of such diseases, the examination procedures, types and bodies authorized to conduct the same shall be determined by the Minister of Health and the Minister of Justice.

Any person registering a marriage in violation to the provisions of such article shall be punished."

Article Six

The present law shall be published in the Official Journal and shall apply as of the day following the date of publishing the same.

The present law shall bear the seal of the State and shall apply as one of its laws.

Issued by the Presidency of the Republic on 11 Jumada II, 1429 (Islamic Calendar), corresponding to 15 June 2008 (Gregorian calendar).

Hosni Mubarak