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Chapter One

The State and the System of Ruling

Article (1)

The Sultanate of Oman is an Arab Islamic independent State and fully sovereign. Its capital city is Muscat.

Article (2)

The religion of the State is Islam. The Islamic Shariah is a principal source for legislation.

Article (3)

The official language is Arabic.

Article (4)

The State flag, emblem, logos, honors and national anthem are laid down by law.

Article (5)

The regime of the Sultanate of Oman is Sultani hereditary within the male sons of Mr. Turki Bin Saeed Bin Sultan. Thenceforward those who will be chosen to rule from among them should be an adult, Muslim, and a legitimate son of Omani Muslim parents.

Article (6)

The Ruling Family Council, within 30 days as of the date the Sultan seat becomes vacant, shall specify the name of the person to whom the rule shall be transferred. If the Family Council fails to agree on the name of the Sultan, the Defense Council shall appoint the person the Sultan has recommended in his letter to the Ruling Family Council.

Article (7)

The Sultan, before practicing his authorities, shall, in a joint session of Oman Council & the Defense Council take the following oath:

"I swear by Almighty God that I shall respect the Basic Law of the State, that I shall fully defend the interests and freedoms of the people, and that I shall safeguard the independence of the nation and the integrity of its territories."

Article (8)

The government shall continue its work as usual until a new Sultan is chosen and until he starts practicing his authorities.

Article (9)

Justice, Shura and Equality are the basis of rule. Citizens – according to this Basic Law, and conditions and circumstances provided by the law – shall have the right to participate in public affairs.

Chapter Two

Principles Governing the Policy of the State

Article (10)

Basic Principles:

- Maintaining the independence and sovereignty of the State. Maintaining the personality, security and stability and defending the state against any aggression.
- Enhancing cooperation and emphasizing friendship with all states and peoples based on mutual respect, joint interest, non interference in internal affairs, consideration to international and regional conventions and the generally acknowledged rules of the international law which lead to the spread of peace and security between states and peoples.
- Building healthy basis for a correct Shura stemming from the heritage of the nation, its values and its Islamic Shariah. Building a nation proud of its history and embracing what is beneficial from the modern methods and tools.
- Building a healthy administrative system that guarantees justice, security and equality for citizens and guarantees respect for the general rules and the higher interest of the nation.

Article (11)

Economic Principles

1. The national economy is based on justice, and free market economy principles. Its basis is constructive cooperation between the public and private activities. Its aim is to achieve social and economic development that will lead to increase in production, improvement of the standard of living for citizens according to the general plan of the State and within the limits of the law.
2. The freedom of economic activities is guaranteed within the law and the general public interest and in a way that ensures healthy national economy. The State encourages saving, and supervises the regulation of credit.
3. All natural wealth and resources are State property. The State shall safeguard them and exploit them properly, while observing the requirements of the security of the State and of the welfare of the national economy. It is not permissible to grant any exclusive rights or to allow investment in any of the resources of the state except with a law, and for a specified period of time and in a way that preserve the national interests.
4. Public funds are inviolate, the state shall protect them and every citizen and resident in the state shall also protect them.
5. Private property is protected. No one shall be prevented from disposing of his property within the limits of the law. No one shall be dispossessed of his property except for the public good in the cases specified and the manner stated by law and provided that he is fairly compensated.
6. Inheritance is a guaranteed right governed by the Islamic Shariah.
7. Public expropriation of funds is prohibited, and private expropriation shall be a penalty only by judicial ruling in the cases prescribed by law.
8. Taxes and public costs are based on social justice and the development of the national economy.
9. Public taxes shall only be established, amended and abolished by law, and persons shall only be exempted from paying them wholly or in part in those cases prescribed by law.
10. It is not permissible to introduce a new tax or fee or any other right of any kind with a retroactive effect.

Article (12)

Social Principles

- Justice, equality, and equal opportunities for Omani people are the basis of the society and are guaranteed by the state.
- Solidarity and sympathy form firm bond between citizens. Strengthening national unity is a duty. The state shall ban any activity which leads conflict, separation or which affects the national unity.
- The family is the basis of society. The law organizes its protection, preserves its lawful entity, strengthens its bonds and values, provides its members with care, provides the appropriate conditions to develop their capacities and talents.
- The state shall guarantee assistance to the citizen in cases of emergencies, sickness, impairment, old aging according to the social security law. It seeks the solidarity of the society in carrying burdens of catastrophes and disasters.
- The State cares for public health and the State ensures the means of prevention from diseases. It seeks to provide health care for every citizen, and it encourages the establishment of hospitals, clinics and private therapy houses under the supervision of the state according to rules established by the law. It also preserves the nature, protect it and prevents pollution.
- The government shall issue law to protect the worker and the employer and to regulate the relation between them. Every citizen shall have the right to chose the work he wants to perform within the limits of the law. It is not permissible to impose any compulsory work on any person without a good reason and to serve a public service. In such case the person who performs such work shall be justly paid.
- Public jobs are a national service entrusted to their incumbents, and State employees shall have the public interest and the service of the society in mind when performing their jobs. Citizens are equal in occupying a public job according to conditions specified by the law.

Article (13)

Cultural Principles

- Education is a basic element in the progress of the state. It shall give it its care and it shall seek to promote it and to spread it.
- Education shall aim at raising the general cultural level and at developing it. It shall aim and developing scientific thinking and encouraging scientific research. It shall seek to respond the requirements of the social and economic plan. It shall seek to build a strong generation physically and morally, a generation proud of its nation and its heritage, a generation that will preserve the achievements made.
- The state shall provide public education and shall combat illiteracy. It shall encourage the establishment of schools and private colleges under the supervision of the state and according to the provisions of the law.
- The state shall sponsor the national heritage and preserve it. It shall encourage science, arts, scientific research and shall contribute in promoting them.

Article (14)

Security principles

- Peace is the goal of the state. The safety of the state is sacred duty of every citizen.
- The Defense Council shall be entrusted to look into issues related to the safety and security of the state and to defend it.
- Only the state may establishes the armed forces, the general security and any other forces. They all belong to the state. Their task is to protect the state, the integrity of its territories, and the security and safety of citizens. No other body or group shall have the right to form military or semi military bodies. A law shall organize the military service, general or partial mobilization, rules of conduct of armed forces, general security and any other forces the state decides to form.

Article (15)

The nationality shall be organized by a law. No person shall be stripped of his nationality except within the limits of the law.

Article (16)

It is prohibited to banish a citizen or prevent him from returning to the Sultanate.

Article (17)

People are equal before the law, they are equal in public rights and duties. There shall be no discrimination among them on the basis of sex, origin, color, language, religion, sect, ethnicity, or social status. .

Article (18)

Personal freedom is guaranteed under the law. A person cannot be arrested, detained , imprisoned or searched, or his place of residence specified or his freedom of residence or movement restricted, except under the provisions of the law.

Article (19)

A person cannot be detained or imprisoned in locations other than those designated in the prison regulations covered by health and social care.

Article (20)

No person shall be subjected to physical or moral torture, or inducement, or undignified treatment, and the penalty for so doing shall be specified by law. Any statement or confession proved to have been made under torture, inducement, or such treatment, or the threat thereof, shall be null and void.

Article (21)

There shall be no crime and no punishment except under a law, and punishment only for acts committed subsequent to the effective date of the law providing for the same. Punishment shall only be inflicted on the person who committed a crime.

Article (22)

An accused person is innocent until proved guilty in a legal trial in which he is assured of the necessary guarantees to exercise the right of defense in accordance with the law. It is forbidden to harm an accused person physically or morality.

Article (23)

Every person accused of an offence shall have the right to assign someone who has the capacity to defend him in court. The law shall specify the conditions of the attendance of the lawyer. It shall guarantee for those who do not have the financial means, the right to defend their rights and means to access justice.

Article (24)

Every person arrested or detained shall be immediately informed of the reasons for his arrest or detention. He shall have the right to contact who ever he deems suitable or to ask for assistance, in the manner regulated by the law. He shall be quickly informed of accusations

brought against him. The person who is defending him shall have the right to complain to the court against the procedure that has restricted the freedom of the detained person. The law shall regulate the right to complain in a way which will guarantee a decision during a specified period, otherwise the detained person shall be released.

Article (25)

Every person shall have the right to go to court. The law shall specify procedures and necessary conditions to practice this right. The state shall guarantee, as much as possible, the accessibility of justice and quick judicial ruling.

Article (26)

It is not permissible to conduct any medical or scientific experiments on humans without their free will.

Article (27)

Dwellings are inviolate. They cannot be entered or searched without the permission of their occupants as laid down and in the manner provided by law.

Article (28)

Freedom to perform religious rites in accordance with the customs observed in the country is guaranteed on the condition that such practice does not violate the public order or morality.

Article (29)

Freedom to express one's opinion and publish it by word of mouth, in writing or otherwise is guaranteed under the rules and conditions laid down by law

Article (30)

The freedom of postal, telegraphic, telephonic, electronic communication and other means of communication is safeguarded and its confidentiality is guaranteed. Communications shall not be censored or their confidentiality breached, postponed or confiscated except under conditions specified by law and in accordance with procedures prescribed by law.

Article (31)

The freedom of the press, printing and publishing is guaranteed under the rules and conditions laid down by law. Any material that leads to enticement, harms the security of the state and the dignity of the humans and their rights shall be banned.

Article (32)

The freedom to associate is guaranteed under the rules and conditions laid down by law.

Article (33)

The freedom to form associations on national principles, for lawful objectives and by peaceful means is guaranteed under the rules and conditions laid down by law. It is not permissible to form societies with military, secret or with aims against the state. No person shall be forced to join an association.

Article (34)

Any individual may address the public authorities on personal and public issues by means and conditions specified by the law.

Article (35)

Every foreigner legally residing the Sultanate shall enjoy the protection of his life and his property according to the law. He shall respect the society, its traditions, and norms.

Article (36)

It is not permissible to return political asylums to their countries. The laws and international conventions and treaties shall specify the provisions for returning criminals.

Article (37)

Defending the country is a sacred national duty. Serving in the armed forces in an honor to citizens and it shall be regulated by the law.

Article (38)

Preserving national unity and the secrets of the state is the duty of all citizens.

Article (39)

Paying taxes and public fees is a duty according to the law.

Article (40)

Respect of the Basic Law of the state, laws, orders issued by public authorities implementing these laws, respect for the public order and morality is the duty of all citizens of the Sultanate.

Chapter Four

The Head of the State

Article (41)

The Sultan is the Head of State, and the commander of the armed forces. He is inviolate, his respect is a duty, and his orders shall be obeyed. He is the symbol of the national unity and the loyal protector and defender of the state.

Article (42)

The Sultan is entrusted with the following:

Safeguarding independence of the state, the integrity of its territories, protection of its internal and external security, protecting the rights of citizens and their freedoms, guaranteeing the rule of law and directing the general policies of the state.

Take emergency procedures to face any danger threatening the Sultanate, the unity of its territories, the security of its people and their interests or hinders the state institutions from performing their tasks.

Represent the state inside the Sultanate and in relations other countries in all international relations.

Presides the council of ministers or assigns somebody to preside it.

Presides specialized councils or assigns those to preside them.

Assigns the deputies of the council of ministers and ministers and those of similar positions, and dismiss them from their titles.

Assigns judges and dismiss the.

Assigns general secretaries of ministers and those of similar positions and dismiss them.

Declares emergency, general mobilization, war, and ratify peace treaties according to the law.

Issues law and ratify them.

Signs international treaties and conventions according to the provisions of the law, authorize their signing, issue decrees to be ratified.

Assigning political representatives in other countries and at the international organizations and dismiss them from their positions according to the restrictions and conditions stated by the law and accredit the representatives of foreign States and organizations.

The Sultan may abate or commute a sentence.

He grants accolades and military ranks.

Article (43)

The Sultan shall be assisted in preparing the general policy of the state and in its implementation the council of ministers and the specialized councils.

Article (44)

The council of ministers implements the general policies of the state and shall mainly undertake:

- Submitting the recommendations to the Sultan in economic, political, social, executive, and administrative issues of concern to the state including suggesting draft laws and decrees.
- The interests of citizen and guaranteeing necessary services, enhancing their social, economic, health and cultural conditions.
- Specifying aims and public policies of social, economic and administrative development and suggesting the measures needed for their implementation and the best use of financial, economic and human resources.
- Discuss the developmental plans prepared by specialized bodies and submitting them to the Sultan for ratification and follow up on their implementation. Supervising the administrative apparatus of the state, its performance to its duties, and coordination between its units. General supervision of law, decrees, regulations, decisions, treaties, conventions, rulings of courts in a way that guarantees compliance.
- Any other competencies granted by the Sultan or by the provisions of the law.

Article (45)

The prime minister shall preside the sessions of the council of ministers. He may authorize one of his deputies to preside the session in his absence.

In case of the absence of the prime minister and his deputies, the Sultan shall assign whoever he deems fit to preside the sessions.

Article (46)

The meetings of the council of ministers shall be legal with the attendance of the majority of its members. Its sessions shall be confidential. The decisions shall be taken with the approval of the majority of the attendees.

Article (47)

The council of minister shall set-up its internal regulations including the work regulations. The council shall have a general secretariat to provide it with the needed number of staff to assist it in performing its tasks.

Article (48)

When the Sultan assigns a prime his jurisdictions and competencies shall be specified in the decree of his assignment.

Article (49)

The Prime Minister, the deputy prime minister and the ministers shall be:

- a. Holders of Omani nationality from birth according to the law.
- b. Shall not be below 35 years old.

Article (50)

Before exercising their duties, the prime minister, deputies of prime minister and the minister shall swear the following oath:

" I swear by Almighty God that I shall be loyal to my Sultan and to the country, shall respect the Basic Law and the effective laws of the State. I shall fully preserve the safely and integrity of the territories of the state, its interests and the interests of its people and shall perform my work honestly and sincerely."

Article (51)

The deputies of the prime minister and the ministers shall supervise the affairs of their units and implement the public policies of the government. They shall set-up the policies of their units and follow-up on their implementation.

Article (52)

The members of the council of ministers are, in solidarity, politically responsible before the Sultan on the implementation of the public policy of the state. Each of them is personally responsible before the Sultan on the way he performs his task and practices his competencies in his ministry or unit.

Article (53)

Members of the council of ministers shall not hold ministerial positions and be at the same time members of boards of ay shareholding company. The government units they preside or supervise may not deal with a company or institution they have direct or indirect personal interest with. In all cases, they should target in their conduct the interest of the nation and

the higher public interest. They shall not exploit their official positions in any way that serves their personal interest or the interests of those related to them.

Article (54)

The remuneration of the prime minister deputies and the ministers, during office and after retirement shall be specified by the Sultan orders.

Article (55)

The provisions of articles (49), (50), (51), (52), (53), and (54) shall apply on those who have the status of minister.

The Specialized councils

Article (56)

Specialized councils shall be created and their jurisdictions and the assignment of its members shall be established upon Sultani decrees.

Financial Affairs

Article (57)

The law shall specify the following issues and bodies responsible for them:

- Collection of taxes and fees and other public funds and means of their disposal.
- Protection of government property, its administration and restrictions on means of disposing of this property.
- The general budgets of the state and the final accounts.
- Independent general budgets, annexed budgets and final accounts
- Financial supervision of the state
- Loans granted or obtained by the state
- The monetary, banks, and weight and measurement standards.
- Salaries, remunerations, compensations, aid, and rewards paid from the treasury of the state.

Article (58)

Oman Council shall be formed of:

1. The Shura Council (Consultative Council)
2. The State Council

The law shall show the jurisdictions of each council, its term, and its structure, its members, conditions of membership, means of selecting and assigning them, reasons for their dismissal and other organizations provisions.

Chapter Six

The Judiciary

Article (59)

The rule of the law is the basis of governing of the state. The honor of the judges, and their probity and impartiality of judges is the guarantee of rights and freedoms.

Article (60)

The judiciary authority is independent. It shall be handled by the different types and degrees of courts that issue their ruling according the provisions of the law.

Article (61)

No authority shall prevail over the judgment of a judge. Judges are not subject to removal from office except in the cases specified by the law. No authority may interfere in issues of the judiciary. Such interference is considered a punishable crime by law. The law shall specify the conditions that apply to judges, the procedures of their assignment, their transfer, their promotion, the guarantees pertaining to them and the conditions for their removal from office and other related provisions.

Article (62)

The various types and degrees of the courts shall be regulated by law, and the law shall state their functions and jurisdiction. Military courts shall only look into military crimes committed by members of the armed forces and general security. It shall not cover other crimes except in case of martial laws and within limits specified by the law.

Article (63)

Court hearings shall be held in public except if the court decides to make it confidential for considerations of public order or morality reasons. In all case the sentence shall be issued in a public hearing session.

Article (64)

The public prosecutor shall look into general cases in the name of the society. It shall supervise issues of judicial discipline, the application of criminal law, follow guilty persons, and apply the law. The law shall organize the public prosecution, its jurisdictions and the conditions and guarantees given to those who are appointed in this profession.

Only by law, general cases may be given to the general security in minor cases and as an exception according to conditions stated by the law.

Article (65)

The law shall organize the lawyers' profession.

Article (66)

The judiciary shall have a higher council to supervise the good functioning of the courts and other supporting bodies. The law shall specify the jurisdictions of the council in employment issues of judges and public prosecution.

Article (67)

The law shall organize means of resolving administrative conflicts by a special court or department. The law shall specify its regulations and its means of practicing administrative judiciary.

Article (68)

The law shall organized means of resolving conflicts over jurisdictions between the different levels of the judiciary and conflicts related to provisions.

Article (69)

The law shall organize the jurisdictions of the party that shall give the legal opinion to the ministries and other government bodies. The chosen party shall draft the laws, regulations, and decisions and shall review them. The law shall also specify the means of representation of the state and other public institutions and bodies before the judiciary.

Article (70)

The law shall specify the judicial authority of the judge in conflicts related to the extent of compliance of laws and regulations with the Basic Law of the state and its compliance with its provisions. It shall specify its jurisdictions and the procedures to be followed.

Article (71)

Sentences shall be issued and implemented in the name of the Sultan. Failure or refusal to apply these sentences by specialized public employees shall be considered a punishable crime by the law. In this case, those who obtained the verdict shall have the right to refer the case directly to the specialized court.

Chapter Seven**General Provisions****Article (72)**

The application of this Basic Law shall not breach the treaties and agreements which Oman has concluded with states and international organizations.

Article (73)

It is impermissible to suspend any provision of this Basic Law except during the proclamation of martial law, and within the limits prescribed by the law.

Article (74)

Laws are published in the Official Gazette within two weeks of their issue, and are enforced directly after the date of their publication unless otherwise specified by the law.

Article (75)

The provisions of the laws apply only to what occurs from the date the laws came into force, and have no retroactive effect unless otherwise stated. This exception does not include criminal laws and financial fees and taxes law.

Article (76)

Treaties and conventions shall not have the force of law unless they are ratified. In any case, no treaty or convention shall have confidential conditions contradicting its declared conditions.

Article (77)

All decisions made laws, regulations, decrees, orders, and decision in force shall stay effective in the condition that their provisions do not contradict with the provisions of this Law.

Article (78)

The specialized authorities shall issue the inexistent laws needed for this Law during two years as of the date it enters into force.

Article (79)

Laws and procedures that have the force of law shall comply with the provisions of the Basic Law of the state.

Article (80)

No state authority shall issue regulations, decisions or directives which contradict the provisions of laws and decrees in force or international treaties and conventions which are part of the law of the state.

Article (81)

This law shall not be amended except in the way it was issued.