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Oman: Basic law of the Sultanate of Oman

Original title: النظام الأساسي لسلطنة عمان

Type of text: Constitution

Available web site: <http://www.qanon.ps/>

Full text available (Arabic): [oma128757.pdf](#)

1. Adoption, promulgation and amendments:

The Constitution of Oman was promulgated on November 6, 1996. It has been amended once in 2011.

2. Structure of the constitution:

The Constitution of Oman consists of seven Chapters and 81 Articles: The State and The System of Governance (1); The Principles Guiding the Policy of the State (2); The Public Rights and Duties (3); The Head of the State, The Council of Ministers, The Prime Minister, His Deputies, and the Ministers (4), The Specialized Councils, The Financial Affairs; Chapter (5); The Judiciary (6); and General Provisions (7).

3. Form of government and basic principles of the state:

The Constitution establishes that the Sultanate of Oman is an Arab, Islamic, independent state (Article 1). The religion of the State is Islam and Islamic Sharia is the basis for legislation (Article 3). The system of governance is Sultani¹, hereditary in the male descendants of Sayyid Turki bin Said bin Sultan (Article 5).

4. Basic institutions of the state and the rule of law:

The Sultan of Oman is the Head of the State (Article 41), and he shall be assisted in formulating and implementing the general policy of the State by a Council of Ministers and Specialized Councils (Article 43). The Oman Council is the legislative authority, and it consists of: 1) The Shura Council, 2) The State Council (Article 58). The Judiciary is independent and its authority are exercised by the different types of courts that issue judgments in accordance with the Law (Article 60).

5. Supremacy of international law:

No provisions regarding this matter.

6. FUNDAMENTAL RIGHTS AND DIRECTIVE PRINCIPLES OF THE STATE POLICY

6.1 General information:

The Principles guiding the Policy of the State include preserving the independence and sovereignty of the state; establishing a sound system that guarantees justice, tranquility and equality for the Citizens; The national economy is based on justice and principles of free economy with the objective of achieving economic and social development to increase production and raise the standard of living of

the Citizens. The State guarantees aid for the Citizen and his family in cases of emergency, sickness, disability, and old age according to the social security scheme. The State is responsible for public health and the means of prevention and treatment of diseases and epidemics. The State endeavors to provide healthcare for every Citizen and encourages the establishment of private hospitals, polyclinics and medical institutions to be under its supervision and in accordance with regulations determined by the Law. Inheritance is a right governed by the Shariah of Islam. (Articles 11, 12). The State shall provide public education, work to combat illiteracy, and encourage the establishment of private schools and institutes. The State shall foster and preserve the national heritage, encourage the sciences, arts, literature, scientific research and assist in their dissemination (Article 13). All Citizens are equal before the Law and share the same public rights and duties. There shall be no discrimination amongst them on the ground of gender, origin, colour, language, religion, sect, domicile, or social status (Article 17). The Constitution recognizes freedom of opinion, freedom of press, freedom of assembly, freedom of forming societies (Articles 29, 30, 31, 32, and 33).

7. PROVISIONS RELATED TO FAO'S MANDATE

7.1 Environment:

The conservation of the environment, its protection, and the prevention of pollution is among the Principles guiding the State (Article 12).

7.2 Land and property:

Public property is inviolable. The State shall protect it, and citizens and all other persons shall preserve it. Private property is protected. No-one shall be prevented from disposing of his property within the limits of the Law. Nor shall anyone's property be expropriated, except for the public benefit in those cases defined by the Law and in the manner stipulated by the Law, and on condition that the person whose property is expropriated receives just compensation for it. (Article 11)

7.3 Natural resources:

All natural resources are the property of the State, which safeguards them and ensures that they are properly utilized while taking into account the requirements of State security and the interests of the national economy. No concession may be granted, nor may any of the country's public resources be exploited, except in accordance with the Law and for a limited period of time, and in such a manner as to preserve national interests (Article 11).

7.4 Energy:

No provisions regarding this matter.

7.5 Agriculture:

No provisions regarding this matter.

7.6 Livestock:

No provisions regarding this matter.

7.7 Fisheries:

No provisions regarding this matter.

7.8 Forestry:

No provisions regarding this matter.

Descriptors (General): basic legislation; common property; gender and natural resources; public health; inheritance; ownership of natural resources; right to clean/healthy environment

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