



Al Buraimi
Governorate



Municipal Council Law

***Royal Decree No. 126/2020 Promulgating the
Law of Municipal Councils Sultan of Oman,***

We, Haitham bin Tariq,

After perusal of the Basic Statute of the State,

And the Law of Municipal Councils promulgated by Royal Decree No. 116/2011,

And the Governorates and Municipal Affairs System promulgated by Royal Decree No. 101/2020,

And Royal Decree No. 102/2020 specifying the competences of the Ministry of Interior and approving its organisational structure,

And in pursuance of the public interest,

Have decreed as follows:

Article One

The provisions of the Law of Municipal Councils, attached hereto, shall be enforced.

Article Two

The Minister of Interior shall issue the regulations and decisions necessary for the implementation of the provisions of the attached Law. Until such regulations and decisions are issued, the existing regulations and decisions shall remain in force, to the extent that they do not conflict with its provisions.

Article Three

The aforementioned Law of Municipal Councils is hereby repealed, as is any provision that contradicts the attached Law or is inconsistent with its provisions.

Article Four

This Decree shall be published in the Official Gazette and shall come into force on the day following its publication, except for Articles (8) Clause (Second) and (15) of the attached Law, which shall come into force as of the first elections held for the formation of the municipal councils in accordance with the provisions of this Law.

Issued on: 26 Rabi' Al-Awwal 1442 AH

Corresponding to: 12 November 2020 AD

***Haitham bin Tariq
Sultan of Oman***

Law of Municipal Councils
Chapter One
Definitions and General Provisions
Article (1)

For the purposes of implementing the provisions of this Law, the words and expressions set out below shall have the meanings assigned to each of them, unless the context requires otherwise:

a. Council:

The municipal council of the governorate.

b. Minister:

The Minister of Interior.

c. Chairman:

The chairman of the council.

d. Member:

A member of the council.

e. Secretary:

The secretary of the council.

f. Regulations:

The executive regulations of this Law.

Article (2)

The Regulations shall govern all affairs of the council, and in particular the following:

- a. The competences of the chairman, his deputy, and the secretary.
- b. The rules of procedure of the council.
- c. The administrative and financial affairs of the council.
- d. The permanent and ad hoc committees of the council, their formation, competences, and rules of procedure.

Article (3)

Without prejudice to the provisions of the Law on the Classification of State Documents and the Regulation of Protected Sites, authorities whose work is related to service or developmental aspects shall provide the chairman with the data and statistics that the council deems necessary for the exercise of its competences.

Article (4)

The organization of the elections of council members shall be in accordance with the provisions of regulations issued by a decision of the Minister.

Article (5)

Every voter who casts their vote in the elections of council members, whether from among the employees of state administrative units or other public legal persons, or employees in the private sector, shall be granted an official leave.

Article (6)

The Minister, with the approval of the Ministry of Finance, shall issue a financial system for the expenses, disbursements, and tenders of elections conducted in the event of the council's dissolution pursuant to Article (27) of this Law, or in the case of re-elections of council members for any reason, without being bound by the provisions of the Financial Law or the Tenders Law.

Chapter Two

Organization of Council Affairs

Article (7)

Each governorate shall have a municipal council, as follows:

First: The Municipal Council of Muscat Governorate, headquartered in Wilayat Muscat.

Second: The Municipal Council of Dhofar Governorate, headquartered in Wilayat Salalah.

Third: The Municipal Council of Musandam Governorate, headquartered in Wilayat Khasab.

Fourth: The Municipal Council of Al Buraimi Governorate, headquartered in Wilayat Al Buraimi.

Fifth: The Municipal Council of Al Dakhiliyah Governorate, headquartered in Wilayat Nizwa.

Sixth: The Municipal Council of North Al Batinah Governorate, headquartered in Wilayat Sohar.

Seventh: The Municipal Council of South Al Batinah Governorate, headquartered in Wilayat Rustaq.

Eighth: The Municipal Council of South Al Sharqiyah Governorate, headquartered in Wilayat Sur.

Ninth: The Municipal Council of North Al Sharqiyah Governorate, headquartered in Wilayat Ibra.

Tenth: The Municipal Council of Al Dhahirah Governorate, headquartered in Wilayat Ibri.

Eleventh: The Municipal Council of Al Wusta Governorate, headquartered in Wilayat Haima.

Article (8)

The council shall be formed under the chairmanship of the governor, and shall include the following members:

First: Members appointed by virtue of their official positions, representing the following authorities:

1. Ministry of Housing and Urban Planning.
2. Ministry of Transport, Communications, and Information Technology.
3. Ministry of Heritage and Tourism.
4. Ministry of Commerce, Industry, and Investment Promotion.
5. Ministry of Social Development.
6. Royal Oman Police.
7. The municipal authority of the governorate.

The Council of Ministers may amend or add other authorities if deemed in the public interest.

It is required that the position of each appointed member be no less than Director General, or Head of Department for authorities that do not have an administrative division at the level of a General Directorate within the governorate. Members may not serve on more than one council simultaneously.

Second: Elected members representing the wilayats of the governorate, at the rate of two members per wilayat.

Third: Two members of local advisors and opinion leaders from among the governorate's residents, selected by the Minister based on the governor's nomination.

The Director of Council Affairs in the Governor's office shall perform the duties of Secretary.

Article (9)

The Minister shall issue a decision naming the members of the council.

Article (10)

The following conditions shall apply to members who are not representatives of government authorities:

- a. Must be of Omani nationality.
- b. Must not be less than thirty (30) Gregorian years of age.
- c. Must be of good conduct and reputation.
- d. Must not have been finally convicted of a felony or of a crime involving moral turpitude or dishonesty, unless rehabilitated.
- e. Must not be suffering from a mental illness, nor placed under legal guardianship by a judicial ruling.
- f. Must hold an academic qualification not lower than the General Education Diploma.
- g. Must be registered in the electoral roll of the wilaya from which he/she is running for candidacy.
- h. Must not be employed in any security or military authority.
- i. Must not be a member of either the State Council or the Shura Council.
- j. Must not be residing or employed outside the Sultanate.

These conditions must be fulfilled as of the day prior to the opening of candidacy for council elections.

Article (11)

In addition to the conditions set forth in Article (10) of this Law, except for the condition mentioned in clause (f), members appointed as local advisors and opinion leaders must not be employees of any unit of the state administrative apparatus or other public legal persons.

Article (12)

An elected member may not simultaneously hold membership in the council and a public position. If a public employee is elected as a council member, their public service shall be considered terminated as of the date of the announcement of the final election results. In the event of a challenge to the validity of their membership, the member shall retain their position without salary until a final decision is issued. If the decision annuls their membership, they shall return to their position. If the challenge is rejected, their service shall be considered terminated as of the date of the announcement of the results. The retirement benefits of a member whose service has ended shall be settled in accordance with the provisions of this Article, following the rules established for members of the Shura Council.

Article (13)

The term of the council shall be four (4) Gregorian years, commencing on the day following the date of the decision appointing its members. Elections for the new council shall be held within ninety (90) days prior to the end of that term. If elections are not held within this period for any reason, the existing council shall remain in office until the elections are conducted.

In the event of the council's dissolution pursuant to Article (27) of this Law, elections for the new council shall be held within six (6) months from the date of dissolution.

Article (14)

The chairman—except for those who have taken the oath before His Majesty the Sultan—shall take the following oath before the Minister prior to assuming their duties:

"I swear by Almighty Allah to perform my duties in the council with honesty and integrity, to safeguard the interests of the nation and citizens, and to maintain the confidentiality of the municipal council's work."

Council members shall take the same oath before the chairman prior to assuming their duties.

The chairman and council members representing government authorities shall take the oath only once during the council's term.

Article (15)

The vice-chairman of the council shall be elected from among the elected members at the first council meeting, in accordance with the procedures specified in the regulations.

Article (16)

The council shall hold its sessions at the governorate headquarters, but it may convene elsewhere if the chairman deems it appropriate, provided that the meeting takes place in one of the state administrative units within the governorate.

Article (17)

Without prejudice to the provisions of the Governorates and Municipal Affairs System, the council shall submit its decisions on matters within its competence to the Minister within one (1) week from the date of their approval. If the Minister deems that a decision exceeds the council's competence, violates the law, or contravenes the general policy of the state, the Minister has the right to object within a period not exceeding thirty (30) days from the date of receipt and return it to the council with reasons for the objection for reconsideration. If no objection is made within this period, the decision shall become effective as of the date of the council's approval.

Article (18)

The chairman shall submit a periodic report on the council's activities every six (6) months to the Minister, who in turn shall submit an annual report on the matter to the Council of Ministers.

Article (19)

The following actions are prohibited for a council member:

- a- Directly or indirectly, through the council or its committees, engaging in any contracting, supply to the governorate, or entering into any sale or barter relationship with the governorate, if the member, their spouse, or any relative up to the third degree has a personal interest, or if the member acts as guardian, custodian, or agent for the contracting party.
- b- Disclosing any information or data acquired by virtue of membership in any manner.

Article (20)

The Minister shall, with the approval of the Ministry of Finance, determine the remuneration of elected council members and local advisors and opinion leaders. The regulations shall specify the mechanism for its disbursement.

Article (21)

Without prejudice to the provisions of the Governorates and Municipal Affairs System, the council shall, within the framework of the state's general policy and developmental plans, and within the governorate's jurisdiction, have the following competences:

- a - Propose means of investing the governorate's resources to achieve sustainable development and create employment opportunities for citizens.
- b - Propose, amend, or cancel municipal fees and determine methods of their collection.
- c - Approve regulations and specifications concerning billboards and promotional advertisements and set rules for the placement of signs for commercial and public establishments, in coordination with the relevant authorities.
- d - Approve regulations for controlling stray and wandering animals, in coordination with the relevant authorities.

- e-Propose regulations governing the operation of taxis and public transportation.
- f-Approve regulations for the management and organization of markets, cemeteries, slaughterhouses, and waste disposal sites, without prejudice to the competences of the Ministry of Agricultural and Fisheries Wealth and Water Resources concerning the management and organization of fish markets.
- g - Review development plan projects within the governorate and propose developmental projects.
- h - Provide recommendations regarding the performance of branches of government service units within the governorate.
- i - Express opinions on proposed sites for developmental, service, and economic projects, as well as urban planning layouts.
- j - Monitor measures taken to prevent and remove encroachments on state property, public facilities, wadi reserves, and beaches.
- k - Participate in identifying the governorate's needs for public facilities and government services and propose related projects.
- l - Offer recommendations related to public health and propose regulations on health requirements for activities affecting public health.
- m - Cooperate with relevant authorities in determining public interest in developmental projects in accordance with conditions established by the Law on Expropriation for Public Benefit.
- n - Express opinions on structural and general urban plans, as well as specific plans in residential, commercial, industrial, and touristic areas within the governorate.
- o - Approve the organization of cultural, recreational, and touristic festivals, in coordination with relevant authorities.
- p - Monitor the implementation of service and developmental projects within the governorate and provide observations regarding them.

- f - Monitor the implementation of service and developmental contracts that entail financial rights or obligations for the governorate.

- g - Approve programs aimed at assisting eligible groups, and caring for orphans and persons with disabilities, in coordination with relevant authorities.
- h - Propose programs to assist those affected by natural disasters and adverse climatic conditions, in coordination with the competent authorities.
- i - Propose projects related to the development of the governorate's cities and their tourist frontages.
- j - Encourage private sector institutions and companies to contribute to the local community's development in the governorate and participate in determining the priorities of their contributions, in coordination with relevant authorities.
- k - Propose awareness and educational programs in areas falling within the council's competences.
- l - Review proposals and complaints submitted to the council concerning matters within its competence and take appropriate measures.
- m - Examine social issues and negative phenomena within the governorate and propose suitable solutions in cooperation with the relevant authorities.
- n - Promote community awareness regarding the importance of preserving natural reserves and wildlife and propose measures to protect and maintain the environment.
- o - Communicate with the local community and private sector institutions to gather their observations and suggestions with the aim of serving and developing the governorate.

Article (22)

The council may, in exercising its competences, seek the assistance of specialists it deems appropriate from authorities whose work is related to service or developmental matters in the governorate, or from other persons of experience and competence.

Chapter Three

Termination of Membership and Dissolution of the Council

Article (23)

Membership in the council shall terminate for any of the following reasons:

- a - Death.
- b - Loss of any of the membership eligibility conditions.
- c - Dismissal from membership.
- d - Issuance of a final judgment imposing a custodial sentence exceeding three (3) months.
- e - Dissolution of the council.

A decision on the termination of membership shall be issued by the Minister.

Article (24)

A member who is not a representative of a government authority may submit a written request to the chairman for exemption from membership. The request shall be deemed accepted from the date of submission. The chairman shall inform the council of the request at its first session and notify the Minister.

Article (25)

The chairman shall present the case of a member who is not a representative of a government authority and who fails to attend two (2) consecutive meetings or three (3) non-consecutive meetings within a year. The council shall review the matter, and if, after hearing the member's explanation, the excuse is found unacceptable, or if the member cannot be heard due to absence, the council shall issue a decision to dismiss the member from membership. The membership shall be considered terminated as of the first day of absence.

The case of a member representing a government authority shall be referred to the Minister for appropriate action in coordination with the authority represented.

Article (26)

A member who is not a representative of government entities shall be dismissed if he/she breaches the duties of membership in the Council, by a decision of the Minister after hearing his/her statements by the Chairman, unless such hearing is impossible due to the member's failure to attend. The matter of a member who is a representative of government entities shall be referred to the Minister, in order to take the appropriate action in coordination with the entity he/she represents.

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Article (27)

The Minister may, with the approval of the Council of Ministers, dissolve the council before the end of its term if it commits a serious error that causes damage to the public interest. If more than one year remains of the council's term, a new council shall be elected, and the term of the new council shall complete the remainder of the previous council's term.

The dissolution decision must include the formation of a committee to assume the council's competences until the new council is elected, or until the end of the remaining term if it is less than one year.

Article (28)

If the membership of an elected member ends within the six (6) months preceding the end of the council's term, the member receiving the highest number of votes among the candidates, according to the election results for the same term, shall replace them. If the member is not an elected member, the Minister shall be notified to issue a decision appointing a replacement in coordination with the authority represented.

Article (29)

A member who has been dismissed from membership in accordance with the provisions of Articles (25) and (26) of this Law may appeal the decision issued in this regard before the Administrative Court within sixty (60) days from the date of being notified of the decision, and the Court shall adjudicate the appeal on an expedited basis.

//non-legal translation //

Buraimi
Governorate



غد متجدد ... مستقبل واعد

دائرة التواصل والإعلام
مكتب محافظ البريمي

 alburaimigov
bur.om