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## Law No. 100 of 1993 to Provide Democratic Safeguards for Professional Associations

**Section 1.** The provisions of this Act shall be applicable to professional associations.

**Section 2.** In order for an election of the president or board members of a general or a branch association to be valid, at least 50 per cent of those general assembly

members having the right to vote under the association bylaws must vote in the election.

If this quorum has not been met at the end of the election process, the general assembly members shall be invited to a second meeting within two weeks, at which time an election shall be valid if at least onethird of those having the right to vote have voted.

If the quorum required under the previous paragraph is not met, the president and the board of the association shall remain in office for a period of only three months, during which time the general assembly members shall be invited to elect a president or the board of the association pursuant to the same procedure; such elections will be valid if at least onethird of those having the right to vote have voted.

**Section 3.** If an association president and board members are not elected pursuant to the provisions of section 2, a temporary committee, chaired by the most senior president of the Cairo Court of Appeal, and consisting of the four most senior presidents or vicepresidents of this Court as well as four members of the general association in order of seniority who have voting rights, but who are not candidates for membership, shall be entrusted with the responsibilities of the board.

With regard to branch associations, a temporary committee shall be chaired by the senior president of the court in whose jurisdiction the headquarters of the branch associations are located, and consisting of the four most senior presidents or judges of this court, as well as the four most senior members of the local association who have the right to vote but are not candidates for membership of the board.

In the event that a person designated under the previous two paragraphs to be a chairman or member of a temporary committee is unable to undertake these duties, he shall be replaced by the next most senior person.

The temporary committee shall have the same terms of reference as the board of an association, and its chairman shall have the responsibilities of the president of the association. The temporary committee shall, within a period of six months, arrange nomination procedures and hold elections for the association president and board members pursuant to the provisions of this Act. Elections shall be repeated in the same manner until the required number of eligible voters is met.

**Section 4.** If the presidency of an association is vacated prior to the end of the incumbent's term, it shall be filled by the most senior deputy, and the general

assembly shall call elections to replace him within three months. If the quorum specified under section 2 of this Act is not met, the general assembly shall call another election in accordance with the provisions of this Act. Invitations shall be repeated in the same manner until the required number of eligible voters is met.

**Section 5.** Meetings of the general assembly held for the purpose of elections shall be convened on days other than Fridays and official holidays, and their dates shall be published in two Arabic daily newspapers that are widely circulated.

**Section 6.** Elections for associations at all levels shall be held by direct and secret ballot. They shall be supervised by a judicial committee, chaired by the president of the court of first instance in whose jurisdiction the elections are held, and consist of the four most senior presidents of the same court. In the event that any one of them is not able to undertake these duties, he or she shall be replaced by the next most senior person. This committee shall decide on the venue of the elections. Elections committees shall be formed and chaired by a member of the judicial authorities and shall consist of not less than three members. The choice of chairman shall be made by decree of the Minister of Justice subsequent to the approval of the competent judicial committee. The committee shall act as arbitrator in all matters concerning the electoral process, and its duties shall end at the time of the announcement of the election results. The president of the court of first instance of Southern Cairo shall announce the general results of elections and the number of votes obtained by each candidate.

A subelection committee shall be formed for each 500 members who have the right to vote, taking into consideration as far as possible the location of their domicile and place of work.

The subcommittees shall be established prior to issuing the invitations to the general assembly meeting, and their locations shall be posted on the premises of the general and branch associations with the assistance of competent administrative authorities.

**Section 7.** Voting in elections shall be considered a compulsory professional duty.

Whoever fails to vote without an acceptable excuse shall be compelled each time there is a failure to vote to pay an amount equivalent to the membership fee for the year following the date of the election in question. Such amounts shall be added to the resources of the association.

A member of a professional association shall have the right to elect the association's president and board members upon payment of overdue membership fees prior to the date of the election.

An association member registered on the list of unemployed shall be registered on the list of employed members upon stating his interest in voting by registered letter accompanied by an acknowledgement of receipt, if association conditions for being registered on the employed list have been met. Such a member shall have the right to vote in elections upon payment of membership fees by the date specified in the second paragraph of this section.

**Section 8.** The board of a general, branch or any other professional association shall be prohibited from collecting money or accepting gifts or donations for any purpose other than those of the association, from engaging in activities contrary to the aims for which such associations were established, and from directing association resources to purposes not within the association's mandate.

Every association member shall be entitled to request the administrative tribunal to stop any act or measure in breach of this section, in which case the rules and procedures provided for in the law of the state council shall apply.

**Section 9.** Provisions relating to byelections under all existing legislation concerning professional associations shall be considered null and void.

An exception to the above shall be byelections to association boards on the date of the implementation of this Act and its regulations.

If the quorum required under section 2 is not met, the remaining members will handle the responsibilities of the board, and the general assembly shall be invited pursuant to the provisions of section 2 to elect replacements for those whose membership has expired within a period of six months. The invitation shall be repeated until the quorum is satisfied or the membership term expires.

At all association levels the terms of board members elected at byelections shall end at the same time as the terms of others who are already members of the board.

**Section 10.** All provisions contrary to the provisions of this Act shall be repealed.

**Section 11.** This Act shall be published in the Official Gazette (AlJarida AlRasmiah) and shall take effect on the day following the date of its publication therein.

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