Ministry of Interior

Ministerial Decision No. 44/2022

Issuing the Executive Regulations of the Municipal Councils Law

Based on the Municipal Councils Law issued by Royal Decree No. 126/2020, and the Executive Regulations of the Municipal Councils Law issued by Diwan Decision No. 15/2012, and in accordance with the requirements of public interest, it has been decided:

Article One

The provisions of the Executive Regulations of the Municipal Councils Law, attached hereto, shall apply.

Article Two

The aforementioned Executive Regulations of the Municipal Councils Law shall be repealed, as well as any provision that contradicts or conflicts with the attached Regulations.

Article Three

This Decision shall be published in the Official Gazette and shall come into force the day following its publication.

Issued on: 26 Rajab 1443 AH

Corresponding to: 28 February 2022 AD

Hamoud bin Faisal Al Busaidi

Minister of Interior

Executive Regulations of the Municipal Councils Law

Chapter One

Definitions and General Provisions

Article (1)

For the purposes of applying these Regulations, the words and expressions contained herein shall have the same meanings as set out in the Municipal Councils Law referred to above. The following words and expressions shall have the meanings set out against each, unless the context requires otherwise:

1. The Ministry: Ministry of Interior.
2. The Law: The Municipal Councils Law.

Article (2)

The Minister shall issue a decision naming council members: by their official capacity for appointed representatives of government entities, by name for elected members, and for those with expertise and community opinion.

Chapter Two: Powers of the Chairman, Deputy Chairman, and Secretary

Article (3)

Without prejudice to the powers of the Chairman provided for in the Law, the Chairman shall undertake the following:

1. Supervise the affairs of the Council and the exercise of its functions.
2. Call the Council to convene.
3. Approve the agenda of Council meetings.
4. Preside over and manage Council meetings, including opening sessions, announcing their closure, permitting members to speak within the scope of the subject under discussion, and postponing matters where necessary.
5. Approve the minutes of Council meetings and submit them to the Minister for appropriate action.
6. Oversee implementation of the Council's resolutions as recorded in the minutes.

7. Coordinate with government entities to enable the Council to exercise its powers.
8. Send and receive correspondence addressed to the Council and matters referred or submitted to it, and respond in light of the Council's decisions.
9. Any other tasks related to his functions as assigned by the Minister.

Article (4)

The Deputy Chairman shall undertake the following:

1. Carry out the Chairman's functions specified in these Regulations in his absence.
2. Assist the Chairman in following up on implementation of the Council's resolutions.
3. Assist the Chairman in supervising the permanent and temporary committees of the Council and ensuring their proper operation.
4. Any other tasks related to his functions as assigned by the Chairman.

Article (5)

The Secretary shall undertake the following:

1. Present correspondence received by the Council to the Chairman for instructions and prepare the necessary responses.
2. Prepare agendas of Council meetings and submit them to the Chairman.
3. Send written invitations to Council meetings to all members and to experts deemed necessary by the Council, or invite them by any other means approved by the Minister, at least five (5) days before the meeting, or at least two (2) days in urgent cases with the Chairman's approval, with the agenda attached.
4. Prepare meeting minutes, present them to the Council for approval, and obtain endorsement by the Chairman, as well as prepare related correspondence.
5. Follow up with relevant authorities on implementation of the Council's resolutions.
6. Provide documents, data, and information required for the Council's and its committees' work.
7. Prepare reports on the Council's activities and powers, and submit them to the Chairman.
8. Receive proposals and complaints and present them to the Chairman for guidance or refer them to the Council's Legal Affairs Committee to verify their alignment with the Council's jurisdiction.
9. Organise and preserve Council files and correspondence.
10. Follow up administrative and financial procedures relating to the Council and its members.
11. Any other tasks related to his functions as assigned by the Chairman.

Chapter Three

Council Work System

Article (6)

The Council shall hold its first meeting in an extraordinary session, by invitation of the Minister, to perform the oath stipulated in Article (14) of the Law, elect the Deputy Chairman, and form the Council's permanent committees as provided for in these Regulations.

Article (7)

The Chairman shall announce the opening of nominations for the post of Deputy Chairman from among the elected members, using the form prepared by the Ministry for this purpose.

Article (8)

The Chairman shall form an election committee for the Deputy Chairman, chaired by the eldest advisory member, with one representative from government entities in the Council, and the Secretary.

Article (9)

The Deputy Chairman shall be elected by direct secret ballot, in accordance with procedures set by the Ministry, and by a majority of Council members present.

If the required majority is not achieved, the election committee chairman shall conduct a second round between the first and second highest candidates. The one with the most votes shall be elected Deputy Chairman. In case of a tie, a draw shall be conducted between them.

Article (10)

The Council's annual term shall be (10) ten months, starting from the first ordinary session convened at the invitation of the Chairman.

Article (11)

The Council shall hold at least one ordinary session each month. The Chairman may call the Council to an extraordinary session whenever necessary, or upon request of two-thirds of the Council members. In such sessions, the Council shall only consider the topics for which it was convened.

Article (12)

The Chairman must call the Council to an extraordinary session immediately upon vacancy of the Deputy Chairman's position, to elect a replacement in accordance with the procedures provided in these Regulations, and notify the Minister thereof.

Article (13)

Council meetings shall be valid with the attendance of the Chairman or his Deputy and the majority of members. If a quorum is not met, the meeting shall be postponed to another date set by the Chairman.

Article (14)

Voting on matters presented to the Council shall be public unless a majority of members present decide that voting be secret.

Article (15)

Resolutions on matters presented to the Council shall be passed by a majority of members present. In case of a tie, the side with the Chairman of the session shall prevail.

Article (16)

Every member has the right to express reservations on any subject submitted to a vote, and this shall be recorded in the meeting minutes.

Article (17)

Any member attending the meeting may, upon approval of the majority present, request amendments to the minutes of the previous session during the ratification process. Such amendments shall be recorded in the minutes of the session in which they were made and reflected in the previous minutes accordingly. No amendments are permitted once ratified. The minutes shall be signed by the Secretary and endorsed by the Chairman.

Article (18)

Every member may submit written proposals relating to the Council's jurisdiction within (3) three days of receiving the agenda. These shall be delivered to the Secretary for presentation to the Chairman before inclusion in the agenda.

Article (19)

The Council may, at the request of the Chairman or any member, before or after discussion, postpone the decision on any matter to another session to obtain further data or to be reviewed by the competent committee.

Article (20)

The Chairman may postpone a Council meeting for no more than one hour if necessary. If the reason persists for more than one hour, the meeting shall be adjourned to another day deemed suitable.

Article (21)

Specialists from service or development-related government entities in the governorate, or other experts, must leave the session immediately after the conclusion of discussions for which their presence was required, and they shall not have a counted vote in the Council's resolutions.

Article (22)

Council reports and minutes are confidential. They may not be accessed, circulated, or published by any means, except with permission from the Chairman.

Article (23)

No matter already resolved by the Council in its minutes may be reconsidered until (6) six months have elapsed from its original consideration, unless requested otherwise by the Minister.

Article (24)

The Council shall have an annual recess of (2) two months, determined by decision of the Minister according to work circumstances.

Chapter Four

Administrative and Financial Affairs

Article (25)

Council expenses, including remuneration for elected members and advisory members, shall be included in the Ministry's budget.

Article (26)

Elected members and advisory members shall be paid (25%) twenty-five per cent of their remuneration every (3) three months.

If a member is absent from a meeting without acceptable excuse, (5%) five per cent shall be deducted from the quarterly remuneration. The deducted amount shall be returned to the Ministry's budget.

Article (27)

Elected members and advisory members shall be granted travel allowances for official missions outside the Sultanate of Oman. The value and disbursement mechanism shall be determined by ministerial decision after approval of the Ministry of Finance.

Chapter Five

Standing and Temporary Committees

Article (28)

The Council shall form (4) four standing committees from among its members as follows:

1. Legal Affairs Committee.
2. Social Affairs Committee.
3. Health and Environmental Affairs Committee.
4. Governorate Development and Planning Committee.

Each committee shall include a Chairman and Deputy Chairman, chosen by the Council Chairman from members with relevant expertise. The Deputy Chairman shall act in place of the Chairman when absent or unable to perform duties. This formation shall be recorded in the Council's minutes. The Council Chairman shall appoint a rapporteur for each committee from among governorate employees.

Article (29)

The Legal Affairs Committee shall study and provide opinions on matters referred to it, especially:

1. Studying recommendations and making proposals on regulations and decisions related to the Council's jurisdiction.
2. Examining the compatibility of matters referred to the Council with its jurisdiction before they are included in the agenda.
3. Reviewing legal aspects of matters referred from other committees.
4. Considering proposals and complaints submitted to it.
5. Any other tasks related to its functions assigned by the Council or the Chairman.

Article (30)

The Social Affairs Committee shall study and provide opinions on matters referred to it, especially:

1. Proposing improvements to social services in the governorate.
2. Studying awareness and educational programmes.
3. Suggesting programmes to assist eligible and affected groups.
4. Any other tasks related to its functions assigned by the Council or the Chairman.

Article (31)

The Health and Environmental Affairs Committee shall study and provide opinions on matters referred to it, especially:

1. Proposing and studying controls and requirements related to activities linked to public health and the environment.
2. Proposing solutions to negative phenomena affecting public health and the environment.
3. Any other tasks related to its functions assigned by the Council or the Chairman.

Article (32)

The Governorate Development and Planning Committee shall study and provide opinions on matters referred to it, especially:

1. Reviewing and proposing development and planning measures for the governorate's wilayats.
2. Preparing studies for sites proposed for projects in the governorate.
3. Submitting proposals for development plans.
4. Preparing plans to monitor development projects.
5. Any other tasks related to its functions assigned by the Council or the Chairman.

Article (33)

Standing committees shall meet once a month, upon invitation by their Chairman, Deputy Chairman, or the Council Chairman. Meetings shall be held at least (7) seven days before the Council's session. Their recommendations shall be issued by majority vote of members present. In case of a tie, the Chairman of the meeting shall have the casting vote.

Article (34)

The Council may form temporary committees from among its members, provided their functions do not overlap with those of standing committees. The Council shall define the duration and scope of such committees.

Article (35)

The standing and temporary committees may, with the Chairman's approval, seek assistance from specialists in government entities connected to service or development matters in the governorate, or other experts. Such specialists shall not have voting rights in committee decisions.

Article (36)

The standing and temporary committees must submit the results of their meetings to the Chairman, for presentation to the Council.

Article (37)

The standing committees must submit an annual report to the Chairman detailing their activities and outcomes on referred matters, for presentation to the Council for appropriate action.

Chapter Six

Rights and Duties of Members

Article (38)

A Council member has the right to:

1. Discuss any matter within the Council's jurisdiction.
2. Request any information or data related to a matter under discussion in the Council or its committees from government or non-government entities. Such requests must be made officially through the Council.

Article (39)

A Council member may express his opinion in Council and committee meetings within the limits of the Law and these Regulations. His remarks must not include inappropriate expressions or harm the public interest.

Article (40)

A Council member shall:

1. Attend Council and committee meetings on time. In case of absence, his situation shall be referred to the Chairman.
2. Maintain confidentiality of information accessed by virtue of membership.
3. Leave the meeting when a matter directly or indirectly concerns his personal interest, that of his spouse, or relatives up to the third degree.
4. Avoid raising issues outside the jurisdiction of the Council and its committees during meetings.
5. Not exploit membership for personal gain.
6. Discuss only matters falling within the Council's jurisdiction, through the Council and its committees, and in accordance with the procedures stipulated in these Regulations.