



The Federal Supreme Court (F S C) has been convened on 12.7.2017 headed by the Judge Madhat Al-Mahmood and membership of Judges Farouk Mohammed AL-Sami, Jaafar Nasir Hussein, Akram Taha Mohammed, Akram Ahmed Baban, Mohammed Saib Al-nagshabandi, Aboud Salih Al-temimi, Michael Shamshon Qas Georges and Hussein Abbas Abu AL-Temman who authorized in the name of the people to judge and they made the following decision:

The request

The Representative (mim.sin) requested from the FSC according to the letter issued from his office in the ICR Ref.(128) dated on (12.3.2017) the following:

Best regards...

According to text of article (93) of the constitution clause (2nd) (interpreting the provisions of the constitution). Therefore, we request from your honorable court to interpret article (58/ clause 1st of the constitution) about calling the Council for extraordinary session:

The request:

The ICR had enjoyed the legislative vacation for one month from (29/November/2017) according to the text of article (57) of the constitution, and after this date the budget was received by the ICR and the Presidency of the council decided to called to an extraordinary session and was set in this extraordinary session in the agenda about discussing the ICR elections' law and the federal budget law to enact these laws in an extraordinary session. We hope from your court by interpreting the text of article (58) of the constitution, is it possible to enact laws in an extraordinary session. With respect and appreciation.

The request set for scrutiny and deliberation by the FSC, and the court reached the following:

The decision

After scrutiny and deliberation by the FSC, the court found that the request of interpreting article (58/1st) of the constitution presented by a member of the ICR Mr. (mim.sin) according to the letter issued from his office abovementioned. Whereas article (5) of the bylaw to processing workflow in the FSC No. (1) For 2005 conditioned that such requested should be presented with a signature of the concerned Minister or the Head of the office unassociated into a Ministry. Whereas the presented request wasn't signed by the Speaker of the ICR or one of his deputies, which requires to reject it. Accordingly the court decided to reject the request for this reason, and the decision issued unanimously on 12.7.2017.