11. Construction, Building and Contracting Activities:

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Contracting, construction, building, and public works activities: • Any person carrying on construction and building activities, whether a natural or a legal person and regardless of the legal form it adopts, is required to apply for registration in order to obtain a membership in the Egyptian Federation for Construction and Building Contractors (EFCBC). • Among the conditions that the person seeking EFCBC membership had to meet	• **Articles (1) and (5) of Law No. 104 of 1992 Incorporating the Egyptian Federation for Construction and Building Contractors;** • **Article (8) of Minister of Housing Decree No. 205 of 1993 Issuing the Executive Regulations of Law No. 104 of 1992;** • **The Supreme Constitutional Court Judgement in Lawsuit No. 68 of the Judicial Year 25, which held unconstitutional the second paragraph of Clause (5) of Law No. 104 of 1992 and consequentially repealed Article (8) of Minister of Housing Decree No. 205 of 1993.**	**Law No. 104 of 1992 Incorporating the Egyptian Federation for Construction and Building Contractors** **Part (I): On EFCBC Regulation, Objectives, and Functions** **Article (1):** "A public federation for contracting works in the Arab Republic of Egypt shall be incorporated under the name the Egyptian Federation for Construction and Building Contractors (EFCBC). It shall have a legal personality and shall comprise of contractors engaged in construction and building; public works; land reclamation; installation works; dredging; marine construction works; and any other works of a similar nature. EFCBC shall not comprise of persons whose activity is limited to supplying materials necessary for the aforementioned works, providing the workforce required therefor, or engaging in any industry or trade necessary for or ancillary to such works."	**The Egyptian Federation for Construction and Building Contractors (EFCBC)**

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was that such person had to be an Egyptian national. However, the restriction requiring the Egyptian nationality is no longer applicable following the judgment of the Supreme Constitutional Court in Lawsuit No. 68 of the Judicial Year 25.	• **The Supreme Constitutional Court subsequently ruled that the nationality requirement was unconstitutional, thereby lifting such restriction.**	**Article (5):** "EFCBC shall comprise of all persons engaged in the contracting activities referred to in Article (1) as active members, whether natural or legal persons and regardless of the legal form they adopt. EFCBC shall also comprise of non-Egyptians engaged in the same activities during the period of their activity in Egypt as correspondent members. The Executive Regulations shall determine the rules, procedures, and conditions for granting EFCBC membership." **Article (7):** "Without prejudice to the provisions governing the contracting agreements financed by loans or grants and approved by the People's Assembly, no works falling within contracting activities may be assigned or carried out, where the value of a single transaction exceeds fifty thousand Egyptian pounds, except by EFCBC active members. The Executive Regulations shall determine the works that may be carried out by correspondent members and the conditions to be observed regarding Egyptian	

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		participation for each type of such works. This shall not apply to contracting works which, in the public best interests, require engaging foreign entities within the limits prescribed by the laws governing such matters and subject to the approval of the Council of Ministers. **Article (8) of Minister of Housing Decree No. 205 of 1993:** "Any person carrying on construction and building contracting, public works, land reclamation, installations, dredging, marine construction works, or any other works of a similar nature, whether a natural or legal person and regardless of the legal form such person adopts, shall apply for registration in order to obtain active membership in EFCBC, subject to the following conditions: **(I) In respect of natural persons:** 1. The applicant shall be an Egyptian national, having attained the age of majority and possessing legal capacity.	

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		2. The applicant shall be registered with the Commercial Register. 3. The applicant shall hold a tax card. 4. The applicant shall not have been convicted of a felony or of a custodial sentence for a crime involving dishonor or breach of trust, a commercial fraud offense relating to construction materials, or any of the offenses stipulated in the Law Regulating and Directing Building Works, nor have been declared bankrupt by fraudulent means or adjudicated bankrupt, unless rehabilitated. 5. The applicant shall not have been dismissed, by judicial ruling or disciplinary decision, from the Government service, the public sector, or the public business sector, nor previously excluded from EFCBC membership, unless at least one year has elapsed from the date of the exclusion decision. **(II) In respect of legal persons:** 1. The applicant shall adopt one of the statutory legal structures and shall have completed its registration	

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		with the Commercial Register. 2. The general partners in partnerships, and the founding members and legal representatives in other companies, shall satisfy the conditions set out in items 1, 3, and 5 of Section (I). The application shall be accompanied by all documents evidencing fulfillment of the aforementioned conditions. The application shall also specify the type of activity carried out by the applicant within the field of construction and building business. The application shall be submitted to a registration committee formed by a resolution of EFCBC Board of Directors. The registration committee shall submit its recommendations to the EFCBC Board of Directors for issuance of a resolution on the membership application within a period not exceeding sixty days from the date of submission of a complete application. The applicant shall be notified of the EFCBC Board of Directors resolution by a registered mail with	

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		acknowledgment of receipt, sent to the address indicated in the application. Any applicant whose application is rejected may submit a grievance against the rejection resolution to the Chairman of EFCBC Board of Directors within fifteen days as of the rejection notice date.	