



المجلس القومي
للاشخاص ذوي الإعاقة



المجلس القومي للمرأة
THE NATIONAL COUNCIL FOR WOMEN



Law no.10 of year 2018 of the RIGHTS OF PERSONS WITH DISABILITIES



سر قوتك
THE SECRET OF
YOUR POWER



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THE NATIONAL COUNCIL FOR WOMEN

Law on the Rights of Persons with Disabilities

Law No. 10 of 2018

Arab Republic of Egypt

First Edition
2020



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THE NATIONAL COUNCIL FOR WOMEN

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Law on the Rights of Persons with Disabilities

introduction

In light of the initiative of the Committee of Women with Disabilities (CWwDs) of the National Council for Women (NCW) to collaborate with the State Information Service (SIS) and the National Council of Persons with Disabilities (NCPD), to translate the Law no. 10 of the year 2018 for the Rights of Persons with Disabilities (PwDs), the words referring to “Women” within the text have been printed in Bold to highlight the rights of women with disabilities, and the rights of the mothers and families of children with disabilities within the law.

The National Council for Women (NCW), established according to Law No. 30 / 2018 that replaced Presidential Decree No. 90 of 2000, is the highest specialized national body for the advancement of women in Egypt to propose responsive policies to women needs, legislations, action plans as well as to conduct training programs and awareness-raising mechanisms for women. The NCW is composed of 30 members drawn from government, academia, and civil society.

Egypt State Information Service (SIS) is the nation’s official media and public relations apparatus, and it is responsible for regulating the affairs of foreign press and media correspondents in Egypt. The transformation of the affiliation of (SIS) from the Ministry of Information to the Presidency of the Republic was according to a decree issued on 6/9/2012.

The National Council for Persons with Disabilities (NCPD) was established according to Law No. 11 / 2019 to replace the Prime Ministerial Decree No. 410 / 2012. The Council aims to promote, develop and protect the rights and dignity of persons with disabilities, which are constitutionally mandated and raise awareness about them.

Law No. 10 of 2018

Promulgating Law on the Rights of Persons with Disabilities

**In the name of the People
The President of the Republic**

Preamble

The House of Representatives decreed the following law, which we have hereby issued:

Article (1)

The provisions of the attached herewith law concerning the rights of persons with disabilities and dwarfs shall apply.

Its provisions shall enter into force and effect to the persons with disabilities and dwarfs of resident foreigners in accordance with the principle of reciprocity.

The Law No. 39 of 1975 on the Rehabilitation of disabled persons shall be revoked, and all provisions contrary to the provisions of this Law and the accompanying law shall be repealed.

Article (2)

The Prime Minister shall issue the executive regulation of the accompanying Law within six months from the date of its enforcement. The regulations and decisions in force at this date shall remain effectively inconsistent with the provisions of this Law and the accompanying Law until the promulgation of the Regulation. All relevant agencies in terms of the provisions of the accompanying law shall adjust their conditions in accordance with these provisions within a period not exceeding one year from the date of its enforcement.

Article (3)

This Law shall be published in the Official Gazette and shall come into effect from the day following the date of its publication.

This Law shall receive the Seal of the State and shall be implemented as one of its laws.

Law on the Rights of Persons with Disabilities

Chapter One

General Provisions

Chapter One General Provisions

Article (1)

This Law shall aim to protect the rights of persons with disabilities, to ensure their full enjoyment of all human rights and fundamental freedoms on an equal basis with others, and to promote their inherent dignity, inclusion in society and secure a decent life for them.

Article (2)

A person with a disability is any person who has a full or partial disorder or impairment for a long-term be it physical, mental, intellectual or sensory; if this disorder or impairment is stable; and which in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with the others.

The Executive Regulations of this law shall determine the procedures, cases and the disability degree in which a person is considered disabled, in the application of the provisions of the first paragraph of this Article.

Article (3)

For applying the provisions of this Law, the following terms and expressions shall indicate the meanings assigned thereto respectively:

- **The Council:** National Council for Persons with Disabilities.
- **Disorder:** Structural, functional or psychological deficiency affecting a part, an organ, or a system in the human body.
- **Dwarfism:** Persons whose height is not more than 140 cm after the age of maturity are deemed dwarfs regardless of the medical reason. The dwarfs shall have all the rights established of persons with disabilities upon discovery of their condition.
- **Prevention:** Group of measures aim to prevent or reduce the disorder, its early detection and minimize its negative impacts, whether they are medical, psychological, social, educational, regulatory, environmental, media and other measures.
- **Empowerment:** To remove barriers, facilitate and avail opportunities for persons with disabilities to develop their abilities and potentials so as to be able to obtain their rights, promote their responsibilities, participate in planning and decision-making of their affairs and contribute to community development.
- **Social Protection:** Persons with disabilities shall enjoy all their rights on an equal basis with the other persons, including their right to obtain the social security, decent standard of living, their participation in economic programs and policies that contribute

strongly to poverty reduction, elimination of inequality, promotion of social stability and cohesion so as to meet their needs through a secure income, access to health care and inclusion within the community, as well as protecting them from crises and disasters so as to achieve economic stability and social justice.

- **Care:** The necessary services provided to persons with disability in proportion to the type, degree, and extent of their disability stability; their economic and social conditions; their needs, tendencies, choices, and rights.
- **Communication:** To send, receive and exchange appropriate means of communication among persons with disabilities, and between them and others without disabilities, including the specific enhanced means, modern technology means, and languages of various forms and types, which shall be determined by the Executive Regulation of this Law.
- **Discrimination on the basis of disability:** Every limitation, restriction, exclusion, nullification or derogation of any human rights or fundamental freedoms established in the Constitution or in any other legislation due to disability.
- **Accessibility:** The necessary equipment or procedures for access to an inclusive environment and for adapting physiologically, socially, informationally, and physically to persons with disabilities and providing

the necessary equipment, tools, and means aided to ensure that persons with disabilities exercise their rights and freedoms on an equal basis with the other persons.

- **Reasonable facilitating arrangements:** Group of temporary procedures, measures or adjustments aimed at achieving reasonable accommodation in the event of lack of full accessibility, with the view of ensuring that persons with disabilities enjoy and exercise all human rights and fundamental freedoms on an equal basis with others until full accessibility is achieved.
- **Comprehensive Inclusion:** persons with disabilities can make use of all services, activities, public facilities and means of education, on an equal basis with the others in society, without exclusion on the basis of disability in various aspects of life, through appropriate policies, plans, measures, and programs, awareness and effective participation.
- **Rehabilitation:** Multi-component and appropriate services aimed at enabling the person with disability and his/her first-degree relatives to recover, realize and develop his/her physical, mental, intellectual, professional, social, psychological or economic capabilities and invest it and use it to ensure his/her independence and full participation in all aspects of life on an equal basis with the others.

- **Certificate of Rehabilitation:** The certificate provided for in Article (19) of this Law, which is awarded to the person with a disability who has completed rehabilitation; the profession to which he has been qualified for is registered, along with the degree of rehabilitation, the type, and degree of impairment, and the health fitness in that profession.

- **Community Rehabilitation:** A strategy in the framework of community development that is based on the rehabilitation of persons with disabilities, enabling them to exercise their rights and freedoms, secure their inclusion and providing them with equal opportunities in society through the integration of their efforts, the efforts of their families as well as the members of community and its organizations to help in this inclusion. This also entails the operationalization and utilization of all appropriate and available services in the surrounding environment and community.

- **Card of Disability Proof & Integrated Services for Persons with Disabilities:** The Card set forth in Article (5) of this law and it is delivered to the person with a disability, as it is considered the sole means approved to prove the disability of the person with a disability along with its type and degree, and help him/her to obtain the various services, facilities, and advantages established to him/her under the applicable Legislation, that is binding with all the government and non-government agencies.

- **Register of persons with disabilities (who request services):** A register, established in each ministry and its directorates in the governorates, in which the service applicant data from persons with disabilities, who are interested and entitled to receive one of the State services is registered.
- **Register of persons with disabilities (who seek rehabilitation):** A register, established by the social rehabilitation agencies and means to register the names of persons with disabilities who request rehabilitation. The register shall include data on the classification of the type, degree, and percentage of disability, as well as the occupations to which they are qualified and the extent to which their professional abilities to perform this occupation.
- **Register of persons with disabilities who obtain the rehabilitation certificate:** A register, established by the social rehabilitation agencies and means to register the names of persons with disabilities who have obtained the rehabilitation certificates.
- **Register of persons with disabilities who seek employment:** A register, established by the Ministry of Manpower & Immigration and the administrative authorities under its purview, assigned to register the names of persons with disabilities who seek employment. This register shall include data on the level of rehabilitation or academic qualifications, employment, the appropriate work and place for the applicant, the assigned work, date of employment,

and follow-up reports.

- **Register of Persons with Disabilities assigned to work:** A register, in each public or private establishment to which persons with disabilities are assigned, indicating the names, data, and occupations of these persons, the assigned work, the date of joining the establishment and follow-up reports.
- **Registry of Persons with Disabilities who seek residence:** A register, established by the Ministry of Housing, Utilities & Urban Communities and housing directorates in the governorates, in which the data of persons with disabilities who desire to and are eligible for state-owned housing units is registered.
- **Quality standards:** Standard specifications that suit the needs of persons with disabilities, in accordance with the type and degree of disability, in all the services provided and means of accessibility.
- **Construction/Accessibility Code:** The principles, criteria, controls and special requirements, which shall be available in the buildings and public facilities, to facilitate use by persons with disabilities.
- **Access to Communications and Information Technology (CIT):** Remove barriers so as to ensure that persons with disabilities have access to information technology and communication, including the Internet, electronic services, and emergency services.

Article (4)

The State shall protect the rights of persons with disabilities stipulated in this Law or in any other laws, particularly the following rights:

- 1- **Non-discrimination on the basis of disability, type of disability or gender** of persons with disabilities, ensuring effective equality in terms of enjoyment of all human rights and fundamental freedoms in all fields, and elimination of all barriers and impediments that prevent enjoyment of these rights.
- 2- **Accommodate the proper conditions for them for a decent living** in terms of all the fields in the framework of respect for human dignity.
- 3- **Accommodate the conditions and respect differences** in the acceptance of persons with disabilities as part of human diversity.
- 4- **Ensure their rights under the Convention on the Rights of Persons with Disabilities** and other relevant international instruments in force in Egypt and not to engage in any act or practice contrary to the provisions of these conventions.
- 5- **Respect their freedom to make their own choices** at their own will.
- 6- **Respect the evolving capacities of children with**

disabilities and their right to preserve their identity and express their views freely on all relevant matters, with due consideration of their views according to their age and maturity on an equal basis with other children; and provide information and help them exercise this right appropriately with their disability and age.

- 7- **The right of persons with disabilities to freely express their views** and to give due consideration of these views when making the decision in all matters that impact on them, ensuring their full and effective participation in society.
- 8- **Secure equal opportunities between persons with disabilities and others.**
- 9- **Persons with disabilities and their families shall have the right to have access to all relevant information from all agencies and facilitating access** to the public associations and organizations in the field of their protection shall easily access information on the services they provide to persons with disabilities in accordance with the governing law.
- 10- **Secure the right of persons with disabilities to life and development to the fullest extent possible** by facilitating the necessary measures within the framework of respect for human dignity, so as to provide the highest possible standard of

living including food, housing, health, social, and psychological care...etc. The purpose is to enable them to exercise the right to education, learning, employment, and recreation, as well as the right to use public facilities and services; access to information, freedom of expression and opinion, and other fundamental public and private rights and freedoms.

- 11- **Build and develop the capacities of persons dealing with persons with disabilities, including governmental and non-governmental organizations**, in order to enable them to communicate and deal with persons with disabilities in all fields; encourage the training of specialists and staff working with persons with disabilities in the field of rights recognized in this Convention, in order to provide assistance and services secured by these rights; raise community awareness of the rights of persons with disabilities; promote respect for these rights; and strengthen awareness about the capacities and contributions of persons with disabilities themselves.

- 12- **Take the necessary measures to ensure that persons with disabilities have possible access and use of the surrounding physical environment means of transportation, information, communication and technology, enhancing their capacities and skills**; conduct and promote research related to the rights of persons with disabilities that reinvigorate their

abilities and skills; ensure their access to means of communication and information technology, and promote their availability and use; and give priority to affordable technologies.

13- Enable persons with disabilities to participate in public affairs on an equal basis with other persons and encourage their participation in the formulation of policies and programs, including children with disabilities, especially in relation to their own affairs, whether by themselves or through their families or representative organizations.

14- Provide a safe environment for persons with disabilities, and protect them from being subjected to economic, political or commercial exploitation, violence, torture, abuse, negligence, humiliating treatment or the impact on any of their rights and investigate the abuse they are subjugated to.

The State is obligated to provide the necessary security and protection proportionate with their capabilities and adopt procedures to protect them against the dangers they may face in all circumstances, particularly in cases of grave risk, including protection against epidemics, disasters, and other emergency conditions.

15- Provide rehabilitation, training, awareness, counseling, and support for the families of persons with disabilities, as the natural place of life of the person with a disability and provide the suitable

conditions to extend care within these places.

- 16- Integrate all policies and programs which ensure the protection and promotion of the rights of persons with disabilities.**

Law on the Rights of Persons with Disabilities

Chapter Two

Health Rights for Persons with Disabilities

Chapter Two

Health Rights for Persons with Disabilities

Section One

Disability Proof & Integrated Services Card and Health Profile

Article (5)

The Ministry of Social Solidarity, in coordination with the Ministry of Health & Population shall issue a disability and integrated services ID card for all persons with disabilities and prepare a medical profile based on an approved medical diagnosis.

The data contained in this card shall be valid in proving the type and degree of disability before all concerned governmental bodies, with which the person with disability deals, whether they are governmental or non-governmental, including investigation bodies and trial authorities.

This card shall be renewed every seven years unless there is a change in the condition of the disability that requires inclusion.

Persons with disabilities, who do not have health insurance services shall have the right to receive all these

services under the disability card and integrated services in accordance with the governing Law.

Article (6)

The Ministry of Health & Population, in cooperation with the Ministry of Social Solidarity and the Council, shall establish a database for persons with disabilities, to be used in planning, implementing and monitoring the provision of various health services, subject to the confidentiality of its data.

Section Two

Disability Prevention Measures and Health Services for Persons with Disabilities

Article (7)

The Ministry of Health & Population, as well as other ministries and agencies concerned shall:

- 1- Develop and update early detection programs for all types of disorders and disabilities and ways of prevention and reduction of their incidence.**
- 2- Provide early intervention services.**

- 3- **Provide treatment and nutritional supplements to avoid complications of diseases causing the disorders.**
- 4- **Provide medical rehabilitation services in all health care centers.**
- 5- **The concerned governmental agencies and contracted non-governmental entities shall provide all specialized preventive and therapeutic health services and support to persons with disabilities.** They shall also align their facilities with the Construction/Accessibility Code, which should be available in buildings and public facilities for the use of persons with disabilities.
- 6- **Provide public health services, psychological rehabilitation programs, reproductive health services and pre-marriage examinations** under the disability and integrated services card.

Article (8)

The Ministry of Health & Population and the General Authority for Health Insurance, in coordination with the Council and the Ministry of Social Solidarity shall develop the standards of various medical interventions for medical treatment and rehabilitation of persons with disabilities.

They shall also provide equipped health centers for

diagnosis and appropriate interventions, as well as specialized and well-trained medical staff and technical assistants in the various fields of medical treatment with different disabilities, along with the commitment to quality standards in relation to all medicines, therapeutic foods, prosthetic devices, medical aids and services provided to persons with disabilities.

Article (9)

Persons with disabilities shall be exempted from all the fees required for the Medical Commission on the rules for obtaining cars exempted from customs duties and taxes, upon re-examination and taking the measures required for the renewal of the car previously obtained by the person with a disability to be replaced by another car.

The Ministry of Health & Population shall establish subsidiary units to the Medical Commission to conduct medical examinations for persons with disabilities and provide the services established to them in various governorates.

Law on the Rights of Persons with Disabilities

Chapter Three

Right to Education

Chapter Three

Right to Education

Article (10)

Subject to the provisions of Articles (53) and (76-bis) of the Child Law promulgated by law no. 12 of 1996, the Ministries of Education and Technical Education, and Higher Education and Scientific Research and Al-Azhar Education Institutions - as well as concerned ministries and bodies - shall take the necessary measures to ensure that persons with disabilities and their children without disabilities receive inclusive education in schools, classes, universities, institutes, governmental and non-governmental institutions available to other persons, which are close to their places of residence in light of the degree and type of disability provided that they meet the standards of quality, safety, and protection.

They shall also eliminate the illiteracy of those who missed out on education according to programs, plans and methods that align with their circumstances and abilities, including the provision of special education suitable for exceptional cases arising from the nature and degree of disability.

Article (11)

Governmental and non-governmental education institutions shall apply the principle of equality between persons with disabilities and others. These institutions shall abide by the rules and policies of educational inclusion of persons with disabilities and provide equal educational opportunities suitable for all types and degrees of disabilities.

The educational curricula at all levels shall include the concepts of disability, awareness, and education of the needs, conditions and rights of persons with disabilities, and ways to deal with them.

It is prohibited to deprive any person with disability of education at all stages or refuse his/her admission to these institutions due to disability. In case of violation, the concerned administrative authority shall alert the institution to eliminate the causes of violation within fifteen days from the date of the notice. In case the violation is not eliminated within the above-mentioned period, their license shall be suspended for a period not exceeding 6 months. In the event that this violation is not eliminated, the license of the institution shall be withdrawn. The Executive Regulation shall determine the admission and enrollment criteria for persons with disabilities to the educational institutions.

Article (12)

The admission rate for persons with disabilities shall not be less than (5%) of the total admissions in the governmental and non-governmental educational institutions of all types, in cases where the number of applicants to the institution exceeds that percentage.

The Executive Regulation of this Law shall determine the conditions, rules and procedures for admission of these children in these institutions.

Article (13)

The Ministry of Education and Technical Education, upon establishing and developing existing special education schools, shall abide by the modern scientific quality standards for these schools and the requirements of the Construction/Accessibility Code.

The Ministry shall also provide courses and curricula, teachers, trained specialists, and qualified staff according to each disability. The Executive Regulation of this Law shall determine the rules and standards for establishing, developing and managing these schools, as well as the agencies in charge.

Article (14)

The Ministry of Education and Technical Education shall, in cooperation with the Ministries of Social Solidarity, Communications and Information Technology and Civil Society Organizations, enable persons with disabilities to learn life skills and skills in the field of social development to facilitate their full participation in education.

These bodies shall take appropriate methods and measures to facilitate the learning of different communication languages and enhanced and alternative communication forms, guidance and mobility skills, and to facilitate support and guidance by friends using modern technology in the context of quality, safety and security standards; and provide appropriate methods of accessibility for all types of disability.

Article (15)

The Ministry of Higher Education and its affiliated institutions shall guarantee the rights of persons with disabilities to higher education and postgraduate studies; shall allocate not less than (10%) of the places of residence in the university hostels, in cases where the number of applicants exceed that percentage in accordance with the governing rules.

The Ministry of Higher Education and its affiliated institutions shall also provide reasonable facilitating

arrangements, including distance learning, in accordance with the standards and rules contained in the Convention on the Rights of Persons with Disabilities and relevant international conventions.

Any rules or conditions that prevent persons with disabilities from access to this right shall be prohibited.

Article (16)

The Ministry of Higher Education shall develop plans and programs to ensure the right of persons with disabilities to education in the same universities, colleges, departments, and institutes available to others, providing equal opportunities within governmental and non-governmental higher education institutions for all types of disabilities without hindrance, and providing accessibility methods to communication languages using modern technology, educational and technological programs supporting which are fit for their disability as well as building codes for people with disabilities, and it shall also establish colleges and institutes specialized in preparing and graduating cadres capable of working in the field of disability of various types.

Article (17)

The Ministry of Higher Education shall establish a Higher Committee formed with the membership of two representatives of the Competent Ministries of Higher Education, Education, Technical Education, Social Solidarity, Communications and Information Technology, Endowments, the State Information Service and the Council.

It includes through its formation persons with disabilities, experienced and Civil Society Organizations specializing in the field of Education and Disability.

This Committee shall coordinate the application of the provisions of this law within the government. The Executive Regulation shall specify its other competencies, the method of nominating its members and the system of work therein.

Law on the Rights of Persons with Disabilities

Chapter Four

Vocational Preparation, Training and Right to Work

Chapter Four

Vocational Preparation, Training and Right to Work

Section One

Right to Vocational Preparation and Training

Article (18)

Without violation of the provisions of the Child Law promulgated by Law no. 12 of 1996, the State shall provide vocational and occupational training opportunities for persons with disabilities in accordance with their needs using modern technology and comprehensive inclusion methods to achieve maximum independence while ensuring quality, security and safety within vocational training institutions, as well as all means of spatial and technological accessibility.

The Ministry of Social Solidarity institutions shall provide the concerned institutions for the necessary services for rehabilitation, training, tools, and products to assist persons with disabilities without any charges or against nominal fees. It shall also provide the necessary training programs and specialized cadres.

These institutions may not operate except with a license from the Ministry of Social Solidarity, which sets the standards for the provision of services of all types,

appropriate rehabilitation, and the age segments for which the services are provided. The agencies established by the armed forces or the police shall be exempted from this requirement.

The Executive Regulation of this Law shall determine the rules and procedures for access to the rehabilitation, training and equipment set forth in the first paragraph of this Article.

Article (19)

The rehabilitation and training institutions shall hand over a rehabilitation certificate approved by the Ministry of Social Solidarity free of charge to the person with a disability who has been rehabilitated and in case of lack of his/her legal capacity, the certificate shall be handed over to his/her parent, legal guardian or caregiver. The Executive Regulation of this Law shall determine the form and procedures required to obtain this certificate.

Section Two

Right to Work

Article (20)

The State shall guarantee the right of persons with disabilities to equal opportunities for work commensurate

with their academic qualifications and vocational preparation. It shall not subject them to any kind of forced labor; shall protect them in fair working conditions on equal basis with others; shall try to open labor markets for them inside the country and abroad; and promote their employment opportunities through entrepreneurship by comprehensive development activities and projects in light of the State's social policies.

The State shall also provide adequate means of safety and security as well as facilitating arrangements for persons with disabilities in the workplace, ensure the exercise of their labor and trade union rights, and to enable them to access in an effective way to technical guidance programs, professionals and employment services, and vocational and continuing training. Any discrimination or deprivation of any privileges or rights on the basis of disability in employment, type of work, promotions or remuneration shall be prohibited.

Article (21)

The Ministry of Manpower & Immigration and its administrative authorities shall establish a registry for persons with disabilities who desire to work and help them access appropriate employment opportunities to their qualifications and experiences in accordance with the priority set forth by law. The data shall be recorded in a database in coordination with the Ministry of Social Solidarity and the Council.

The Executive Regulation of this Law shall determine the rules and procedures for that inventory, and the conditions and procedures for registration in this registry. A person with disability shall be fit for the state of disability provided by the rehabilitation certificate stipulated in this Law, in exception to the rules governing the medical fitness provisions.

Article (22)

The governmental, non-governmental and every employer who has twenty workers or more, whether employed in one place or different places, regardless of the nature of their work, shall appoint at least (5%) of the total staff from among persons with disabilities who are nominated by the Ministry concerned with labor affairs and its affiliated administrative authorities according to the registry referred to in the previous Article (21).

The Council shall coordinate with the competent ministry to monitor these authorities to ensure the abidance by the employment of the prescribed percentage, the working conditions and employment opportunities of persons with disabilities as well as all the other obligations stipulated in this Law regarding the employment of persons with disabilities. In all cases, the rules and conditions shall be issued by a decree of the Prime Minister based on the proposal of the competent minister after coordination with the concerned ministers within the limits of the prescribed rate for this category.

In all cases, anyone who employs a person with disability shall notify the competent authority via registered letter against receipt regarding such recruitment within the first month of the date of his/her employment.

Article (23)

Without violation of other tax exemptions prescribed by special laws, persons with disabilities, their employers or caregivers shall be granted the following benefits:

- 1- The amount of personal exemption provided for in Article (13/ Item 1) of the Income Tax Law, promulgated by Law no. 91 of 2005, shall be increased by (50%) of this amount to each person with a disability, the first- and- second –degree family caregiver, or the person who actually takes care of him/ her. The Executive Regulation of this Law shall determine the rules and conditions governing this matter.
- 2- The employer who employs persons with disabilities, exceeding the (5%) referred to in the previous Article (22) of this Law, shall have the right to increase the percentage of personal exemption stipulated in Item (1) of Article (13) of the Income Tax Law referred thereto by a rate of (5%) for each employee in excess of the percentage allocated for the employment of persons with disabilities.

Article (24)

The working hours in all governmental and non-governmental agencies shall be reduced by one paid hour per day for employees with disabilities or the caregivers of the first and second degree relatives.

These agencies shall provide flexible operating systems on working hours and days and the appropriate remuneration, where persons with disabilities may choose from among these systems in accordance with their conditions. The Executive Regulation of this Law shall determine these systems.

Chapter Five

Community Treatment and Legal and Criminal Protection for Persons with Disabilities

Chapter Five
**Community Treatment and Legal and Criminal
Protection
for Persons with Disabilities**

Section One

Right to Social Protection

Article (25)

Persons with disabilities shall be provided with monthly cash assistance in accordance with the provisions of the Social Security Law promulgated by Law no. 137 of 2010. The Executive Regulation of this Law shall specify the eligibility criteria of persons with disabilities for the referred to aid.

In exception of the provisions of the Social Insurance Law promulgated by Law no. 79 of 1975, and provisions of the Law on Retirement, Insurance, and Pensions of the Armed Forces promulgated by Law no. 90 of 1975^[1], persons with disabilities shall be entitled to combine two pensions for themselves, the husband or wife or parents or children or brothers or sisters and without a maximum limit. They shall have the right to combine the pension they receive and whatever salary they get. The State Treasury shall bear this difference. The Executive Regulation of this Law shall set the conditions and controls of applying this provision.

Article (26)

The concerned administrative authority shall allocate a percentage of not less than (5%) of the housing units established or supported by the State for persons with disabilities who are incapable and who meet the conditions and criteria or regulations specified by the executive regulation of this law.

Article (27)

For persons with disabilities in the age of recruitment shall receive special treatment in the recruitment premises, as well as in military medical commission regarding procedures of their exemption from the military service and receiving the appropriate exemption certificate in accordance with the rules and procedures set forth in the decree of the Minister of Defense.

Article (28)

The State shall include the rights and needs of persons with disabilities, in a fair and balanced way, in poverty reduction programs and policies, as well as in its sustainable development programs. The implementation of such programs and policies shall be carried out without discrimination on the basis of disability and on an equal basis with others.

Section Two

Right to Accessibility and Facilities

Article (29)

The administrative authorities concerned with planning and organizational affairs and all other competent authorities set forth in the Building Law promulgated by Law no. 119 of 2008, upon issuing licenses for new buildings shall comply with the requirements of the Egyptian Construction/Accessibility Code for designing the exterior spaces and buildings for the use of persons with disabilities and development of existing buildings, in a way that guarantees the smooth use of public and private buildings. The Executive Regulation of this Law shall determine the forms of facilities and methods of provision, regulations, and procedures thereof.

Article (30)

The State, ministries responsible for transport and other concerned agencies shall establish the necessary systems to facilitate and avail the transportation of persons with disabilities, including the allocation of seats in all means of transport of all classes, categories and types, reducing their fares by not less than (50%) of their paid value for persons with disabilities and their assistants by using the means of technological accessibility in the means of transportation.

Article (31)

- 1- Permits for the establishment of any buildings of any kind that is permanently allocated to serve persons with disabilities shall be exempted from the value legally prescribed to permits.
- 2- Licenses to modify an existing building with the purpose to facilitate its use by persons with disabilities shall be exempted of the value legally prescribed to licenses within the limits of the value of such modification only.
- 3- Equipment, materials, educational and medical materials, aids, machinery, special tools, prosthetics, technology and assistive devices and their spare parts for persons with disabilities shall be exempted of the Customs Duty if the importer is the person with a disability for his/her personal use, or an association or an institution or one of the agencies concerned with providing such services in accordance with the provisions of the Law regulating the work of associations and other public institutions in the field of civil work, promulgated by Law no. 70 of 2017.
- 4- Cars and Individual means of transport prepared for the use of persons with disabilities shall be exempted of the Customs Duty Whatever their type and VAT prescribed under the conditions stipulated in item (3) of this Article, provided that the exemption shall be designated for the person with a disability,

regardless of the type of his/her disability, whether he/she is a minor or an adult, for a car or one means of transport every five years.

Only the person with a disability, whose health condition so permits, may use or drive these means of transport as determined by the body responsible for issuing the driver's license, or his/her insured personal driver or a first-degree relative, if he/she was minor or his /her condition does not permit to drive by himself/ herself.

It is not permissible to dispose of such car or a means of transport within five years from the date of custom release in any form of disposition whether it is carried out by a power of attorney, or a primary or final sale or it is used for a purpose other than the specified purpose, except after payment of all due taxes and fees.

The Executive Regulation of this Law shall set the rules and procedures for the exemption provided for in each prior case, as well as it is permissible to put the signs and marks indicating to distinguish such car in coordination with the Ministry of Finance.

- 5- The person with disabilities whether a Plaintiff or a Defendant shall be exempted of the judicial fees on the cases brought before courts of various types and degrees, due to the application of the provisions of this Law or any other law relating to the protection of the rights of these persons because of their disability.
If the beneficiary of the exemption violates the

conditions and regulations prescribed by this Article or the executive regulations of this law, he /she shall bear taxes, fees, and any other amounts legally prescribed in the same category at the date of the violation, without violation of any more severe penalty prescribed in this law or any other law.

Article (32)

The Ministry of Justice, the judiciary, and its affiliated bodies shall be assigned to prepare its buildings and render them accessible for the persons with disabilities in a manner commensurate with their disabilities, and shall provide all services in an accessible way in accordance with the laws on criminal procedures and civil proceedings and other laws.

The decisions for such facilities shall be issued by the Minister of Justice and the concerned judicial bodies and authorities within three months from the date of issuance of this Law.

Article (33)

All banks and banking entities shall prepare their buildings and make them accessible to persons with disabilities in a manner commensurate with their disabilities, and shall provide all banking services in a convenient and accessible manner. They shall also establish a special system that facilitates banking transactions.

Article (34)

All governmental and non-governmental mass media shall provide the languages necessary to enable persons with disabilities and facilitate communicating with media materials participating in a proper form, to advertise all services provided by public and private bodies. Mass media, of whatever type shall broadcast the material which presents persons with disabilities in a positive manner and respect their inherent dignity.

The Executive Regulation of this Law shall set the rules and governing procedures to prepare the medial and the languages necessary to enable persons with disabilities.

Section Three

Right to Legal and Criminal Protection of Persons with Disabilities

Article (35)

The person with a disability, whether accused, victimized or a witness at all stages of arrest, investigation, prosecution and execution shall have the right to special humanitarian treatment commensurate with his/her condition and needs.

He/she shall have the right to protection, health and social assistance, if required, he/she shall have a lawyer to

defend him/her in the investigation and trial stages.

The law shall provide him/her with the facilities necessary to enable him/her to express his/her defense in the manner prescribed in the Executive Regulation.

Article (36)

Without violation of the powers prescribed by the courts and judicial investigation bodies, the data contained in the disability and integrated services card shall be deemed valid after validation of the said card upon taking any legal action against the person with disability in the stages of arrest, detention, investigation, and trial without appearing before any other party to ascertain the disability registered in this card.

Article (37)

The Council shall be notified immediately of the arrest of any person with a disability. The competent authorities and The council shall provide all means of medical and social assistance, technical, professional and legal assistance, including a psychologist, a lawyer, and a specialist physician to be seconded, if necessary.

Article (38)

The State shall undertake all reasonable arrangements and accommodation for the transfer of the detained persons with disabilities and provide the accessibility code in all places of detention, prisons and all other punitive institutions. The implementation of the freedom-restricting penalties imposed on persons with disabilities shall be carried out in separate private places to be regulated by a decree issued by the concerned Minister supervising such premises.

Law on the Rights of Persons with Disabilities

Chapter Six

Political and Trade Union Rights of Persons with Disabilities

Chapter Six

Political and Trade Union Rights of Persons with Disabilities

Article (39)

Without violation of the provisions of the law no. 45 of 2014 concerning the promulgation of a law regulating the exercise of political rights. The concerned agencies shall take the procedures necessary for candidacy and voting processes in all elections and referendums of all types as well as the tools that access and facilitate the participation of persons with disabilities in these processes, including the right to choose, if necessary, to the assistance of accompanying persons or assistants selected by such persons.

Article (40)

The State shall guarantee the necessary freedom for persons with disabilities to establish or join the organizations or disability-specific or regional unions in accordance with the provisions of the Law, ensuring their representation at the local and international levels. Political parties, civil society organizations, federations and trade unions shall facilitate and encourage the participation of persons with disabilities in all aspects of their activities with appropriate representation.

Law on the Rights of Persons with Disabilities

Chapter Seven

Culture, Sports and Recreation

Chapter Seven

Culture, Sports and Recreation

Article (41)

The ministry and authorities competent to culture shall make available and facilitate the participation of persons with disabilities in cultural, recreational and media activities; and shall prepare places for the display and practice of these activities allowing them to practice. They shall also provide cultural products in the languages and means appropriate for each disability against a nominal fee.

They shall commit to create opportunities for development of their creative, artistic and intellectual capacities and encourage them; develop plans and programs to discover talented persons; recognize their own cultural and linguistic hobbies; and support artistic cultural activities, exhibitions, and dissemination of the works of distinguished artists.

Article (42)

The State is committed to provide and facilitate sports and recreational activities for persons with disabilities; take measures to provide sports and entertainment venues so as to enable them to use such venues; provide methods and

means to facilitate their access to training opportunities and participation in the activities mentioned above; and provide trained human resources, the necessary tools, and playgrounds to ensure their participation in games, national and international activities and forums.

Article (43)

The Ministry concerned with tourism and archeology affairs shall support and create the cultural, community, spatial and technological environment to activate the tourism of persons with disabilities and improve the level of tourism services provided to them in all forums and tourist places, in order to enable them to enjoy and visit these places, through activation of the Construction/ Accessibility Code, technologically, spatially and culturally as well as the training of tourist guides on the sign language and the use of posters in the Braille language inside the tourist places. This shall be in addition to tourist artistic presentations, sound and light show so that persons with disabilities may watch and enjoy. They shall also support tourist and artistic festivals for persons with disabilities within Egypt and abroad

Article (44)

The competent cultural and sports authorities shall allocate (5%) of their general assemblies to persons with disabilities in the fields of culture and sports.

Law on the Rights of Persons with Disabilities

Chapter Eight

Penalties

Chapter Eight

Penalties

Article (45)

Without violation to any more severe penalty provided in any other law, the offenses provided for in the following articles shall be punishable by the penalties prescribed therein.

Article (46)

Subject to the provisions of the Child Law no. 12 of 1996, a person or a child with a disability shall be deemed at risk in any situation that threatens the respect of his/her personal dignity, self-independence and discrimination against him/her due to disability in the following cases:

- 1- If his/her security, morals, health or life is in danger.
- 2- Detaining or isolating a person with a disability without legal support or refraining from providing medical, rehabilitation, community and legal care.
- 3- Beating children with disabilities or offending them by any other means in facilities of placement, rehabilitation, nurseries, and educational institutions; or subjecting the children with disabilities to sexual assault, abuse, threat or exploitation.

- 4- Using therapeutic methods or medical experiments that illegally harm the person or the child.
- 5- Presence of children and persons with disabilities in classes in the upper floors of (public and private) schools without providing accessibility and preparations necessary for their own conditions.
- 6- Lack of the necessary treatment for children with disabilities, as well as food necessary for children with mental disabilities, especially cases of metabolism (Diet).
- 7- Lack of spatial, security and guidance preparations for persons with disabilities in their workplaces, and exposing them to violence or contempt or humiliation or hatred and incitement to violence.
- 8- Compelling persons with disabilities in special institutions to be disposed of as persons with disabilities other than those cases that require such placement.

Article (47)

Any person who subjects a person with disability to one of the hazardous cases set forth in Article (46) of this Law shall be imprisoned for a period not less than six months and a fine not less than five thousand Egyptian Pounds and no more than fifty thousand Egyptian Pounds or one of these penalties.

Article (48)

A person, who illegally emasculates, sterilizes or aborts a person with a disability or incites for the same, shall be punished with aggravated imprisonment.

Article (49)

Any person shall be punished by imprisonment for a period, not more than ten years and a fine not less than two thousand Egyptian Pounds and not more than ten thousand Egyptian Pounds, if he/she:

- 1- Forged the Disability Proof & Integrated Services Card for persons with disabilities or a certificate of rehabilitation or used them though cognizant of forgery.
- 2- Made an incorrect statement, submitted to the competent authority; concealed information with

the intent to unjustifiably take advantage of any rights or privileges prescribed for persons with disabilities under this Law or other laws.

Article (50)

Any caregiver for a person with a disability who committed gross negligence on his obligations or in taking the necessary action to these duties or refrained from doing that, shall be punished by imprisonment for a period not more than a year or fine, not less than one thousand Egyptian Pounds and not more than ten thousand Egyptian Pounds or one of these penalties.

The penalty shall be imprisonment if such negligence resulted in the injury or harm of the person with the disability, and if such negligence resulted in the death of the person with the disability, the penalty shall be imprisonment for a period, not more than ten years.

Article (51)

Any person shall be punished by imprisonment for a period not less than six months or a fine, not less than ten thousand Egyptian Pounds and not more than thirty thousand Egyptian Pounds, if he/she:

- 1- Applied for any service or benefit guaranteed to persons with disabilities under this law, or benefit

from those features if they are not entitled to it.

- 2- Impersonated the status of a person with a disability or helped others to impersonate that status.
- 3- Unlawfully appropriated the property of the person with a disability, which he/she inherited.
- 4- Obtained a document, card, legal papers or a disability certificate unlawfully.

Without violation of a third parties' rights of good faith, the offender shall be sentenced to a refund of what he unlawfully obtained.

Article (52)

Any person, who conceals data or information about the presence of a person with a disability from the concerned census' authorities, shall be punished by a fine not less than ten thousand Egyptian Pounds, and not more than fifty thousand Egyptian Pounds. The penalty shall be doubled in case of recurrent of violations.

Article (53)

Any person, who presented, published or broadcasted, by any means of publication, any data, information, pictures, drawings or films for indecent acts that may harm or expose persons with disabilities or promote incorrect

concepts that may offend them, shall be punished by a fine, not less than ten thousand Egyptian pounds and not more than two hundred thousand Egyptian Pounds. The publisher or presenter shall exercise the right of reply and correction by the victim or his/her representative at the same time and place and by the same means.

Article (54)

Any person who violates the provisions of Articles (22, 24, 25, 29, 30 and 34) of this Law shall be punished by imprisonment for a period not more than one year or by a fine, not less than ten thousand Egyptian Pounds and not more than thirty thousand Egyptian Pounds or by one of these two penalties. The fines shall be multiplied according to the number of violation cases.

Article (55)

The court may rule out that the employer or the person in charge of the agency responsible for the employment of persons with disabilities shall pay a monthly salary to the person with a disability who has been nominated for employment and such employer refrained from employing him/ her, with the amount equal to the wage or salary prescribed or estimated for the job to which he/ she was nominated for less than a year from the date of the violation. This obligation shall be suspended if the person with a disability obtains a suitable job in the same

agency or any other agency.

Any person who violates this provision shall be punished by imprisonment for a period not less than six months and not more than two years and a fine not less than ten thousand Egyptian Pounds and not more than thirty thousand Egyptian pounds or one of these two penalties. The fines shall be multiplied according to the number of violation cases.

Article (56)

Any person involved or participated or caused in depriving any child with a disability from education shall be punished by a fine not less than five thousand Egyptian pounds and not more than ten thousand Egyptian Pounds.

Any person who violates the provisions of Articles (11 and 12) of this Law shall be punished by a fine not less than five hundred Egyptian Pounds and not more than two thousand Egyptian Pounds. The fines shall be multiplied according to the number of violation cases.

Article (57)

The person responsible for the actual administration of the legal person shall be jointly responsible for fulfillment of the financial penalties and compensations provided in accordance with the provisions of this Law if the violation

was committed by one of his employees in his name and for his interest, and it is proven that the same was aware of the violation. Disregard of the management duties has contributed to the perpetration of the offense.

Article (58)

The minimum penalty prescribed for any intentional crime shall be increased by the same amount if inflicted on a person with a disability.

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^[1]The Second Paragraph of Article 25 amended by Law No. 99 of 2018.

In light of the initiative of the Committee of Women with Disabilities (CWwDs) of the **National Council for Women (NCW)** to collaborate with The **State Information Service** and the **National Council of Persons with Disabilities**, to translate the *Law no. 10 of the year 2018 for the Rights of Persons with Disabilities (PWDs)*, the words referring to "Women" within the text have been printed in **Bold** to highlight the rights of **women** with disabilities and the rights of the **mothers** and **families** of children with disabilities within the law.

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