

Resolution No. (5) of 1424 FBP
on the issuance of the executive regulations of
Law No. (2) of 1423 FBP on the organisation of People's Congresses

The General People's Congress Secretariat

Upon review of:

- Law No. (2) of 1423 FBP on the organisation of People's Congresses;
- General People's Congress Resolution No. (1) of 1423 AH on the appointment of the General People's Congress Secretariat;
- Minutes of the General People's Congress Secretariat meeting No. (1) of 1424;

has decided:

Article (1)

The executive regulations of Law No. (2) of 1423 FBP on the organisation of People's Congresses annexed to this resolution shall be issued.

Article (2)

This resolution shall enter into effect from its date of issuance, and it shall be published in the Official Gazette.

General People's Congress Secretariat – Libya

Issued on: Ramadan 1404 FDP

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Executive regulations of
Law No. (2) of 1423 FBP on the organisation of People's Congresses
Definitions

The abbreviations used below refer to the complete names of authorities as follows:

- People's Congresses: Basic People's Congresses
- People's Congress: Basic People's Congress
- The Congress: General People's Congress
- The Secretariat: General People's Congress Secretariat
- The Secretary: General People's Congress Secretary
- People's Congress Secretariat: Basic People's Congress Secretariat
- People's Congress Secretary: Basic People's Congress Secretary

Article (1)

The People's Congress shall comprise citizens, whether male or female, residing regularly within its jurisdiction, who fulfil the membership prerequisites stipulated in Law No. (2) of 1423 FBP on the organisation of People's Congresses.

Article (2)

Every citizen residing regularly within the jurisdiction of a People's Congress shall be given the membership card of said Congress, providing that he fulfils the membership prerequisites stipulated in the law. Only people residing regularly within the jurisdiction of a People's Congress and holding the membership card of said Congress are allowed to attend its voting session.

Article (3)

The geographical scope of each People's Congress, as well as its minimum and maximum population, shall be determined by virtue of a decision issued by the Secretariat, with the exception of Congresses in remote areas, which shall be joined to the closest People's Congress due to the vast distances.

Article (4)

The number of Secretariat members for each People's Congress and the nature of their work shall be determined by virtue of a decision issued by the Secretariat in light of the organisational relationship between the two parties and the requirements of each Congress. The number of members shall be no less than three, and they shall serve for a minimum of three years. They shall be appointed by direct election by the People's Congress. In the event that the position of the Secretary of the Congress or any member of its Secretariat becomes vacant, the Congress shall appoint a new person to fill said position until the end of his predecessor's term.

Article (5)

The Secretariat shall issue a decision to form committees to supervise elections, while taking into account competence and ethics. These committees shall not be composed of members in the Congresses being supervised. The Secretariat's decision shall determine the competencies of these committees. Anyone wishing to run for membership in the Secretariat or its People's Committee or to nominate someone else for the position must submit a declaration attesting to the authenticity of the information required in the specified form.

Article (6)

Any member in the People's Congress may appeal the decisions of the supervisory committees or the election procedures by virtue of the legislation in force, especially by virtue of the regulations on the examination of appeals in popular elections.

Article (7)

People's Congresses shall convene twice a year. They may convene in extraordinary and emergency sessions. The Secretariat shall determine the dates of these sessions and shall call upon members to convene, according to the provisions of Article (14) of Law No. (2) of 1423 FBP on the organisation of People's Congresses.

Article (8)

The People's Congress Secretariat shall appoint a committee for preparation and recording attendance. This committee shall work under the supervision of the Secretariat with regard to the following tasks: preparing one location – or more, if necessary – for the People's Congress to convene in, recording and documenting attendance in a register reserved for this purpose and recording absences.

Article (9)

The People's Congress Secretary shall open, manage, and declare the closure of sessions with the help of the other members of the Secretariat, and both shall work side by side, bear a shared responsibility and collaborate. The Congress shall appoint a new member to fill the position of its Secretary in his absence, and shall manage the session while taking into account the following:

- a. Organising, presenting and discussing agenda items according to their order;
- b. Giving the floor to those who wish to speak by respecting the sequence of requests;
- c. Asking speakers not to digress and not to tackle subjects different than the one at hand, and dismissing members who do not respect the order of the session after warning them twice, in light of what the Congress sees fit in this regard.

Article (10)

The People's Congress shall appoint a committee for maintaining order during sessions and another for drafting decisions. The two committees shall implement the decisions of the Congress with regard to session organisation and drafting decisions as follows:

First: The committee for maintaining order during sessions shall:

1. Maintain order in the hall and organise seating in a way that facilitates movement, in collaboration with the committee for preparation and recording attendance;
2. Receive and record speech requests, organise them and assist the Secretariat in giving the floor for speakers according to the sequence of requests in a way that guarantees democratic dialogue;
3. Not interrupt speakers unless they digress, repeat themselves or exceed the time allocated to them.

Second: The drafting committee shall:

1. Follow developments during sessions and record discussions;
2. Choose the formula approved by the People's Congress during each session;
3. Read decisions and recommendations before the Congress before the session is adjourned.

Article (11)

During the concluding session, all decisions and recommendations made by the Congress shall be read out in order to make sure that they do not contradict laws, regulations or decisions issued by People's Congresses.

Article (12)

Members elected to the Congress or to People's Congresses shall perform their tasks according to the provisions of the legislation in force and they shall be held responsible if and when they commit the following violations or mistakes:

1. Negligence and failure to implement decisions by the People's Congresses or relevant laws and executive regulations;
2. Violating laws, regulations, decisions or administrative systems in force;
3. Violating the principle of equality and justice in opportunities among citizens in general, and particularly with regard to providing housing, land for construction, agricultural land, job opportunities, loans, permits for economic activities, etc. and violation of procedures stipulated in laws, regulations and decisions organising these matters;

4. Pulling strings, practicing favouritism or exploiting influence in order to achieve personal interests or the interests of relatives, friends or any other acquaintances;
5. Any other actions prohibited for official employees.

Article (13)

The Secretariat shall issue a decision to form a committee composed of Congress members in order to interrogate members accused of committing actions stipulated in Article (12) above. The decision shall determine the competencies of this committee.

Article (14)

After completing its task, the interrogation committee shall present a memorandum with the findings to the Secretariat. In the event that the accused is found innocent, the Secretariat shall declare him so, and in the event he is found guilty, the Secretariat shall inflict one of the penalties stipulated in Article (17), Clauses (1, 2, 3, 4, 5) of Law No. (2) of 1423 FBP on the organisation of People's Congresses, according to the severity of the violation at hand. If the penalty mentioned in Article (17), Clause (5) is inflicted, the Secretariat shall appoint a new person to fill the position of the person whose membership has been suspended.

Article (15)

Members who have been suspended by virtue of Article (14) of this regulation may appeal before the Secretariat through the Secretary himself. The Secretariat may lift the penalty or decide to reaffirm the suspension and ask the Secretary to present the case before the Congress, along with the memorandum of the appeal.

Article (16)

If the Secretariat decides to relieve a member of his duties in the People's Congress, it shall present the case before the Congress during its earliest ordinary or extraordinary session. If it decides to prohibit a member from running for the Congress again, it shall present the case before the People's Court in order to try the member on the charge against him. After referring said member to the Court, the Secretariat shall issue a decision suspending his membership and appointing a new member in his place until the Court issues its ruling.

Article (17)

The Secretariat may interrogate Secretaries or members of the Secretariat if they violate laws and regulations in force or decisions related to the performance of their functions. Committees composed of popularly elected members, formed by virtue of a decision by the Secretariat, shall interrogate them, and the decision shall determine the competencies of these committees.

Article (18)

The results of the interrogation shall be presented to the Secretariat, which shall refer them to the relevant People's Congress if necessary in order to take the action it deems fit. It shall also refer a copy to the General People's Committee for Inspection and Follow-up if necessary in order for the latter to exercise its legal competencies.

Article (19)

The entities mentioned in Law No. (2) of 1423 FBP on the organisation of People's Congresses, Article (11) shall be held accountable in light of observations provided by People's Congresses

or by supervisory bodies and authorities on the implementation of decisions issued by People's Congresses or regulations and decisions in force.

Article (20)

In case of gross material or moral damage, the Secretariat may hold the person responsible for said damage accountable publicly and publish the findings in the media outlets of its choice. Disciplinary accountability shall not preclude the right to file criminal or civil lawsuits against elected members in the Congress or in People's Congresses.

Article (21)

This law shall enter into effect from its date of issuance, any contrary provision shall be repealed, and it shall be published in the Official Gazette.