

**Law No. (6) of 1992
on the establishment of the Law Department**

The General People's Congress,

In implementation of the resolutions of the Basic People's Congresses in their second ordinary session of 1401 FDP, corresponding to 1992 AD, drafted by the General Forum of People's Congresses, the People's Committees, the professional syndicates, unions, and associations (the General People's Congress) in its ordinary session from 12-22 Dhu al-Hijja 1401 FDP, corresponding to 13-23 June 1992 AD;

Upon review of:

- Justice System Law issued under Law No. (51) of 76;
- Law No. (87) of 1971 on the Lawsuits Department;
- Law No. (4) of 1981 on the Department of People's Legal Defence;
- The Civil Service Law issued under Law No. (55) of 1976;
- Law No. (15) of 1981 on the regulation of salaries for national employees of the Socialist People's Libyan Arab Jamahiriya;
- The Law of the Financial System of the State;

the following law was formulated:

Article (1)

A department called the Law Department shall be established. This department shall be a judicial entity affiliated to the Secretariat of the General People's Committee for Justice.

Article (2)

The department shall hold competence to perform the following:

1. Review drafts of laws transferred thereto by public bodies.
2. Draft and review resolutions and regulations of a legislative nature.
3. Interpret the laws, regulations, and decisions issued pursuant thereto.
4. Review and formulate draft treaties and agreements.
5. Provide legal opinions on submissions made thereto by the people's committees, secretariats, entities, institutions, public companies, or companies in which the aforementioned entities hold shares in the capital and other public agencies and stand-alone agencies.
6. Prepare administrative contract forms.
7. Participate in the committees that determine legislation, with the head of the Fatwa and Legislation Department or the Law Department or one of the members thereof in attendance at its meetings.
8. Oversee the publication of the Official Gazette, organize and publish legislation, derive legal principles of the fatwas issued by the Department, and prepare the legislative index.
9. Issue rulings on grievances filed against administrative decisions.
10. Review disciplinary cases brought against employees of senior management for administrative violations.
11. Other matters that legislation places within the competence of the Fatwa and Legislation Department or the Law Department.

Article (3)

A grievance committee shall be formed pursuant to a decree issued by the General People's Committee for Justice that shall have competence to review grievances against final administrative decisions filed by employees subject to the Civil Service Law, with the exception of disciplinary decisions.

The committee may annul a decision in full or in part or reach a settlement in accordance with legal provisions. Committee decisions shall be substantiated and final.

Article (4)

A Supreme Disciplinary Council shall be formed as follows:

1. Head of the Law Department Chairman
2. A counsellor at the administrative judiciary circuit Member
3. A chief prosecutor from a first instance prosecution, to be appointed by a decree issued by the General People's Committee for Justice Member
4. An employee of senior management nominated by the Secretariat of the General People's Committee Member

Article (5)

Without prejudice to the aforementioned Article (89) of Law No. (55) of 1976, the Supreme Disciplinary Council shall hold competence to conduct disciplinary trials of senior management employees for administrative violations. The competence of the Supreme Disciplinary Council shall be determined in accordance with the grade of the employee at the time the case is filed.

If a number of employees are accused of having committed a violation or related violations and such number includes an employee who works in senior management or a position of a lower grade, this Council shall hold competence to try all of them.

The procedures set out in the Civil Service Law shall apply to instituting, trying, and ruling on disciplinary cases.

Article (6)

Without prejudice to the previous article, disciplinary cases and grievances for which a ruling has not been issued upon implementation of this Law shall be referred to the Supreme Disciplinary Council and the Grievance Committee provided for under this Law.

Article (7)

Legal researchers and counsellors who are not members of judicial bodies and who work for administrative units and public establishments, companies, entities, institutions, and the like shall be technically subordinate to the Law Department.

Article (8)

The implementing regulations of this Law shall be issued by a decree of the General People's Committee based on a submission from the General People's Committee for Justice and must contain in particular the following elements:

- a. Detailed competencies and workflow of the Department.
- b. The organizational structure of the Department.

- c. Definition of the work flow and manner of supervision and monitoring of counsellors and legal researchers.
- d. The special rules and principles for appointment, transfer, delegation, and secondment of legal counsellors as well as their promotion, discipline, and the like with regard to the relevant administrative and financial affairs.

Article (9)

The job equivalency table for members of judicial bodies attached hereto shall hereby come into force and any contrary provision shall be repealed.

Article (10)

Articles (87), (113), and (114) of the Civil Service Law issued under Law No. (55) of 1976 is hereby repealed. Any provision that conflicts with this Law is also hereby repealed.

Article (11)

This Law shall come into force on the date of its publication in the Official Gazette.

The General People's Congress – Libya

**Issued on 29 Dhu al-Hijja 1401 FDP
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