

**Cabinet Decree No. (325) of 2013
establishing the General Investigation Service**

The Cabinet

Upon review of:

- The Constitutional Declaration and the amendments thereof;
- The law of the financial system of the State of Libya, and budget, accounting and inventory regulation and their amendments thereof;
- The Code of Criminal Procedure and its amendments;
- Law No. (10) of 1992 on security and police and its amendments thereof;
- Law No. (12) of 2010 issuing the Labour Relations Law and its executive regulation;
- General National Congress Resolution No. (9) of 2012 appointing the prime minister and tasking him to form the interim government;
- General National Congress Resolution No. (10) of 2012 on granting confidence to the interim government;
- Cabinet Decree No. (145) of 2012 approving the organisational structure and powers of the Ministry of Interior and its executive unit;
- And based on the Cabinet's decision during its eighteenth ordinary session of 2013;

has decreed:

Article (1)

A statutory civil agency called the "General Investigation Service" (GIS) shall be established in accordance with the provisions of this Law. It shall possess legal personality and independent financial liability. It shall be subordinate to the Cabinet.

Article (2)

The GIS shall be headquartered in the city of Tripoli and may have branches or offices in other cities or regions, in accordance with a decree by the prime minister, at the proposal of the head of the GIS.

Article (3)

The agency shall aim at safeguarding the entity of the State, protecting its political and economic security, and combating the risks and threats that target its religious and social values or impair its prestige and international relations.

The GIS shall practice its activities in compliance with the requirements of human rights and fundamental freedoms guaranteed and protected under the law and in such a way as ensures their respect. Any acts committed by it that violate such rights and freedoms shall not be subject to any immunity.

In order to achieve its objectives, the GIS shall do the following:

- a. Participate in seminars, conferences, exhibitions, and all intellectual activities in order to achieve the objectives of the GIS.

- b. Prepare studies and plans and conduct research in various fields, and organise conferences, courses, and training workshops, as to help achieve national goals, especially with regard to economic and social development, the environment, and food security, in a manner consistent with the nature of the GIS.
- c. Develop plans for training, rehabilitation, and scholarship to study domestically and abroad, in coordination with the relevant authorities, to provide the GIS with the needed human resources with high technical competence required to hold positions in the GIS, and within the framework of public policies that govern the work of the GIS.
- d. Develop the GIS's investment plans so as to ensure the achievement of its objectives.

Article (4)

The General Investigation Service shall have the following powers:

1. Prepare security and strategic plans and studies on crimes that violate the State's safety and security, destructive activities, and criminal phenomena that pose a threat to the security and safety of the community, identify their motivations, causes, dimensions, methods to combat them, and propose ways to prevent them.
2. Address and monitor suspicious and hostile activities undertaken by countries, organisations, groups, and individuals that target the national identity or Islamic values of the Libyan society and its political, social, or economic structure, and develop plans to prevent and combat them.
3. Confront hostile political plans that are against the aspirations of the Libyan State, monitor acts of sabotage, espionage, clandestine activity, and criminal phenomena that reflect negatively on political security, and in particular on the safety and security of State institutions, and take the necessary measures in their regard, as stipulated in the relevant laws.
4. Maintain security and civil peace by providing protection for citizens in any event that threatens security and stability and provide protection for public political figures from assault incidents.
5. Conduct acts of investigation, collect evidence, and arrest the perpetrators of crimes that fall within the competency of the GIS and refer them to competent judicial authorities.
6. Collect information relating to the internal security of the State, analyse, evaluate, and extract their indicators, and determine the necessary measures to prevent or address their impact.
7. Provide services and advice to various State agencies to ensure the security and integrity of their work so as to help them in the implementation of their powers.
8. Secure means of communication and protect the State's secrets from leaks.
9. Tally all national and foreign companies, industrial, oil, and service facilities, archaeological sites, and all government departments in Libya, in coordination with the competent authorities, in order to conduct a protection program for them.
10. Monitor cargo and passenger luggage in land, maritime, and aerial ports and secure the safety of passengers in coordination with the relevant authorities.
11. Monitor citizenship affairs, entry and exit movements, and immigration to and from the State of Libya in coordination with the relevant authorities.

12. Study and analyse data and information concerning public opinion as resulting from different positions of community groups and refer them to specialists to take note of them and take necessary measures in their regard.
13. Follow the progress of parliamentary, local, and union elections, prepare reports on them, and refer them to the competent authorities.
14. Open communication channels with all security agencies and coordinate with them with regard to the powers of the agency in joint issues.
15. Monitor media activities, evaluate them, and prepare reports on them and ensure media communication with the public and media delegations representing civil society associations and organisations.
16. Exercise any other duties assigned to the agency under any other legislation.

Article (5)

The GIS shall be presided over by a head of the grade of minister and it shall also have a deputy head. They shall be appointed by virtue of a Cabinet Decree at the proposal of the prime minister. In the conducts of its duties, the GIS shall be subject to the supervision of the prime minister.

Article (6)

The Head of the GIS shall have the following duties:

1. Propose technical, administrative, and financial rules and regulations regulating the workflow of the GIS and refer them to the Cabinet for approval.
2. Supervise and oversee all organisational divisions in the GIS and their personnel and undertake all works related to their professional affairs in accordance with the legislation in force.
3. Prepare the general budget of the GIS and its final accounts.
4. Conclude contracts and agreements relating to the activities of the GIS in accordance with the provisions of the legislation in force.
5. Sign and adopt the decisions issued thereby.
6. Sign promissory notes and contracts related to the work of the GIS.
7. Represent the GIS in its relations with third parties and before judicial bodies.
8. Submit periodic reports on the work of the GIS to the Cabinet.
9. Any other duties assigned to him in accordance with the legislation in force.

Article (7)

The deputy head of the GIS shall have the following duties:

1. Exercise the duties of the Head in his absence.
2. Help the Head supervise the workflow of the GIS.
3. Any other duties assigned to him by the Head in accordance with the legislation in force.

Article (8)

The public force of the GIS shall be formed of the following:

1. The Members category: It shall include commissioned officers, non-commissioned officers, and personnel in accordance with the systems in place in the Law on security and police.
2. The Staff category: It shall include non-ranking workers in accordance with the provisions of the Labour Law and its executive regulation.

Article (9)

The organisational structure of the GIS shall consist of a number of departments and offices that shall be determined with their powers by virtue of a decree by the prime minister at the proposal of the Head of the GIS without prejudice to the provisions of this decree.

Article (10)

The GIS's financial resources shall consist of the following:

1. Its allocations from the State's general budget.
2. Any other sums it is legally authorised to obtain.

Article (11)

The GIS shall have a bank account in one or more banks operating in Libya to deposit its funds in accordance with the legislation in force.

Article (12)

The GIS shall have an independent budget prepared according to the accounting systems in force. Its fiscal year shall start and end with the State's fiscal year.

Article (13)

The General Department for Information Security shall be abolished from the organisational divisions of the administrative organisation of the Ministry of Interior issued in Cabinet Decree No. (145) of 2012 approving the organisational structure and powers of the Ministry of Interior and its executive unit.

Article (14)

All the personnel of the former Internal Security Service, who were previously transferred to work in the security directorates in local councils by virtue of the National Transitional Council (NTC) Decree No. (17) of 2011 dissolving the External Security Service and the Internal Security Service, shall be transferred to work in the General Investigation Service, as well as the employees of the General Department for Information Security subordinate to the Ministry of Interior, provided they were not former employees in the Investigation and Follow-up Bureau, the Counter-Heresy Bureau, the Prisons Bureau, or the branches of the Counter-Terrorism Bureaus in the dissolved Internal Security Service.

Article (15)

The movable and immovable assets of the dissolved Internal Security Service or the General Department for Information Security in the Ministry of Interior shall be transferred to the General Investigation Service.

Article (16)

The provisions of Law No. (10) of 1992 on security and police and Law No. (12) of 2010 issuing the Labour Relations Law shall apply to the General Investigation Service's personnel, as applicable.

Article (17)

A Cabinet Decree shall form one or more committees to undertake the implementation of the provisions of this Decree.

Article (18)

This decree shall enter into force from its date of issuance and any provision that contravenes it shall be repealed. It shall be published in the Official Gazette.

The Cabinet -- Libya

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