

**Executive Regulation of Law No. (59) of 2012  
on the Local Administration System  
attached to Cabinet Decree No. (130) of 2013**

**Title (1)**

**General Provisions and Definitions**

**Chapter (1)**

**General Provisions**

**Article (1)**

Scope of Implementation

The provisions of this executive regulation and the annexes thereof shall be applicable to all the local governments that form the local administration system in the State of Libya.

**Article (2)**

The annexes issued to identify the local governments and include the provisions stipulated by law shall be considered an integral part of this executive regulation.

**Chapter (2)**

**Article (3)**

**Definitions**

For the implementation of the provisions of this executive regulation, the following terms and expressions shall have the meanings ascribed next to them:

State: the State of Libya

Minister: Minister of Local Government

Ministry: Ministry of Local Government

Local governments: Provinces, municipalities, municipal branches, and localities.

Councils: The provincial or municipal council, depending on the case.

Governor: President of the provincial council.

Mayor: Head of the municipal council.

Deputy: Deputy of the province office or deputy of the municipality office, depending on the case.

Law: The law on the local administration system

Executive Regulation: The executive regulation of the law on local administration system and the annexes thereof

Local administration body: all units and professional components of the executive units in provinces or municipalities, depending on the case.

Administrative units: Units of the local administration service.

Branch: Municipal branch

Legislation: The laws and regulations governing local administration and other relevant legislation.

Internal regulations: The regulations of any unit of the local administration body, the job descriptions, staff, performance rates, directives, internal organisation, resolutions, instructions, and publications issued by competent entities.

Organisation: The established internal organisation of the units of the local administration body.

Projects: Projects associated or implemented in the province or municipality.

## **Title (2)**

### **Local Administration Units and Specialised Committees**

#### **Chapter (1)**

#### **Local Administration Units**

#### **Article (4)**

##### **General Competences of Local Administration Units**

Local administration units shall, each within their administrative jurisdiction and within the limits of public policy and the public plans of the State, assume the local functions and responsibilities assumed by ministries and their equivalents in accordance with the legislation in force, except those related to national or special facilities, which shall be determined by a Cabinet decree. Local administration units shall exercise their competences under the direct supervision of the governor, the mayor, or the head of the municipal branch, depending on the case.

#### **Article (5)**

##### **Exercise of Local Competences**

The competences of local administration units shall be limited to the implementation of the State's public policies of local character.

#### **Article (6)**

Local governments shall be administered by their local councils elected in accordance with the provisions of the law and the present executive regulation.

#### **Article (7)**

Administration of Local Governments upon Establishment, Incorporation, and Dissolution

Upon the establishment, incorporation, or dissolution of local governments, the provisions governing the administration thereof shall be as follows:

1. Upon establishment, the council shall be elected in accordance with the law.
2. Upon dissolution, the work of the council shall be terminated.

3. Upon incorporation, the Minister of Local Government shall assign a person to manage the affairs of the new local government until the election of a council.

### **Article (8)**

#### **Facilities Established and Managed by Provinces**

1. Administrative units shall be established in provinces and shall be entrusted with the competences of ministries in direct relation with citizens. Such units shall execute any ministerial policies or equivalents thereof assigned thereto within the province in various fields such as health, education, economy, housing, facilities, urban planning, agriculture, fauna and marine fauna, justice, interior affairs, culture, media, sports, social affairs, labour, training, transportation, industry, finance, telecommunications, tourism, energy, electricity, and others.
2. The implementation of the provisions of the foregoing clause shall be governed by the terms issued by the Minister of Local Government in accordance with the provisions of the law.

### **Article (9)**

#### **Facilities Established and Managed by Municipalities**

Local administration units shall be established in municipalities and shall assume local duties and responsibilities in direct relation with the oversight of affairs pertaining to the provision of services to citizens and residents within their jurisdiction, in accordance with the following:

Municipal guard – local permits – small business incubators – public health – environmental sanitation – public hygiene – quarries – public cemeteries – gardens, parks, and summer resorts – water and sanitation – domestic gas – public administration of squares and streets – public transportation and road traffic – civil registry - public property and urban planning – construction and demolition affairs.

### **Article (10)**

#### **Facilities Established and Managed by Special Entities of Local Administration Units**

Government entities may establish branches or officers thereof in provinces, municipalities, or municipal branches as required by the public interest of the State in coordination with provincial and municipal councils. Such branches shall exercise their duties and responsibilities under general administrative supervision in coordination with the governor or the mayor, without prejudice to their technical, financial, and administrative affiliation with their government entities.

### **Article (8)**

#### **Administrative Relation between Local Administration Units, Provinces, or Municipalities**

The administrative relation between local governments and the local administration units established therein shall consist of oversight, follow-up, and guidance. They shall exercise their competences in the municipalities or municipal branches, or in the localities that have direct administrative affiliation with the local municipal authority.

The governor shall assume oversight and guidance powers over all the employees of provinces and municipalities in accordance with the law.

#### **Article (12)**

#### **Facilities Provided by Provinces to Universities, Higher Institutes, and Research Centres**

Provinces shall offer facilities to universities, higher institutes, and research centres whether directly or through municipalities as follows:

1. Legal and technical facilities.
2. The necessary facilities to provide locations for basic required facilities.
3. Necessary security facilities through competent entities in conformity with the nature thereof.

#### **Article (13)**

#### **Local Governments' Joint Projects**

Projects on various fields may be established between local governments with the consent of the Regional Planning Council in coordination with the Ministry of Planning.

#### **Article (14)**

#### **Nature Reserves**

Nature reserves shall be established by Cabinet decrees based on the proposal of the Minister of Local Government and the proposal of the Regional Planning Council to the minister. Such decrees shall indicate the boundaries and area of the reserves.

#### **Article (15)**

#### **Remote Regions**

The mukhtar of a locality may be delegated in remote regions with broader competences to administer such regions.

#### **Article (16)**

#### **Specialised Character of Local Governments**

Each province or municipality shall have a specialised character based on the comparative advantage of its natural, historical, geographical, human, industrial, agricultural, environmental and botanical resources, for the purpose of protecting or developing the same or promoting their facilities.

#### **Article (17)**

#### **Municipal Facilities**

In accordance with the approved plan, every municipality shall allocate a part of its total area to establish the State-owned municipal facilities that may not be disposed of by transfer of property or easement for any entity, in particular:

1. The headquarters of the municipality, including the conference hall.
2. The municipal square.
3. The municipal hotel.
4. The municipal mosque.

5. The municipal stadium.
6. The municipal theatre.
7. The municipal garden.
8. The municipal dispensaries and hospital.
9. Municipal guard and police stations.
10. Reform and rehabilitation institutions.
11. Shelters.
12. Cemeteries.
13. Nurseries.
14. Temporary affordable residence for the poor.
15. Public markets.
16. Slaughterhouses.
17. Industrial zones.
18. Areas belonging to the Ministries of Defence and Transportation.
19. Parking lots.
20. Museums.
21. Central libraries.
22. Ruins located within the municipal boundaries.
23. Public squares.

In any case, the general character and actual requirements of the municipality shall be taken into consideration.

## **Chapter (2)** **Specialised Committees**

### **Article (18)** **Specialised Committees of Provinces**

Each province shall have standing committees called “specialised committees” that shall be established by the decisions of the provincial council. Such committees shall be chaired and composed of the council members, with each committee composed of at least three members, including the chairperson, selected based on the criteria of competency, merit, and expertise in the specialization of the committee to which they are selected.

When necessary, such committees may resort to competencies and expertise from outside the province in order to study and examine particular matters. The specialised committees shall be directly accountable before the provincial council. They shall work under the management and guidance of the governor, and shall submit their reports and the outcome of their activities to the provincial council for approval.

### **Article (19)** **Competences of the Specialised Committees**

The consolidated administrative organisation of the local administration units shall indicate the name and competences of the specialised committees.

## **Article (20)**

### **Selection of the Specialised Committees**

The chairpersons and members of committees shall be selected during a meeting of the provincial council by direct secret ballot. The council member may present his candidacy for the committee in which he is prepared to work. If the number of candidates exceeds or is below the required number of committee members, the provincial council shall choose the required number by consensus or secret ballot.

## **Article (21)**

### **Convening of the Specialised Committees**

The specialised committees shall convene at the invitation of their chairpersons or two of their members.

## **Article (22)**

### **Validity of Deliberations**

The deliberations of the specialised committees shall only be valid if attended by more than half the members. The conclusions of the committee report shall be determined based on the opinion of the simple majority of the members present. In the event of a tie, the chairperson's side shall prevail.

## **Article (23)**

### **Reports of the Specialised Committees**

The specialised committees shall prepare the necessary reports on the issues referred thereto or directly examine the same. The report shall include a summary of the different views, the grounds thereof, and the opinion of the majority as approved by the committee. The chairperson shall explain the report of his committee to the council. In any case, the report shall include the signature of the committee chairperson and members.

## **Article (24)**

### **Deadline for Submitting the Committee Report**

The committees shall submit their reports within a maximum period of one month from the date of referring the papers thereto, unless the council designates a different deadline. If such period expires without submitting the committee's report, the president of the council or any member thereof may request the referral of the issue to the council in order to take the procedures it deems fit in this regard.

## **Article (25)**

### **Appointment to Vacant Seats**

If the position of chairperson or member of a committee becomes vacant due to death, resignation, or other reasons, the council shall select a substitute from its members during its next ordinary session.

## **Title (3)**

### **Shura Councils and Local Elections**

## **Chapter (1)**

### **Shura Councils**

#### **Article (26)**

##### **Composition of the Shura Council**

The provincial and municipal councils, each within its mandate, shall select a provincial or municipal Shura Council composed of experts, consultants, and scientists working on a part-time basis and known for their competence, expertise, and interest in local affairs. The Shura Council shall be considered an advisory board that shall provide counsel, examine and study the matters related to the province.

#### **Article (27)**

##### **Selection and Remuneration of the Shura Council President and Members**

Shura councils shall be selected in accordance with the provisions stipulated by the law. The financial treatment of the president and members of Shura councils shall be determined by a Cabinet decree based on the minister's proposal.

#### **Article (28)**

##### **Shura Council Membership Conditions**

The member of a Shura council shall meet the following conditions:

1. Must be a Libyan citizen enjoying full civil rights.
2. Must be legally competent and no less than forty years of age.
3. Must be of commendable conduct and reputation and known for his competence, expertise, and interest in local affairs.
4. Must not have been convicted of a felony or misdemeanour that contravenes morality or ethics, unless he has been rehabilitated.
5. Must not have cooperated with the former revolutionary regime or tortured, killed or oppressed Libyans, or assaulted or helped assault their properties and dignity, which shall be proven by the competent entities.

#### **Article (29)**

##### **Duties and Competences of the Shura Council**

The Shura council shall exercise the following duties and competences:

1. Attend the meetings of the provincial or municipal council when invited, without the members having the right to vote.
2. Examine, discuss, and comment on the issues referred thereto by the provincial or municipal council or the president of the Shura Council, and provide the proper suggestions and recommendations in their regard.
3. Initiate the examination and discussion of matters of public character that pertain to the province or the municipality and provide its recommendations to the provincial or municipal council, depending on the case.
4. Advise on local disagreements referred thereto.
5. Study and assess the proposals referred thereto and those submitted to the provincial or municipal council by civil society and other entities.

## **Article (30)**

### **Powers of the Shura Council for the Performance of Duties**

1. The Shura Council may recommend the use of expertise and competencies from outside its members in order to benefit from their opinions on certain matters that are referred thereto or that are indirectly studied and discussed by the council.
2. The Shura Council may request the data, information, and statistics that help the council in its examination processes, recommendations, and proposals from the deputy of the office.

## **Chapter (2)**

### **Local Elections**

## **Article (31)**

### **Composition of the Provincial Council**

The provincial council shall be composed as follows:

1. At least five members for provinces that have a population of at least five hundred thousand (500,000), and one member for each additional one hundred thousand people.
2. One female member.
3. One member from revolutionaries with special needs, if any.
4. Mayors of municipalities located within the jurisdiction of the province.

## **Article (32)**

### **Composition of the Municipal Council**

The municipal council shall be composed as follows:

1. Five members for municipalities that have a population of two-hundred fifty thousand (250,000) or less, and seven members for additional people.
2. One female member.
3. One member from revolutionaries with special needs, if any.

## **Article (33)**

### **Local Electoral Districts**

For the purposes of local elections, each province shall be considered a single electoral district, and each municipality shall be considered a single electoral district.

## **Article (34)**

### **Additional Membership Conditions**

In addition to the conditions stipulated by the law, any person who runs for the membership of provincial and municipal councils shall be registered in the electoral registers of the province or municipality in which he is running and shall have a legal residence therein.

## **Article (35)**

### **Impediments to Candidacy**

Members of the national army, statutory civil bodies, and judicial bodies may not submit their candidacy for the membership of local councils.



Persons who have been elected for two terms, whether consecutive or separate, may not run for the elections.

**Article (36)**  
**Candidacy Documents**

The papers, documents, or photocopies submitted by the candidate regarding himself or his expertise, as well as anything related to the candidacy and the elections, shall be considered official papers enclosed by the candidate. The latter shall assume the legal responsibility thereof in the event of tampering or alteration.

**Article (37)**  
**Election Committees**

Committees for the local elections shall be established as follows:

1. A central committee for the local elections shall be established by a Cabinet decree based on the proposal of the minister. It shall be composed of a chairperson and six members and shall oversee the local elections.
2. Subcommittees shall be established by the minister based on the proposal of the central committee for the local elections in order to oversee the local elections. Each subcommittee shall be composed of a chairperson and four members.

The control of the elections may also be assumed by national civil society organisations and approved international observers. The elections shall be subject to the standards of integrity and patriotism.

**Article (38)**  
**Rules of Election Committees**

The necessary rules governing the work of election committees and the procedures of electoral appeals shall be determined by a Cabinet decree based on the proposal of the Minister of Local Government in accordance with the legislation.

**Article (39)**  
**By-Elections**

If the seat of a member on the local council becomes vacant before the end of his term, he shall be replaced by the candidate with the next highest number of valid votes. In the absence of such candidate, a by-election shall be held in the same manner. The by-election shall be conducted to complete the composition of the councils or to fill current seats at any time. In any case, the term of the new member shall be the remaining term of his predecessor.

**Article (40)**  
**Allocations of Local Elections**

The budget of the ministry shall contain the amounts necessary to cover the expenses of local elections once for every electoral cycle, provided that the ministry bears the costs of by-elections from its operating allocations.

**Article (41)**

## **Quorum in Elections**

Members shall be elected by the relative majority of the valid votes cast during the elections.

### **Article (42)**

#### **Voters**

Voters who are registered in the electoral lists of the electoral district where the elections are taking place shall take part in the local elections.

### **Article (43)**

#### **Term of Councils**

The election shall be for the entire four-year term of the council. Elections for renewal shall be conducted within sixty days prior to the end of the council's term.

### **Article (44)**

#### **Duties of the Council Member**

The council member shall assume the following duties in accordance with the rules stipulated by the law:

1. Attend the council meetings periodically and participate in its business.
2. Submit questions and briefing requests.
3. Chair committees and serve as a member therein, depending on the case.
4. Submit proposals and worksheets on all the issues he is assigned to examine or those he sees the need to submit proposals about.
5. Submit periodic reports on the activities entrusted thereto.
6. Any other duties related to his competence and assigned by the council.

### **Article (45)**

#### **Contracting with Members**

Local governments shall be prohibited from contracting, whether personally or through an intermediary, with the chairpersons and members of local councils. It shall also be prohibited for the chairpersons and members of councils to attend the sessions of the council or the committees thereof if they themselves or any of their relatives or in-laws up to the fourth degree have a personal interest in the submitted issues, whether personally or through an intermediary, or if they are the guardian, custodian, or representative of a person who has such interest.

### **Article (46)**

#### **Resignation of Council Members and Absence**

Council members shall submit their resignation to the mayor or the governor, depending on the case. The resignation shall be presented to the council during its next session following its submission. It shall be accepted whenever approved by the council. The minister shall be notified thereof.

If a member is absent without an acceptable excuse from the sessions of the council or its committees for over three consecutive times or for one-fourth of the council's sessions during one term, the council shall issue a decision to invite such member to take his

statement in a session to be determined after fifteen days from his notification of the date thereof.

The council shall issue its decision to consider the member resigned by a majority of two-thirds of its members if the council is not convinced with the member's self-defence statements or if the member fails to attend the aforementioned session.

#### **Article (47)**

##### **Withdraw of Confidence and Dismissal**

Confidence may be withdrawn from any member of the council, as well as from the governor, mayor, Shura Council, or deputy by a decision issued by the provincial or municipal council, depending on the case, by a majority of two-thirds of the members.

#### **Article (48)**

##### **Termination of Membership**

Membership in the council shall be terminated in any of the following cases:

- If any of the membership conditions stipulated by the law and this executive regulation is not met.
- If the member violates the membership duties or requirements.

In any case, the termination of membership shall be established by a decision issued by the council after the member is summoned to give his statement within the time period and according to the rules and the majority set forth by the previous articles.

#### **Article (49)**

##### **Appeal against Elections**

Appeals related to the elections of municipal councils shall be considered electoral appeals in accordance with the legislation in force.

### **Chapter (3)**

#### **Council Meeting Procedures**

#### **Article (50)**

##### **Holding Meetings**

The elected council shall hold its first meeting within thirty days from the date of announcement of the elections results.

The council shall hold its ordinary meetings at the request of its president at least once per month. The council may hold extraordinary meetings when necessary at the request of the minister, the president of the council, his delegate, or one-third of members.

#### **Article (51)**

##### **Agenda**

The preparation and discussion of the agenda of ordinary sessions shall be effected in the following order:

1. Review and approval of the minutes of the previous sessions.

2. Urgent matters and settlement thereof based on their importance.
3. Deferred matters from previous meetings in the order of deferral date.
4. Follow-up on the previous decisions and recommendations of the council.
5. Permanent items.
6. Regular issues prepared for the meeting.
7. Any new business.

The members shall respect the order set forth in the agenda and shall not move to new business unless the previous matters are settled entirely. If the discussion thereof could not be completed, the chair of the session may defer their examination to another session. The minutes of the meetings shall be prepared in accordance with the provisions of the law.

#### **Article (52)**

##### **Adjourning Discussion of Items**

After initiating the discussion of a certain issue, the council may adjourn the settlement thereof to another session pending the completion of relevant data or information. It may refer the same to a committee of specialists to collect the necessary data and information. For urgent matters, the council may also assign a member thereof to provide it with the necessary data to settle the matter before the end of the session.

#### **Article (53)**

##### **Chair of the Meeting**

The meetings of the council shall be chaired by its president. In the event of his absence or inability to assume his duties, the meeting shall be chaired by the eldest member.

#### **Article (54)**

##### **Session Management**

The session chairperson shall manage the council's meetings and organise its discussions. Members may only speak during the meeting with the permission of the chairperson.

#### **Article (55)**

##### **Order of Requests to Speak**

The president shall authorise the members to speak in the order of their requests. The speaker shall avoid repeating the statements of other members and deviating from the matter under discussion. The president may determine the speech time allocated to every member who requests the floor.

No member of the council may interrupt the member who is granted permission to speak. Only the president may warn the speaker if he deems that the latter has deviated from the topic or is not respecting the obligatory rules.

#### **Article (56)**

##### **Warning Requests**

The president shall grant permission to speak without considering the order of the members' requests in the following cases:

1. If the member requests compliance with the provisions of the internal regulation of the council.
2. If the member requests to respond to a statement that affects his person.
3. If the member requests the rectification of a certain matter.
4. If the member submits a proposal regarding the sufficiency of the discussion or its postponement.
5. Warning of deviation from the agenda.

#### **Article (57)**

##### **Rules of Speech and Members' Responsibilities**

The speaker shall not use offensive terms that prejudice the council or the dignity of any member thereof. He may not discuss personal matters unnecessarily.

The council member shall not be accountable for the discussion he conducts within the limits of the item under discussion.

#### **Article (58)**

##### **Disrupting the Session Order**

If the speaker disrupts the court order by words, acts, or gestures, the president shall be entitled to stop him and to record his behaviour in the minutes of the session.

#### **Article (59)**

##### **Permission to Leave the Session**

No member of the council may leave a session in progress unless with the permission of the president.

#### **Article (60)**

##### **Failure to Attend Sessions**

Members of the council may only be excused from attending the council meetings by an acceptable justification. The member who is unable to attend shall notify the secretary of the session thereof, otherwise his absence shall be considered unjustified. In any case, absence from the council meetings for over three consecutive sessions may only be allowed with the council's permission.

#### **Article (61)**

##### **Withdrawal of Proposals**

The member who proposes an item on the agenda or a topic or question may withdraw the same before or during the session.

#### **Article (62)**

##### **Objecting to Session Minutes**

Every council member shall have the right to object to the content of the minutes of the session and indicate the reasons for such objection, in which case the session secretary shall make the necessary clarifications. If the objection persists, it shall be settled by the council.

#### **Article (63)**

##### **Disrupting the Order of the Session**

If the order of the session is disrupted and the chairperson is unable to keep the session in progress, he may adjourn the session or postpone it to a later date.

#### **Article (64)**

##### **Closure of the Debate**

The chairperson of the session shall announce the closure of the debate over the topic referred to the council after the members who requested to speak have taken the floor.

The chairperson may propose the closure of the debate prior to that if he deems the examination of the topic complete. If the council decides to close the debate over any topic, the discussion thereof may not continue during the same session.

#### **Article (65)**

##### **Progress of the Meeting**

Quorum shall be mandatory for the convening of a meeting. It shall not be mandatory for the progress of the meeting and for the voting process.

#### **Article (66)**

##### **Confidentiality of Decisions, Discussions, and Deliberations**

The decisions, discussions, deliberations, or the content of documents presented at the meeting may not be disclosed, and no information may be revealed in any case except by the means determined by the council.

#### **Article (67)**

##### **Request for Clarification and Data**

The council shall be entitled to request explanations, clarifications, or reports regarding any matters of interest. It may also assign any member or committee thereof to follow up thereon, determine their duties and the requirements of their implementation, and propose the timeline for such purpose.

Any member of the council may express his inquiries or request more clarifications necessary to verify any events that come to his knowledge and the procedures taken in their regard. In any case, such clarifications or requests shall be submitted in writing and shall be clear and precise.

The competent member of the council or committee may respond verbally or in writing before the council within fourteen days from the date of notification of the request or inquiry submission. The council member may comment on the answer of the member or the committee. The president of the council may also authorise the chairperson of the competent committee or any other member to present his observations in brief.

#### **Article (68)**

##### **Publication of Decisions**

The decisions issued by councils, governors, and mayors shall be published regularly within one month from their issuance at their respective headquarters and in all the media outlets under their jurisdiction.

## **Title (4)**

### **Organisation and Management of the High Council of Local Administration**

#### **Article (69)**

##### **Ordinary Meetings of the Council**

The High Council of Local Administration shall convene at the invitation of its president once at least every three months. The Council president shall invite whomever he deems necessary to attend the sessions thereof, including ministers and others, without the right to vote. The invitation to the Council meeting shall be addressed at least fifteen days before the session date. The agenda, topics included thereon, and the studies and research conducted in their regard shall be attached to such invitation.

#### **Article (70)**

##### **Extraordinary Meetings**

When necessary, the Council shall hold an extraordinary meeting at the request of its president or one-third of its members.

#### **Article (71)**

##### **Role of the Council in the Resolution of Local Conflicts**

The High Council of Local Administration shall intervene to solve conflicts and administrative and legal problems arising between the local administration units (provinces and municipalities) in an amicable matter. If such resolution is impossible, the matter shall be referred to the competent entities.

#### **Article (72)**

##### **Advising on the Projects of Local Governments**

The Council shall examine and advise on the plans and programs of the economic regions referred thereto by the Regional Planning Council. It shall also formulate its opinion thereon and approve them before referring the same to the Cabinet for their approval and integration in the State plan.

#### **Article (73)**

##### **Validity of the Council Meeting**

The meeting of the Council shall only be valid if attended by the majority of its members. The decisions of the Council shall be issued by the majority of the members present. In the event of a tie, the president's side shall prevail.

#### **Article (74)**

##### **Submitting Recommendations to the Minister**

The recommendations and decisions of the Council shall be submitted to the minister, who shall in turn submit them to the prime minister or other competent entities.

#### **Article (75)**

##### **Secretariat of the High Council of Local Administration**

The High Council of Local Administration shall have a general secretariat reporting to the minister. Such secretariat shall be established and its work and competences shall be

regulated by a decision issued by the minister. It shall handle the joint affairs of the local governments and it shall study and examine the issues referred by such governments.

**Title (5)**  
**Local Services**

**Chapter (1)**  
**Municipal Services**

**Article (76)**

**Citizens' Right to Benefit from Local Services**

All citizens shall be equal in benefitting from local services, which shall be provided free of charge, and in the cases where municipal fees are imposed on certain services or as a price for products within the coverage of their expenses. Such fees shall remain in the balance of the concerned local government and adjusted in accordance with the financial law of the State.

**Article (77)**

**Human Development**

An organisational division shall be created in every municipality to handle human development affairs and activate its tools in order to promote the performance of human resources in the local service units and provide the highest level of services to citizens. Such division shall conduct all the procedures and activities that achieve the policies and plans to develop human resources in the municipality, in particular:

1. Follow up on the implementation of the decisions issued by the Council in relation to human development.
2. Ensure the implementation of the established human development legislation and policies.
3. Implement short and medium-term plans of human development at the municipality level.
4. Conduct studies and research in relation to human development activities and investment in the human element within the administrative scope of the municipality.
5. Monitor the activation of the foundations for capacity building and training and rehabilitation programs, and provide the necessary capabilities in this respect.
6. Follow up on basic health care activities.
7. Monitor private sector development activities and incentivize this sector to engage in human development that seeks cognitive excellence.
8. Hold listening sessions between the unit and the activities of the private sector units in the field of human development.
9. Examine the proposals submitted by the actors of human development units and centres and provide them with technical advice.
10. Prepare periodic reports on the work results of the unit and refer the same to the mayors of municipalities and the governor.

**Article (78)**



## **Municipal Guard**

A municipal guard shall be formed in every municipality. It shall exercise its competences and protect consumers and the owners of economic activities.

Municipal guard personnel shall have the powers and authorities stipulated by law upon assuming their positions.

### **Article (79)**

#### **Organisation of Recreational Activity**

An organisational division shall be created in every municipality, through which services relating to recreational activity shall be provided and such activity shall be promoted to the best and highest level of services in order to optimize the use of free time. It shall yield the required benefit to the citizens residing in the municipality, benefit them medically and socially, and revive their energy to enable them to exert the greatest efforts. The administration shall in particular:

1. Approve the necessary plans and programs to implement entertainment policies that aim to fill the free time of citizens inside the municipality's scope.
2. Propose sites and locations that promote the provision of recreational services, especially those that contribute to conducting festivals for intellectual or motor games for all ages.
3. Create entertainment and children's games complexes in gardens and public parks.
4. Create entertainment game centres of a cultural and social character for the youth.
5. Hold seasonal entertainment and art festivals at the local level in the municipality.
6. Encourage private sector individuals to build entertainment game centres, circuses, and acrobatic shows in the municipality.
7. Encourage the establishment of entertainment and social centres and clubs, as well as nursing homes for the elderly and people with special needs.
8. Follow up on entertainment services to ensure the achievement of their cultural and social goals at the municipal level.

### **Article (80)**

#### **Civil Registry**

A civil registry office shall be created in every municipality to record birth, residence, marriage, divorce, death and other civil statuses in accordance with the legislation on civil status in force, to issue certificates and extract vital statistics from registers, and implement the relevant laws and regulations.

### **Article (81)**

#### **Local Health and Environment**

The municipality shall provide a sound, healthy, and pollution-free environment by controlling the quality of food or drinking water, public hygiene, and the application of safe guidelines for waste collection and disposal.

For this purpose, the local administration units shall undertake the following activities and procedures in coordination with the competent entities:

1. Propose the medical and environmental decisions, legislation, and regulations that govern the work progress at the municipality.
2. Conduct the necessary tenders related to public hygiene and waste transfer from roads, houses, shops, factories, and others.
3. Monitor and examine foodstuffs, such as foods, beverages, dairy products and their derivatives, and regulate the manufacturing, packaging, and preservation for sale of such products in conformity with scientific guidelines.
4. Ensure that manufacturers, suppliers, and traders take the necessary procedures to prevent foodstuff contamination, fraud, and poor manufacture, and ensure their cleanliness, purity, and the conformity of their ingredients with the declared or legally determined percentages.
5. Prohibit the sale, circulation, offer for sale, possession, or transfer of adulterated, spoiled, contaminated, unclean, harmful, or unfit for consumption foodstuffs, and destroy such products to avoid causing harm to public health.
6. Organise and monitor restaurants, hotels, guest houses, motels, coffee shops, bakeries, grocery and dairy stores and their derivatives, as well as all places and shops that manufacture, package, store, or offer foodstuffs for sale or consumption such as foods, beverages, dairy products and others.
7. Organise and monitor factories and workshops that cause danger, anxiety, or disturbance to the neighbours due to the smoke, vapours, gases, soils, or odors they emit or to any vibrations they cause, etc., and establish the conditions that such activities, factories, or workshops should comply with.
8. Organise and monitor activities that are harmful to public health or that require the maintenance or control of public health, including barber shops, beauty institutes, and public gyms.
9. Establish and manage municipal slaughterhouses and warehouses to oversee the meat and prohibit the slaughter or skinning of animals and birds for commercial purposes outside such places; control and license animal and bird slaughterhouses, examine the same before and after slaughter, stamp their meat to validate such examination, oversee the transport means and methods of birds and their parts after slaughter, their distribution, and the transfer and distribution of imported meat, and control their sale.
10. Oversee the organisation of beaches, summer resorts, and public facilities attached thereto or necessary for their service, and manage the beaches, resorts and facilities established by the municipality.
11. Follow up on the health aspects of summer resorts.
12. Monitor swimming pools, steam baths, and their facilities available to the public, in addition to other types of baths, prohibit and regulate bathing in open places, and control public lavatories and restrooms.
13. Follow up on and regulate the management of public gardens, zoos, and botanical gardens.
14. Control the organisation of cemeteries, transport of the dead, and burial authorisation therein.
15. Take precautions against zoonotic diseases by killing dangerous, neglected, or stray animals in cooperation with the competent entities.

16. Control cattle, horse, and poultry farms and those of other animals and birds.
17. Fight rodents, insects, flies, and other harmful vermin inside residential complexes in coordination with the competent entities.
18. Follow up on vaccinations and issue vaccination certificates.
19. Coordinate with the competent entities to issue the specifications and permits of residential, industrial, commercial, and utility constructions inside the plans and monitor their implementation.
20. Impose partial quarantine within the municipal limits.
21. Any other competences assigned in accordance with the legislation in force.

## **Article (82)**

### **Urban Planning**

Municipalities shall be in charge of implementing the provisions of urban planning laws and regulations for cities and villages, organising buildings, dividing lands, classifying regions, in addition to overseeing and controlling building and construction activity.

## **Chapter (2)**

### **Affordable Housing**

## **Article (83)**

### **Plans and Programs**

In coordination with the competent entities such as the planning department and others, the administrative unit of the province shall prepare the plans, programs, and studies to provide the necessary lands for affordable housing projects. It shall submit the same to the provincial council for their approval.

## **Article (84)**

### **Affordable Housing Projects Approved by the Provincial Council**

The administrative unit of the province shall communicate with the municipality in whose jurisdiction the project falls to include the general site of the project in the city plan and complete the procedures of allocating the land to the site after their approval by the urban planning department.

## **Article (85)**

### **Affordable Housing Projects**

The municipality shall identify its needs for affordable residential units that are built for housing purposes in coordination with the province, with the consent of the ministry, and in coordination with the Ministry of Housing and Facilities, which shall determine their type and number. The affordable housing projects shall be as follows:

1. Affordable housing projects designed for rent to families.
2. Affordable housing projects for rent to the youth.
3. Affordable housing projects designed for sale to families.

## **Article (86)**

### **Transfer of Property**

The municipality where an affordable housing project is conducted shall complete the procedures for allocating State-owned lands to the project. In cases of private ownership, the municipality shall purchase the land from their owners consensually at the local market price through the municipality's real estate committee.

#### **Article (87)**

##### **Disbursement for the Projects**

Disbursement for the implementation of affordable housing projects for building and infrastructure works, supervision, management, and payment of the price of the lands that are purchased with their owners' consent shall be effected from the financing account of the affordable housing projects of the province.

#### **Article (88)**

##### **Purchase Contract**

Provincial and municipal contracts shall be governed by the regulation on government administrative contracts. The competences of tender subcommittees shall be exercised by a committee formed in every province by a decision issued by the provincial council, chaired by the office deputy with four members from the financial, technical, and legal elements. Such committee shall have a rapporteur designated by the chairperson. The decisions of the committee shall be deemed final after their approval by the governor who shall exercise the competences of the minister as stipulated by the regulation, without prejudice to the competences assigned to the Cabinet.

#### **Article (89)**

##### **Support of Housing Cooperatives**

The province shall support the housing cooperatives registered at the provincial registry set up for this purpose, by providing the necessary financial facilities to implement the housing projects of their members whether with assistance from the accounts of affordable housing projects or by guaranteeing bank loans.

#### **Article (90)**

##### **Compliance with Specifications**

Compliance with the specifications, standards, designs, and schemes designed for affordable housing projects shall be a requirement in all cases.

#### **Article (91)**

##### **Required Submission of Land Certificate**

Upon requesting the necessary funding from the governor through legally established means, housing cooperatives shall submit the supporting documents to complete the paperwork of the project. Such documents shall contain the land certificates that testify to the land's ownership, the technical description, and the building permits along with the drawings approved by the municipality where the project is located and the loan guarantees.

#### **Article (92)**

##### **Encouraging Civil Society**

The municipality shall activate the work of civil society organisations, facilitate the licensing procedures thereof, assist them in properly fulfilling their objectives without interfering in their affairs, and providing the adequate environment to engage citizens in civil society in order to empower local work, in particular:

1. Propose and implement plans and programs that empower civil society.
2. Take the necessary procedures to advertise civil society organisations in coordination with the concerned entities in accordance with the relevant legislation.
3. Register and notarise civil society organisations, and follow up on their data and regulations based on a mechanism set up for this purpose.
4. Participate in civil society organisations and assist them in the implementation of awareness programs, conferences, forums, and workshops.
5. Provide the appropriate conditions for citizens' engagement in civil society organisations in order to activate the performance and services of local units.
6. Contribute with civil society in the preparation of bulletins, magazines, and others.
7. Prepare periodic reports on civil society organisations and their efficiency to ensure the fulfilment of their goals.
8. Provide support and advice to help them achieve their goals according to transparency standards.
9. Allocate a budget item for civil society organisations operating within the jurisdiction of the municipality, to be divided among them based on the following criteria:
  - Population of the municipality.
  - Number of members in the organisation.
  - The organisation's proposed objectives, and the targeted value of financial coverage.
  - The activities carried out the previous year.
  - The organisation's performance assessment by other organisations. Allocations shall be based on a percentage of the actual expenditures and shall be subject to the financial review system applicable in the State.

## **Title (6)**

### **Local Natural Resources**

#### **Chapter (1)**

#### **Local and Economic Projects**

#### **Article (93)**

#### **Encouraging Entrepreneurship**

Local governments shall encourage projects that contribute to development, increase their income, or create job opportunities within their area. They shall also encourage individuals, companies, and projects to move into such governments by offering the moral and legal facilities for such purpose.

They may work with other local units, individuals, or companies at the recommendation of the competent investment entity based on the results of feasibility studies.

#### **Article (94)**

## **Conditions for Conducting or Participating in Projects**

The following shall be required to conduct or participate in any project associated with local governments:

1. The local administration units' approval of feasibility studies as corroborated by a report prepared by the competent planning administration at the local administration units on the economic, technical, and organisational feasibility study and the proposed cash flow of the project.
2. In the event of participation, local administration units shall verify the financial and technical capability of the partner and the latter's ability to implement the project and present the required guarantees.
3. Conclude a partnership agreement in accordance with the legislation in force.

### **Article (95)**

#### **Transparency Requirements**

The project management, or partner in the event of partnership, shall abide by the directives and the general instructions of the local administration units issued as a result of the field follow-up reports. It shall also commit to transparency and to providing any information, documents, papers, statements of account, or reports requested by the local administration units at any time for purposes of implementation follow-up.

### **Article (96)**

#### **Reporting Incidents and Losses**

The individual partners and projects of local administration units shall notify the project's supervisory entity at the local administration units of any grave incident, loss or judicial ruling that impose severe obligations on the project.

### **Article (97)**

#### **Referral of Final Accounts and General Budget**

The project management shall notify the relevant administration units of its final accounts and general budget on a yearly basis upon completion thereof.

## **Chapter (2)**

### **Small Project Incubators**

#### **Article (98)**

##### **Establishment of Small Project Incubators**

In coordination with the competent entities, the municipality shall establish small project incubators and follow up on their implementation in order to create job opportunities. Such incubators shall be based on economic feasibility studies for each and their antecedents, according to the economic and investment goals of the municipality. Small project incubators shall rectify and address any negative time deviations to ensure the success of such projects and achieve their goals.

#### **Article (99)**

##### **Organisation and Management of Incubators**

The minister of local government shall issue, in coordination with the concerned entities, the decisions and procedures pertaining to the establishment and management of small project incubators and their organisation at the municipal level.

## **Title (7)**

### **Finance, Local Accounts, and Financial Resources**

#### **Chapter (1)**

#### **Local Accounts**

#### **Article (100)**

##### **Local Services Account**

The provincial council shall open an account for services and local development with the following resources:

1. Fees imposed by the provincial council for such account from the profits of productive projects funded by the said account.
2. Donations, grants, and trusts that the provincial council agrees to allocate to such account.
3. Fifty percent (50%) of the increase in the local resources of the province over the budget ceiling.

The resources of the province's services and development account shall be used as determined by the provincial council for the following purposes:

1. Establish business incubators in accordance with this executive regulation.
2. Compensate the deficit in the local services funding.
3. Complete the projects listed on the public plan that the financial appropriations in the province's budget are not sufficient to complete.
4. Support the establishment of projects conducted by personal efforts.
5. Fund urgent and vital public services.

The service and development account shall be organised by a decision by the competent governor. The account resources shall be considered as self-generated resources of local governments. The surplus thereof shall be referred each fiscal year to the province's budget of the following year.

#### **Article (101)**

##### **Reserve Account**

Councils shall have a reserve account that includes the necessary financial allocations, provided that such account is disposed of in accordance with the financial legislation in force.

#### **Article (102)**

##### **Charitable Service Fund Account**

The rules of managing the charitable service fund and the rules of disbursement thereof shall be regulated by a minister's decision.

**Chapter (2)**  
**Collection and Disposal of Taxes and Fees**

**Article (103)**  
**Municipal Fees**

A regulation stipulating the rules that pertain to the types of fees, returns, and royalties of municipal character, as well as their levying guidelines, complaint rules, and reduction conditions shall be issued by a decision of the minister in coordination with the minister of Finance.

**Article (104)**  
**Tax and Fee Collection**

The collection and exemption of taxes and fees stipulated for local governments shall be governed by the provisions regulating the legislation on taxes and public fees.

**Chapter (3)**  
**General Financial Provisions**

**Article (105)**  
**Engagement in Projects Not Included on the Budget**

Local administration units may not enter into any loan or engage in any project not included in the plan or the budget if such project entails expenditure in the coming period, unless it is referred to the Cabinet for approval.

**Article (106)**  
**Applicability of General Rules to the Finance of Local Governments**

Local units shall be governed by the financial rules and regulations applicable to government funds. Such units shall be exempted from all the fees and taxes of which the government is exempted in accordance with the legislation in force. In any case, the provisions of the law and this executive regulation shall be respected.

**Article (107)**  
**Financial and Professional Treatment of the Governor, Mayor,  
And Members of Local Councils and Shura Councils of Local Governments**

The financial and professional treatment of the governor, mayor, and members of local councils and Shura councils of local governments shall be stipulated by a decree issued by the Cabinet based on the proposal of the minister and in coordination with the Minister of Finance.

**Title (8)**  
**Management of Local Government Offices**

**Chapter (1)**  
**Activating the Administrative Organisation**

**Article (108)**



The local administration service shall exercise its competences through its administrative divisions incorporated in the organisational structures set forth by the minister's decision regarding organisational divisions and their competences. The local administration service with all its internal administrative divisions shall be considered as a single unit.

#### **Article (109)**

##### **Hierarchy of Organisational Levels**

The hierarchy of organisational levels inside the local administration service shall be based on the organisational guidelines applicable to the organisation of organisational structures and the consolidated regulation issued by the Minister of Local Government.

#### **Article (110)**

##### **Competences of the Office Deputy**

The office deputy shall perform his duties under the direct supervision of the governor or the mayor, depending on the case. He shall be the administrative manager of the office activities whereby he may follow up on the organisational divisions of the office. He shall also be entitled to do the following:

1. Issue decisions and take measures relating to professional affairs, with the exception of the matters that shall be issued by the governor or the mayor.
2. Follow up on the performance of municipal branches and localities and other affiliated entities in the exercise of their duties.
3. Chair the personnel committee and refer its minutes to the governor or mayor for approval, depending on the case.
4. Form the necessary committees required by the nature of the office's activities.
5. Follow up on the organisational divisions of the office.
6. Follow up on the disbursement procedures and refer the necessary to the governor or mayor for approval.
7. Take and issue the procedures and daily instructions necessary for work execution.
8. Refer to the governor the issues submitted thereto that require, by nature, referral to the governor.
9. Other competences stipulated by the legislation in force.

#### **Article (111)**

##### **Competences of the Heads of Municipal Branches**

Without prejudice to the competences of the governor, mayor, and office deputy, the heads of municipal branches shall exercise the competences stipulated by law. They shall exercise the administrative competences in the municipal branches as well as competences mandated by municipalities and set forth by the municipal regulations in force.

#### **Article (112)**

##### **Speeches and Statements**

Every province or municipality shall have an official spokesperson selected by the council. Such spokesperson shall be assigned by a decision issued by the provincial or municipal council, depending on the case.

### **Article (113)**

#### **Destruction of Closed Personal Files**

Closed personal files may be destroyed or delivered to their owners or the heirs thereof at their request after five years from the end of service.

### **Article (114)**

#### **Destruction of Closed Topical Files**

Closed topical files may not be destroyed. They shall be referred to the province or municipality for documentation after the work is completed.

### **Article (115)**

#### **Committees for the Destruction of Closed Files**

The governor or mayor shall issue the decisions to form committees for the destruction of closed files according to the applicable rules of destruction.

### **Article (116)**

#### **Electronic Archives**

Local administration units shall set up an electronic archiving system and database to create and operate the local information system in order to enable various entities to benefit therefrom. A system designed for the preservation of electronic archives shall also be set up.

### **Chapter (2)**

#### **Quality Control**

### **Article (117)**

#### **Quality Control System in Local Governments**

Local governments shall apply a quality control system that includes quality committees, procedural guidelines, and performance rates for all levels, to work on spreading the concepts of quality control in all the local facilities and the entities operating therein.

### **Article (118)**

#### **Duties of Quality Control System in Local Governments**

1. Study the difficulties and obstacles facing the execution of their implementation plans and policies due to the lack of quality performance, and propose the necessary means to address them.
2. Establish the goals of the organisational divisions of local governments and their administrative components.
3. Set up, document, and apply the performance quality control system in conformity with the requirements and specifications of quality and distinction.
4. Determine the operations of the quality control system, their sequence, and their connection.
5. Transform the needs and expectations of citizens from requirements to services.
6. Prepare reports to follow up on and maintain the performance mechanism regarding the work of departments, offices, committees, and other work units related to local governments, and refer the same to the chairperson of the council.

7. Prepare the documents pertaining to the quality system guidelines and the methods and procedures necessary to perform the quality and distinction activities.
8. Study work methods, tools, locations, time, shifts, circumstances, and procedures, and propose their development.
9. Establish the standards of performance measurement for the council and its constituent administrative and technical divisions within its territorial jurisdiction.
10. Raise procedures to the level of international standards of quality (ISO).
11. Other relevant competences assigned thereto.

### **Article (119)**

#### **Procedural Guidelines**

The offices of local governments shall enforce the administrative procedure guidelines issued by the minister. At all times, they shall adhere to a unified treatment of similar matters, reduced time of completion, and use of approved forms. The use of procedural guidelines and their forms shall be mandatory. Each entity shall automate its procedures to facilitate citizens' dealings.

### **Chapter (3)**

#### **Public Health and Safety**

### **Article (120)**

#### **Occupational Health**

The employees of local administration units shall undergo the annual periodic medical examination or the emergency examination determined by the competent entity.

### **Article (121)**

#### **General Vaccination and Mandatory Quarantine of Employees**

The Occupational Health and Safety Unit shall oversee the vaccination process and mandatory quarantine of the employees of the local administration unit.

### **Article (122)**

#### **Carrying the ID**

The employees of local administration units and visitors shall carry an ID card during their presence in the offices of local administration units. They shall display such ID at all times.

### **Article (123)**

#### **Presence of Employees and Customers outside Business Hours or Places**

The employees of local administration units shall be prohibited from being present outside business places or hours except by the authorisation of the competent entity.

Non-employees shall not be present outside the places or hours dedicated for dealing with them.

### **Article (124)**

#### **Reporting Potentially Dangerous Situations**

Every employee of local administration units shall report any situation believed to lead to or cause danger to public safety, property, or public funds.

## **Article (125)**

### **Commitment to Provide Assistance during Accidents**

Employees shall commit to provide aid and assistance in the event of accidents and emergencies that threaten the workplace or people, without requesting a compensation as a condition for such help.

## **Article (126)**

### **Violation of Security and Safety Procedures**

Employees shall follow the security and safety instructions and the means of accident prevention and they shall use protective gear, equipment, clothes, etc. stipulated by law or supplied by the province or the municipality.

Every employee shall be held personally accountable for his failure to comply with safety and accident prevention regulations, or to report breaches, threats, or dangerous behaviour.

## **Article (127)**

### **Emergency Plan**

Every public entity shall set up an emergency plan in coordination with the competent entities at the province or municipality within the framework of the general plan.

## **Chapter (4)**

### **Employees of Local Administration Units and Incentive System**

## **Article (128)**

The employees of local governments shall be governed by the provisions of the legislation regulating civil service affairs, social security, and medical insurance.

## **Article (129)**

### **General Incentive System**

Local governments shall have an incentive system issued by a Cabinet decree based on the proposal of the minister and in coordination with the Ministry of Finance.

## **Title (9)**

### **Final and Transitional Provisions**

## **Article (130)**

### **Interpretation of Aggregate Provisions**

The interpretation of aggregate provisions shall be determined by decisions, publications, and general instructions issued by the minister.

## **Article (131)**

### **Municipal Regulations**

The minister shall issue the following municipal regulations complementary hereto:

1. Regulation concerning the mukhtars of localities.
2. Regulation concerning marriage officiants.

3. Regulation concerning conflict resolution, reconciliation, and arbitration.
4. Regulation concerning municipal fees.
5. Regulation concerning public space.
6. Regulation concerning the organisation of slaughterhouses.
7. Regulation concerning the organisation of cemeteries.
8. Regulation concerning the organisation of public markets.
9. Regulation concerning posters, media and advertising.
10. Regulation concerning the organisation of water and sanitation facilities.
11. Regulation concerning public transportation and taxis.
12. Regulation concerning licenses.
13. Regulation concerning the sale and lease of vacant lands and public property owned by the municipality.
14. Regulation concerning summer and beach resorts.
15. Regulation concerning hygiene and public health.
16. Regulation concerning fines and penalties for municipal violations.
17. Regulation concerning the discipline of the heads and members of local governments.
18. Regulation concerning the municipal guard.

#### **Article (132)**

##### **Municipal Regulations Remaining in Effect**

Current municipal regulations shall remain in effect until the issuance of new regulations, provided that they do not contravene the provisions of the present regulation.

#### **Article (133)**

##### **Lack of Text**

In the absence of a relevant text in the provisions of this executive regulation, the provisions stipulated by the legislation in force shall apply.