

## **Law No. (6) of 1972 on the police**

**In the name of the people,**

**The Revolutionary Command Council,**

**Upon review of:**

- The Constitutional Declaration issued on 2 Shawwal 1389 AH, corresponding to 11 December 1969;
- Law No. (18) of 1964 on the police, and the amending laws thereof;
- The Revolutionary Command Council decision issued on 11 Dhu al-Qaada AH corresponding to 19 January 1970 concerning the organisation of the Ministry of Interior's security services;
- The Revolutionary Command Council decision concerning the General Directorate of Investigations of the Ministry of Interior;
- The law on retirement issued on 17 Dhu al-Hijja 1386 AH corresponding to 28 March 1967 and the amending laws thereof;
- Law No. (64) of 1970 on the amendment of the police pay schedule;
- Law No. (116) of 1970 on the establishment of the Central Authority for Public Administration Control;
- Law No. (62) of 1971 on equal eligibility for leaves;
- The proposal of the Minister of Interior, and upon the Cabinet's approval;

**issued the following law:**

### **Title 1**

### **Composition, Competences and Organisation of the Police Agency**

#### **Part 1**

#### **Composition and Competences of the Police Agency**

##### **Chapter 1**

##### **Police Agency and Its Composition**

###### **Article (1)**

The Police is an official civil agency affiliated with the Ministry of Interior (MOI).

###### **Article (2)**

The police agency shall consist of the following:

1. Officers
2. Non-commissioned officers (NCOs)
3. Policemen

##### **Chapter 2**

##### **Police Competences**

### Article (3)

The police shall be responsible for maintaining public security and order and protecting lives, dignities and properties. In particular, the police shall be in charge of preventing and controlling crimes, organising traffic, managing prisons, and handling civil defence, passports, nationality, and personal ID cards affairs, as well as other functions set forth by laws and regulations.

### Article (4)

Police officers may use force but not weapons to the extent necessary for performing their duties, provided that the use of force is the only way to do so. The use of weapons shall be restricted to the following situations:

1. Apprehension of any convict sentenced to a criminal penalty or imprisonment for a period exceeding three months, if such convict resists or attempts to escape.
2. Apprehension of any person accused of a felony or caught in *flagrante delicto* for a misdemeanour entailing arrest, if such person resists or attempts to escape.
3. Apprehension of any accused person against whom an arrest warrant has been issued, if such person resists or attempts to escape.
4. Apprehension of any prisoner who tries to escape, and guarding of prisoners who show resistance, under the circumstances and conditions stipulated by the prisons law.
5. Dispersal of assemblies or demonstrations involving five or more persons, if they endanger public security.

In all the above cases, the use of firearms shall be the only possible way to achieve the foregoing objectives. Police officers should start by giving a warning before firing their weapons.

Authorities that are entitled to issue orders to open fire, as well as the methods that can be used in all situations, and the manner of addressing the shooting warning shall be regulated by a Minister's decision.

## Part 2

### Organisation of the Police Agency

#### Chapter 1

#### Organisational Structure of Police Services

### Article (5)

Police services shall have the following organisational structure:

First: The Minister

He shall be the supreme chief of the police agency and shall issue the necessary decisions for organising its affairs and inspecting its business in addition to other necessary decisions for the implementation of this law, with the exception of duties entrusted by law to other entities.

Second: Deputy Minister

He shall be the direct chief of the police agency and shall work under the Minister's supervision to issue standing orders and instructions that regulate the work progress and the police officers' performance of their duties. At the financial level, the Deputy Minister shall receive the treatment prescribed for the grade of Deputy Minister.

### Third: Public Departments

The establishment and competences thereof shall be set forth by a decision by the Revolutionary Command Council (RCC).

### Fourth: Security Directorates

Each province shall have a security directorate to which police stations report directly.

### Article (6)

Directors of public departments and security shall be appointed from officer ranks by a Minister's decision based on the proposal of the Deputy Minister, and they shall assume the powers of a head of department. Directors may issue orders and binding instructions to police officers under their control concerning discipline and work progress, without prejudice to the provisions of this law or the regulations issued by virtue hereof, or to the decisions or orders issued by the Minister or the Deputy Minister.

### Article (7)

The internal organisation and competences of public departments and security directorates as well as work distribution therein shall be determined by decisions issued by the Minister.

## Chapter 2 Police Affairs Council

### Article (8)

A council called the Police Affairs Council (PAC) shall be established in the MOI as follows:

1. Deputy Minister as chairman.
2. Public department directors.
3. Directors of provincial security directorates as members.
4. Legal consultant at the MOI to be selected by the chairman.

If the Minister is in attendance, PAC sessions shall be presided by the Minister. In the chairman's absence, the chairmanship of the PAC shall be assumed by the most senior director of public departments. The PAC shall convene at the Minister or Deputy Minister's request and its sessions shall be deemed valid if attended by more than half the members. Decisions shall be issued by absolute majority of the members present, and in the event of a tie the side on which the chairman voted shall prevail.

The secretary of PAC sessions shall be an officer delegated by the chairman. Deliberations shall be secret and decisions substantiated.

## **Article (9)**

The PAC shall assume the following functions:

1. Coordinate between police services.
2. Propose the best methods to fight crimes and criminals.
3. Examine the matters submitted thereto by the Minister or the Deputy Minister or proposed by any PAC member with the consent of the chairman, provided that such proposals are submitted in writing seven days prior to the PAC session.
4. Other competences stipulated by this law.

## **Article (10)**

The PAC's decisions shall enter into force from the date of approval thereof by the Minister.

## **Title 2**

### **Police Service Affairs**

#### **Part 1**

#### **Ranks, Badges and Uniform**

## **Article (11)**

Police ranks shall be:

#### **A) Officers:**

1. Major General
2. Brigadier General
3. Colonel
4. Lieutenant Colonel
5. Major
6. Captain
7. First Lieutenant
8. Second Lieutenant

#### **B) NCOs and policemen:**

1. Staff Sergeant
2. Sergeant
3. Corporal
4. Policeman

## **Article (12)**

The Minister shall determine by a decision the uniform and badges of police officers after consulting the PAC.

## **Part 2**

### **Officer Appointment and Promotion**

#### **Chapter 1**

#### **Officer Appointment**

### **Article (13)**

Persons appointed to officer ranks shall meet the following requirements:

1. Must be a citizen of the Libyan Arab Republic and possess his civil rights.
2. Must have completed twenty-one years of age.
3. Must be of good conduct.
4. Must not be convicted of any felony or misdemeanour of moral turpitude, unless he has been rehabilitated in both cases.
5. Must not have been discharged from the police force by disciplinary decision.
6. Must be physically fit, which shall be established through the prescribed medical examination.
7. Must not have a foreign spouse.
8. Must have graduated from an MOI-approved police academy. This condition may be disregarded if the interest of work so requires, by a Cabinet decree based on the proposal of the Minister.

### **Article (14)**

Appointment to officer ranks shall be effected by a Cabinet decree based on the proposal of the Minister.

Officers shall be appointed to the lowest rank, while they may be appointed to higher ranks if they graduate from any recognised universities or higher institutes or they have special experience. The rank and seniority shall be consistent with the qualification and length of experience in accordance with the organisation determined by the RCC based on the Minister's proposal.

### **Article (15)**

Notwithstanding Article (13), Clause (8), and subject to Paragraph (1) of the previous article, officers may be appointed to the rank of lieutenant by a promotion from the rank of sergeant if they acquire a secondary education certificate or pass the examinations conducted after their enrolment in a training course for this purpose.

## **Chapter 2** **Officer Reporting System**

### **Article (16)**

Two files shall be created for each officer, one including the reasons for his promotion and any data, remarks and information related to his function, and the other containing the submitted annual reports and any complaints proven serious after investigation and hearing the officer's testimony.

Confidential annual reports shall be prepared for officers up to the rank of lieutenant colonel. Competency ratings in such reports shall consist of "excellent", "very good", "good", "above average", "average", or "poor".

### **Article (17)**

Confidential annual reports shall be prepared by the direct supervisor and submitted to the supreme chief for approval. If the officer's rating in the report is average or poor, he shall be notified of the report's content to solicit and discuss his observations thereon before submitting the report, observations, and findings to the Minister to issue a decision in this respect.

### **Article (18)**

The confidential reporting system and all related provisions shall be set forth by a Minister's decision after consulting the PAC.

## **Chapter 3**

### **Officer Promotion**

### **Article (19)**

Subject to Article (21) of this law, officers shall be promoted by absolute seniority up to the rank of lieutenant colonel. Promotion to the rank of colonel and above shall be made by absolute selection. Officers who are not included in the selection for three consecutive times shall be promoted and retired or transferred to a civil service position by a Cabinet decree.

### **Article (20)**

1. Promotion is conditional upon:
  - a. Completing the minimum period for promotion in accordance with attached Table No. (1).
  - b. Passing the promotion exam or successfully completing the training courses conducted for this purpose. Promotion from the rank of lieutenant colonel and above shall not be subject to this condition.
2. If a promotion exam is to be conducted, a committee formed by a Minister's decision shall handle this task. Such committee shall include among its members an officer of the rank of lieutenant colonel or above, and it shall produce a workflow system to be set forth by a Minister's decision.

### **Article (21)**

No officer shall be promoted if he receives a poor rating in his last annual report or average rating in his last two annual reports. If the poor rating report recurs in the next two years, the officer shall be retired or transferred by a Cabinet decree to the civil service.

### **Article (22)**

Promotion of officers up to the rank of major shall require a Minister's decision. Promotion to a higher rank shall require a Cabinet decree.

## **Part 3**

### **Appointment and Promotion of NCOs and Policemen**

### **Chapter 1**

#### **Appointment of NCOs and Policemen**

### **Article (23)**

Persons appointed to the ranks of NCO and policeman shall meet the following requirements:

1. Must be a citizen of the Libyan Arab Republic and enjoy his civil rights.
2. Must be between eighteen and thirty years of age.
3. Must be at least 165 cm tall.
4. Must be of good conduct.
5. Must not be convicted of any felony or misdemeanour of moral turpitude unless he has been rehabilitated in both cases.
6. Must not have been discharged from the police force by disciplinary decision.
7. Must be physically fit, which shall be established through the prescribed medical examination.
8. Must not have a foreign spouse.
9. Must hold at least an elementary education certificate. This condition may be disregarded if necessary by a decision of the Minister of Interior.
10. Must successfully complete the stipulated training course in a police training academy.

The Minister may exempt a candidate from the conditions prescribed by clauses No. (2), (3), and (10) if the candidate possesses technical or professional skills that serve the interest of work.

### **Article (24)**

Appointment shall start with the rank of policeman by a Minister's decision. However, appointment to the rank of NCO may be possible if the candidate possesses technical or professional skills or expertise that serve the interest of work. The rank and seniority shall be consistent with the technical or professional qualifications or the length of experience in accordance with the organisation determined by the Minister after consulting the PAC.

## **Chapter 2**

### **Promotion of NCOs and Policemen**

### **Article (25)**

Promotion of NCOs and policemen is conditional upon:

1. Completing the minimum period for promotion in accordance with attached Table No. (1).
2. Good conduct and behaviour.
3. Passing the promotion exam or successfully completing the required training course.

### **Article (26)**

Promotion shall be based on absolute seniority from among those who pass the promotion exam or the training course conducted for this purpose. If a promotion exam is to be conducted, committees formed by the Deputy Minister's decision shall handle this task. Each committee shall be chaired by an officer of the rank of major or above and shall have two officers as members. The rules and procedures of such committees shall be organised by a Deputy Minister's decision.



### **Article (27)**

Promotion to the rank of NCO shall be effected by a Minister's decision based on the Deputy Minister's proposal.

## **Part 4**

### **General Provisions**

#### **On the Appointment and Promotion of Police Officers**

### **Article (28)**

Appointment or promotion may only occur in the event of vacancy. Promotion should only be to the next higher rank.

### **Article (29)**

Seniority for promotion shall be counted from the date of appointment or promotion to the rank. If the appointment or promotion decision involves more than one police officers of the same rank, seniority shall be as follows:

1. If the decision involves promotion, seniority shall be based on the seniority for the previous promotion.
2. If the decision involves appointment, seniority shall be based on the passing grade in the qualification exam required for appointment, and then on seniority in graduation; if the two are equal, seniority shall be given to the older person. The rules for arranging seniority in the cases of exemption from qualification shall be set forth by a Minister's decision upon consultation with the PAC.

### **Article (30)**

Any police officer who was transferred from the Police Agency or who resigned from service may be re-appointed to the same rank and seniority within six months from the date of transfer or resignation.

### **Article (31)**

When necessary, Libyans or foreigners may be appointed to police positions by special contracts specifying their salary and other employment conditions, in accordance with the law on civil service and its related regulations.

## **Part 5**

### **Salary, Bonus and Financial Benefits**

### **Article (32)**

Police officers shall receive the salaries and bonuses specified in the police salary equivalence schedule which is set forth by a Cabinet decree and includes equivalence between police ranks and the grades stipulated by the civil service law.

### **Article (33)**



Police officers shall be subject to the rules of bonuses and financial benefits applicable for employees who are governed by the civil service law so long as it does not contravene the provisions of this law.

Police officers may be granted other bonuses or allowances as well as financial or moral remuneration in return for outstanding work, or compensation for any injury sustained in the line of duty or as a result thereof, in conformity with the rules and conditions stipulated by Cabinet decrees at the Minister's proposal.

#### **Article (34)**

The police officer's salary shall become payable from the date of assuming his duties, or from the date of leaving his normal residence for the station if the latter is located outside his normal residence area.

#### **Article (35)**

The police officer shall be deprived of his salary for any period of unauthorised absence, without prejudice to any disciplinary or other actions taken against him due to his absence. If the police officer presents his reasons for absence which are approved by the competent director, the latter may decide not to deprive the police officer of his salary for the absence period, which shall be deducted from his leave balance if he has any.

#### **Article (36)**

Upon appointment or promotion, the police officer shall be paid the starting salary of the rank to which he is appointed or promoted. If, at the time of promotion, the police officer's salary exceeds or equals the starting salary of the rank to which he is promoted, one or more bonuses of the new rank or part thereof shall be added to his new salary, which shall include the succession of annual bonuses prescribed for that rank.

#### **Article (37)**

Any salaries, bonuses, remunerations, or financial benefits that exceed the police officer's dues shall be reimbursed by deduction from his salary and supplements thereof without any judicial procedures and without prejudice to disciplinary or criminal actions when necessary.

#### **Article (38)**

Salaries, bonuses, remunerations, and other financial benefits payable to the police officer may only be withheld or deducted in accordance with the previous article by one-fourth per month. In the event of multiple debts, priority shall be given to alimony, followed by government debt and then the remaining debts.

#### **Article (39)**

The police officer shall have the right to benefit from State-funded free medical treatment in accordance with the relevant regulations issued by the Cabinet in this respect.

#### **Article (40)**

A daily supply may be allocated to police officers in charge of guarding the borders or oil facilities and ports, or other duties that require by nature the allocation of such supply, in accordance with the organisation set forth by a Cabinet decision.

**Part 6**  
**Transfer, Reassignment, Secondment, Delegation, Training and Leave**

**Chapter 1**  
**Transfer, Reassignment, and Secondment**

**Article (41)**

Transfer of police officers shall take place once during the months of July and August of each year. This condition may be disregarded when necessary.

**Article (42)**

The rules and conditions of police officers' transfer and reassignment shall be regulated by a Minister's decision based on the Deputy Minister's proposal.

**Article (43)**

Police officers who are appointed to the police force for their technical or professional qualifications in accordance with Articles (14) and (24) of this law may only be transferred to positions of technical or professional character, depending on the case.

**Article (44)**

Police officers may be seconded to any ministry, local administration unit, institution, or public authority. Secondment of officers shall require a Minister's decision, whereas secondment of other ranks shall need a Deputy Minister's decision after consulting the competent director. In both cases, secondment shall take place upon approval of the receiving entity.

Without prejudice to previous provisions, secondment of police officers shall be subject to all the rules of secondment applicable to employees subject to the civil service law.

**Article (45)**

Civil employees may be seconded to perform police duties by a Minister's decision with the consent of the seconding entity and for the period required for the interest of work.

**Article (46)**

Any police officer who is subject to a transfer, secondment or assignment decision shall execute such decision immediately. Failure to do so for unacceptable reasons shall entail his detention and referral to disciplinary trial. If upon serving the disciplinary sentence, the police officer refrains from executing this decision, he shall be considered a deserter and shall be subject to the provisions of Article (63) of this law.

**Chapter 2**  
**Dispatch and Training**

**Article (47)**

The Minister may dispatch police officers on academic delegations or training courses abroad based on the Deputy Minister's proposal. All rules regarding the training and delegation of employees subject to the civil service law shall apply in this respect.

### **Article (48)**

Persons admitted to the police academy shall enrol in a college recognised by the MOI. Their affairs and dues during their enrolment shall be regulated by a Cabinet decree at the Minister's proposal.

### **Article (49)**

Police training facilities shall be established by a Cabinet decree. The accommodation and livelihood of cadets therein shall be at the expense of the State in accordance with the internal organisation set forth by a Minister's decision.

Police officers shall enrol in training in such facilities by a Minister's decision.

## **Chapter 3**

### **Leave**

### **Article (50)**

Leaves are the right of every police officer. However, they are conditional upon work conditions and interest, subject to the conditions set forth for each one of them. The prescribed leaves are:

1. Annual leave
2. Sick leave
3. Casual leave
4. Educational leave
5. Pilgrimage leave
6. Special leave

### **Article (51)**

1. The annual leave of police officers shall be thirty days per year. If the police officer is fifty-years-old or his service exceeds twenty years, his annual leave shall be of fifty-four days. Annual leaves may be accumulated on the condition that the leave taken by a police officer in one year does not exceed the duration of the leave due for two years.
2. The annual leave which is due at the end of service shall be disbursed in cash to the police officer, provided that such disbursement is not for a period exceeding ninety days at most unless the police officer could not make use of his leave during that period for reasons relating to the interest of work.

### **Article (52)**

If the police officer sustains injury or illness due to the performance of his duties and the specialized medical committee determines the treatment period, he shall be given a special leave for the duration of his treatment that does not exceed one year on full salary. This leave

shall not be deducted from his sick or annual leave, and his treatment shall be at the charge of the State.

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

1. Police officers are entitled to the following sick leaves:
  - a) Four months on full salary
  - b) Four months on half salary
2. If a police officer who suffers from an illness requiring prolonged treatment uses up all his sick leaves on full salary and his accrued annual leave, he may be granted a special leave on full salary for the duration of treatment by a Minister's decision based on the recommendation of the medical committee. This committee shall be in charge of determining this type of illnesses and the treatment duration. After using the special leave, the police officer shall take his sick leave on low salary in accordance with the first clause of this article.

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

The duration of leaves referred to in Article (50), Clauses 3, 4, 5, and 6 shall be determined in accordance with the provisions in force related to employees subject to the civil service law.

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

The granting of leaves of all types and the appointment of the competent granting entity shall be regulated by a Minister's decision upon consulting the PAC.

Police leaves which are provided for in this law or in the ministerial decision referred to in the previous article shall be governed by the provisions applicable to employees subject to the civil service law.

### **Part 7**

### **Duties and Prohibitions**

#### **Chapter 1**

#### **Police Duties**

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

Upon appointment and before assuming their duties, police officers shall take the following oath:

“I swear by Almighty God to uphold the Republican system, to safeguard the interests of the people and the safety of the nation, to embody the Revolution's principles of freedom, socialism and unity, to respect the Constitution and the law, and to perform my duties in a responsible, honest manner.”

Officers shall take the oath before the Minister, while lower ranking members shall take the oath before the concerned director. This oath shall be kept in the police officer's service file.

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

Police functions shall be a trust for their holders. Their goal is to serve citizens and achieve the public interest in accordance with the law and the regulations and orders in force.

The police officer shall:

1. Preserve the dignity of his job and adopt a behaviour that shows the appropriate respect for such job.
2. Perform his assigned tasks by himself with care and honesty.
3. Report any activity that harms the system of the State or violates the law.
4. Assume responsibility for any orders he issues and for proper work progress within his jurisdiction.
5. Be good-tempered, exercise self-control at all times, uphold citizens' dignity and humanity, and avoid violence as much as possible.
6. Obey his superiors and act respectfully toward his superior or higher ranking officers.
7. Reside in the area of his assigned department, and not reside away from or outside this area unless for important reasons approved by the director.
8. Cooperate with his colleagues to carry out urgent duties necessary for ensuring workflow and providing public service.
9. Dedicate all official hours to performing his duties. He shall also carry out any tasks entrusted thereto outside official hours if required so for the interest of work.
10. Treat his subordinates well.
11. Carry out any other duties stipulated by laws, regulations, orders and directives related to his job.

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

Police officers shall only be civilly liable for personal mistakes.

### **Chapter 2 Prohibitions**

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

The police officer may not engage in any other job, whether personally or by mediation, simultaneously with his police job.

The police officer may not perform any tasks for third parties in exchange for a wage or remuneration, even if such tasks are carried out outside official hours, unless authorized by the Minister.

He may only practice his profession outside his job with the Minister's consent.

However, on the condition of notifying the MOI thereof, the police officer may perform custodianship, trusteeship, proxy for absent persons, or judicial assistance in return for a wage or remuneration if the person subject of guardianship or custodianship, or the absent person, or the one assigned a judicial assistant is related to the police officer by kinship up to the fourth degree. He may also assume custody of properties if he is a partner or has an interest therein or if such properties belong to his relatives up to fourth degree kinship.

## **Article (60)**

Regarding the financial system, the police officer shall be prohibited from:

1. Violating the financial rules and provisions stipulated by financial laws, regulations and directives.
2. Violating the provisions regulating the control of budget implementation
3. Violating the laws and regulations related to tenders, bids, warehouses, purchases, and all financial rules.
4. Engaging in carelessness or neglect which results in or directly entails the loss of a financial right of the State or other public personalities or entities under the control of the Audit Office, or prejudices any of their financial interests.
5. Not responding to the Audit Office's tenders or correspondence in general, or delaying such response. Replying with an answer intended as procrastination or stalling shall be considered as a non-response.
6. Abstaining from providing the Audit Office, without acceptable justification, with the accounts and supporting documents thereof on time, or with any papers, documents and other items that the Audit Office is entitled to examine, review or take note of.

## **Article (61)**

Police officers are prohibited from:

1. Disclosing matters that come to their knowledge in the exercise of their duties if such matters are secret by nature or required to be treated as such by directives. This obligation shall remain effective even after leaving the police service.
2. Retaining any official paper or removing the originals from their dedicated files, even if such paper is related to a task assigned to the police officer.
3. Violating the security procedures set forth in a decision issued by the Minister, the Deputy Minister, or the competent director.
4. Preparing, publishing, or distributing articles or publications of a political character that oppose the State's objectives or prejudice the basic principles of society.
5. Lending or borrowing from his superiors.
6. Gambling.
7. Purchasing, whether personally or by an intermediary, real estate or movables put on sale by judicial or administrative authorities, if they are related to his job.
8. Rent, whether personally or by an intermediary, lands or real estate for the purpose of exploiting the same in his department, if such exploitation is connected to his job.
9. Committing any prohibitions or forbidden acts, other than the foregoing. that are stipulated by the Constitution, the civil service law and other laws, directives and regulations.

## **Part 8 Discipline**

### **Chapter 1 Disciplinary Measures**

## Article (62)

Without prejudice to the penalties stipulated by the Penal Code or any other law, any person who commits any of the following acts shall face a disciplinary trial:

1. Violates the duties stipulated by this law, deviate from the requirements of duty in the exercise of his functions, or neglect the performance of his duties.
2. Transgresses the limits of his duties or misuse his powers.
3. Commits any prohibited act stipulated by this law.
4. Threatens, insults, beats or uses violence against any police officer.
5. Fails to deliver a weapon, uniform, or other police property in his possession when requested.
6. Destroys, damages, or misuses any police property or causes the destruction or loss of any part thereof due to his negligence.
7. Arrives late to work without authorisation or acceptable excuse.
8. Absence without authorisation or acceptable excuse.
9. Assaults, threatens or insults higher-ranking police officers.
10. Disobeys his superiors' orders.
11. Mistreats or assaults lower ranking police officers.
12. Pretends to be sick.
13. Neglects his conduct and personal hygiene.
14. Mistreats people during the performance of his duty.
15. Overlooks acts committed by lower ranks that involve violations or deviation from the requirements of duty.
16. Neglects his duties.
17. Commits any act that harms police reputation.
18. Abuses or misuses his job.
19. Knowingly receives materials that violate conditions.
20. Deserts the service.

## Article (63)

A police officer is considered a deserter if he fails to report to work for over fifteen days without a permissible excuse, even if such absence follows an authorised leave.

Absence without permissible excuse is when no justification for absence is provided after more than thirty days elapse from the end of the abovementioned period or when justification is provided and rejected.

The deserter shall be apprehended and referred to disciplinary trial before a disciplinary board. If convicted, the police officer shall be punished by detention at the workplace or room for forty-five days at most. His conviction shall entail the termination of his service in the police force.

## Chapter 2 Disciplinary Penalties and Suspension

## Article (64)



Disciplinary penalties that may be imposed on police officers are:

1. Warning
2. Salary deduction
3. Detention at the workplace
4. Detention in room
5. Demotion
6. Discharge

The penalty stipulated by clause (5) may not be imposed on officers. They may only incur the penalties of clauses (3) and (4) if they violate Article (62), clauses (9) and (10), without prejudice to Article (61) of this law.

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

The warning penalty may not be imposed twice during a twelve-month period.

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

The salary deduction penalty shall not exceed sixty days per year and fifteen days for each penalty.

In the implementation of this penalty, deduction may not exceed one-fourth of the monthly salary after deducting the one-fourth which may be seized or conceded. In the provisions of this article, salary shall refer to the basic salary, excluding additional bonuses, remuneration, allowances, and other financial dues and benefits, without prejudice to the regulations that govern such dues and other benefits.

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

Without prejudice to Article (64) of this law, detention at the workplace shall not exceed four weeks and shall take the following into account:

1. The detainee shall earn his full salary and allocations throughout the detention period.
2. The detainee shall not be allowed to leave the work place throughout the penalty period.
3. The detainee shall not be excused from the official services performed at the workplace.
4. The detainee shall not be allowed to receive visitors unless the purpose of such visits is work-related.

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

Without prejudice to Article (63), detention in the room shall not exceed four weeks and shall take the following into account:

1. The detainee shall be deprived of half his basic salary throughout the detention period.
2. If the detainee is an officer, he shall be placed in a solitary detention room, while other ranks shall be detained together in one room.
3. The detainee shall be deprived of the right to issue orders, and shall be relieved of the official services related to his job.

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

In the implementation of the demotion penalty, demotion shall only be by one rank. The demotion decision shall specify the seniority of the police officer in the rank to which he is demoted.

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

The police officer shall be only punished by discharge if the previous penalties failed to deter him, or if the act he commits requires discontinuing his service for considerations related to the interest of work.

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

Any police officer who is accused of committing any of the acts stipulated by Article (62) of this law or any crime stipulated by the Penal Code or other laws may be temporarily suspended if required so by the nature of the act he is accused of or by the interest of investigation.

The suspension decision for officers shall be issued by the Minister, the Deputy Minister or the Director, each within his jurisdiction. For lower ranks, such decision shall be issued by the direct superior officer, provided that the suspension decision is referred to the competent director for approval. The director shall inform the Deputy Minister of his decisions concerning the suspension of officers upon issuance thereof, and the Deputy Minister shall report the same to the Minister. Suspension shall remain effective until the accusation of the police officer is settled. However, the suspension period shall not exceed thirty days unless the police officer is accused of a felony or crime of moral turpitude.

Suspension of the police officer shall entail suspension of half his salary for the duration of the suspension. If the criminal and disciplinary procedures do not result in his conviction, he shall be reimbursed the half of the salary that had been suspended.

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

In the event of provisional detention or the execution of a judicial ruling, the police officer shall be suspended by law for the duration of his detention and shall be paid half his salary in the first case and deprived of his salary in the second.

If provisional detention ends with the police officer pronounced innocent or with the dismissal of the action, he shall be paid the suspended half of his salary.

### **Chapter 3 Summary Proceedings**

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

Without prejudice to Articles (63) and (74), the police officer who commits any of the acts stated in Article (62) shall be tried by his direct superior entitled to conduct summary proceedings, unless the Deputy Minister or competent director decides to personally handle such proceedings.

If the act is committed by multiple persons reporting to several directors, the Deputy Minister shall appoint the competent prosecution authority. The competent prosecution

authority and the penalties which can be imposed thereby shall be specified in Table (2) attached to this law.

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

Police officers ranking lower than captain shall not prosecute the officer under their control unless they assume the position of station officer or post officer. In this case, the summary proceedings shall be conducted by the closest superior of the rank of captain and above.

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

The penalty decision shall enter into force from its date of issuance.

#### **Article (76)**

If the competent authority in charge of the summary proceedings determines that the act requires a harsher penalty than those under its jurisdiction, it shall refer the accused to the higher authority in charge of summary proceedings. If the penalty does not fall under the jurisdiction of the higher authority, the accused shall be referred to the disciplinary board.

#### **Article (77)**

1. The Minister or Deputy Minister may order the detention of any officer who commits any of the acts referred to in Article (62), Clauses (4), (5), (6), (9), (10), and (16) until his referral to disciplinary court, provided that the detention period does not exceed forty-eight hours.
2. The competent director may assume the power set forth by the previous article with regard to officers of the rank of captain and below. Any officer may assume the same with regard to any of his subordinates who are not from officer ranks.
3. Notwithstanding the above, the detention referred to in this article shall be subject to the provisions of the Article (68) of this law.

### **Chapter 4**

#### **Trial before Disciplinary Boards**

#### **Article (78)**

The disciplinary board shall prosecute police officers who are brought to trial before it in accordance with Article (76) of this law. Trial shall occur before an ordinary disciplinary board if the police officer brought to trial is of the rank of major or below. If his rank is above major, he shall be tried before a high disciplinary board.

#### **Article (79)**

The ordinary disciplinary board shall be composed of three officers. If the person brought to trial is an officer, the board shall be chaired by an officer of a higher rank than the accused, with two members of higher rank or seniority.

Such board shall be established by a decision by the Deputy Minister with regard to officers, and by the competent director's decision for other ranks. If a number of police officers are

referred to trial, who work under the authority of more than one director, the board shall be established by a Deputy's decision.

#### **Article (80)**

The supreme disciplinary board shall be formed by a Minister's decision of four officers and a legal advisor, whereas the chairman shall be of a higher rank than the accused officer, and members shall be of a higher rank or seniority.

#### **Article (81)**

Without prejudice to the provisions of Articles (64), (85), and (86), disciplinary boards shall have the right to impose any disciplinary penalty, which shall take effect on its date of issuance.

#### **Article (82)**

The disciplinary board shall convene in plenary session, and its sessions shall be closed. Its decisions shall be issued by a majority of votes and shall include the reasons thereof.

The disciplinary board's decision shall be notified to the police officer within one week from its date of issuance, as well as to the Deputy Minister.

#### **Article (83)**

The police officer referred to disciplinary trial shall be notified of the referral decision including the charges he is accused of and the date and time of his trial hearing. He shall attend trial hearings in person and may present his defence verbally or in writing or delegate an officer to defend him.

#### **Article (84)**

The police officer shall be considered suspended upon the issuance of the disciplinary board's decision to discharge him from service, until the procedures for confirming the decision are completed.

If a police officer is retried and acquitted, he shall be paid his salary for the suspension period.

#### **Article (85)**

1. A salary deduction or discharge penalty issued against any NCO or policeman shall only take effect after its endorsement by the competent director, in which case the director may either approve the decision, reduce the penalty or order a retrial.
2. The convicted officer may file a complaint with the Deputy Minister about the endorsement decision within ten days from the date he is notified of the decision. The Deputy may reject such complaint, order a retrial or reduce the penalty.
3. The decision of the disciplinary board shall become effective from the date of the complaint's rejection or when no complaint is submitted before the end of the period referred to in the previous clause.

### **Article (86)**

The disciplinary board's decision to discharge the officer shall be referred along with the trial documents to the Minister for his approval. The convicted officer may appeal the decision before the Minister within fifteen days from the date of his notification. The Minister shall not approve such decision before the expiration of the complaint period, and may either approve or reduce the penalty or order a retrial.

The discharge decision shall only enter into effect from the date of issuance of a Cabinet decree in this respect.

### **Article (87)**

Disciplinary actions referred to competent boards before the entry into force of this law shall be referred to the competent disciplinary boards stipulated by this law.

## **Chapter 5**

### **General Provisions on Disciplinary Measures**

### **Article (88)**

A penalty may only be imposed on a police officer after questioning him, taking his statement, and ensuring his defence, provided that such investigation is documented in writing. For summary proceedings, interrogation and investigation may be oral but their content shall be documented in the disciplinary decision.

A police officer may not be tried for the same act more than once, and the same act may not incur more than one penalty.

The decision to impose a penalty shall be substantiated.

### **Article (89)**

The disciplinary trial of a police officer shall not preclude criminal procedures against him if the acts attributed to him are considered a criminal offence. His criminal trial shall not preclude a disciplinary trial.

### **Article (90)**

The police officer may not be promoted during referral to criminal or disciplinary court or during suspension. If the trial concludes with non-conviction or with a penalty other than salary deduction or discharge, upon his promotion his seniority for the rank to which he is promoted shall be calculated from the date such promotion would have taken place if he had not been suspended or referred to disciplinary trial, and all due financial differentials shall be paid.

### **Article (91)**

Without prejudice to the provisions of the law of the financial system of the State and its related regulations, the police officer may not face disciplinary trial after the end of his service. However, termination of service may be postponed until after the disciplinary trial by a Minister's decision.

### **Article (92)**

Disciplinary penalties inflicted upon the police officer may be cancelled in accordance with the rules stipulated by a Minister's decision after consulting the PAC.

### **Article (93)**

Subject to the provisions of this law, the rules and procedures of investigation, accusation, summary proceedings, and trial before the disciplinary court shall be regulated by a Minister's decision after consulting the PAC.

## **Part 9 End of Service**

### **Article (94)**

The service of a police officer shall end for one of the following reasons:

1. Retirement
2. Lack of physical fitness
3. Resignation
4. Discharge by disciplinary decision
5. Marriage to a foreigner without authorisation
6. Loss of citizenship
7. Conviction for a felony or misdemeanour of moral turpitude
8. Death

### **Article (95)**

1. The police officer shall retire at the following age:
  - a. 60 years for the ranks of major general, brigadier, colonel, lieutenant colonel and major
  - b. 55 years for the ranks of captain, first lieutenant, and lieutenant
  - c. 50 years for NCOs and policemen

Nonetheless, in case of necessity or for the sake of the public interest, the service period for officers may be extended by a Minister's decision for two years at most. It may also be extended by a Cabinet decree for any period determined by the decision. For other ranks, service may be extended by a Minister's decision for a maximum period of five years.

2. Retirement of officers shall require a Cabinet decree. Retirement of other ranks shall require a Minister's decision.

### **Article (96)**

1. Lack of physical fitness shall be established by a decision by the competent medical committee. The police officer's service may not be terminated for lack of fitness before

his sick and annual leaves are used up, unless the police officer requests such termination before that.

Referral to the medical committee for this purpose shall be effected by a decision by the Deputy Minister for officers and by the competent director for other ranks.

2. Police medical committee(s) shall be established and their jurisdiction specified by a Minister's decision after consulting the Minister of Health. The procedures and workflow of such committees shall be regulated by the Deputy's decision.

#### **Article (97)**

Without prejudice to the rules of delegation and training, the police officer may resign from service and such resignation shall be in writing and free of any limitation or condition, otherwise it shall be disregarded.

The police officer's service shall only be terminated by a decision accepting the resignation. The resignation request shall be settled within sixty days from its date of submission, otherwise the resignation shall be considered approved.

It may be decided during this period to postpone the acceptance of resignation for reasons related to the interest of work or in order to take disciplinary actions against the police officer.

The police officer shall continue his work until he is notified of the resignation's acceptance or expiration of the period specified in the previous clause.

The resignation acceptance decision shall be issued by the Cabinet for officers and by the Minister for other ranks.

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

Termination of police service due to reasons stipulated by Article (94), Clauses (2), (5), (6), and (7) shall be effected by a Minister's decision for officers and a decision by the competent director for other ranks.

### **Chapter 4**

#### **General and Transitional Provisions**

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

The rights and status of recruits during police training courses shall be regulated by a Cabinet decree at the Minister's proposal.

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

In the absence of an officer, he shall be replaced by his senior unless the Minister or Deputy Minister delegates another officer as a substitute.

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

The conditions of use of additional police forces shall be stipulated by a decision issued by the Minister after consulting the PAC. During the exercise of their duties, additional police officers shall have the powers of statutory police. Police officers who serve in the additional



police force more than seven years and are aged no more than forty years may be appointed to the statutory police, in which case such police officers shall be appointed to the same rank they had in the additional police and shall be exempt from the conditions stipulated in Article (23), Clauses (2) and (10) of this law.

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

The provisions of Law No. (116) of 1970 on the establishment of the Central Authority for Public Administration Control shall be applied to police officers.

#### **Article (103)**

Bid and tender regulations shall be applied to the police agency in the manner stipulated by a Cabinet decree based on the Minister's proposal.

#### **Article (104)**

Within six months from the entry into force of this law, some police officers may be transferred to public civil service positions, whether in the government, public bodies or public institutions, where their grade therein shall be equal to their current rank and their salary shall be no less than their current salary.

Officers shall be transferred by a Cabinet decree based on the Minister's proposal, and the transfer of other ranks shall be effected by a Minister's decision.

#### **Article (105)**

The provisions of Article (65) of this law shall apply to police officers in service on the date of its entry into force even if they have attained the legal age for the termination of service prior thereto.

#### **Article (106)**

Service extension for police officers who are still in the force at the time of entry into force of this law shall be considered a period of pensionable service within the limits of extension authorised by Article (95) of this law.

#### **Article (107)**

Statutory and additional police officers shall maintain their current status and the salary and bonus system in force upon the entry into force of this law until the same is modified or replaced in accordance with the provisions hereof.

Law No. (64) of 1970 amending the police salary schedule shall remain in effect until the issuance of a Cabinet decree on salary equivalence in accordance with Article (32) of this law.

#### **Article (108)**

For the implementation of this law, the following terms shall have the indicated meanings ascribed to them:

Minister: Minister of Interior

Deputy Minister: Deputy Minister of the Ministry of Interior

Director: General director of a public department of the police or director of provincial security

MOI: Ministry of Interior

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

The RCC resolution issued on 11 Dhu al-Qaada 1389 AH corresponding to 19 January 1970 AD concerning the organisation of the MOI security services, and the RCC resolution issued on 26 Dhu al-Qaada 1389 AH corresponding to 3 February 1970 AD concerning the establishment of the General Directorate of Investigations shall remain in force until the issuance of an RCC resolution concerning the establishment of public departments of the police in accordance with Article (5) of this law.

The competences of all security services shall remain in effect until the issuance of decisions specifying their competences in accordance with this law.

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

Without prejudice to the previous article, Law No. (18) of 1964 on the police and the amending laws thereof shall be repealed along with any text that contravenes the provisions of this law. The executive regulations and decisions issued in accordance with Law No. (18) of 1964 shall remain in effect insofar as they do not contravene the provisions of this law, until the issuance of any amendment, revocation, or replacement thereof.

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

This law shall be implemented by the Minister of Interior and shall enter into force from its date of issuance. It shall be published in the Official Gazette.

**Revolutionary Command Council – Libya**  
**Colonel Muammar Gaddafi**  
**Prime Minister**

**Major Abdul Monemi al-Honi**  
**Minister of Interior**

**Issued on 18 Dhu al-Qaada 1391 AH**  
**Corresponding to 4 January 1972 AD**

**Table 1**

**Table No. (1): Minimum years required for promotion**

Rank	Minimum years
Brigadier General	4 years
Colonel	4 years
Lieutenant Colonel	4 years
Major	4 years
Captain	3 years
First Lieutenant	3 years
Second Lieutenant	3 years
Staff Sergeant	3 years
Sergeant	2 years
Corporal	2 years
Policeman	2 years

**Table No. (2)**

**Powers in summary proceedings**

	Warning		Salary deduction by days			Detention in station by days			Detention in room by days		
			Policemen	NCOs	Officers	Policemen	NCOs	Officers	Policemen	NCOs	Officers
1 <sup>st</sup> Lt: Lt: Post Officer	All ranks		3	2	1	4	2	-	3	-	-
Captain: Station Officer	1	1	5	3	2	7	4	-	6	3	-
Lt Col: Major	1	1	7	5	3	14	8	6	14	10	6
Brigadier General: Colonel: Director:	1	1	10	7	5	17	12	8	17	12	8
Minister: Deputy: Major General	1	1	15	12	10	21	15	10	21	15	10

Note: “Director” refers to the General Director of the Provincial Security Directorate