

Law No. (43) of 1974
issuing the law on the retirement of military personnel

In the name of the people

The Revolutionary Command Council:

Upon review of:

- The Constitutional Declaration;
- The Retirement Law issued on 17 Dhu al-Hijja 1386 AH, corresponding to 28 March 1967 AD, and the laws amending it;
- Law No. (72) of 1973 on Social Insurance;
- Law No. (40) of 1974 on service in the Armed Forces;
- And based on the proposal of the Prime Minister and the approval of the Cabinet.

issued the following law:

Article (1)

The provisions of the accompanying law on the retirement of military personnel shall enter into force and any contrary provision shall be repealed for the beneficiaries who are already serving in the Armed Forces when the provisions enter into force and for those who join at a later time.

Article (2)

Until the issuance of regulatory decrees necessary for the implementation of this law, current regulations and decisions shall remain in force to the extent that they do not contradict the provisions of this law.

Article (3)

This law shall be published in the Official Gazette and enter into force from the first day of the Gregorian month following its date of publication.

The Revolutionary Command Council
Major Abdessalam Ahmed Jalloud
Prime Minister

Issued on 8 Rajab 1394 AH

Corresponding to 27 July 1974 AD

Law on the retirement of military personnel

Part (1)
Basic Provisions

Article (1)

The provisions of this law shall be applicable to:

- a. Officers who perform permanent service in the Armed Forces as stipulated in the law on service in the Armed Forces.

b. Non-commissioned officers and volunteer soldiers.

Article (2)

The provisions of this law shall not be applicable to recruits by obligation or constraint; personnel called-up from the reserve or from retirement; Popular Resistance members; and cadets in military academies and institutes; and civilian personnel in the Armed Forces, except within the limits and conditions that explicitly provide otherwise.

Article (3)

This law shall no longer apply to its beneficiaries in the event they are transferred out of the Armed Forces.

Article (4)

1. 5% (five percent) per month shall be deducted from the salaries of the beneficiaries referred to in Article (1).
2. The deduction for current beneficiaries shall start from the date this law enters into force. For beneficiaries appointed after this date, deduction shall start from the date they become eligible to receive salaries. Deduction shall continue until the date of end of service of the beneficiary.
3. The deduction shall be calculated on the basis of the basic salary that the beneficiary is eligible for monthly. In the event the salary is reduced for any reason, the deduction shall be based on the reduced salary.
4. The public treasury shall cover amounts of no less than 7.5% (seven and a half percent) of the total salaries of the beneficiaries from the provisions of this law.

The public treasury shall also cover the sums paid in the event the beneficiary is martyred, missing, or injured in military operations and the like, according to the provisions of this law.

Article (5)

Amounts deducted from the salaries of beneficiaries and the amounts covered by the public treasury in accordance with the provisions of the preceding article shall be transferred to the General Authority for Social Security.

This aforementioned Authority shall manage these amounts, which shall be disbursed in accordance with the rules and procedures in force in its accounts, taking into account that the Authority maintain a special independent account for the retirement of military personnel.

Article (6)

The financial status to calculate the retirement of military personnel shall be inspected by one or more expert in insurance mathematics (actuary), at least every four years. The evaluation of the benefits and contributions set forth by this law shall be re-examined in the light of such inspection.

Article (7)

The amounts provided for in accordance with the provisions of this law shall only be payable from the retirement funds referred to in Article (4). In the event the beneficiary or the recipient on the beneficiary's behalf is granted a pension or other amount contrary to the

provisions of this law, the public treasury or the treasury of the liable entity shall cover the amount.

Article (8)

By virtue of a decree by the Revolutionary Command Council, upon the proposal of the General Commander of the Armed Forces, pensions or exceptional or additional bonuses may be granted to the members subject to the provisions of this law who perform valuable services to the nation, whatever the type or duration of their service, or to their recipients.

The provisions of this law shall be applicable to these pensions or bonuses for beneficiaries or their recipients after their death, taking into account the rules set forth in the aforementioned decree.

Article (9)

Pensions or bonuses in the cases provided for in this law shall be calculated on the basis of the last basic salary due to the beneficiary at the end of his service. In the event the service ended while the beneficiary was on the half-salary list, the pension or bonuses shall be calculated on the basis of the salary previous to the date of referral to the aforementioned list.

In the event the salary is increased after the end of service, the new salary shall be considered a basis to recalculate the pension established in accordance with the provisions of this law, taking into account the addition of a number of annual bonuses for the new salary equal to the number of annual bonuses earned by the beneficiary in his previous salary. Such increase resulting from the recalculation of the pension shall be due starting the beginning of the month following the date the law that provided for the increase enters into force.

Article (10)

1. The pension shall not exceed 80% of the salary on the basis of which it was calculated, with the exception of cases where the law provides otherwise.
2. In all cases, the pension of the beneficiary shall not be lower than the minimum old-age pension provided for in the Social Security Law.
3. In addition to the pension, the beneficiary shall be eligible for a bonus for his length of service past twenty-eight years and four-fifths of a year. The bonus shall be determined at the rate of one month's salary for each year.
4. The beneficiary and recipients shall be exempt from all taxes and fees on their entitlements, according to this law.

Applications, documents, and papers pertaining to granting funds in accordance with the provisions of this law shall also be exempt from public and local taxes and fees.

Article (11)

In the event the beneficiary's service ends due to lack of physical fitness because of total disability as a result of an injury, handicap, or disease during military operations, in any of the cases provided for in Article (26), or because of service, and in the event he needs continued care from another person as a result of his loss of ability to care for himself because of the injury or illness, his pension may be increased by a maximum of fifty per cent, according to

the necessary degree and type of care, according to what is stipulated by the General Authority for Social Security.

Article (12)

1. Duration of pensionable service shall refer to:
 - a. Duration of actual service in the Armed Forces for which legal deductions are paid.
 - b. Duration of service in the Armed Forces or in any other entity that was incorporated into the beneficiary's pensionable service, whether legal deductions were paid or exempted therefrom according to previous laws.
 - c. Periods of nominal service incorporated into the length of actual service in accordance with the provisions of the law.
2. The following shall be excluded from pensionable service:
 - a. Periods forfeited from the beneficiary's service in accordance with the laws and military orders, even after rehabilitation.
 - b. Half the duration of his referral to the half-salary list.
 - c. The duration of secondment, delegations, and authorised vacations of any type, unless the beneficiary paid legal deductions for them.

Article (13)

The following periods shall be accounted for the beneficiary as within his period of pensionable service, exempting him from paying deductions thereon.

- a. The period spent as a cadet in military academies or institutes recognised by the Chief of the General Staff of the Armed Forces, with the exception of study years in which he fails.
- b. A period equal to the period of actual service in time of war.
- c. A period equal to the period spent as prisoner of war.
- d. A period equal to half of the period of actual service in areas specified by a decree from the Revolutionary Command Council, at the proposal of the Commander in Chief.

By virtue of a decree from the Revolutionary Command Council, at the proposal of the Commander in Chief, other nominal periods may be added for beneficiaries, within the limits and conditions provided for by this decree.

The periods set forth in Paragraph (1) may not be combined in the event they are concurrent to one period of time, and the longer period shall be accounted to the beneficiary in this case.

Article (14)

The duration of pensionable service decided in accordance with this law shall be taken into consideration in the application of its provisions, as well as in the application of the provisions of the Social Security Law or any other alternative pension system.

Part (2)

Public Retirement Treatment

Article (15)

Subject to the provisions of Article (51) of this law, pensions or bonuses set forth in its provisions shall be due upon end of service for any of the reasons included in the law of service in the armed forces.

Article (16)

Officers shall be referred to retirement once he reaches the following ages:

Second Lieutenant	40 years
First Lieutenant	42 years
Captain	44 years
Major	48 years
Lieutenant Colonel	50 years
Colonel	55 years
Brigadier General	56 years
Major General	57 years
Lieutenant General	58 years
General	60 years
Field Marshal	64 years

The age of referral to retirement for honorary officers up to the rank of Lieutenant Colonel shall be fifty two years.

Non-commissioned officers and privates shall be referred to retirement once they reach the age of fifty.

Article (17)

1. By virtue of a decree from the Revolutionary Command Council at the proposal of the Commander in Chief, referral of military personnel to retirement may be stopped for the period specified by the decree.
2. In the event that exceptional circumstances so require, referral of military personnel to retirement may be postponed by keeping them in service after they reach the legal age, by virtue of a decree from the Revolutionary Command Council for officers and from the Chief of General Staff of the Armed Forces for other personnel. In all cases, the decree stipulating remaining in service shall be issued before military personnel reach the legal age.

Article (18)

The beneficiary referred to retirement for reaching the legal age or based on the provisions of Article (18) of the aforementioned law of service in the armed forces, shall be eligible for a pension calculated on the basis of 80% of his salary when his pensionable service period amounts to at least fifteen years.

In the event the service period is not that long, the beneficiary shall be eligible for a bonus calculated on the basis of two months' salary for each year of the first ten years and three months' salary for each additional year.

Article (19)

In the event the end of service was for one of the reasons referred to in Article (15) and this reason did not provide for a special pension treatment in this law, the beneficiary shall be eligible for a pension in the event his pensionable service amounts to at least twenty years and the pension shall be calculated on the basis of $1/36^{\text{th}}$ of the salary multiplied by the number of years of service.

In the event the service period is not that long, the beneficiary shall be eligible for a bonus calculated on the basis of one month's salary for each year of the first five years, two months' salary for each of the ten following years, and three months' salary for each additional year.

Part (3)

Retirement Treatment in Case of Death or Lack of Physical Fitness

Article (20)

1. In the event the beneficiary's service ends due to death or lack of physical fitness as a result of illness, handicap, or injury that disables him entirely from work, and the reason is not due to service or to misconduct and was not deliberate, he shall be eligible for a pension equivalent to 80% of his salary, whatever the length of his service.
2. In the event the beneficiary is partially disabled from work, he shall be granted a pension equivalent to 50% of his salary or a pension calculated according to the rule of Article (19), Paragraph (1), after the addition of three years to his pensionable service period. The higher of the two pensions shall be adopted.

Article (21)

1. In the event the beneficiary's service ends due to death or lack of physical fitness as a result of him being totally disabled from work, and the reason is due to service or to an accident or injury he suffered from while performing his work, and this was not deliberate or out of misconduct or neglect, he shall be eligible for a pension equivalent to 90% of his salary, whatever the length of service.
2. In the event the beneficiary was partially disabled from work, he shall be granted a pension equivalent to 60% of his salary or a pension calculated according to the rule of Article (19), Paragraph (1), after the addition of three years to his pensionable service period. The higher of the two pensions shall be adopted.

Article (22)

Disability from work shall be considered total in the event it is at least 60%, otherwise it shall be considered partial. Disability shall be attributed to the degree of loss of ability to earn a living and to the type of work and the injured part of the body.

Part (4)

Retirement Treatment in Cases of Martyrdom, Missing, and Injury in Military Operations

Article (23)

Beneficiaries of a martyr shall be eligible for a pension equal to 150% of his salary. In the application of the provisions of this law, martyr shall refer to military personnel who die because of military operations in the battlefield or because of an injury he suffers from during or because of capture.

Article (24)

A bonus shall be paid to the heirs of the martyr and distributed to them in accordance with their respective legal shares. The category of the bonus shall be four thousand LYD for officers and two thousand LYD for non-commissioned officers and privates.

Article (25)

The beneficiary whose service ends as a result of his total disability from work due to military operations shall be eligible for a pension equal to his salary. In the event the disability is partial, he shall be eligible for a pension equivalent to 70% of his salary or a pension calculated according to the rule of Article (19), Paragraph (1), after the addition of seven years to his pensionable service period. The higher of the two pensions shall be adopted.

Article (26)

The provisions of Articles (23), (24), and (25) shall apply to military personnel who die or are injured as a result of tactical exercises, tactical shooting, explosions of mines, explosives, air-landing, diving, or parachuting if these operations have been pre-approved and death or injury was not due to the negligence or misconduct of the beneficiary.

Article (27)

Salary and all additional bonuses due to the soldiers missing in military operations or in any of the cases referred to in the previous article, or because of service, shall continue to be disbursed until he is proven to be alive or dead. Payment shall be disbursed to his beneficiaries as per the equivalent of their share of the pension.

Article (28)

Death of a soldier missing in action shall be established by virtue of a decree by the General Commander if four years have elapsed from the date of disappearance without knowledge whether he is alive or dead. The missing soldier shall be considered as a martyr or dead as a result of service – depending on the circumstances – starting from the issuance date of the aforementioned decree.

Article (29)

Beneficiaries of a soldier missing in action shall be eligible for the pension starting from the date that his death is established by virtue of a decree, provided his death is not established earlier, taking the following into account:

- a. In the event the disappearance is due to service, the pension shall be calculated in accordance with Article (21).
- b. In the event the disappearance is in military operations or in any of the cases provided for in Article (26), the pension shall be calculated in accordance with Article (23), in addition to the bonus stipulated in Article (24).

Article (30)

In the event it turns out that the missing soldier is alive, the disbursement of his salary to his beneficiaries shall be stopped and his case shall be settled in the light of the outcome of military investigations. In the event his disappearance is proven to be illegitimate, his period

of absence shall be considered a period of lost service, and the State shall be entitled to restitution from him for disbursements made to his beneficiaries or to seek restitution from these beneficiaries. In the event his disappearance is proven to be legitimate, his absence shall be considered a period of actual service and what was paid to his beneficiaries shall be considered rightful.

Part (5)
**Compensating Personnel with Injuries that Do Not
Prevent their Continued Service**

Article (31)

Personnel injured due to service, military operations, or one of the cases provided for in Article (26) with an injury that does not prevent them from continuing in service, shall be granted compensation calculated on the basis of ten LYD for officers and five LYD for non-commissioned officers or soldiers for every 1% of the disability percentage. The compensation shall be doubled in the event of injury in military operations or one of the cases provided for in Article (26).

Article (32)

The service of personnel who sustain an injury, handicap, or disease because of service, in military operations, or in any of the cases provided for in Article (26), may be terminated for lack of physical fitness. In the event personnel are retained in service despite their injury, they shall be treated at the end of their service in accordance with Article (21) or Article (25), depending on the circumstances.

Part (6)
**Retirement Treatment for Recruits, Assigned or Called-Up Reservists and Retirees,
Popular Resistance Members, and Civilian Personnel in the Armed Forces**

Article (33)

The provisions of Articles (21) to (32) of this law shall be applicable to recruits, personnel assigned and called-up from the reserve or from retirement, and popular resistance members during the period of their call-up to military service. Their entitlements shall be calculated on the basis of the salary of the original position for those who are employees in the government or a public body or institution. Otherwise, they shall be equivalent to the entitlements of military personnel of the same rank, unless the member is beneficiary of another pension system that ensures him a better treatment.

Article (34)

Without prejudice to the provisions of the preceding article, any holder of university qualifications among personnel referred to in the provisions of the preceding article, who dies or is martyred, missing, or injured in military operations, in any of the cases provided for in Article (26), or because of service shall be treated as a second lieutenant with regards to pension and martyrdom bonus. Holders of a high school diploma or equivalent among such personnel shall be treated as a unit staff sergeant. In the application of this provision, the

qualification of the member at the time of his recruitment, commissioning, or call-up, according to the case, shall be considered.

Article (35)

Without prejudice to the provision of the preceding article, recruits, personnel assigned and called-up from the reserve or from retirement, and popular resistance members shall receive the same treatment as their peers in rank with regards to the eligibility for the martyrdom bonus and compensation for injuries.

Article (36)

Civilian personnel in the Armed Forces shall receive the same treatment as Armed Forces personnel in cases of martyrdom, disappearance, or injury in military operations or in any of the cases provided for in Article (26). Their pension entitlements shall be calculated on the basis of the salaries of their civilian functions, provided they are not beneficiaries of another pension system that ensures them a better treatment.

Article (37)

The provisions of Articles (11) and (13) shall apply to recruits, personnel assigned and called-up from the reserve or from retirement, popular resistance members, and civilian personnel in the Armed Forces.

Part (7)

Treatment of Cadets in Military Academies, Institutes, and Education Institutions

Article (38)

With regards to pension entitlements, any cadet in military academies, institutes, and educational institutions who dies or is martyred, missing, or injured in military operations, in any of the cases provided for in Article (26), or because of service shall receive the treatment of graduates of the military academy, institute, or educational institution in which they are enrolled.

Part (8)

Recipients of the Pension or Bonus on Behalf of the Beneficiary

Article (39)

In the event the beneficiary eligible for a pension or bonus dies, his recipients shall be eligible for a share of the pension or bonus, in accordance with the percentages set forth in the attached table, starting from the first of the month following the date of death.

Article (40)

In the event the beneficiary or member eligible to receive the pension dies, the net salary or pension that was paid to him shall continue to be paid to the recipients on the dates specified for the payment of salaries and pensions if the member had not died. This shall be the case for the month during which the death occurred and the two following months. These amounts shall be deducted from the pension funds.

In the event the beneficiary dies for a reason that is not due to a deliberate act or misconduct, the Armed Forces shall pay funeral expenses amounting to (400) four hundred LYD for those who were of officer rank and 200 LYD for others. These expenses shall be paid to the widow of the deceased. In the event he has no widow, they shall be paid to his oldest son, or, otherwise, to whomever is proved to have paid the funeral expenses.

Article (41)

The amounts referred to in the preceding article shall be considered a grant and may not be recovered from the pensions or bonuses of the beneficiary's recipients. They may not be seized and are exempt from any taxes and fees whatsoever.

Article (42)

Frozen amounts that were owed by the Armed Forces to the beneficiary before his death and that were not disbursed during his lifetime shall be disbursed to his heirs in full and they may not be seized in any case.

Article (43)

Recipients of the pension or bonus on behalf of the beneficiary shall refer to the following persons, who are alive on the day of his martyrdom, death, or issuance of such decision for personnel missing in action.

First:

The widow or widows, until they remarry.

Second:

- a. Male children until they reach the age of twenty one.
- b. Male children until they reach the age of twenty five, if they are students in a university or an institute of higher education.
- c. Male children suffering from a physical disability that prevents them from earning a living. This case shall be proved by a decision from the competent military medical committee.

The Committee shall examine them once every two years, starting from the date of the first examination. The right to receive the pension shall become permanent once the disabled child reaches the age of sixty or the medical committee decides he cannot be cured. If the medical examination proves that he has healed to the extent that he can work, his pension shall be stopped starting the first day of the month following the date of the examination.

Third:

- a. Single daughters, until they get married.
- b. Divorced and widowed daughters whenever they get divorced or become widowed, until they remarry, provided that the daughter is not the widow of a beneficiary and receives a higher pension therefrom according to the provisions of this law, and provided that the widow or divorcee does not receive another income equal or higher than the pension due to her.

Fourth:

Parents and siblings, provided it is proven by an official certificate that none of them has any other resource equal to or higher than the pension due.

The pension shall be payable or discontinued for siblings in accordance with the provisions of Item “Second” of this article for brothers and Item “Third” for sisters. The pension shall be discontinued for the mother in the event she gets married to another man than the deceased beneficiary’s father.

Fifth:

The husband, if he suffers from a physical disability that prevents him from earning a living. The rules and procedures followed with regards to the disability of male children shall be applied in this case.

Article (44)

In all cases when the pension shall be discontinued, the discontinuation shall start from the first day of the month following the case for which the discontinuation is initiated.

Part (9)**Proving Lack of Physical fitness and Death****Article (45)**

Any injury that results in an injury, disability, or death shall be investigated to prove its reason by the competent military investigation authority.

The injury and the result thereof shall also be proven by the competent military investigation authority, which shall determine the degree of injury and the percentage of total or partial disability, if any.

The Chief of the General Staff shall approve the procedures of the investigating authority and the medical committee's decision. During military operations, a written report from the unit commander stating the time, place, and circumstances surrounding the injury and the resulting injury, disability, or death shall suffice and it shall be referred to the Chief of the General Staff of the Armed Forces for approval.

Article (46)

Lack of physical fitness for service shall be established by virtue of a decision from the competent military medical committee, at the request of the beneficiary, his unit commander, or the competent medical authority.

In remote areas where there is only one military doctor or where there is only a government doctor, lack of fitness may be established by a report submitted by this doctor, provided that the competent medical committee approves this report.

The medical committee may visit the region where the beneficiary resides in the event his condition does not allow transferring him to the headquarters of the committee.

Article (47)

The medical committee may not determine the lack of fitness of any individual unless there is no hope that he may be eventually cured.

The service of the beneficiary shall not end before the date that the competent military authority approves the decision.

Article (48)

Death in military operations shall be established in accordance with the rules and regulations governing such in the Armed Forces.

In other cases, death shall be established by virtue of a certificate proving such and issued by the competent civil registry office.

Article (49)

In the event the patient or injured member is outside the republic, his lack of physical fitness shall be demonstrated by virtue of a report from two government doctors whose signatures and positions are certified by the competent authority. The government shall appoint the two doctors if it deems it necessary.

In all cases, the medical report shall be adopted by the competent military medical committee.

Part (10)

Discontinuing and Ending the Right to Receive Pension and Bonus

Article (50)

1. Subject to the provisions of the following article, in the event the beneficiary is sentenced to three years or more in prison with execution of the sentence, and he is eligible for a pension or a ruling pertaining thereto was issued, the beneficiary's eligibility for this pension shall be discontinued, and his recipients shall receive their shares in the aforementioned pension as if he had died. At the end of the execution of the sentence, the issuance of a general or special amnesty, or his release, the recipients shall stop being entitled to the pension and the beneficiary shall recover his right to the pension starting from the first of the month following the date of his release.
2. In the event the beneficiary is entitled to a bonus, it shall be paid in full to him or to his legal representative.
3. In the event the convict is one of the recipients of the beneficiary, his pension shall stop being paid to him during his sentence in jail, and his right to the pension shall be restored starting from the first of the month following the date of his release.

Article (51)

Every beneficiary or recipient shall be deprived from his right to a pension or bonus in the following cases:

- a. If he is sentenced for espionage against the country's interest.
- b. If he joins the service of a foreign government without written permission from the competent authorities.
- c. If he is stripped or deprived of his Libyan nationality.

- d. If he receives a final enforceable sentence for a crime related to the character of the State or its external or internal security, for a crime harmful to the entity of the State, or for a crime of embezzlement of public funds, bribery, or counterfeiting official papers.

Article (52)

General amnesty in cases stipulated in the preceding article shall not result in the beneficiary or recipient recovering the pension he has already been deprived of, and the pension shall be disbursed to him starting the first of the month following the date of issuance of the amnesty. In the event that a special amnesty is issued in the cases mentioned, the right to the pension shall not be recovered unless the amnesty decision stipulates otherwise, and in this case, the provisions of the preceding paragraph shall be observed.

Article (53)

The right to receive pensions, bonuses, and compensations that are unclaimed by beneficiaries or recipients within five years from the payability date or from the date of the latest instalment of the pension shall be forfeited, unless the beneficiary or the recipient proves that he did not claim it for reasons beyond his control.

Part (11)

General and Final Provisions

Article (54)

1. The beneficiary shall be eligible for the retirement pension starting from the day following the end of his service.
2. When calculating the period of service, fractions of a year shall be considered a full year for the beneficiary, however long they are.
3. The years of service and the age of beneficiaries and recipients shall be calculated based on the Gregorian calendar.
4. The date of birth shall be considered to be the first day of the month of July in the year of birth if the month and day are not specified in the birth certificate. If the month was specified but not the day, the first day of the month shall be considered the date of birth.
5. When calculating the pension or bonus, and the raises or compensation added thereto and the amounts deducted therefrom, amounts less than ten LYD shall be considered to be ten LYD.

Article (55)

Pensions shall be paid in equal instalments paid monthly and equal to one twelfth of the value of the annual pension due, on the dates when salaries are disbursed. They shall not be disbursed in advance except in cases where this is necessary, provided that the advance payment does not exceed three months' pension.

Article (56)

The principal or value of the pension or bonus may not be disputed once two years have elapsed from the date of notification that the pension has been permanently fixed or from the date the bonus was obtained.

At any time, material errors in the calculation may be corrected upon settlement.

Re-settlement may also be possible as a result of a final court judgment issued in a lawsuit filed by the person concerned during these two years.

No reduction in the value of the pension, bonus, or compensation may be possible in the event that the salaries on which the settlements were based are reduced after they have been determined.

In the event the pension is stopped or discontinued, it shall be payable for the month in which the reason for which it was stopped or discontinued occurred, on the basis of a full month.

In the event that the pension of some recipients is restored or transferred to other recipients, the pension shall be payable again starting from the first of the month following the date of the incident that caused the restoration or transfer.

Article (57)

Beneficiaries receiving pensions shall be eligible for a housing and family allowance paid to them according to the rules governing these two allowances. They shall also be eligible for a maintenance allowance in accordance with the rules and conditions set forth with regards to the allowance payable to their peers of the same rank.

In the event of the death of the pension beneficiary, the housing allowance shall be distributed to his recipients, each according to their share of entitlement to the pension.

Article (58)

The pension payable according to the provisions of this law may only be seized or assigned at a maximum of one fourth per month. In the event there are multiple debts, priority shall be given for alimony debts, then for debts due to the government or public bodies or institutions, and then to the remaining debts.

Article (59)

In the event the beneficiary has accumulated annual leave at the end of his service, in accordance with the provisions of the law, he or his recipient in the event of his death, shall have the right to obtain monetary compensation for the aforementioned leave, provided the compensation does not exceed three months' salary in all cases and that this leave period is not counted when calculating the length of service for the purposes of determining the pension or bonus.

Article (60)

The pension beneficiary may not receive any salary from any Libyan public treasury in addition to his pension, with the exception of the remuneration for membership in representative councils or committees or those subordinate to public bodies or institutions and amounts prescribed for works performed by the pension beneficiary intermittently or temporarily for the government or other entities.

No more than one pension may be obtained from one treasury, and in the event that a person is eligible for more than one pension, he shall be granted the one that is most beneficial to him without the others.

However, personnel whose service ends due to an injury during military operations or in any of the cases provided for in Article (26) may combine their pension with the salary, wages, remuneration, or other payments they earn in exchange for their work in the government or public bodies or institutions.

Recipients of martyrs and personnel missing in military operations or in the cases provided for in Article (26) may also combine the pension with the salary, wages, remuneration, and revenue, or they may combine two or more pensions, without being restricted to a maximum.

Article (61)

Personnel whose service ends may be retained at work for a period not exceeding one month to deliver what they are working on. In this case, he shall be granted a bonus for this period equal to the last salary received and his additional allowances, without deducting the percentage specified for retirement. This period shall not be counted when calculating pensionable service. In the event the member is injured or martyred, dies, or goes missing during this period in military operations, in the cases provided for in Article (26), or because of service, he shall be treated like called-up reservists, when this is in his favour.

Article (62)

Retirement entitlements shall be settled for military beneficiaries who are transferred as per the provisions of this law to a civilian job, according to one of the two following methods, as they prefer:

- a. The military pension or bonus shall be settled according to the provisions of Article (19), then the rights due for the period of civil service shall be added to such pension.
- b. The period of pensionable military service shall be added to the civil service period and his pension rights shall be settled on the basis of the pension system in force in the civil entity to which he is transferred.

If a year passes and the transferred member does not express his preference to settle his dues through one of the two previous methods, the second method shall be applied.

Article (63)

In the event the beneficiary of the provisions of this law has a period of previous service that entitles him to receive a pension in accordance with the provisions of this law, he shall be granted the pension due, provided the beneficiary pays all the pension deductions due for this period, unless he is exempt therefrom by virtue of this law. He shall also return the bonus disbursed therefrom.

The payment of deductions or refund of the bonus may either be at once or in monthly instalments not exceeding 20% of the pension payable, as the beneficiary prefers. The new settlement shall enter into force starting from the date this law enters into force. In the event the beneficiary dies after the settlement without paying the remaining instalments, the value

of these instalments shall be deducted from the pension of his recipients at the same previous rate.

Article (64)

In all cases referred to in the preceding article, the beneficiary shall submit a request to the General Authority for Social Security within two years from the date this law enters into effect. In the event this deadline passes without submitting a request, his right to re-settlement shall be forfeited, whatever the reasons.

Article (65)

Without prejudice to any penalty, any member who in bad faith provides incorrect information or withholds information stipulated in this law or in its implementing regulations, if such results in his receiving pension funds unlawfully, shall be punished by imprisonment for a period not exceeding two months and/or a fine not exceeding one hundred LYD. The concerned person shall be obliged to return the amounts he received beyond that to which he is entitled, that he received contrary to the provisions of the law, or that was lost to the public treasury as a result of his act.

Article (66)

Without prejudice to any harsher penalty, any member who without prior permission from the Chief of the General Staff of the Armed Forces discloses data regarding the number of personnel whose military service ended or their ranks, and the reasons for the end of their service shall be punished by imprisonment for no less than one year and a fine of no less than one hundred LYD and not exceeding three hundred LYD. The penalty shall be imprisonment if it occurs in time of mobilisation or confrontation with the enemy.

Article (67)

The General Authority for Social Security shall undertake the implementation of the provisions of this law, provided the regulatory decrees necessary for its implementation are issued by the minister supervising the committee upon the approval of the Chief of the General Staff of the Armed Forces.

General Rules

1. In the event the beneficiary is entitled to a bonus upon his death, it shall be distributed to his recipients in accordance with the share set out in the table.
2. In the event one of the shares pertains to more than one widow, child, brother, sister, or parent, the share of each category shall be distributed to its members equally.
3. In the event one of the recipients of the pension dies or is no longer entitled to the pension, his share shall be returned to the members of his category present at his death or the end of his entitlement. It shall be distributed to them equally. Otherwise, his share shall be given to the other recipients upon his death or the end of his entitlement, in accordance with the following clauses.
4. If the only male child dies, his share shall revert to his mother.
5. If a widow gets married, dies, or her entitlement ends, the share shall revert to the eligible children equally.

6. If one of the parents dies or his entitlement ends, his share shall be distributed to the children.
7. If the brother or sister dies, his or her share shall be distributed to the parents and children present equally.
8. In all cases, it shall be ensured that the recipient's total share, including what was returned or reverted thereto, does not exceed what his entitlement would be in the event he was the sole recipient of the beneficiary in accordance with the provisions of the table.
9. Undistributed shares, non-payable shares and shares that are no longer payable and which are not transferred to other recipients shall remain in the retirement account.