

Supreme Council of Judicial Bodies
Decision No. (29) of 1375 FDP 2007 AD
on establishing Tripoli's specialised courts and prosecutions

The Supreme Council of Judicial Bodies

Upon review of:

- Law No. (6) of 1374 FDP on the justice system;
- The Penal Code and Code of Criminal Procedure;
- Minister of Justice Decree No. (63) of 1974 on establishing a summary court for traffic in Tripoli;
- General People's Committee for Justice Decree No. (45) of 1991 on establishing special prosecutions and the amendments thereof;
- General People's Committee for Justice Decree No. (80) of 1991 on establishing prosecutions to combat economic and agricultural crimes;
- General People's Committee for Justice Decree No. (45) of 1992 on establishing special prosecutions;
- General People's Committee for Justice Decree No. (462) of 1991 on establishing special summary courts and prosecutions;
- Supreme Council of Judicial Bodies Decision No. (1) of 26 FBP on amending some provisions of Decision No. (80) of 1991;
- Supreme Council of Judicial Bodies Decision No. (3) of 1428 FBP on establishing competent courts and prosecutions and the amendments thereof;
- Supreme Council of Judicial Bodies Decision No. (2) of 1371 FDP on establishing a first instance court and prosecution;
- Supreme Council of Judicial Bodies Decision No. (4) of 1371 FDP on modifying the competencies of two first instance courts and prosecutions;
- Supreme Council of Judicial Bodies Decision No. (10) of 1374 FDP on establishing courts and prosecutions to combat illegal immigration;
- Supreme Council of Judicial Bodies Decision No. (27) of 1375 FDP on establishing a State Security court and prosecution;
- Supreme Council of Judicial Bodies Decision No. (28) of 1375 FDP on establishing a first instance court and prosecution in East Tripoli and modifying the competencies of two first instance courts and prosecutions;
- The proposal of the President of the Supreme Council of Judicial Bodies and the minutes of the 8th session of the Supreme Council of Judicial Bodies of 1375 FDP held on 06/08/2007;

has decided:

Article (1)

A court of appeals shall be established under the name the "Specialised Court of Appeals of Tripoli." Its jurisdiction shall be to adjudicate cases referred to it by the indictment chamber of the Specialised First Instance Court of Tripoli. It shall be located in the city of Tripoli and its jurisdiction shall comprise the jurisdictions of first instance courts in Northern, Southern, and Eastern Tripoli, as well as those in Al-Swani. This court shall be composed of a president and sufficient number of judges. Its members shall have the ranking of president or judge in the

court. Rulings shall be issued by three judges, and it may be comprised of one or more circuits, based on what is decided by the court's General Assembly.

Article (2)

A first instance court shall be established under the name the "Specialised First Instance Court of Tripoli." It shall be located in the city of Tripoli and its jurisdiction shall be to adjudicate cases referred to it by the Specialised First Instance Prosecution of Tripoli and appeals filed against rulings issued by its subordinate summary courts.

Its jurisdiction shall comprise the jurisdiction of the Specialised Court of Appeals of Tripoli and it shall be composed of a president and sufficient number of judges. Someone with a ranking of president or deputy in the court may be among them, and its rulings shall be issued when it convenes with an appellate body of three judges.

Article (3)

The following summary courts shall be subordinate to the Specialised First Instance Court of Tripoli established by virtue of the previous Article:

1. Court to Combat Drug-Related Crimes
2. Court to Combat Economic Crimes
3. Traffic Court
4. Facilities Court
5. Court to Combat Agricultural Crimes
6. Court to Combat Illegal Immigration

These courts shall exercise the competencies stipulated in the decisions that established them.

Article (4)

A prosecution shall be established under the name the "Specialised First Instance Prosecution of Tripoli" within the jurisdiction of the Specialised First Instance Court of Tripoli. It shall be located in the city of Tripoli, and shall be competent to investigate and bring public action for crimes under the jurisdiction of its subordinate summary prosecutions, which are:

1. Prosecution to Combat Drug-Related Crimes
2. Prosecution to Combat Economic Crimes
3. Traffic Prosecution
4. Facilities Prosecution
5. Prosecution to Combat Agricultural Crimes
6. Prosecution to Combat Illegal Immigration

Article (5)

Cases and facts adjudicated by other courts or prosecutions outside of their jurisdiction shall be referred in their current state to the competent court or prosecution, according to the case.

Article (6)

Any provision contrary to the provisions of this decision shall be repealed.

Article (7)

This decision shall enter into force from the beginning of judicial year 2007-2008 and the competent bodies shall implement it. It shall be published in the Code of Procedure.

The Supreme Council of Judicial Bodies – Libya

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