

General People's Committee
Decree No. (212) of 1377 FDP (2009 AD)
on adopting certain provisions related to
the entry, residence, exit, and work of foreigners in Libya

The General People's Committee

Upon review of:

- Law No. (1) of 1375 FDP on the work system of People's Congresses and People's Committees;
- Law No. (58) of 1970 on labour and the regulations issued pursuant thereto;
- Law No. (6) of 1987 on organising the entry, residence, and exit of foreigners in Libya and the executive regulation thereof;
- General People's Congress Resolution No. (5) of 1377 FDP on specifying the sectors that are managed by the General People's Committees;
- General People's Congress Resolution No. (1063) of 1375 FDP on adding a provision to the executive regulation of Law No. (6) of 1987 AD on organising the entry, residence, and exit of foreigners in Libya;
- General People's Committee Decree No. (314) of 1376 FDP (2008 AD) on the establishment of the General Department of Passports, Nationality and Foreigner Affairs;
- General People's Committee Decree No. (103) of 1377 FDP, on adopting an exception clause from its Decree No. (1063) of 1375 FDP;
- General People's Committee Decree No. (124) of 1377 FDP on the establishment of the Department of Labour and Professional Training;
- The approval of the General People's Committee during its 6th ordinary session of 1377 FDP;

has decreed:

Article (1)

Entry visas for the various purposes stipulated in the executive regulation of the aforementioned Law No. (6) of 1987 AD shall be issued by the General Department of Passports, Nationality and Foreigner Affairs. Entry visas for the purpose of residence and work shall be issued on the basis of a permit for recruiting foreign labour issued by the Ministry of Labour and Rehabilitation in accordance with the prescribed procedures.

Article (2)

The Ministry of Labour and Rehabilitation shall draft the following regulations with regards to foreign labour:

1. Specify the minimum limit for ratios of employing national labour in various work sites; and review these ratios periodically while observing the outputs of national education and training.
2. Specify the professions that may employ foreign labour and those prohibited from doing so.
3. Grant permits for recruiting foreign labour while observing the prescribed ratios in this regard. Permits for recruiting labour shall be issued for the entity in charge of the project and shall contain the required number of people that are to be recruited, their specialisations and the country of recruitment.

In all cases, the lack of a capable Libyan person to fulfil the position or job for which the foreigner is being recruited must be verified.

Article (3)

The Ministry of Labour and Rehabilitation shall perform routine and surprise inspections of national and foreign worksites to ensure that the policies prescribed for recruiting national personnel are being abided by in those locations. It shall apprehend any violations committed through the competent judicial police officers and refer them to the relevant authorities in accordance with the legislation in force.

Article (4)

The entry and exit from Libya of foreigners belonging to the categories stipulated below shall be pursuant to entry visas granted thereto in airports and other entry ports in Libya:

- a. Businessmen and investors in various economic activities (on the basis of a letter thereof from the competent authority or from the Privatization and Investment Board (and with the relation affixed to a passport), executive directors of companies, and experts.
- b. Persons arriving on the basis of an invitation from a public sector or agency.
- c. Diplomats, which shall refer to members of diplomatic institutions carrying diplomatic and special passports.

The said facilities shall be provided to the categories stipulated in Clauses (a), (b), and (c) on the basis of a recommendation thereof from the Foreign Liaison and International Cooperation sector in accordance with the extent to which their countries provide facilities for Libyan citizens.

The categories stipulated in this Article shall be exempted from the provisions prescribed by Paragraph (h) of Article (15) of General People's Committee Decree No. (1063) of 1375 FDP, on the condition that they are in possession of the financial sum stipulated in Article (15) of the aforementioned Executive Regulation from Law No. (6) of 1987 AD.

Article (5)

The Department of Passports, Nationality and Foreigner Affairs shall facilitate and expedite completion of entry and exit procedures for foreigners from the approved ports. It shall use advanced technological means to regulate and enforce these procedures.

In order to undertake the above, the Department shall use modern recognition means, including the "electronic fingerprint," "visual recognition," and other means. Brotherhood bureaus, people's bureaus, and general consulates abroad shall grant entry visas within three days of being notified of the permit therefor by the Department of Passports, Nationality and Foreigner Affairs, in regards to entry visas for the purpose of work.

Article (6)

Anyone granted a visa for the purposes stipulated in Article (4) of this Decree may not violate the conditions of the visa or use it for purposes other than those for which it was granted. The Department of Passports, Nationality and Foreigner Affairs shall take the necessary legal measures to apprehend violations, revoke visas, and impose the legally-stipulated penalty in regards to the violation of conditions for granting visas.

Article (7)

This Decree shall enter into force from its date of issuance. Any contrary provision shall be repealed and it shall be published in the Legal Register.

The General People's Committee – Libya

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