

The General People's Committee

Decree No. (129) of 1988 AD on the Regulations of Overseas Workers

Upon review of:

- Law No. (55) of 1976 AD on the Civil Service and the Implementing Regulations thereof;
- Law No. (39) of 1977 AD on Organizing the Ministry of Foreign Affairs and the political and consular corps;
- Law No. (15) of 1981 AD on the Salary System of National Workers in the Socialist People's Libyan Arab Jamahiriya;
- The General People's Committee Decree No. (98) of 1982 AD on the Regulations of overseas Workers;
- The General People's Committee Decree No. (459) of 84 AD Promulgating the Regulations of Home-Based Primary Education; and
- The General People's Committee Decree No. (325) of 1987 on the Organization of the People's Bureau for Foreign Liaison, and
- Based on the submission of the Secretary of the People's Committee of the People's Bureau for Foreign Liaison in his Memorandum No. (76) of 1987 AD, dated 22 Ramadan 1396 FDP, corresponding to 20/05/1987 AD; and
- The approval provided by the General People's Committee in its fourth ordinary meeting in 1988 AD,

The General People's Committee has decreed the following:

Article (1)

The provisions of these Regulations shall apply to all national overseas workers, including members and employees of Brotherhood Offices, People's Offices,

Libyan Arab missions abroad, and the like.

The provisions of these Regulations shall also apply to all employees of other entities, including public administrative units, companies and community-owned enterprises, who are dispatched to work in any job or profession abroad.

Article (2)

Any person dispatched to work abroad must:

- a. Be a national of the Socialist People's Libyan Arab Jamahiriya;
- b. Have full competency;
- c. Be committed to the revolutionary, moral and religious values;
- d. Not have been convicted of a felony, misdemeanor against honor or a breach of trust involving moral turpitude or dishonesty, unless duly exoneration;
- e. Be at least twenty-eight (28) Gregorian years old;
- f. Not be married to a non-Arab national;
- g. Hold a university degree, Except for those who are dispatched to carry out financial, archiving, printing and telegraphy works;
- h. Have spent at least four years of service in an entity undertaking the same work to which he is dispatched, including public administrative units, authorities, institutions, companies and community-owned enterprises;
- i. Be familiar, as much as possible, with the language of the country to which he is dispatched or any other foreign language;
- j. Be medically fit for work; and
- k. Be on a job grade not less than the sixth.

Upon approval by the General People's Committee, and based on a proposal by the Secretary of the People's Committee of the People's Bureau for Foreign Liaison, an exception may be made from the condition stipulated in paragraph (e) of this Article. In all cases, no exception may be made from the age requirement for those below twenty-four (24) Gregorian years old.

Article (3)

If an overseas worker becomes non-compliant with any of the conditions stipulated in the previous article, the employer, regardless of the nature thereof, shall take the necessary measures to return him within three months from the date of becoming non-compliant with any such condition.

Article (4)

Entities subject to the provisions of these Regulations may not dispatch any employees to undertake any job or profession without a prior approval by the General People's Committee, based on a submission of the Secretary of the People's Committee of the People's Bureau for Foreign Liaison and upon a nomination by the Secretary of the competent Specific General People's Committee, or whoever exercises the powers thereof. Exceptions shall be made to the financial controllers, whose nomination to work abroad is based on a submission of the Secretary of the General People's Committee for Treasury.

Article (5)

Pursuant to the provisions of these Regulations, the salary of overseas workers shall be determined based on the worker's grade and basic salary at his employer in the Socialist People's Libyan Arab Jamahiriya. The allowances and benefits prescribed under these Regulations shall also be added to his salary. Nominated secretaries and members of the people's committees in the Brotherhood Offices, People's Offices and the like shall receive the starting salary for the grade of the job to which they are nominated, as approved in the structure, if they are already below this grade. This shall apply throughout their nomination period.

A wife who is employed in any entity governed by the provisions of these

Regulations and dispatched to work for the same entity in which her husband is employed shall receive her basic salary without the other allowances prescribed for overseas workers.

Article (6)

An expatriation allowance shall be granted to those dispatched, under these Regulations, to work abroad throughout their work and authorized leaves, except for special leaves without pay. The expatriation allowance shall be calculated on the basis of a percentage, as shown in Schedule No. (2) enclosed herewith, of the basic salary determined for the employee's original grade without any other bonuses or allowances. An overseas worker shall be entitled to such allowance as of the date of starting his work abroad, and it shall cease with the expiry thereof.

Article (7)

To determine the percentage of the expatriation allowance provided for in Article (6) hereof, the countries to which those governed by these Regulations are dispatched shall be divided into the categories as set out in Schedule No. (1) enclosed herewith.

The General People's Committee may list any country in Schedule No. (1) or reconsider the same by moving any country from one category to another based on a recommendation from a joint committee of the People's Committee of the People's Bureau for Foreign Liaison and the General People's Committee for Treasury.

Article (8)

The expatriation allowance percentage shall be reviewed periodically to take into account the standard of living across different world countries, the indices

and prices of each country. This shall be conducted by a committee formed under the chairmanship of the Secretary of People's Committee of the People's Bureau for Foreign Liaison with the membership of:

- a. the Secretary of the General People's Committee for Treasury; and
- b. the Secretary of the General People's Committee for Public Service.

The said committee shall review the allowances and benefits prescribed for overseas workers and propose new allowances as necessary.

In all cases, the recommendations of the aforementioned committee shall be effective only upon approval by the General People's Committee.

Article (9)

Pursuant to the provisions of these Regulations, overseas workers shall be granted the family allowance prescribed for national workers in the Socialist People's Libyan Arab Jamahiriya.

Article (10)

Secretaries and members of the people's committees of Brotherhood Offices and People's Offices, as well as the employees accredited to more than one country shall be entitled to the expatriation allowance determined for the original country of residence to which they are accredited.

Article (11)

Subject to Schedule No. (5) enclosed herewith, an amount of money shall be allocated to each Brotherhood Office, People's Office or Libyan Arab mission abroad to cover hospitality expenses. Such an amount shall be determined periodically as needed in accordance with the applicable rules at the time of settling financial custodies and upon approval by the People's Committee of the People's Bureau for Foreign Liaison. Disbursement of hospitality allowances

shall fall within the responsibilities of the Secretary People's Committee of the People's Bureau for Foreign Liaison, or the representative thereof, in association with the Bureau's financial controller.

Article (12)

Pursuant to the provisions of these Regulations, overseas workers shall be granted a housing allowance as per Schedule No. (3) enclosed herewith. Such an allowance shall be reduced by 25% for bachelors and married workers who are not accompanied by their families, in case the family fails to join the worker to reside therewith within three months from the date of his travel. In such a case, the reduction shall apply to the entire period.

Article (13)

A decree to determine the countries where rental values exceed the housing allowance, established in Schedule No. (3) enclosed herewith, shall be issued by the Secretaries of the People's Committee of the People's Bureau for Foreign Liaison and the General People's Committee for Treasury.

Article (14)

Where necessary, a housing allowance of up to six months may be granted in advance for the purpose of paying the rent. For the purpose of working overseas, an employee may be granted an equivalent of three months' salary in advance to furnish his house. Such amount shall be paid off from the employee's salary in the form of monthly installments over up to (24) months.

Article (15)

Office secretaries shall be allocated an accommodation in countries where state-owned headquarters are located, in return for (75%) of the housing allowance

they are entitled to. In such a case, office secretaries shall bear all the expenses related to phone calls, consumption of electricity, water and gas, and heating and cooling.

Article (16)

a. The categories of overnight allowances for overseas workers who are entrusted with official tasks far from their workplaces shall be determined in accordance with the Dispatch and Overnight Allowance Regulations applicable to workers in local public administrative units.

b. The travel of overseas workers and their families shall be on the economy class only.

c. The employer shall bear the travel expenses of overseas workers by the shortest air route in the following cases:

1. From the Jamahiriya to the workplace when first dispatched to start work;
2. From the workplace abroad to the Jamahiriya for the purpose of escorting the family only for one time;
3. From the workplace abroad to the Jamahiriya when traveling on an approved leave on a biennial basis.

For workers in tough countries identified in Schedule No. (4) enclosed herewith, the travel expenses for leaves shall be entitled thereto upon the lapse of a full year of service in such countries;

4. From the workplace abroad to the country to which the worker is transferred, whether to the Jamahiriya or elsewhere; and

5. From the workplace abroad to the Jamahiriya or elsewhere, in case the worker is officially assigned to attend an event or join a delegation or sent on an official mission.

d. The dispatching entity shall bear the expenses of transporting additional baggage up to (50) fifty kilograms for the worker and up to (30) thirty

kilograms for any of his family members. The employer shall also bear the expenses of shipping one car and furniture up to (30) thirty cubic meters by sea, upon transfer from one country to another or from the country to which the worker is dispatched to the Socialist People's Libyan Arab Jamahiriya.

e. The family of a worker, who is subject to the provisions of these Regulations, shall mean the wife, male children under 18 years of age and, if they are school or university students, male children who have reached 18 but still below 24 years old. This shall also include the dependents with a disability preventing them from earning their livelihood and, accordingly, live under the worker's custody regardless of their age; unmarried, divorced or widowed daughters who live under the worker's custody; the parents supported by the worker; and the underage brothers who have no other supporter but the worker.

f. Pursuant to the provisions of these Regulations, an overseas worker, along with his family members, shall be entitled to travel tickets from the workplace to the Socialist People's Libyan Arab Jamahiriya and vice versa in case of the death of a relative of his or his wife up to the second degree.

Article (17)

a) The dispatching entity shall bear, until the end of the mandatory stage, the education expenses for the children of the worker, either in Arab schools, if any, or other schools in the country to which he is dispatched. Education expenses shall mean the expenses of school fees, prices of books and private lessons in Arabic and Islamic studies.

Pursuant to the provisions of these Regulations, an overseas worker may provide home-based education to his children in accordance with the rules set out in the Home-Based Primary Education Regulations referred to hereinabove. In such a case, the Secretariat of Education and Scientific Research shall provide the books and educational aids required for education, during the said

stage, free of charge.

b) The children of a dispatched worker shall be entitled to travel tickets, at the beginning and end of the academic year, from their father's workplace to the Socialist People's Libyan Arab Jamahiriya and vice versa, if they study in the Jamahiriya.

The dispatching entity may bear the travel ticket of an escort if any of the worker's children is twelve years old or below and cannot travel on their own.

Article (18)

The transfer of overseas workers, who are affiliated with the People's Bureau for Foreign Liaison, to work in the Jamahiriya, or from one Brotherhood or People's office to another, shall take place by a decision of the Secretary of the People's Committee of the People's Bureau for Foreign Liaison. The transfer of overseas financial controllers to work in the Jamahiriya, or from one Brotherhood or People's office to another, shall be by a decision of the Secretary of the General People's Committee for Treasury. The transfer of any other employees shall be by a decision of the General People's Committee based on a submission from the Secretary of the People's Committee of the People's Bureau for Foreign Liaison.

Article (19)

A worker dispatched to one of the tough countries set out in Schedule No. (4) enclosed herewith may be transferred, after two years of service, to any of the offices located in other countries, unless the worker requests to continue working in the same country or return to the Socialist People's Libyan Arab Jamahiriya.

Article (20)

A dispatched worker shall be entitled to the following leaves:

- a) An emergency leave;
- b) An annual leave;
- c) A sick leave; and
- d) A special leave.

The provisions of Law No. (55) of 1976 AD on the Civil Service and the regulations issued pursuant thereto shall apply to the determination of the leave period.

Article (21)

As an exception to the provisions of Article (20) hereof, the annual leave period for workers in any of the tough countries, set out in Schedule No. (4) enclosed herewith, shall be (45) forty-five days a year, with a possibility to be extended to (60) sixty days for those who have reached (50) fifty years of age or have been in service for over 20 years.

Article (22)

Pursuant to the provisions of these Regulations, a dispatched worker and the family members thereof shall be entitled to medical treatment at the expense of the dispatching entity in the country to which they are accredited. In application of these Regulations, medical treatment shall mean:

- a) The cost of medical examination;
- b) The cost of x-rays and tests;
- c) The cost of surgeries and delivery;
- d) The cost of nursing and admission to hospitals and sanatoriums; and
- e) The cost of medicines, medical drugs, prosthetics, teeth and molars, made of precious metals, implants.

Article (23)

No worker, and any member of their family, may be sent to receive medical treatment in a country other than the one to which they are accredited, except for workers in the tough countries set out in Schedule No. (4) enclosed herewith.

Article (24)

a) The maximum period for working abroad is (4) four years, and this provision shall apply to overseas workers at the enforcement date of the provisions of these Regulations.

b) Exceptions to the forgoing shall be made to the secretaries of People's and Brotherhood Offices, and those working in international organizations, entities and institutions, whose period may be extended by a decision of the General People's Committee.

c) Subject to paragraph (b), a person who has been previously dispatched to work abroad may not be re-dispatched without staying at the home country for the same period spent abroad by the same.

No exceptions shall be made to the maximum period set out in paragraph (a) above.

Article (25)

Subject to a decision by the General People's Committee and a recommendation by a joint committee of the Secretariat of Treasury and the People's Bureau for Foreign Liaison, some countries may be added to Schedule No. (4) enclosed herewith, while taking the following into account:

- a) The lack of basic health services under the spread of endemic diseases;
- b) The lack of materials necessary for living;
- c) The difficulty of external communication; and

d) Difficult climate conditions.

The General Committee may also remove any of the countries from the aforementioned list if the reason for the inclusion thereof ceases to exist.

Article (26)

Subject to the provisions of Law No. (55) of 1976 AD on the Civil Service related to the duties of employees and the work they are prohibited therefrom, overseas nominees and workers shall perform their duties honestly and faithfully, preserve the dignity and honor of their jobs and appear in a decent look. Moreover, they must not disclose any information, clarifications of matters that must be kept confidential either by nature or by virtue of special instructions. Such obligation shall remain in full force and effect even after the end of their nomination or service.

Article (27)

In respect of any matter not provided for in these Regulations, all general laws and regulations in force at the enforcement date of these Regulations shall apply to overseas workers.

Article (28)

The regulations of overseas workers issued by the General People's Committee Decree No. (98) of 1982 AD, along with any provisions contrary to the provisions of these Regulations, shall be repealed.

Article (29)

These Regulations shall enter into force as of the beginning of the month following the date of its issuance, and shall be published in the official gazette.

The General People’s Committee

Issued on: 15 Rajab 1397 FDP

Corresponding to: 1 March

Schedule No. (1)

Distribution of Regions

Region 1:

Tunisia, Egypt, Morocco, Syria, Jordan, Iraq, Algeria, Pakistan, India, Czechoslovakia, Romania, Bulgaria, Albania, Poland, East Germany, Malta, Cyprus, Turkey, Portugal.

Region 2:

Lebanon, Oman, Cambodia, North Korea, Vietnam, China, Yugoslavia, Hungary, Soviet Union, Mexico, Panama, Colombia, Greece, Spain, Australia.

Region 3:

Saudi Arabia, Democratic Yemen, Yemen Arab Republic, Kuwait, United Arab Emirates, Bahrain, Qatar, South Korea, Suriname, Venezuela, Holland, Italy, Sweden, Denmark, Belgium, France, Britain, West Germany, Austria, Finland, Switzerland.

Region 4:

Afghanistan, Vanuatu, Brazil, Greenland, USA, Canada, Sudan, Botswana, Burundi, Chad, Niger, Rwanda, Sierra Leone, Mauritius, Central Africa, Togo, Kenya, Nicaragua, Seychelles, Mauritania, Cameroon, Madagascar, Senegal, Burkina Faso, Mali, Gambia, Bangladesh, Guyana, Cuba, Ethiopia, Tanzania, Benin, Trinidad and Tobago, Uganda, People's Republic of the Congo, Grenada, Mozambique, Zimbabwe, Djibouti, Gabon, Comoros, Mahal El Dib, Guinea Conakry, Equatorial Guinea, Guinea-Bissau, Sao Tome and Principe, Zaire, Somalia, Iran, Japan, Nigeria, Argentina, Ghana.

Region 5:

Schedule No. (2)
Expatriation Allowance by Region

Region 1: 100 of the original basic salary

Region 2: 110 of the original basic salary

Region 3: 120 of the original basic salary

Region 4: 135 of the original basic salary

Region 5: 150 of the original basic salary

Schedule No. (3)
Housing Allowance for Overseas Workers

Region 1	LYD 250 per month
Region 2	LYD 280 per month
Region 3	LYD 310 per month
Region 4	LYD 340 per month
Region 5	LYD 370 per month

Schedule No. (4)

Countries of Tough Regions

Sudan, Botswana, Burundi, Chad, Niger, Rwanda, Sierra Leone, Mauritius, Central Africa, Togo, Kenya, Nicaragua, Seychelles, Mauritania, Cameroon, Madagascar, Senegal, Burkina Faso, Mali, Gambia, Bangladesh, Gubana, Cuba, Ethiopia, Tanzania, Benin, Trinidad and Tobago, Uganda, Panama, People's Republic of the Congo, Grenada, Mozambique, Zimbabwe, Djibouti, Gabon, Agadez, Comoros, Mahal El Dib, Guinea Conakry, Equatorial Guinea, Guinea-Bissau, Sao Tome, Principe, Zaire, Somalia, Iran, Japan, Nigeria Argentina, Ghana.

Schedule No. (5)

Determination of the Hospitality Expenses Amount By Region

The amount determined for hospitality expenses shall be renewed after settling the dispersed amount

- 1 LYD 500
- 2 LYD 750
- 3 LYD 1000
- 4 LYD 1250
- 5 LYD 1500