

## **Minister of Justice Decree No. (316) of 1391 AH**

### **On the Formation of a Committee to Settle Disputes Relating to the Use of Tribal Lands and Wells and to Update the Relevant Procedures**

#### **The Minister of Justice:**

- Upon review of Article 8/2 of Law No. (142) of 1970 AD on Tribal Lands and Wells, as amended by Law No. (62) of 1973 AD,

**has decreed the following:**

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

The disputes stipulated in Paragraph (2) of Article (8) of Law No. 142 of 1970 AD referred to above shall be settled by a committee consisting of:

Mr. Hasan Al Ghadamsi, Deputy Chief Judge of the Tripoli Civil Appeal Court -  
Chairman

An employee of the Ministry of Treasury who has experience in accounting matters and who shall be selected by the Minister of Treasury - Member.

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A surveyor of the Real Estate Registration and Notarization Department who shall be selected by its Director General - Member.

## **Article (2)**

The dispute shall be filed by means of an application consisting of an original and an adequate number of copies submitted by the person concerned or his representative

to the chairman of the committee. The application shall contain the following details:

- a) Name, surname, capacity, occupation and domicile of the applicant;
- b) Name, surname, occupation and domicile of the litigant; and
- c) A detailed statement on the subject of the dispute and its grounds.

The supporting exhibits and documents shall be attached to the application.

## **Article (3)**

The chairman of the committee shall notify the litigant by virtue of a copy of the application and require him to prepare his defense and documents and to appear at the place and time specified by the chairman of the committee. The applicant shall also be notified and required to appear.

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#### **Article (4)**

The headquarters of the committee shall be located at the Tripoli Civil Appeal Court. However, the committee may convene its sessions at any other place besides its headquarters. The committee may summon witnesses, hear their testimony, inspect places, appoint experts, and carry out other investigation procedures.

In the course of discharging its mission, the committee may also seek the assistance of government entities and request them to provide it with any details it deems necessary.

#### **Article (5)**

The chairman of the committee shall select an employee of the Tripoli Civil Court of Appeal to carry out the duties of the committee's secretary. The secretary shall record the minutes of the committee's meetings, which shall be signed by him together with the chairman.

#### **Article (6)**

Sessions of the committee shall be valid only upon attendance of all members; deliberations thereof shall be confidential; and its decisions shall be issued by majority votes. Such decisions shall be reasoned.

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## **Article (7)**

The secretary shall notify the litigants any other party related to the dispute of the committee's decisions. Copies of the decisions shall be sent to the Minister of Justice upon issuance thereof.

## **Article (8)**

All notices stipulated herein or required by the function of the committee shall be deemed valid when handed to the person concerned or his representative or sent to him at his domicile by means of registered mail with acknowledgement of receipt.

## **Article (9)**

This decree shall enter into force as of the date of its issuance and shall be published in the Official Gazette.

**(Muhammad Ali al-Jadi)**

**Minister of Justice**

**Issued on 21 Sha'ban 1393 AH,**

**Corresponding to 18 September 1973 AD**

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