

Law No. (86) of 1971
establishing the Supreme Council of Judicial Bodies

In the name of the people,

The Revolutionary Command Council

Upon review of:

- The Constitutional Declaration issued on 2 Shawwal 1389 AH corresponding to 11 December 1979 AD;
- Law No. (29) of 1962 on the judiciary, and its amending laws;
- Based on the proposal of the Minister of Justice and the approval of the Cabinet;

issued the following law:

Article (1)

A Supreme Council for judicial bodies shall be established to oversee such bodies and coordinate among them.

Judicial bodies consist of:

1. The Supreme Court
2. Sharia courts
3. Civil courts
4. The Public Prosecution
5. The State Lawsuits Authority

Article (2)

The Supreme Council of Judicial Bodies shall replace the High Judicial Council and assume the competences prescribed therefor by the aforementioned law on the judiciary or by any other law.

Article (3)

The Supreme Council of Judicial Bodies shall express its opinion on all matters pertaining to such bodies, whether at its own discretion or at the request of the Minister of Justice.

Article (4)

The chairman of the Revolutionary Command Council (RCC) shall chair the Supreme Council of Judicial Bodies, which shall be composed of the following:

The Minister of Justice as vice-chairman.

The President of the Supreme Court.

The Prosecutor General.

Senior presidents of Sharia appeal courts, as members.

Senior presidents of civil appeal courts, as members.

The Heads of the Legal and the Civil Judicial Inspection Department, as members.

Head of the State Lawsuits Authority, as member.

Article (5)

In the event that the RCC chairman and the Minister of Justice fail to attend the sessions of the Supreme Council of Judicial Bodies, such sessions shall be chaired by the president of the Supreme Court. In the absence of any other member, he shall be replaced by the next in seniority for the presidents of appeal courts or by a member of the same duties for others.

Article (6)

The Supreme Council of Judicial Bodies shall convene at the Ministry of Justice at the invitation of the RCC chairman or the Minister of Justice.

The session thereof shall only be deemed valid in the presence of at least seven members. Decisions and recommendations shall be issued with the majority of members present. In the event of a tie, the side on which the chairman voted shall prevail.

Article (7)

The Council may establish a committee for each judicial body. Such committee shall look into appointment, promotion, transfer, and all other job-related affairs that fall under the jurisdiction of the Council before submitting the same thereto. The Council shall determine the number of members of every committee, which shall be composed of the representatives of each body at the Council. The remaining seats of the committee shall be filled when necessary by members of the bodies based on their seniority.

The Council may delegate its competences related to transfer, secondment, and re-assignment to a committee formed of its members, within the limits set by the mandate decision.

Article (8)

The Council shall determine the procedures for exercising its competences.

Article (9)

All appeals and matters that have been placed under the jurisdiction of the Supreme Council of Judicial Bodies shall be referred thereto, whether they are currently being heard before or referred to the High Judicial Council or any other entity.

Article (10)

Any provision that contravenes the provisions of this law shall be repealed.

Article (11)

The Minister of Justice shall implement this law. This law shall enter into force from its date of publication in the Official Gazette.

The Revolutionary Command Council - Libya
Col. Muammar Gaddafi
Prime Minister

Mohammed Ali al-Jada
Minister of Justice

Issued on 11 Ramadan 1391 AH
Corresponding to 30 October 1971 AD