

**Law No. (4) of 2013
on the issuance of provisions
relating to War of Liberation victims with permanent disability**

Upon review of:

- The interim Constitutional Declaration issued on 3 August 2011;
- Law No. (4) of 2012 on the General National Congress election and the amendments thereof;
- The bylaws of the General National Congress;
- Conclusions of the sixty-fifth session of the General National Congress held on Wednesday 3 Rabi' al-Thani 1434 AH corresponding to 3 February 2013 AD;

The following law has been issued:

Chapter (1)

Category Definition and Types Thereof

Article (1)

For the purposes of this law, persons with permanent disability shall include anyone who was injured during the War of Liberation while defending the country and supporting the 17 February Revolution against the former regime from 15/02/2011 up to the date of the declaration of the liberation of Libya on 23/10/2011, or any civilian victim of the attacks of this former regime, who was injured because of such attacks or as a direct result thereof during combat operations, if such injuries resulted in permanent disability.

Article (2)

Depending on the type of disability, persons with permanent disability shall fall into the following categories:

1. Persons with permanent physical disability, including:
 - a. Persons with one or more amputations
 - b. Paralysed persons
 - c. Disabled persons
 - d. Persons who lack genitalia or the functions thereof
2. Persons with permanent sensory disability, including:
 - a. The visually impaired, whether in one or both eyes
 - b. People with total hearing impairment
 - c. People with total muteness
3. Persons who lost physical organs or suffer from permanent psychological or mental illness caused by War of Liberation injuries, which prevent them from performing their duties or exhibiting normal social behaviour. Persons defined in this clause shall be identified by a decision of the temporary committee in charge of counting the injured of the War of Liberation as stipulated by Articles (4) and (5) of this Law.

Chapter (2)

Benefits

Article (3)

All aforementioned categories of persons with disability shall be entitled to the following benefits:

1. Medal of honour for their role in the struggle to liberate the country and defend their land against the forces of the former regime.
2. A monthly grant ranging between three thousand three hundred and fifty LYD at least and five thousand LYD at most depending on the disability percentage.
3. Regular healthcare for himself, his spouse and minor children by creating a medical insurance system that adheres to the Islamic Sharia.
4. A new high-quality motor vehicle that suits the beneficiary's disability, to be provided at his request every five years on a tax-free easy instalment plan.
5. Reduced fare for national land, air and sea transportation by fifty percent, including international and local travel.
6. Opportunity of training, qualification and study inside and outside the country.
7. Priority hiring in all State agencies, institutions and public companies, based on the disability.
8. Priority for home loans in accordance with the legislation in force.
9. An annual quota on the Hajj for category members, valid for one time.

Chapter (3)

Category Tally

Article (4)

A temporary committee shall be established to tally the injured described in Article (1). Such a committee shall report to the Ministry of Assistance to Families of Martyrs and Missing Persons.

Article (5)

The temporary committee shall be formed and the members thereof nominated by a decision of the Minister of Assistance to Families of Martyrs and Missing Persons. Such members shall be selected from specialised associations for this category founded across Libyan cities before the issuance of this law, and the chairman of the committee shall be elected by its members. The organizational structure, mode of operation and budget thereof shall be regulated by the executive regulation of the law.

Sub-committees may be established in Libyan cities to assist in tallying the members of this category in conformity with the decision of the temporary committee.

Article (6)

The temporary committee shall tally the members of this category and provide a final number thereof within six months as of the date of its first meeting. In case of failure to complete the tallying process, such period shall be renewable for a similar amount of time.

Article (7)

The temporary committee shall:

1. Set up a mechanism for creating a statistical database for this category across Libya.
2. Verify that persons targeted for membership meet the rules and criteria stipulated by the provisions of this law.
3. Accept or reject membership in this category by a vote of the majority of its members.

Article (8)

Technical and medical committees shall be established by decisions of the Minister of Assistance to Families of Martyrs and Missing Persons. Such committees shall exercise the following functions:

1. Set up a statistical database for members of this category in accordance with statistical procedures.
2. Determine the percentage of permanent disability for all category members.
3. Determine and categoryify the category members mentioned in Article (2), Clause (3) of this law in accordance with the relevant rules stipulated by said article.

Chapter (4)

General Provisions

Article (9)

Benefits stipulated for this category by the provisions of this law shall be considered as benefits of the Ministry of Assistance to Families of Martyrs and Missing Persons. The ministry shall be responsible for implementing the provisions of this law through the branches and offices established by the ministry in Libyan cities and regions. Branch directors shall be selected from the members of the category subject of this law. The organisational structure and competences of these branches shall be organized by the executive regulation of this law. The cost of benefits provided to category members in accordance with the provisions of this law and the regulations issued in this respect shall be borne by the Treasury. The necessary credits shall be allocated in the general administrative and transformation budgets.

Article (10)

The temporary committee's findings shall be approved by the Ministry of Assistance to Families of Martyrs and Missing Persons.

Article (11)

Membership in the category subject of the provisions of this law shall be validated in writing and supported by witness testimony and a legal oath. Such validation shall be provided by the person targeted for membership.

Article (12)

The right of membership in the category may be forfeited within one year from the date of membership if non-conformity with the rules, criteria and categorisation stipulated by the provisions of this law is proven. Such forfeiture shall be effected by a substantiated decision by the Minister of Assistance to Families of Martyrs and Missing Persons based on a complaint or grievance submitted in this respect.

Article (13)

Upon completion of the final count of category members and approval thereof by the competent ministry, the temporary committee shall publish the data reports of such members in all media outlets and the cities and regions of these members.

Article (14)

The decisions by the temporary committee rejecting entry into this group for any reason whatsoever may be appealed before administrative judiciary circuits in Libyan courts of appeal according to their jurisdiction within fifteen days from the date the concerned person is notified thereof by the temporary committee.

Article (15)

Without prejudice to penalties stipulated by the Penal Code and the supplementary legislation thereof, whoever applies for membership in the category described in Article (1) of this law and submits evidence and corroborations that lead to his acceptance as a member of the category and is later proven conclusively to be not entitled to such membership, shall be punished by imprisonment for at least one year with the obligation to return all benefits received.

Article (16)

The necessary regulations for the implementation of the provisions of this law shall be issued by Cabinet decrees at the proposal of the Minister of Assistance to Families of Martyrs and Missing Persons.

Article (17)

The provisions of this law shall not prejudice the rights of this category to benefit from other benefits stipulated by the legislation in force.

Article (18)

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

General National Congress – Libya

26 February 2013 AD

Corresponding to 16 Rabi' al-Thani 1434 AH