

Law No. (39) of 2012
on the amendment of Law No. (26) of 2012
on the High Commission for the Application of Standards of Integrity and Patriotism

The National Transitional Council

Upon review of:

- The interim Constitutional Declaration issued on 3 August 2011 and the amendments thereof;
- The Penal Code and the supplementary laws thereto;
- The Code of Criminal Procedure and the amendments thereof ;
- Law No. (6) of 2006 on the justice system and the amendments thereof;
- Law No. (88) of 1971 on the administrative justice system and the amendments thereof;
- Law No. (3) of 1973 on illicit gain and the amendments thereof;
- National Transitional Council Decree No. (4) of 2012 on General National Congress elections and the amendments thereof;
- National Transitional Council Decree No. (192) of 2011 on determining and implementing the standards of integrity and patriotism and the amendments thereof;
- The requirements of public interest;
- The National Transitional Council meeting held on Wednesday 2/5/2012;

issued the following law:

Article (1)

Article (5) of Law No. (26) of 2012 on the High Commission for the Application of Standards of Integrity and Patriotism shall be amended as follows:

The members of the High Commission shall choose a Deputy for the President from among themselves in the first meeting they hold. The Commission shall also issue decisions and regulations on its administrative and financial organisation, and shall prepare a special budget to be adopted by the Interim National Transitional Council based on the proposal of the President of the Commission.

Article (2)

Article (8) of Law No. (26) of 2012 on the High Commission for the Application of Standards of Integrity and Patriotism shall be amended as follows:

“Standards of integrity and patriotism” shall refer to the criteria that are required to be met in order to assume the public positions and jobs included in the provisions of this Law. These standards are divided into:

A. Criteria of professional capacity:

This refers to the criteria related to professional capacity for people holding public office and candidates for such positions, including all public positions and jobs, excluding those whose occupants can undisputedly be proven to have joined the 17 February Revolution before 20 March 2011. These include:

1. The Secretary and members of the General People's Congress and the General People's Committee;
2. Ministers and ambassadors in the former regime;
3. The leadership of security and military agencies;
4. Members cooperating with the Internal and External Security Agency;
5. Secretaries and members of Basic People's Congresses and District People's Congresses;
6. Secretaries and members of People's Committees on the level of districts;
7. Social People's Leaderships;
8. Presidents of purification committees;
9. Presidents of students' unions after 1976;
10. All occupants of leadership positions who are connected to the sons of Muammar Gaddafi and their institutions.

B. General criteria:

This refers to all criteria related to the stances of public officeholders or candidates for such positions regarding the former regime, regardless of their positions or their positive stance regarding the 17 February Revolution. These include the following categories:

1. Members of the Revolutionary Guard, the People's Guard and the Revolutionary Command Council;
2. Proven active members in the Revolutionary Committee Movement;
3. Anyone known to have praised the Gaddafi regime or advocate the Green Book, whether in the media or by directly speaking to the people;
4. Anyone who took a hostile position towards the 17 February Revolution through actions, incitement, assistance or agreement.

The National Transitional Council – Libya