

Law No. (40) of 2012
on adopting some provisions with regards to the High Commission for the Application
of Standards of Integrity and Patriotism

The Interim National Transitional Council:

Upon review of:

- The Victory Statement of the 17 February Revolution issued on 22 February 2011;
- The Constitutional Declaration issued on 3 August 2011 and its amendments;
- The bylaws of the Interim National Transitional Council;
- The Penal Code and its supplementary laws;
- The Code of Criminal Procedure and its amendments;
- Judicial System Law No. (6) of 2006 and its amendments;
- Law No. (88) of 1971 on the administrative judiciary and its amendments;
- Law No. (4) of 2012 on General National Congress elections and its amendments;
- Law No. (26) of 2012 on the High Commission for the Application of Standards of Integrity and Patriotism and its amendments;
- Law No. (39) of 2012 amending Law No. (26) of 2012 on the High Commission for the Application of Standards of Integrity and Patriotism;
- National Transitional Council Decree No. (16) of 2012 appointing the Commission's members;
- Based on what the public interest requires;
- And on what was discussed in the Interim National Transitional Council session on Tuesday 15/05/2012.

issued the following law:

Article (1)

The following text shall replace the text of Article No. (4) of the aforementioned Law No. (39) of 2012:

The text of Article No. (13) of Law No. (26) of 2012 on the High Commission for the Application of Standards of Integrity and Patriotism shall be amended as follows:

“Notwithstanding the provisions of Articles No. (10, 11, and 12), the Commission shall examine and review the applications of candidates for General National Congress (GNC) elections submitted to the electoral district. The Commission shall study these applications in accordance with the standards of integrity and patriotism stipulated in this law and its amendments within twelve days from the date of their receipt by the High National Elections Commission (HNEC), and in accordance with the procedures in force. The persons concerned may appeal this decision in accordance with the means and conditions set forth in Law No. (4) of 2012 on GNC elections.”

Article (2)

A new Article No. (13 *bis*) shall be added to Law No. (26) of 2012 on the High Commission for the Application of Standards of Integrity and Patriotism, and its text shall read as follows:

"In all cases, in the event the Commission issues a decision of failure to meet the standards of integrity and patriotism against the person concerned by such decision, the entity in which the he works or on behalf of which he is a candidate shall render a decision suspending him from work as a precautionary measure or freezing his candidacy temporarily until the Commission's decision becomes final. In the event the Commission's decision becomes final, the entity concerned shall commit to his discharge and dismissal from the job or position subject of the Commission's decision, or refuse his candidacy for elections on its behalf, by virtue of a decision it issues in this regard."

Article (3)

This law shall enter into force from its date of issuance. Any contrary article shall be repealed and it shall be published in the Official Gazette.

Interim National Transitional Council -- Libya

**Issued in Tripoli
Tuesday 15/05/2012**