

**Cabinet**  
**Decree No. (47) of 2012 AD**  
**on organising and determining the competencies of the administrative unit**  
**of the Ministry of Endowments and Religious Affairs and adopting certain provisions**

**The Cabinet,**

**Upon review of:**

- The Constitutional Declaration;
- The Law of the Financial System of the State, and the budget, accounts, and stores regulations and amendments thereto;
- Law No. (124) of 1972 AD on endowment provisions;
- Law No. (12) of 2010 AD on issuing the Work Relations Law and the implementing regulations thereof;
- National Transitional Council Decree No. (174) of 2011 AD on setting out the structure of the government;
- National Transitional Council Decree No. (184) of 2011 AD on approving the transitional government;
- Cabinet Decree No. (1) of 2012 AD on specifying the competencies of deputy and assistant deputy ministers;
- (Former) General People's Committee Decree No. (123) of 2004 AD on reorganising the General Authority for Endowments and Zakat;
- (Former) General People's Committee Decree No. (380) of 2007 AD on establishing the Department of Hajj and Umrah;
- Based on the submission of the Minister of Endowments and Religious Affairs in Letter No. (163) dated 11/01/2012 AD;
- The decrees of the Cabinet in its fourth ordinary meeting of 2012 AD;

**has decreed:**

**Article (1)**

The administrative unit of the Ministry of Endowments and Religious Affairs shall be organised and its competencies determined in accordance with this Decree.

**Article (2)**

The Ministry of Endowments and Religious Affairs shall establish the plans and programs required to implement the State's general policy in the area of endowments and religious affairs. It may undertake the following in particular:

1. Propose development plans and policies related to the Ministry's work and monitor and assess the implementation thereof after approved.
2. Review legislation regulating or impacting its work, and make any necessary proposals with regard thereto to achieve the State's general targets.
3. Issue decrees, publications, and instructions on the Ministry's work and the bodies affiliated thereto.

4. Perform information, archive, and electronic documentation support activities and develop databases and information systems related to the Ministry's activity.
5. Implement bilateral and international treaties and agreements to which Libya is a party and participate in international and regional conferences and organisations related to the Ministry's work.
6. Supervise the bodies affiliated thereto and make any necessary proposals with regard thereto.
7. Establish the Ministry's work program to exercise the competencies assigned thereto and submit it to the Cabinet for approval within not less than one month from the date it commences its work.
8. Prepare the draft organisational structure, approve the internal regulation, and name officials to senior positions in the Ministry in accordance with the standards established by the competent ministry.
9. Identify training needs and formulate draft executive plans in accordance with the standards established by the competent bodies.
10. Prepare the Ministry's draft budget in accordance with the rules followed in this regard and close the final account of the Ministry's expenses at the date set for such.
11. Establish the rules governing Hajj and Umrah procedures.
12. Supervise the arrangements necessary to transport individuals performing the Hajj and Umrah to and from the holy lands, in coordination with the related bodies.
13. Monitor the affairs of pilgrims in the holy lands and provide for their accommodations, transport, health care, and other needs and requirements in coordination with the related bodies.
14. Propose the financial estimates for Hajj expenses born by pilgrims, from the time of their travel to the holy lands until they return to their country.
15. Supervise the commemoration of religious occasions.
16. Submit periodic monthly reports on performance levels.

### **Article (3)**

The Office of the Ministry of Endowments and Religious Affairs shall have an administrative unit headed by a deputy minister, who shall have one or more assistant deputy ministers. The Ministry shall also have a deputy minister of Hajj and Umrah affairs. They shall perform the functions set out for deputy ministers under the legislation in force and shall work under the direct supervision of the minister.

### **Article (4)**

The organisational structure of the Ministry of Endowments and Religious Affairs shall consist of the following main divisions:

1. Administrative and Financial Affairs Department
2. Mosques Department
3. Hajj and Umrah Department
4. Quran and Sunnah Affairs Department
5. Cultural and Da'wah Affairs Department
6. Religious Institutes Department
7. Study and Research Department
8. Planning and Human Resources Department
9. Office of the Minister

10. Internal Audit Office
11. Legal Affairs Office
12. Public Relations Office
13. Information Technology Department
14. Monitoring Office

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

The Administrative and Financial Affairs Department shall hold competence to perform the following:

1. Adopt the necessary measures to implement the regulations and rules related to employees and manage their professional affairs with regard to appointment, promotion, transfer, delegation, secondment, leaves, discipline, and other employee matters, in accordance with the laws and regulations in force in this regard.
2. Perform activities related to record keeping and organisation to ensure registration, circulation, preservation, and easy reference to files, documents, and correspondence, supervise printing, reproduction, and copying activities, and introduce automation into these areas.
3. Prepare the Ministry's draft budget and initiate the financial procedures to implement it in accordance with the legislation in force.
4. Take the measures necessary to record the Ministry's revenue and expenses in special registers and conduct the necessary reconciliations, in accordance with the legislation in force.
5. Work to provide means of transportation, supervise the maintenance thereof, and organise its use.
6. Organise stores work and provide them with the necessary items, within the limits of the set appropriations.
7. Implement legislation and regulations related to providing services to members of the administrative units affiliated to the Ministry or subject to its oversight.
8. Circulate legislation, instructions, and fliers related to organisational divisions of the Ministry Office and other bodies affiliated to the sector, as the case may be.
9. Preserve the Ministry Office's movable and immovable assets, provide devices and equipment, and perform the required periodic maintenance.
10. Prepare Ministry employee salaries and dues.
11. Participate in preparing the training plans and programs that aim to improve the competence of Ministry employees.
12. Perform annual inventories.
13. Supervise the activities held by the Ministry, in coordination with the related departments.
14. Prepare periodic reports on the Department's work.

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

The Mosques Department shall hold competence to perform the following:

1. Supervise existing mosques and supply their needs.
2. Propose the establishment of new mosques and grant authorisations to build self-funded mosques.
3. Propose mosques' needs for imams, khatibs, preachers, and caretakers and supervise and monitor them.

4. Inventory damaged mosques and propose projects for their conservation.
5. Support the mosque's mission in society.
6. Supervise zawiyas and organise their activity.
7. Prepare periodic reports on the Department's work.

#### **Article (7)**

The Hajj and Umrah Department shall hold competence to perform the following:

1. Propose the rules governing Hajj and Umrah procedures.
2. Supervise arrangements to transport individuals performing the Hajj and Umrah to and from the holy lands, in coordination with the related bodies.
3. Propose working committees in the Hajj season, in coordination with the related departments, branches, and bodies.
4. Ensure the arrival of pilgrims to the holy lands and their departure therefrom on the set dates.
5. Monitor the affairs of pilgrims in the holy lands and provide for their accommodations, transport, health care, and other needs and requirements, and resolve any obstacles they might face.
6. Propose financial estimates for Hajj expenses borne by pilgrims, from the time of their travel to the holy lands until they return to their country.
7. Prepare religious, educational, and awareness-raising programs and publications for pilgrims.
8. Prepare periodic reports on the Department's work.

#### **Article (8)**

The Quran and Sunnah Affairs Department shall hold competence to perform the following:

1. Advocate the memorisation, understanding, application, and revival of the Quran and Sunnah in society.
2. Conduct exams on the memorisation of the Quran and award prizes therefor.
3. Propose accessible curricula for teaching Quran and Sunnah sciences.
4. Propose actual needs for qualified teachers, supervisors, and counsellors at memorisation centres.
5. Hold and participate in local and international competitions in memorising the Quran and Sunnah, in coordination with the competent departments.
6. Review and monitor Qurans in circulation and authorise the printing of new Qurans.
7. Supervise and supply the needs of Quran and Sunnah memorisation centres.
8. Propose the establishment of new memorisation centres and authorise the building of self-funded centres.
9. Prepare periodic reports on the Department's work.

#### **Article (9)**

The Cultural and Da'wah Affairs Department shall hold competence to perform the following:

1. Work to improve the Ministry's religious discourse and cultural work to contribute to the overall goal of preserving the Islamic identity of Libyan society and rejecting violence and extremism.
2. Manage cultural relations with Islamic countries, prepare draft agreements entered into therewith in the area of religious affairs, and monitor the implementation thereof.

3. Supervise the Central Endowments Office, establish branch offices, and work to provide scholarly books, magazines, and periodicals.
4. Establish media programs on preaching and guidance and contribute to spreading Islamic culture.
5. Propose preachers accompanying the pilgrims, in coordination with the Hajj and Umrah Office.
6. Publicise the Ministry's functions and the role entrusted thereto, highlight its activities, and monitor the reports and cases relating to the Ministry's work appearing in the various media.
7. Prepare periodic reports on the Department's work.

#### **Article (10)**

The Religious Institutes Department shall hold competence to perform the following:

1. Supervise educational affairs at recitation, imamate, and preaching institutes affiliated to the Ministry and establish draft curricula and plans taught therein.
2. Specify the rules on the acceptance of students coming from abroad to study, in cooperation with the competent bodies.
3. Work to arrange the building and equipment needs of the institutes supervised thereby.
4. Propose the assignment of institute directors, set out teacher specifications and the rules on their selection, provide opinions on their movements, and write technical reports on their activities.
5. Undertake and monitor educational guidance activities at these institutes.
6. Prepare periodic reports on the Department's work.

#### **Article (11)**

The Study and Research Department shall hold competence to perform the following:

1. Conduct studies to improve the Ministry's work.
2. Hold academic and specialised conferences and symposiums.
3. Submit research in the name of the Ministry to specialised international forums.
4. Study academic books published and submit any sharia observations thereon.
5. Participate in specialised global academic research centres and monitor their research, periodicals, and academic publications.
6. Provide academic advice to public bodies in Libya, such as ministries, banks, or the affiliated bodies.
7. Supervise the selection of the specialised academic committees to examine and publish manuscripts.
8. Inventory and collect the Ministry's manuscripts and academic books at other bodies.
9. Prepare periodic reports on the Department's work.

#### **Article (12)**

The Planning and Human Resources Department shall hold competence to perform the following:

1. Collect, analyse, and study data and information related to the Ministry's work and functions.
2. Prepare the annual general work plan for the Ministry and its branches.
3. Draft the general policy for training and development in coordination with the competent bodies at the Ministry, establish long- and short-term plans to realize this policy,

provided the plan include specification of the training programs suitable for each category of administrators, employees, imams, khatibs, preachers, and the like working at the Ministry.

4. Work to establish main training centres throughout the country, in coordination with the Ministry's Religious Institutes Department.
5. Undertake the necessary measures to send training delegations abroad, in coordination with the related bodies and in accordance with the legislation in force.
6. Prepare periodic reports on the Department's work.

#### **Article (13)**

The Office of the Minister shall hold competence to perform the following:

1. Receive the Minister's incoming correspondence and reports and submit them thereto.
2. Prepare letters and memoranda and collect data and information requested by the Minister from various Ministry units, the bodies affiliated thereto, and other bodies.
3. Forward the Minister's decrees and instructions to the concerned bodies, after recording them in a special register numbered according to the order in which they are issued.
4. Prepare the affairs related to the Minister's meetings and keep the minutes thereof.
5. Organise the Minister's meetings in accordance with the instructions issued in this regard.
6. Monitor the decrees and instructions issued by the Minister and confirm the implementation thereof.
7. Prepare periodic reports on the Office's work.

#### **Article (14)**

The Internal Audit Office shall hold competence to perform the following:

1. Confirm that the document cycle, accounting system, and records satisfy the rules in force in the State's financial system to ensure internal oversight.
2. Prepare the reports and data requested by the Minister on the status of the Minister's Office and branches.
3. Examine statements on total expenses and review disbursement documentation and transactions to confirm their accuracy and conformance with legislation.
4. Complete and review the procedures for obtaining letters of guarantee submitted by parties contracting with the Minister's Office.
5. Confirm the soundness of stores procedures, perform unscheduled inspections of stores and treasuries, and participate in preparing the annual inventory.
6. Confirm assets are documented in accordance with the registers allocated thereto and monitor the annual inventory with regard thereto.
7. Advance payments, advances, petty cash, and confirm that the necessary reconciliation thereof is conducted.
8. Confirm that decrees on appointment, promotion, delegation, and all types of bonuses are issued in accordance with the Law and the regulations in force within the limits of the financial appropriations entered into the Ministry's budget.
9. Check the contracts entered into by the Ministry to confirm they satisfy the legal conditions.
10. Monitor the monthly movement of the Ministry's current accounts at banks, through bank statements and cheque stubs.
11. Prepare periodic reports on the Office's work.

### **Article (15)**

The Legal Affairs Office shall hold competence to perform the following:

1. Provide legal opinions on the issues referred thereto by Minister, deputy minister, or directors of Ministry departments.
2. Prepare and review draft laws, regulations, and decrees concerning the Ministry.
3. Prepare and review contracts and agreements to which the Ministry is a party.
4. Monitor cases filed by or against the Ministry and prepare a perspective thereon.
5. Cooperate with the State Lawsuits Authority where a joint procedure is needed.
6. Keep, sort, index, and regulate the circulation of all laws, regulations, and decrees related to the Ministry.
7. Prepare periodic reports on the Office's work.

### **Article (16)**

The Public Relations Office shall hold competence to perform the following:

1. Extend bridges of communication with all beneficiaries of Ministry services.
2. Formulate cooperation agreements with endowments ministries and institutions related to the Ministry's overall goal, in cooperation with the Ministry of Foreign Affairs and International Cooperation.
3. Develop communications projects, forming a network of relations with scholars and academic bodies in the Islamic world.
4. Organise contribution and participation in international conferences and organisations.
5. Undertake procedures related to Ministry guests as relates to receiving them, their accommodations and transportation, organising their meetings, and documenting the outcomes of their meetings, in coordination with the competent departments and offices.
6. Prepare periodic reports on the Office's work.

### **Article (17)**

The Information Technology Office shall hold competence to perform the following:

1. Work to introduce automation and develop work programs at the Ministry.
2. Prepare systems for the departments and link them with the overall system to facilitate the flow of information at the Ministry.
3. Manage and develop the Ministry's website and supervise its email.
4. Collect data and information related to the Ministry's work and functions and sort and document it.
5. Work to link the Ministry with all of its branches and offices electronically.
6. Document all of the Ministry's activities, including meetings, symposiums, public activities, competitions, and conferences.
7. Provide technical support to the unit, programs, and networks and conduct maintenance operations.
8. Prepare periodic reports on the Office's work.

### **Article (18)**

The Monitoring Office shall hold competence to perform the following:

1. Monitor the implementation of the general plan of the Ministry and its branches and prepare the necessary reports in this regard.

2. Review the complaints, grievances, and reports received related to the Ministry's areas of work and those working therein.
3. Prepare periodic reports on the Ministry's activities.
4. Perform inspections of departments and branches to assess the workflow therein.
5. Any activities or functions assigned thereto by the Minister or deputy minister.
6. Prepare periodic reports on the Office's work.

#### **Article (19)**

The Department of Hajj and Umrah shall be dissolved and it shall cease to engage in any activity.

#### **Article (20)**

The movable and immovable assets of the Department of Hajj and Umrah shall be transferred to the Ministry of Endowments and Religious Affairs, and all persons working therein shall be transferred to it with the same employment terms.

#### **Article (21)**

The General Authority for Endowments and Zakat shall be reorganised pursuant to a decree from the Cabinet, based on a submission from the Minister of Endowments and Religious Affairs, so that it shall become the "General Authority for Endowments."

#### **Article (22)**

One or more committees shall be formed pursuant to a decree from the Minister of Endowments and Religious Affairs to implement this Decree and undertake the necessary procedures upon the reorganisation of the General Authority for Endowments and Zakat as relates to the assets, premises, balances, and employees thereof and distribute them among the Ministry and the bodies affiliated thereto.

#### **Article (23)**

The following shall be affiliated to the Ministry of Endowments and Religious Affairs:

1. General Authority for Endowments
2. Zakat Fund
3. Imamate and Oratory Institute

#### **Article (24)**

The internal regulations of the Ministry shall be issued under a decree from the Ministry of Endowments and Religious Affairs, which shall also specify the divisions affiliated to the Ministry in the regions and state the competencies thereof, in accordance with the State's administrative structure.

#### **Article (25)**

This Decree shall enter into force on the date of its issue and any provision that conflicts with those of this Decree shall be repealed. The concerned bodies shall enforce this Decree and it shall be published in the Official Gazette.

**The Cabinet – Libya**

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