

**Law No. (23) of 1428 FBP
on syndicates, unions, and professional associations**

The General People's Congress,

In execution of the resolutions adopted by Basic People's Congresses in their annual general session convened of 1428 FBP, and formulated by the General Forum of Basic People's Congresses, the People's Committees, and syndicates, trade unions, and professional associations (General People's Congress) in its annual general session convened during the period from 19-26 Shaaban corresponding to 8-15 December 1428 FBP;

Upon review of:

- The Declaration of the Establishment of the Authority of the People;
- The Great Green Charter of Human Rights of the Jamahiriya Era;
- Law No. (20) of 1991 on the promotion of freedom;
- Law No. (1) of 1425 FBP on the work system of the People's Congresses and People's Committees, and the amendments thereof;

drafted the following law:

Article (1)

Definitions

For the implementation of the provisions of the present law, the following terms shall carry the meanings given for them herein.

- a. Syndicate: A popular organisation that includes those who work in a single profession, trade, industry, service, or ones that are related to each other or that share in a single form of production.
- b. Professional association: A popular organisation that includes those who have technical or scientific talents or whose professions are of the same nature.
- c. Union: A forum constituted of syndicates and professional associations.

Article (2)

Those who work in a single profession, trade, industry, or service, or ones that are related to each other or that share in a single form of production, may form syndicates or professional associations. Syndicates and professional associations shall have the right to form general unions at the national level. These syndicates, unions, and professional associations shall have the right to become affiliated with Arab, regional, and international syndicate organisations. It shall not be permissible to form more than one syndicate, or association for a single profession.

Article (3)

Syndicates, unions, and professional associations shall aim to achieve the following:

- The protection of the interests of their members, and the defence of their professional rights.

- The improvement of the professional competence of members and their level of technical and cultural knowledge, via academic centres related to their activity.
- The activation of the role of members in affirming and consolidating the authority of the people and in affirming a society of partners, not wage-earners.
- Work to improve the provision of services by promoting a spirit of innovation and encouraging competition between members, in order to develop and increase production to realize the economic and social development plan.
- The improvement of the health and social circumstances of members and their families.
- The convening of syndicate trainings and the issuance of bulletins and publications so as to ensure the formation of a trained and effective base for the syndicate.
- Participation with the relevant bodies in establishing draft laws or decrees related to work in professions, industries, and services.
- The development of relationships with syndicate organisations, the convening of local and international conferences and seminars within the Great Jamahiriya, and participation in such conferences and seminars when they are held abroad.

Article (4)

The members of each syndicate or professional association shall establish a bylaws, which shall include the following in particular:

1. The name of the syndicate, union, or association and the legal representative thereof, as well as its goals and means to achieve them.
2. The conditions for accepting members, forfeiture of membership, and disciplining members.
3. Regulations for granting permission to practice the profession.
4. The value of membership dues, how they shall be obtained from members, cases of exemption from them, conditions for them, and the penalty for failing to pay them.
5. The rules related to maintaining accounts and ratifying the budget and final account, and the penalties for financial infractions.
6. The rights and duties of members, benefits of membership, and the conditions for granting these benefits.
7. The conditions for amending the bylaws; for determining the rules regarding grounds for and methods to suspend the activities of the syndicate, union, or professional association; and for incorporating or dissolving the syndicate or professional association and how to dispose of its immovable and movable assets.
8. The penalties for violations of the provisions of the bylaws, presenting incorrect information related thereto, or performing any syndicate act in violation of the provisions of this law or its executive regulation.
9. The regulations for the meetings of professional conferences of the syndicate, union, or professional association, and the rules related to their operation.
10. The regulations and procedures for the participation and attendance of members of syndicates, unions, and professional associations, for the meetings of the Basic People's Congresses, and for the establishment of penalties for violators.

Article (5)

The request to register a syndicate, union, or association shall be presented, according to the model prepared for this purpose, to the secretariat of the General People's Congress. It shall be accompanied by the bylaws for the secretariat to express its observations about its provisions, in accordance with the provisions of the present law and the regulations and decisions issued pursuant thereto. The provisions regarding registration shall apply to every amendment to the bylaws of the syndicate, union, or professional association, and no amendment shall be considered valid unless it is registered. After the review is completed, the syndicate, union, or professional association shall be given a certificate of registration.

Article (6)

Every syndicate, professional association, or general union shall have legal personality and independent financial liability. Legal personality shall be established following the completion of the registration procedures.

Article (7)

Every syndicate, union, or professional association shall establish a code of conduct for the profession or activity that its members practice. Its members may not violate this code, and they shall be prohibited from undertaking any action or behaviour that is contrary to the dignity of the profession, industry, service, or activity.

Article (8)

Every syndicate, union, or professional union shall have a general congress and a secretariat. The executive regulation of the present law shall determine the competencies of the general congress and of the secretariat, how they shall be formed and selected, the conditions for membership in them, the length of their terms, the methods for overseeing them, and the procedures for appealing selection.

Article (9)

The basic and general congresses of syndicates, unions, and professional associations shall gather in annual meetings to study and discuss the cases presented to them. Their secretariats shall implement what they issue in terms of decisions and recommendations, referring a copy thereof to the secretariat of the General People's Congress.

Article (10)

The professional syndicates – each in its specific area of specialisation – shall grant permission to its members to practice the profession in order for them to obtain authorisation, and this for professions for which authorisation is required in accordance with the regulations established by their bylaws.

Article (11)

The financial resources of syndicates, unions, and professional associations shall be comprised of the following sources:

1. Registration fees and membership dues from their members.
2. Returns on the investment of their funds and their activities.

3. Unconditioned donations, gifts, and assistance, as does not contradict the provisions of the legislation in force.
4. Whatever support may be allocated to them.

Article (12)

The competent congress shall be notified of violations of the law, regulations, or bylaws committed by the secretariats of syndicates, unions, or professional associations. The executive regulation shall determine the bases for and regulations related to the implementation of the provisions of this article.

Article (13)

Members of syndicates, unions, and professional syndicates shall perform the duties stipulated by the present law and its executive regulation or stipulated by each syndicate, union, or professional association, including the following in particular:

1. Abide by the objectives prescribed by law.
2. Fulfil the duties with which the syndicate or association tasks them, in order to ensure the success of its activities.
3. Observe good conduct and professional ethics.

Article (14)

Members shall enjoy the rights and benefits stipulated by this law and its executive regulation or stipulated by the bylaws of each syndicate, union, or professional association. In particular, they shall have:

1. The right to practice the profession.
2. The right to take on syndicate responsibilities.
3. The right to benefit from professional and social programs and activities.

Article (15)

The general secretariats of the syndicates, unions, and professional associations shall oversee, follow up with, and supervise their branch secretariats. They shall be able to review the minutes of their meetings and the decisions that they take, in order to ascertain the extent to which they comply with the provisions of the laws and regulations in force. They must temporarily suspend the implementation of any decision in violation and refer the matter to the disciplinary board for it to take the steps that it deems appropriate.

Article (16)

The secretariats of the syndicates, unions, and professional associations shall follow up on matters relating to their activities with the public authorities.

Article (17)

The general union shall assume the following responsibilities:

1. Oversee and follow up with the syndicates that it comprises, and verify that they implement their programs.

2. Organisation of syndicate conferences and public celebrations, and the issuance of professional publications.
3. Coordination between the syndicates that it comprises as relates to foreign relations and regional and international conferences.

Article (18)

Syndicates, unions, and professional associations in existence at the time of the issuance of this law must rectify their status in accordance with the provisions of this law. The executive regulation shall set the time period within which this must occur.

Article (19)

The executive regulation for this law shall be issued via a decision by the secretariat of the General People's Congress, and it shall include the following:

1. The procedures and regulations regarding how to register, the period set for this, and the related forms.
2. The minimum number of founding members for a syndicate or association.
3. How certificates of registration shall be provided.
4. The regulations and conditions for establishing branches of syndicates or professional associations.
5. The regulations and procedures for carrying out syndicate activities.
6. The number of members dedicated full-time to the work of the syndicate, and their financial treatment.

Article (20)

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

Article (21)

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

General People's Congress – Libya

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15 December 1428 FBP