

Law on homeless juveniles
issued on 18 Safar 1375 AH corresponding to 5 October 1955 AD

Article (1)

Male and female juveniles under 18 shall be considered homeless in the following cases:

- a. If the juvenile is found begging on public streets, in shops, or in public places, or if he enters a house or any annex thereof to beg.
- b. Acrobatics, injury/disability-causing acts, and any other means of deceit used to gain the sympathy of an audience shall be considered acts of beggary.
- c. If the juvenile collects cigarette butts or other forms of waste or garbage.
- d. If the juvenile commits acts associated with prostitution, debauchery, corruption of morals, or gambling, or serves any person who commits such acts.
- e. If the juvenile associates with homeless people, suspects, or people of ill-reputation or known for their homelessness.
- f. If the juvenile is of bad conduct and rebels against his father or guardian.
- g. If the juvenile has no stable place of residence or if he sleeps on the street.
- h. If the juvenile has no legal means of livelihood or a trusted provider, or if his parents are dead, imprisoned, or absent.

Article (2)

If a juvenile is found in any of the cases stated in the foregoing article, he shall be handed over, at the request of the Public Prosecution, to his parents, legal guardian, or a trusted person who shall undertake to raise and ensure the good conduct of the juvenile, or to a government-approved charity or institution.

Should the juvenile return to any of the acts stated in the foregoing article within one year from being handed over to the aforementioned persons, the court shall order his incarceration in a reformatory or a government-approved charity or institution.

Article (3)

The juvenile court shall have jurisdiction over the cases of homeless juveniles. With regard to such cases and the issuance and execution of court orders, the court shall comply with the rules and procedures set forth in the Code of Criminal Procedure for juvenile misdemeanours.

Article (4)

In the case stated in Article (1), Clause (c), the Prosecution may only institute legal proceedings upon obtaining prior authorisation from the juvenile's father or guardian.

Article (5)

The Public Prosecution may temporarily place the homeless juvenile in a government-approved charity or institution or in a reformatory until his case is settled.

Article (6)

The court order to hand over the juvenile to his parents or guardian or to a trusted person shall entail placing the juvenile under the supervision of a government entity or a

government-approved juvenile care entity. Such entity shall present periodical reports on the juvenile's state and its recommendations in this regard to the juvenile court magistrate.

Article (7)

The juvenile court may, based on the reports presented thereto, reconsider the court order issued at the request of the Public Prosecution, and it may change such order to any other measure stipulated by law as it deems fit to the juvenile's condition.

Article (8)

If the court order hands over the juvenile to persons who are not legally bound to support him, the court may require the person who is legally bound to support the juvenile to pay all or some of the juvenile's expenses if such person is apparently wealthy. If the juvenile has money, the court shall order that all or some of these expenses be covered from the juvenile's own money. The amount and payment dates thereof shall be determined in the court order.

Article (9)

With regard to expenses, the court order shall be in compliance with the procedures set forth in the Code of Procedure concerning appeal.

Article (10)

The juvenile shall remain in the custody of the person designated by the court order until the decision of his release is issued by the minister for social affairs.

The decision of release may only be issued after two years from the court order upon consulting the director of the reformatory, charity, or institution or the trusted person. The juvenile shall be inevitably released upon completing twenty-one years of age.

Article (11)

If a juvenile is handed over to his parents or guardian by court order and returns to any act stated in Article (1) within one year from such order, the receiving party shall be ordered to pay a fine not exceeding LYD 10.

Article (12)

1. Any person who instigates or uses juveniles under 18 to commit any of the acts stated in Article (1), Clauses (a) to (f), or who hands such juveniles over to others to be used for such acts shall be punished by imprisonment for a period of three months at most.
2. If the accused person is the juvenile's father, guardian, or designated supervisor, the penalty shall be imprisonment for a period not exceeding six months.
3. The provisions of the present article shall not prejudice any harsher penalty stipulated by the Penal Code or other laws.

Article (13)

Provisions issued in implementation of the present decree shall be binding notwithstanding objection or appeal.

Article (14)

The present decree shall be implemented by the Minister of Justice. It shall enter into force after thirty days from its publication in the Official Gazette.