

Law No. (1) of 1375 FDP
on the work system of the People's Congresses and People's Committees

The General People's Congress

Guided by the statements of the Green Book;

Based on Communiqué No. (1) of the Revolution, issued on 1 September 1969 AD;

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;
- The Revolutionary Legitimacy Document, issued by the Basic People's Congresses;
- Law No. (20) of 1991 on the promotion of freedom;
- Law No. (1) of 1369 FDP on People's Congresses and People's Committees;

And in implementation of the decisions made by the Basic People's Congresses in their annual session of 1374 FDP;

drafted the following law:

Part (1)
The People's Congresses

Article (1)
Sovereignty and Authority

Sovereignty and authority in the Great Socialist People's Libyan Arab Jamahiriya shall be held by the people, who shall exercise authority directly through Basic People's Congresses. All Libyans who have reached the age of 18 shall be organised in these Congresses, including both men and women.

The Basic People's Congresses shall:

1. Set public policies, enact laws, and make decisions in all fields.
2. Approve economic and social plans and general budgets.
3. Select its Secretariat, its executive and supervisory people's committees, and the like, and hold them to account.
4. Draw up the foreign policy of the Great Jamahiriya, and ratify treaties and agreements concluded between the Great Jamahiriya and other states.
5. Decide on matters of peace and war.

A decision shall be issued by the Secretariat of the General People's Congress establishing the administrative boundaries of the Basic People's Congresses and how they shall meet, in coordination with the General People's Committee and in accordance with the regulations found in the executive regulation of this law.

Article (2)

The Basis for Making Decisions under the Authority of the People

Collectivism shall be the basis for making decisions under the Authority of the People, in accordance with direct popular democracy.

The executive regulation of this law shall define how this article shall be applied.

Article (3)

Formation of the Secretariat of the Basic People's Congress

Every Basic People's Congress shall have a secretariat. The executive regulation of this law shall define the powers of its secretary and members.

Article (4)

Formation of the Secretariat of the non-Basic People's Congresses

Every number of Basic People's Congresses shall form a non-Basic People's Congress, according to their area, geographic location, and population size. Each non-Basic People's Congress shall have a secretariat to direct its sessions and follow up on the implementation of its decisions.

A decision shall be issued by the Secretariat of the General People's Congress regarding the establishment of the non-Basic People's Congresses, their names, and their administrative boundaries, in coordination with the General People's Committee.

The executive regulation of this law shall define the formation of the secretariat of the non-Basic People's Congress, the powers of its secretary and members, and the necessary regulations to implement the provisions of this article.

Article (5)

Competencies of the non-Basic People's Congress

The non-Basic People's Congress shall have the following competencies:

1. Select the secretariat of the non-Basic People's Congress.
2. Compile and draft the resolutions, recommendations, and observations of the Basic People's Congresses which fall under its jurisdiction.
3. Call the Basic People's Congresses that fall under its jurisdiction to meet at the local level, in coordination with the Secretariat of the General People's Congress.
4. Select the secretaries of the People's Committees, in accordance with what is determined by the executive regulation of this law.
5. Hold those selected to account, accept their resignations, and relieve them of the duties for which they were selected.

Article (6)

The General People's Congress

The General People's Congress is the general forum of People's Congresses, People's Committees, and unions, syndicates, and trade associations. Membership in the General People's Congress shall be determined by a decision issued by the Congress.

Article (7)
Competencies of the General People's Congress

The General People's Congress shall have the following competencies:

1. Draft laws and the decisions of the Basic People's Congresses.
2. Define the sectors that shall be administered by General People's Committees.
3. Form and select the Secretariat of the General People's Congress, and hold its members to account, accept their resignations, and relieve them of the duties for which they were selected.
4. Select the secretary of the National Planning Council and the General People's Committee; and hold them to account, accept their resignations, and relieve them of the duties for which they were selected.
5. Select the National Security Advisor, the president and counsellors of the Supreme Court, and the Prosecutor General; and accept their resignations and relieve them of the duties for which they were selected.
6. Select secretaries of oversight bodies and their assistants, and the Governor of the Central Bank of Libya and his deputy; and hold them to account, accept their resignations and relieve them of the duties for which they were selected.
7. Issue regulations and decisions organising its work.

The General People's Congress may form specialised committees comprised of its members and define their duties.

The executive regulation of this law shall determine how selections shall be made for the General People's Congress and how mandates shall be made to fill vacant seats in the Congress.

Article (8)
Formation and Competencies of the Secretariat of the General People's Congress

The General People's Congress shall have a secretariat, the competencies of which shall be as follows:

1. Follow up on the implementation of the laws and the decisions of the Basic People's Congresses that are drafted by the General People's Congress.
2. Follow up on the work of the People's Committees and convene joint and face-to-face meetings with them.
3. Set the times for the meetings of the People's Congresses in their various sessions, and present what is required to these Congresses.
4. Call for meetings of the General People's Congress in its various sessions, and direct its meetings.
5. Review the draft laws, memoranda, reports, and documents that are to be presented to the Basic People's Congresses, in accordance with the mechanism found in the executive regulation of this law.
6. Follow up with the entities that are subordinate to the General People's Congress.
7. Call for popular selection and supervise the same, in accordance with what is stipulated by the executive regulation of this law.

8. Follow up on relations with the parliamentary assemblies, as well as with the parliamentary organisations and unions.
9. Follow up on the implementing procedures of the decisions of the Basic People's Congresses related to international cooperation.
10. Refer matters that require such referral to the oversight and judicial entities.

Article (9)

The Secretariat of the non-Basic People's Congresses and Its Competencies

The Secretariat of the non-Basic People's Congresses shall be comprised of the Secretariat of the General People's Congress and the secretaries of the non-Basic People's Congresses. It shall have the following competencies:

1. Follow up on the implementation of the laws and the decisions of the Basic People's Congresses which are drafted in the General People's Congress.
2. Compile and draft the decisions of the Basic People's Congresses related to establishing their agenda, and present the same to the Basic People's Congresses.
3. Prepare a proposal for the formulation of the decisions of the Basic People's Congresses in preparation for the final drafting by the General People's Congress.
4. Monitor the work of the People's Committees.
5. Issue the necessary organisational and financial regulations and decisions to facilitate the work of the Secretariat of the General People's Congress, and define the powers of the secretary and members of the Secretariat of the General People's Congress.
6. Issue the necessary organisational and financial regulations and decisions to facilitate the work of the secretariats of the People's Congresses, within the limits of the approved budget.

Part (2)

People's Committees

Article (10)

Functions of the People's Committees

The People's Committees are the People's Congresses' tool for implementing their decisions. The Committees shall carry out their duties in accordance with the provisions of this law and its executive regulation, and they shall be responsible to the People's Congress for implementing the competencies and powers entrusted to them by the law.

The executive regulation of this law shall determine the formation of the People's Committees, how they shall be selected, the details of their competencies, and the powers of their secretaries.

Article (11)

The General People's Committees for Sectors and Their Competencies

The public sectors designated by the General People's Congress shall be directed by General People's Committees, which shall be comprised of the secretaries of the People's Committees for Sectors of the non-Basic People's Congresses. The General People's Congress shall select a secretary for each General People's Committee for a Sector.

A decree may be issued by the General People's Congress determining how to administer some of the public sectors, without being restricted to the provisions of the preceding paragraph.

Each General People's Committee for a Sector shall have the following competencies:

1. Propose plans and establish programs and executive procedures for the decisions of the Basic People's Congresses; and conduct studies and research related to the activities of the sector.
2. Propose and implement the budget for the sector.
3. Follow up with and oversee the agencies, institutes, departments, units, and companies that fall under its jurisdiction.
4. Propose the necessary legislation related to the work of the sector, and refer such legislation to the General People's Committee.
5. Prepare annual reports regarding the activities of the sector, and present these reports to the relevant entities.
6. Issue internal executive decisions related to the sector.
7. Any other competencies entrusted to it by the legislation in force.

Article (12)

Formation and Competencies of the General People's Committee

The General People's Committee shall be comprised of the secretaries of the General People's Committees for Sectors. The General People's Congress shall select the secretary of the General People's Committee and the assistant secretaries of the General People's Committee, which shall have the following competencies:

1. Implement the laws and the decisions of the Basic People's Congresses drafted by the General People's Congress.
2. Propose transformation plan projects, public projects, and the general budget of the state.
3. Proposing draft laws and other matters that are to be presented to the Basic People's Congresses.
4. Monitor the work of the General People's Committees for Sectors and supervise them to ensure that their work is carried out properly, in accordance with the decisions of the Basic People's Congresses.
5. Follow up with the agencies, institutes, units, departments, and public companies that are subordinate to it.
6. Issue decisions related to the organisational structures of the General People's Committees for Sectors.
7. Establish regulations related to sending delegations abroad for work, study, training, treatment, or duties.
8. Issuing executive regulations for laws.
9. Issue regulations organising the conclusion of contracts to implement work and provide services, as relates to contracts that are funded by the general budget.
10. Establish, dissolve, incorporate, organise, and reorganise agencies, institutes, units, departments, and public companies, as well as define their competencies.
11. Review international conventions, treaties, and loans and approve the same, and take measures to present what is necessary to the Basic People's Congresses for ratification.

12. Approving the granting of the right to asylum, and determine how refugees shall be treated.

The powers of the secretary and assistant secretaries shall be determined by a decision of the General People's Committee.

Part (3)
General Provisions

Article (13)

The laws and decisions issued by the Basic People's Congresses shall not enter into force until after they are drafted by the General People's Congress, except for decisions of a local nature that do not contravene the laws in force.

Article (14)

The recommendations and proposals of unions, syndicates, and professional associations shall be presented to the Basic People's Congresses to be included among the items on their agendas. The Secretariat of the General People's Congress may call upon them to meet.

The executive regulation of this law shall determine the necessary regulations to implement the provisions of this article.

Article (15)

With respect to those working in them or in bodies subordinate to them, the Secretariat of the General People's Congress and the General People's Committees shall have the powers of appointment, promotion, transfer, delegation, and secondment, in accordance with their approved budgets and properties. They shall also have the power to decide on resignation and retirement requests, to terminate service, and to impose disciplinary penalties, in accordance with the legislation in force.

In all cases, any measure taken in violation of the provisions of this article shall be void.

Article (16)

The Secretariat of the General People's Congress shall have the authority to oversee, monitor, and administratively regulate the secretariats of the People's Congresses and the entities that are subordinate to them. Decisions and circulars issued by the Secretariat shall be binding on these secretariats and entities within the limits of their competencies, as does not contravene the law.

Similarly, the General People's Committee shall have the authority to oversee, monitor, and administratively regulate the People's Committees and the entities that are subordinate to them. Decisions, circulars, and publications issued by the Committee shall be binding on these committees and entities within the limits of their competencies, as does not contravene the law.

Article (17)

When violations are committed, the Secretariat of the General People's Congress may conduct investigations into any person selected for the General People's Congress or any of the secretariats of the People's Congresses or their secretaries or members. It may suspend any of

these entities or persons from working and charge another entity or person to temporarily carry out their work, as long as it informs the relevant People's Congress thereof.

Similarly, the General People's Committees may conduct investigations with any of the People's Committees that fall under their jurisdiction, or their secretaries or members. They may suspend any of them from working and charge another entity or person to temporarily carry out their work, as long as they inform the relevant People's Congress of this to take the measures that it deems appropriate.

The executive regulation of this law shall designate the necessary regulations to implement this article.

Article (18)

The Secretariat of the General People's Congress, in relation to those selected for the General People's Congress, the secretaries of the People's Congresses, and the members of the secretariats of People's Congresses; and the General People's Committees, in relation to the secretaries and members of the People's Committees that fall under their jurisdiction, may impose one of the following penalties, in accordance with the text of the preceding article:

- Warning;
- Reprimand;
- Salary deduction equivalent to not more than seven days at one time.

Article (19)

Public bodies, institutes, units, departments, and companies, as well as the remaining units of production, services, and the like, shall be administered by People's Committees.

Administration of units that are of a nature that requires a different form of administration may be exempted from the provisions of the preceding paragraph and administered by administrative committees.

The executive regulation of this law shall determine how the People's Committees for such entities and public groups shall be formed and selected, as well as the necessary regulations to implement this article. It shall also determine how the production and service congresses shall be formed and what their competencies shall be.

Article (20)

It shall not be permissible to hold membership in both a People's Committee and the secretariats of the People's Congresses or the secretariats of public unions, syndicates, or professional associations. Nor shall it be permissible to hold two or more positions whose work is meant to be carried out full-time.

The executive regulation shall determine other positions that must not be held while also performing the work of the People.

Article (21)

It shall not be permissible to conduct investigations with or bring criminal proceedings against those selected for the General People's Congress while they are carrying out the duties for which they were selected, except with the permission of the Secretariat of the General People's Congress.

The provision of the preceding paragraph shall apply to those who were previously selected for the General People's Congress, if the investigation or proceedings are related to the duties of the positions for which they were selected.

Nor shall it be permissible to conduct investigations or raise criminal proceedings against the secretaries of the People's Congresses except with the permission of the Secretariat of the General People's Congress, if the matter of the investigation or proceeding is related to the duties of their positions.

Article (22)

All who are selected by the People shall take the following oath prior to undertaking the work of his position:

“I swear by Almighty God that I will abide by the principles and objectives of the Great 1 September Revolution, that I will faithfully uphold the Authority of the People, that I will safeguard the interests of the nation, that I will respect the law, and that I will perform my work with trust, honesty, and excellence.”

The oath shall be taken before the relevant People's Congress or its secretariat.

Article (23)

The executive regulation of this law shall be issued by the secretariat of the non-Basic People's Congresses, based on a proposal from the Secretariat of the General People's Congress and the General People's Committee, each according to its competence.

Article (24)

Law No. (1) of 1369 FDP on the People's Congresses and People's Committees shall be repealed. All provisions in violation with the provisions of this law shall also be repealed. The executive provision of the aforementioned Law No. (1) of 1369 FDP shall remain in effect, as does not contravene the provisions of this law, until the executive provisions for this law are issued.

Article (25)

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

General People's Congress – Libya

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