

Law No. (11) of 2013
amending the Military Penal Code and the Code of Military Procedure

The General National Congress

Upon review of:

- The Interim Constitutional Declaration issued on 3 August 2011, and the amendments thereof;
- The Penal Code and the amending and supplementary laws thereof;
- The Military Penal Law No. (37) of 1974 and the amendments thereof;
- The Code of Military Criminal Procedure and the amendments thereof;
- Law No. (40) of 1974 on military service;
- The rules of procedure of the General National Congress;
- The conclusions of the General National Congress in its 80th ordinary session held on 14/04/2013;

issued the following law:

Article (1)

Article (2) of the Military Penal Law shall be amended as follows:

Persons Subject to the Present Law

The provisions of this law shall be applicable to the following persons:

1. Official military members of the ranks stipulated in Articles (2) and (3) of Law No. (40) of 1974.
2. Official military prisoners.

Article (2)

Article (45) of the Code of Military Criminal Procedure shall be amended as follows:

Military courts shall be competent to rule on the crimes stipulated by the Military Penal Law which are committed by the persons subject thereto.

Article (3)

Facts and actions subject to this amendment, whether they are under investigation or trial, shall be referred to the Public Prosecution or the competent regular court in accordance with the description included in the referral decision.

Article (4)

Regular courts shall be competent to try military personnel who assist civilians.

Article (5)

Any provision that contravenes the provisions of this law shall be repealed.

Article (6)

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

Issued in Tripoli

On 18 April 2013

Corresponding to 2 Jumada al-Akhera 1434 AH