

Decree No. (50) of 2012

On the Approval of the Organizational Structure and Powers of the Ministry of Justice and the Regulation of the Executive Unit Thereof

Upon review of:

- The Constitutional Declaration;
- The law of the financial system of the State, and the budget, accounts and warehouse regulation and the amendments thereof;
- Law No. (6) of 2006 on the judicial system, and the amendments thereof;
- Law No. (87) of 1971 on the Government Cases Department;
- Law No. (4) of 1981 on the Department of People's Legal Defence;
- Law No. (6) of 1992 on the creation of the Legal Department, and the executive regulation thereof;
- Law No. (1) of 2003 on the regulation of judicial expertise;
- Law No. (5) of 2005 on correctional and rehabilitation institutions;
- Law No. (12) of 2010 on the issuance of the Law of Labour Relations and the executive regulation thereof;
- Law No. (8) of 2011 on the regulation of the Official Gazette;
- Resolution No. (174) of 2011 of the National Transitional Council regarding the government structure;
- Resolution No. (184) of 2011 of the National Transitional Council regarding the approval of the transitional government;
- Cabinet Decree No.(1) of 2012 on specifying the competencies of deputy ministers and their assistants;
- Proposal of the deputy Minister of Justice in his Letter No. (233) dated 12/01/2012;
- Decisions of the Cabinet in its fourth ordinary session of 2012;

It was decided:

Article (1)

The organizational structure and competencies of the Ministry of Justice shall be approved and the executive unit thereof regulated in accordance with the provisions of this law.

Article (2)

The Ministry of Justice shall put in place the necessary plans and programs to implement the general justice policy of the State. In particular, it may:

1. Draft organizational plans and decisions regarding justice affairs, and propose the general policy of the State that leads to the development of judicial work in coordination with the Supreme Judicial Council and concerned entities.
2. Review legislation governing the work of the Ministry in addition to other legislation, and suggest the necessary relevant actions in order to achieve the general goals of the State.

3. Conduct the necessary studies and research concerning judicial and legal work and improve the level of members of judicial bodies and employees of the Ministry and its affiliated entities.
4. Propose development plans related to the work of the Ministry and continue to assess their implementation after approval thereof.
5. Issue decisions, publications and directives related to the work of the Ministry and its affiliated entities.
6. Provide IT support, archiving, electronic documentation, development of databases and IT systems related to the work of the Ministry.
7. Prepare the Ministry's action programme to exercise its assigned competencies, and submit the same to the Cabinet for approval.
8. Follow up on the performance of Ministry-affiliated entities.
9. Prepare the draft budget and final account of the Ministry.
10. Prepare draft laws and review the same in coordination with concerned entities.
11. Prepare and review draft executive and organizational regulations related to the work of the Ministry.
12. Review draft international treaties in coordination with concerned entities.
13. Follow up on the implementation of the projects of the Ministry and its affiliated entities.
14. Fulfil the needs of the Ministry and the judicial bodies in order to develop judicial work.

Article (3)

The office of the Ministry of Justice shall have one or more deputy ministers to perform the stipulated duties thereof in accordance with the legislation in force and shall work under the supervision of the Minister.

Article (4)

The organizational structure of the Ministry's office shall consist of the following organizational divisions:

1. Judicial bodies: courts, prosecution offices, the Judicial Inspection Department, the Government Cases Department, the Department of People's Legal Defence and the Legal Department. Such bodies shall exercise their competencies in accordance with the regulating legislation thereof.
2. Administrative and Financial Affairs Department
3. Training Department
4. Planning Department
5. Relations and Cooperation Department
6. Minister's Office

7. Deputy Minister's Office
8. Legal Affairs Office
9. Internal Review Office

The Ministry of Justice shall encompass an Official Gazette Department to be organized by a decision of the Minister of Justice in accordance with Law No. (8) of 2011 on the regulation of the Official Gazette.

Article (5)

The following entities shall report to the Ministry of Justice:

1. Judicial Police
2. Judicial Expertise and Research Centre
3. High Judicial Institute
4. Government Cases Department
5. Documentation and Information Centre

Such entities shall exercise their functions under the supervision of the Minister in accordance with the regulating legislation thereof.

Article (6)

The Administrative and Financial Affairs Department shall assume the following responsibilities:

1. Fulfil the Ministry's needs for employees of all specialties according to public staffing and the approved annual budget, and take appointment, promotion, transfer, delegation and secondment measures and other professional matters concerning employees pursuant to the legislation governing professional affairs.
2. Regulate and control the attendance and dismissal of employees, prepare daily shift schedules, oversee and follow up on the implementation thereof, and report any failure in this respect.
3. Keep the personal files of the Ministry's personnel, as well as the staffing and seniority records.
4. Organize the meetings of the Personnel Affairs Committee and the Staff Disciplinary Board, handle the secretariat functions thereof and take necessary procedures to execute any decisions thereof.
5. Produce the Ministry's budget estimations and keep relevant records thereof, and monitor the disbursement of budget items in accordance with applicable financial regulations and legislation.
6. Produce pay slips and other dues, and complete the disbursement procedures thereof.
7. Follow up on the Ministry Office's affairs relating to warehouses, purchases, supplies, works, vehicles, and printing.
8. Follow up on the activity of the social security fund.

9. Handle recordkeeping at the Ministry, including receipt of incoming letters and memoranda, delivery of outgoing letters and correspondence and registration thereof in the proper record, in addition to keeping documents in their dedicated files as per the established classification system using both traditional and electronic methods.
10. Prepare period progress reports on the department's activity.

Article (7)

The Training Department shall assume the following responsibilities:

1. Propose training and preparation plans for the Ministry of Justice's affiliates based on the suggestions of concerned departments.
2. Propose the formation and preparation curricula needed to increase the competence of employees in coordination with the relevant entities.
3. Follow up on courses and scholarships for the Ministry's personnel, locally and abroad, in cooperation and coordination with competent entities.
4. Provide training and preparation means and requirements for the Ministry's personnel.
5. Generate training and preparation statistics and data.
6. Produce periodic progress reports on the department's activity.

Article (8)

The Planning Department shall assume the following responsibilities:

1. Prepare plans and studies and identify the Ministry's needs in terms of construction or maintenance of existing facilities.
2. Propose development projects.
3. Follow up on the implementation of projects related to the Ministry and the affiliated entities thereof.
4. Produce statistics and collect data regarding the Ministry's activities in the department's field of work; sort, classify and analyse the same.
5. Produce periodic progress reports on the department's activity.

Article (9)

The Public Relations and Cooperation Department shall assume the following responsibilities:

1. Receive the Ministry's guests, organize their appointments in coordination with competent departments or offices, and complete the procedures thereof.
2. Handle public relations affairs with regard to the Ministry's personnel.
3. Organize social, cultural and sports activities for employees and set up programs to enable participation in such activities in coordination with competent entities.
4. Define the activity of the Ministry and the affiliated entities thereof through the media.
5. Follow up on proposals or announcements regarding the Ministry's work or functions, submit a summary thereof to the Minister and execute his directives in this regard.

6. Keep the reports of official delegations to international, regional and local conferences and meetings.
7. Preserve and document bilateral and international treaties and agreements related to the Ministry's functions.
8. Produce periodic progress reports for the department.

Article (10)

The Minister's Office shall assume the following responsibilities:

1. Organize the Minister's appointments and calls.
2. Collect data and information requested by the Minister.
3. Handle recordkeeping of the Minister's incoming and outgoing mail.
4. Stamp and register the Ministry's decisions, report the same and follow up on their implementation.
5. Arrange meetings presided by the Minister, attend the same and prepare minutes thereof when requested.

Article (11)

The Deputy Minister's Office shall assume the following responsibilities:

1. Organize the Deputy Minister's appointments and calls.
2. Collect data and information requested by the Deputy Minister.
3. Handle recordkeeping of the Deputy Minister's incoming and outgoing mail.
4. Arrange meetings presided by the Deputy Minister.
5. Produce periodic progress reports on the Office's activity.

Article (12)

The Legal Affairs Office shall assume the following responsibilities:

1. Prepare draft decisions to be issued by the Minister or his Deputy.
2. Provide counsel in legal matters proposed by the Minister, the Deputy or one of the departments.
3. Follow up on lawsuits filed by or against the Ministry in coordination with the Government Cases Department.
4. Draft and review contracts that are concluded by the Ministry.
5. Attend meetings as delegated by the Minister or the Deputy.
6. Participate in commissions as delegated by the Minister or the Deputy.
7. Produce periodic progress reports on the Office's activity.

Article (13)

The Internal Review Office shall assume the following responsibilities:

1. Implement action programmes related to internal audit, and review financial, accounting and administrative procedures and activities.
2. Establish internal financial control and review systems, and follow up on the implementation of financial laws and regulations in force.
3. Review the Ministry's financial procedures and ensure compliance thereof with the legislation governing financial activities; and review books, records and cards to verify entries therein and monitor totals and balances.
4. Conduct the internal review of all expenditures and revenues, and ensure compliance with budget provisions.
5. Examine and review the draft budget and final accounts, and submit general reports to competent entities in the Ministry.
6. Review all payment orders and verify the required supporting documents thereof in accordance with financial regulations and accounting systems.
7. Examine accounting books and records to ensure their compliance with the nature of the work and the good progress thereof.
8. Conduct spot inspections of vaults and warehouses, oversee spot and annual inventories and petty cash delivery, and take all necessary measures in this regard.
9. Suggest any modification to accounting books, records and forms in coordination with competent departments.
10. Engage in answering the inquiries and observations of the Audit Office regarding the examination and review of final accounts and general budgets.
11. Prepare periodic reports on the Ministry's financial status, alert of any failures or deviations and submit reports to the Minister in order to take proper action.
12. Follow up on procedures concerning the protection of movable and immovable assets.
13. Any other responsibilities entrusted thereto in accordance with the legislation in force.
14. Prepare periodic progress reports on the Office's activity.

Article (14)

The internal organization of the Ministry of Justice shall be set forth by a decision of the Ministry of Justice without prejudice to the provisions of this Decree.

Article (15)

This Decree shall take effect on the date of issuance thereof, repealing any provision that contravenes it. This Decision shall be executed by all concerned entities and shall be published in the Official Gazette.

The Cabinet -- Libya

20 Rabi' al-Awwal 1433 AH
Corresponding to 12/02/2012 AD

Ministry of Justice
Organizational Chart

