

**Law No. (39) of 1975
on municipalities**

In the name of the people,

The People's Revolution Council

Upon review of:

- The Constitutional Declaration;
- Law No. (130) of 1972 on the system of local administration;
- Law No. (16) of 1395 AH corresponding to 1975 AD on transferring the competencies and responsibilities of governorates and directorates subordinate to ministries;
- Law No. (38) of 1975 AD on organising the Ministry of Municipalities;
- Law No. (78) of 1973 on the exercise of administrative responsibilities by People's Committees;
- Civil Service Law No. (19) of 1964
- The Law of the Financial System of the State;
- Law No. (5) of 1969 on planning and organising cities and villages;
- Revolutionary Command Council Decree issued on 30 Shawwal 1394 AH corresponding to 14 November 1974 AD on reforming the Ministry;
- The recommendation of the First National Congress of the Arab Socialist Union in its second session from 20 to 25 Shawwal 1394 AH corresponding to 4 to 9 November.
- Based on the proposal of the Prime Minister and the approval of the opinion of this Council;

issued the following law:

Part (1)

Establishment of Municipalities and Formation of Their People's Committees

Article (1)

The Republic shall be divided into municipalities. They shall be established, their jurisdiction determined, their headquarters specified, and they shall be abolished by a Cabinet decree based on a proposal from the Minister of Municipalities.

Each municipality shall possess legal personality.

Article (2)

Municipalities shall be divided into localities. Branches may be established for the municipality and the jurisdiction of each branch shall include one or more locality.

The division of the municipality into localities, the establishment of its branches, the determination of the jurisdiction of each branch, the specification of its headquarters, and the abolishment thereof shall be effected by a decision by the Minister of Municipalities based on a proposal of the People's Committee for the municipality.

Article (3)

Each municipality, and each branch or locality therein, shall have a People's Committee formed according to the provisions of the aforementioned Law No. (78) of 1973, and they shall all be called People's Municipal Committees.

Article (4)

Municipalities shall be represented by their People's Committee adopted in accordance with the aforementioned Law No. (78) of 1973 and such committee shall be represented by its chairman before courts and in its relations with outside parties.

Article (5)

- a) Persons selected as chairman or members on a People's Municipal Council shall meet the following conditions:
1. He must be Libyan.
 2. He must normally reside in the jurisdiction of the municipality.
 3. He must be of respectable conduct and reputation.
 4. He must be able to read and write or have completed at least a literacy school.
 5. He must not be banned or suspended from exercising his political rights.
 6. He must possess full capacity.
 7. He must not have been convicted of a felony or a misdemeanour of moral turpitude, unless he has been rehabilitated.
 8. He must not have been removed from a public post by a disciplinary decision, unless five years have passed from the date of the removal.
- b) In addition to the conditions set forth in the preceding paragraph, the Chairman of the People's Municipal Committee shall meet the following conditions:
1. He shall not be less than 25 years old.
 2. He must have a secondary education diploma or at least the equivalent, or have experience of no less than five years in administrative and financial affairs.

Article (6)

If it emerges that any conditions of those stipulated in the preceding articles are not met by the chairman or member of the People's Committee, or any of these conditions cease to be met during his chairmanship or membership, the competent People's Committee shall issue a decision terminating his chairmanship or membership by the vote of a two-thirds majority of members.

A replacement for the person whose chairmanship or membership was terminated shall be selected in accordance with the provisions of the aforementioned Law No. (78) of 1973, and the new chairman or member shall complete his predecessor's term.

Article (7)

The chairmen of municipal councils shall receive monthly remuneration determined by a Cabinet decree based on the proposal of the Minister of Municipalities.

In determining the value of the remuneration, scale of the work in each committee shall be taken into account, and such remuneration may be combined with a pension.

Part (2)

Competencies of Municipalities

Article (8)

In general, the municipality shall establish and administer public utilities related to organisation and planning affairs, buildings, health and social affairs, water, lighting, sewers, roads, and local means of public transport, in the manner set forth in the executive regulation. The regulation shall also indicate the other means that the municipality shall oversee. Within its jurisdiction, the municipality may also establish and administer on its own or through an intermediary works and institutions that it deems fit to carry out its competencies.

Article (9)

The municipality shall be competent to implement the provisions of laws and regulations concerning the planning of cities and villages, regulation of buildings, apportionment of lands, classification of areas, and supervision and oversight of construction and building activity. It shall also be competent to plan and determine electric, phone, and gas lines in the jurisdiction of the municipality and implement such lines according to designs and specifications drafted by the competent body, as specified in the executive regulation.

Article (10)

The municipality shall plan and construct roads in the scope of the plan adopted therefor, and it shall also plan and construct public squares and gardens, and implement laws and regulations relating to occupying roads and public space, and licensing to occupy them in return for fees or leases specified for the purpose, in the manner set forth in the laws and regulations.

Article (11)

Within its jurisdiction, the municipality shall conduct the activities to maintain public health and under the supervision of the Ministry of Health, it shall implement laws concerning public health and regulation issued pursuant thereto. It shall also be competent in the following activities in particular:

1. Provide drinking water.
2. Public sanitation and rubbish collection.
3. Cooperate with the competent bodies to protect the environment and stop pollution.
4. Oversee and inspect food products, and prevent contamination or fraud in their regard.
5. Oversee and license shops that are dangerous, disruptive, or harmful to health.
6. License and oversee public shops and public entertainments.
7. Public butcheries and slaughterhouses.
8. Public baths, beaches, and summer resorts.
9. Public washrooms.
10. Public bathrooms.
11. Water and sewage disposal.
12. Public gardens.
13. Cemeteries, burial and transportation of corpses.
14. Confinement of dangerous or infectious animals.

Article (12)

Within its jurisdiction, the municipality shall be responsible for granting licenses to conduct commercial and industrial professions, trades, and other activities, and the licensing from the municipality shall be with the approval of the Ministry of Interior for activities specified by the executive regulation. The municipality shall oversee the implementation of the licensing conditions that it issues and the opening and closing times of shops in accordance with the circumstances regulated by laws and regulations, as set forth in the executive regulation.

Article (13)

The municipality shall establish public markets and public auctions and it shall regulate, administer, and license the usage and usufruct thereof, in accordance with the provisions of laws and regulations, in return for the fees and leases specified for the purpose.

Article (14)

The municipality shall oversee the fineness of gold, silver, and other precious metals. It shall be responsible for affixing a seal and stamp on jewellery and other items made of such metals, and it shall collect the fees prescribed therefor.

Article (15)

The municipality shall record births, residence, marriages, divorces, deaths, and other civil status events in accordance with the civil registry system, draft and issue certificates for births and deaths, and it shall extract vital statistics from the records and implement the relevant laws and regulations.

Article (16)

The municipality shall be responsible for regulating and overseeing advertisements, without prejudice to Law No. (60) of 1974 on establishing the General Company for Distribution, Publication, and Advertisement. It shall conduct public weighing services in the manner specified by the executive regulation in return for fees or remuneration specified therefor.

Article (17)

The municipality shall administer and dispose of its properties and it shall regulate the public locations subject to it. It shall also be competent to administer properties pertaining to public utilities that fall within its competencies.

Article (18)

The municipality shall be competent to regulate local means of public transport in a manner consistent with the competency of ministries and other institutions in this regard.

Article (19)

The People's Committee for the branch or locality shall be competent to implement works and competencies and perform services prescribed by the People's Committee for the municipality within the jurisdiction of the branch or locality that it delegates to implement the same.

The People's Committee for the locality shall exercise its competences under the supervision of the People's Committee for the branch or municipality, according to the case.

The People's Committee for the branch shall exercise its competencies under the supervision of the People's Committee for the municipality.

The regulation for organising the competencies of the People's Committee for the branch and locality shall be issued in a decision by the Minister of Municipalities.

Article (20)

The People's Committees for municipalities shall issue regulations on municipality affairs that fall within their jurisdiction within the bounds of general laws and regulations. Such regulations shall only enter into force upon the approval of the Minister of Municipalities and the Minister may object to them within thirty days. His objection shall provide the reasoning in writing. If the People's Committee maintains its decision, the Minister shall present the matter to the Cabinet to decide as it sees fit. The Minister of Municipalities may issue uniform model regulations to serve as a reference for the People's Committees in its provisions.

Article (21)

The People's Committee for the municipality may contract loans and accept donations or wills, provided that its decision in such regard only takes effect upon approval by the Minister of Municipalities. They may not contract or accept any of the like if the donor or legating party is foreign, except by a decision from the Cabinet.

Article (22)

Each minister may consult the People's Committee for the municipality in any matter that he deems fit to take its opinion on. Such committee may provide any minister with its requests concerning the general needs of the municipality through the Minister of Municipalities.

Article (23)

In projects for the public good in which more than one municipality takes part, the Minister of Municipalities shall issue a decision on the manner of administering such projects and distributing their burdens across the competent governorates.

Part (3)

Financial and Administrative Affairs of Municipalities

Chapter (1)

Financial Resources of Municipalities

Article (24)

The revenue of municipalities shall consist of the following:

- a) Taxes, fees, and revenue collected for the benefit of municipalities or that which is ceded thereto by the government by virtue of laws and regulations.
- b) Fees, revenue, and duties that the municipality may collect in accordance with the provisions of this law.
- c) Revenue from its property and utilities.
- d) Half of the proceeds of each tax on real estate income, and the entertainment tax that is collected in the jurisdiction of the municipality.

- e) An additional fee in the amount of 5% of customs fees on import and export, and the proceeds thereof shall be distributed to the municipalities by a decision from the Minister of Municipalities.
- f) 30% (thirty percent) of the tax on commerce, industry, and trades, and the tax on liberal professions, and the tax on companies, with the exception of companies subject to oil laws, and which are collected within the jurisdiction of the municipality.
If the activity for which the tax is collected encompasses more than one municipality jurisdiction, the proceeds of the tax shall be distributed to the competent municipalities by a decision from the Minister of Municipalities.
- g) Amounts collected from inflicting penalties or from reconciliation in offences committed against the provisions of laws and regulation that the municipality is competent to implement.
- h) 60% (sixty percent) of the amounts collected from traffic offences, and it shall be distributed to municipalities by a decision from the Minister of Municipalities.
- i) Fees collected from parking locations and the like within the approved plans of cities and villages that fall within the municipality, as well as fees collected from these locations, if the municipality established their administration outside of plans in its jurisdiction.
- j) Support and subsidies granted to it by the government.
- k) Loans, donations, and wills, under the conditions determined therefor by the law.

Article (25)

Within their jurisdictions, municipalities may impose fees, dues, or duties in return for use of public utilities that it owns or is entrusted to manage, in return for exploitation of public utilities, or in return for use of public property whose affairs it conducts. It might also impose fees for the licenses that the municipality grants pursuant to this law or other laws and regulations, and other fees for which it has the capacity of competent municipality. The decision by the People's Committee for the municipality shall only enter into effect upon approval by the Minister of Municipalities. The Minister may object within thirty days, and if the Committee maintains its decision, the Minister shall present the matter to the Cabinet to decide as it sees fit. The Minister of Municipalities may ask the People's Committee for the municipality to establish, amend, or abolish any municipal fee or to shorten the period of its validity in accordance with the requirements of public interest.

If the Committee refuses to respond to the request, the Minister shall present the matter to the Cabinet, and if the Cabinet supports the opinion of the Minister, the People's Committee shall issue the decision approved by the Cabinet.

Article (26)

The executive regulation of this law shall set forth the rules for types of fees, dues, and duties of a municipal character and the circumstances in which they may be imposed, the principles for collecting them, the rules for filing complaints, and the circumstances for reducing them.

Article (27)

In the collection, retention, and disbursement of fees, revenue, duties, and leases to which municipalities are entitled, and exemption and prescription therefrom, the rules prescribed for state property shall be followed.

Article (28)

The Law of the Financial System of the State and its executive regulation shall apply to the funds of municipalities in the circumstances and procedures determined by the Cabinet, whenever a special text is not found in this law.

The regulation for government bids and tenders shall apply to municipalities, provided that the competencies of the Central Tenders Committee are exercised by a committee formed in each municipality by a decision by the People's Committee for the municipality, chaired by the General Secretary of the municipality and with four members of the People's Committee for the municipality as members, to be chosen by the Committee, the financial officer, and the president of the Technical Section in the municipality.

The decisions of the municipality shall become final upon adoption by the Chairman of the People's Committee of the municipality, with the exception of "tenders" whose value exceeds 10% (ten percent) of the total development allocations of the municipality. In this case, they shall not enter into force until after they are adopted by the Minister of Municipalities.

The Chairman of the People's Committee for the municipality shall exercise the competencies entrusted to the competent minister in the aforementioned regulation.

Article (29)

Municipalities shall be exempt from all taxes and fees.

Chapter (2) Municipality Budgets

Article (30)

At least seven months before the start of the financial year, the People's Committee for the municipality shall prepare the draft administrative budget of the municipality, including its estimates for the revenues and expenses of the municipality. It shall submit the draft to the Minister of the Treasury for him to study the drafts submitted and take measures to accredit the necessary amounts for each municipality in the administrative budget of the state.

Article (31)

After the municipalities are notified of the amounts that are accredited to them as general expenses, the People's Committee for the municipality shall set an administrative budget, including a distribution of these amounts across expense items, in accordance with the circumstances for which the draft budget was prepared, and this budget shall be approved by the Minister of the Treasury.

Article (32)

The previous budget shall remain in effect for each municipality until its new budget is approved, through the opening of temporary monthly financial credits on the basis of one-twelfth of the budget of the past financial year.

Article (33)

The People's Committee for the municipality shall prepare a draft development plan and budget for the municipality in the form of projects, and at least seven months before the start of the financial year, it shall submit the same to the Minister of Municipalities to study them at least five months before the start of the financial year. The Minister of Municipalities shall be responsible for taking the necessary measures to approve the necessary projects and allocations.

In the light of the approved projects and allocations, the People's Committee for the municipality shall set the development budget of the municipality, which shall be issued by a decision by the Minister of Municipalities.

Article (34)

The People's Committees for municipalities shall prepare its final account for the past year within three months from the conclusion of the financial year and the Minister of the Treasury shall adopt the final account of the municipalities.

Article (35)

The municipality may not link a project that entails spending amounts in a subsequent year or years, except within the bounds of the terms and conditions found in the development plan and pursuant to the provisions of Law No. (85) of 1970 on regulating planning and development affairs and the amending laws thereto.

Chapter (3)

Work System in Municipalities

Article (36)

The People's Committee for the municipality shall meet in the location designated therefor in an ordinary meeting at least once a month, by invitation from the Chairman on a date set by him, and it shall continue to hold its sessions until it concludes all issues on its agenda.

Article (37)

The Chairman of the People's Committee for the municipality may call the Committee to an extraordinary meeting. He shall call for the meeting if such is requested in writing by one-third of the members of the Committee, and the Chairman of the Committee may refrain from calling for an extraordinary meeting more than once each month. In extraordinary meetings, the People's Committee may only deliberate the issues for which it was called.

Article (38)

Meetings of the People's Committee may only be convened with the attendance of an absolute majority of its members. If such a majority is not obtained, the session shall be postponed by at least three days and by no more than seven days. Absent members shall be summoned to attend

the meeting, and if a quorum is not met in this session, the meeting shall be postponed a second time for at least ten days. The Minister of Municipalities shall be immediately notified thereof, and if a quorum is not met in the following session, the meeting shall be valid and it shall be limited to examining issues on the postponed agenda for which a special majority is not necessary for their adoption. Decisions of the People's Committee shall be issued by an absolute majority of members attending, unless a special majority is required. Upon the occurrence of a tie, the side with which the Chairman voted shall prevail.

Article (39)

The People's Committee for the municipality shall set the rules of procedure for itself and for other People's Municipal Committees in the jurisdiction of the municipality within three months following the first meeting it holds, in accordance with the conditions issued in a decision of the Minister of Municipalities. Each committee may include in its rules of procedure special provisions, provided that the Minister of Municipalities approves the same.

Article (40)

For each competency or competencies entrusted to it, the People's Committee shall form from among its members a specialised committee that is responsible for conducting studies and research on the matters that fall within its specialisation, and it shall present its proposals to the People's Committee to issue the necessary decisions.

With the approval of the Minister of Municipalities, the People's Committee for the municipality may entrust any of its competencies to any of its committees.

The Committee may also include in the membership of its committees whomever it deems necessary from among municipality employees and other experts, but such persons shall not have the right to vote on taking decisions. The rules of procedure shall determine the number of members for each committee and the work system therein.

Part (4)

Duties and Responsibilities of People's Municipal Committee Members

Article (41)

The Chairman and members of People's Municipal Committees may not combine membership in more than one people's committee or with membership in people's committees for any entity.

If such combination occurs and the member does not resign his membership on the People's Municipal Committee within eight days from the occurrence, the Minister of Municipalities shall issue a reasoned decision terminating his membership on the Committee.

Article (42)

Each member shall notify the Chairman of what he deems fit for inclusion on the Committee's agenda at least one week before it is convened. The Chairman shall include on the agenda the proposals and topics submitted by members if they fall within the competency of the Committee.

Article (43)

If the Chairman or member of the People's Municipal Committee fails to attend the sessions of this Committee or of specialised committees on which he is a member without an acceptable excuse more than three consecutive times or is absent from more than four sessions in one year without an acceptable excuse, or if his health condition does not allow him to perform the duties of membership, he shall be considered to have resigned. A decision to this effect shall be issued by the competent People's Committee after hearing the state of the member or after recording his absence from the session to which he was summoned to give his statement. Such session shall not be held less than seven days after the date that the member is summoned.

Article (44)

The Chairman and members of the People's Committee are prohibited from attending the sessions of the People's Committee or its specialised committees if they have a personal interest themselves, through an intermediary, or through their ascendants, descendants, and in-laws up to the fourth degree, or if they have an interest in their capacity as trustees, guardians, or proxies. Otherwise, the decisions of such committees shall be deemed null and void.

Article (45)

With the exception of contracts for usufruct of utilities and services, it is prohibited for the Chairman or members of the People's Municipal Committee to conclude with the municipality directly or through an intermediary a contract for sale, contracting, supply, obligation or any other type of contract under which he performs a service for a consideration.

Notwithstanding, the Minister of Municipalities alone may grant permission to conclude sales contracts and leases between the People's Committee and its Chairman or a member. Violation of the provisions of this article shall entail invalidation of the disposition.

Article (46)

The Chairman or members of the People's Municipal Committee shall not work on a case against the municipality as a lawyer or expert, nor may they purchase any items or right under dispute with the municipality or acquire the same in any way other than by inheritance; otherwise, the disposition shall be considered void.

Article (47)

Violation of the prohibitions set forth in the three preceding articles shall be deemed instances of loss of trust and esteem.

The executive regulation shall set forth other prohibitions that apply to the chairmen and members of the People's Committees for municipalities and the branches and localities subordinate thereto.

Article (48)

A decision by the Cabinet shall set forth the rules and provisions for holding accountable, disciplining and investigating the chairmen and members of the People's Committees for municipalities.

A decision by the Minister of Municipalities shall also set forth the rules and provisions for holding accountable, disciplining and investigating the chairmen and members of other People's Municipal Committees.

Part (5)
Workers in Municipalities

Article (49)

The provisions of the Civil Service Law and the Retirement Law and the regulations issued pursuant thereto shall apply in the case of municipality employees, in situations where there is no explicit text in this law.

Article (50)

The employees of any municipality shall be considered as a single unit for the purposes of seniority and promotion.

Article (51)

Except as stipulated in this law, the Chairman of the People's Committee for the municipality shall have the competencies granted to the Minister in the Civil Service Law and its executive regulation with regard to the Committee's employees.

Article (52)

The Chairman of the People's Committee for the Municipality, with the approval of this Committee, shall establish a cadre of municipality employees that specifies the number of employees and their grades. Such cadre shall only enter into force upon approval by the Civil Service Committee.

Article (53)

The municipality shall have a general secretary appointed by a decision by the Minister of Municipalities based on a proposal by the People's Committee for the municipality, and the general secretary shall be assisted by a sufficient number of technical and administrative employees according to the requirements of work.

The Minister of Municipalities shall issue decisions pertaining to promotion of the general secretary of the municipality and granting and depriving him of raises, and all of his professional affairs, based on the recommendation of the Employee Affairs Committee in the Minister and after taking the opinion of the People's Committee in the municipality. Disciplinary trials of the general secretary of the municipality shall be conducted before the General Disciplinary Council in the Minister of Municipalities. However, if the general secretary is of grade one, his appointment and promotion shall be effected by a Cabinet decree and his disciplinary trial shall be before the Supreme Disciplinary Council.

The Chairman of the People's Committee for the Municipality shall prepare an annual report about the general secretary and submit the same to the Minister of Municipalities.

The general secretary of the municipality shall have the powers and competencies of heads of departments in administrative and financial issues pertaining to all employees of the municipality.

Article (54)

Each municipality shall have a committee for the affairs of its employees constituted of the general secretary of the municipality as chairman and with the financial affairs officer in the municipality, one member of the People's Committee selected thereby, a delegate from the Ministry of Labour and Civil Service selected by its minister, and a legal advisor as members. Such committee shall be formed by a decision by the Chairman of the People's Committee for the municipality.

Except where this law stipulates otherwise, the committee shall be competent to issue decisions on appointing municipality employees and other employee affairs. The decisions of this committee shall only enter into force upon approval by the Chairman of the People's Committee for the municipality, and the decisions of the committee shall be notified to the competent bodies upon being approved.

Notwithstanding the foregoing provisions, decisions pertaining to appointment, promotion, transfer, delegation, and secondment of grade-one employees shall be issued by the Cabinet.

Article (55)

Subject to the provisions of Articles (53) and (57) of this law, disciplinary trial of municipality employees shall take place before the Disciplinary Council formed by a decision by the Chairman of the People's Committee for the municipality, chaired by the general secretary and with a member of this Committee selected thereby and a legal advisor as members. This is with the exception of grade-one employees, who shall be tried before the Supreme Disciplinary Council.

Article (56)

Subject to the last paragraph of Article (54) of this law, employees may be transferred from municipalities to ministries and other government departments or vice versa by a decision by the Minister of Labour and Civil Service, upon the approval of the Minister of Municipalities and the Chairman of the People's Committee for the municipality. Transfer between municipalities and between municipalities and public bodies and institutions by the agreement of the entity transferred from and transferred to. The transfer decision shall be issued by the entity transferred from upon the approval of the Minister of Municipalities. In all cases, the employee's approval of the transfer is required, unless a decision is issued by the Cabinet based on significant considerations.

Notwithstanding the foregoing, and in cases other than transfer and delegation of grade-one employees, the Minister of Municipalities may transfer or delegate employees between municipalities and between municipalities and the Ministry or vice versa within a transitional period not exceeding two years. Such period may be extended one time by a decision by the Cabinet for a similar duration.

Article (57)

Municipalities shall have a municipal guard to implement the regulations, decisions, and orders of the municipality regulation, and municipal guard members shall enjoy the authorities of judicial police within the jurisdiction of the municipality.

A regulation organising the municipal guards, the service conditions therein, and the system that it follows shall be issued by a decision by the Cabinet without being restricted by the Civil Service Law. With regards to retirement, the provisions set forth in the Police Law shall apply to them, as shall the provisions on summary trials set forth in the same law with regards to discipline.

Part (6)

Supervision of Municipalities

Article (58)

The Ministry of Municipalities shall be responsible for supervision of municipalities, following up on the implementation of laws and regulations, inspecting the work progress therein, preparing reports and memoranda pertaining thereto, referring the same to the Minister of Municipalities, who may issue decisions and instructions for the implementing of their competencies.

The Minister may stop any decision by a municipality that he deems harmful to the financial, administrative, and technical affairs of municipalities, subject to the provisions of Articles (20), (25) and (59) of this law.

Article (59)

The municipality shall submit the meeting minutes and decisions of its People's Committees within a week from their date of issuance to the Minister of Municipalities, who shall have the right to object thereto. Such objection shall be reasoned and in writing. The municipality may express its opinion on the objection, and if it maintains its decision, the matter shall be presented to the Cabinet to decide as it sees fit.

Article (60)

The Minister of Municipalities may ask the Cabinet to suspend any People's Municipal Committee if such is deemed necessary.

The Cabinet may suspend any committee on such basis. The suspended committee may not exercise any of its competencies until after a decree from the Revolutionary Command Council is issued in this regard.

Article (61)

Once a decision suspending the People's Municipal Committee from exercising its competency is issued in accordance with the previous article, the Minister of Municipalities shall issue a decision forming a temporary body to exercise the competencies of the suspended committee until the new committee exercises its competencies or the suspension of the previous committee is reversed.

Article (62)

The People's Committee for the municipality shall be competent to adopt the decisions issued by People's Municipal Committees in their jurisdiction according to their competency.

The People's Committee for the municipality may issue decisions, instructions, and directives to the committees mentioned in the preceding paragraph.

Part (7)

General and Transitional Provisions

Article (63)

The Chairman of the People's Committee for the municipality possesses the competencies of the Minister in administrative and financial issues with regards to municipality departments, budgets, and utilities.

Article (64)

The People's Committee for the municipality may delegate some of its competencies for the chairmen of the People's Committees for the branches subject to the municipality. The delegation decision shall only enter into force upon its approval by the Minister of Municipalities.

Article (65)

Violation of the regulation issued by municipalities in execution of the competencies entrusted thereto pursuant to this law shall be punished by detention for a period not exceeding seven years and by a fine not exceeding ten LYD or either of the two penalties, without prejudice to any more severe penalty stipulated by the Penal Code or other laws.

In all cases, the Chairman of the People's Committee for the municipality has the authority to remove by administrative means the occasions of violations committed against the laws and regulations that it is competent to implement, and such shall be at the expense of the offender in accordance with the provisions of the executive regulation. If such removal requires the destruction of buildings or facilities that were completed by violation of laws and regulations, such shall not be undertaken in cases other than assault on public thoroughfares except based on an order by a summary judge in the competent court of first instance. Before issuing such an order, he shall hear the statements of the persons concerned.

Article (66)

When issuing a conviction for violation of laws and regulations under which a license was issued, the competent court shall rule to revoke the license and suspend its validity for the period that it determines.

Article (67)

The People's Committees formed currently in municipalities and their branches and localities subordinate thereto shall exercise the competencies stipulated in this law until there are re-organised in accordance with the aforementioned Law No. (78) of 1973 and the provisions of this law.

Article (68)

Subject to the provisions of the law, municipalities and their branches and the localities subordinate thereto and their current administrative divisions that are established and standing at the time of entry into force of this law shall remain until they are re-established or re-divided in accordance with the provisions of this law.

Article (69)

The executive regulation of this law shall be issued by a Cabinet decree.

Article (70)

Law No. (130) of 1972 AD on the system of local administration shall be repealed, as shall any provision contrary to the provisions of the law. The executive regulations and decisions issued and in force pursuant thereto shall remain in force to the extent that they do not contradict the provisions and decisions issued by municipalities, including those pertaining to fees, dues, duties, etc., and do not contract the provisions of this law, until texts amending or repealing them are issued.

Article (71)

The Ministers, each within their mandate, shall implement this law and it shall enter into force from its date of publication in the Official Gazette.

Revolutionary Command Council – Libya
Maj. Abdessalam Ahmed Jalloud
Prime Minister

Miftah Muhammed K'eba
Minister of Municipalities
Issued on 24 Rabi' al-Awwal 1395 AH
Corresponding to 6 April 1975 AD