

Law No. (20) of the year 2013

On the establishment of the Administrative Control Authority

The General National Congress:

Upon review of:

- ☐ The temporary Constitutional Declaration issued on 3 August 2011 and the amendments thereof;
- ☐ General National Congress Decree No. (62) of 2013 on adopting the amendment of the General National Council's bylaws;
- ☐ The Penal Code and the Code of Criminal Procedure and the supplementary provisions thereto;
- ☐ The law of the financial system of the State of Libya, and budget, accounting and inventory regulation;
- ☐ Law No. (11) of 1996 on reorganizing popular inspection and the amendments thereof;
- ☐ The Justice System Law and the amendments thereof;
- ☐ Law No. (2) of 2007 on establishing and organizing the Financial Audit apparatus;
- ☐ Law No. (3) of 2007 on establishing and organizing the Financial Audit Authority;
- ☐ National Transitional Council Decree No. (119) of 2011 on establishing the Auditing Bureau and determining its powers;
- ☐ Law No. (12) of 2010 issuing the Labor Relations Law, and its executive regulations;
- ☐ Law No. (19) of 2013 on reorganizing the Audit Bureau;

- And based on the conclusions of the General National Congress in its 99th ordinary session on 23/06/2013.

Issued the following law:

Chapter (1)

On the Establishment of the Administrative Control Authority

Article (1)

An authority called the "Administrative Control Authority" shall be established in accordance with the provisions of this Law. It shall possess legal personality and independent financial liability. It shall be subordinate to the legislative authority.

Article (2)

The Administrative Control Authority shall be presided over by a chairman and one or more deputy heads. A sufficient number of members and employees shall be annexed to it. The chairman and deputy chairman shall be appointed for a period of three years, renewable once.

Article (3)

The Administrative Control Authority shall be presided over by a person renowned for competence, honesty, and integrity. He shall be appointed and relieved of his post and his resignation shall be accepted by virtue of a decision by the legislature. In terms of salary and benefits, he shall be treated like a minister.

Article (4)

The term of the chairman of Administrative Control Authority shall end for any of the following reasons:

1. Resignation
2. Attaining retirement age
3. Proven inability to perform duties due to medical reasons.
4. Consensual assignment to another position or duty.
5. Dismissal from service by virtue of a decision from the legislative authority.

Article (5)

The deputy chairman of the Administrative Control Authority shall be appointed by the State legislature. In terms of salary and financial benefits, he shall be treated as a deputy minister. He may only be dismissed from his position or transferred by virtue of a decision by the legislature, at the proposal of the chairman of the Administrative Control Authority. The executive regulation of this law shall determine the authority of the deputy chairman of the Administrative Control Authority.

Article (6)

The head, deputy head, and members of the Administrative Control Authority shall be Libyans holding graduate or university diplomas in law or any other scientific discipline required by the nature of the work of the Authority as determined by the chairman of the Authority for its members. Non-holders of the aforementioned diplomas may not be appointed as members or granted membership status in the Authority. In addition to the stipulations of this Article, candidates for any functions at the Authority shall have spent a minimum service period of three consecutive years in the field of the Authority.

Employees in administrative, clerical, and handicraft positions shall be exempt from the qualification requirement referred to.

Article (7)

A candidate for a nominated position of an investigative member at the Administrative Control Authority shall hold superior or university diplomas in law and shall have spent at least four years after obtaining the qualification in a regulatory administration or departments. Members of judicial bodies delegated to work at the Administrative Control Authority shall have spent the aforementioned period in their original function.

Article (8)

The chairman, deputy, and members of the Administrative Control Authority may not, while in office, engage in any public position or practice any other activity, be it commercial, industrial, or financial. They may not conclude any contract or commitment with the government or with public bodies or institutions, or serve as members on the boards of directors of companies and oversight and review committees. They may not purchase or rent, whether personally or by an intermediary, any government properties for the purpose of exploitation, even if such is conducted through tenders. They may not sell or lease any of their properties to the government.

Article (9)

The chairman of the Administrative Control Authority shall manage the Authority's affairs and handle the administrative and technical oversight of its work and employees. In this respect, he shall have the power of a minister as stipulated by the laws and regulations applicable to workers. He shall have the power vested in the Minister of Finance with respect to the use of appropriations in the Authority's budget. He shall, in particular:

1. Propose plans, programs, and methods for the exercise of oversight work and follow up on their implementation.
2. Form committees that undertake exercising their assigned tasks stipulated in this law.
3. Issue decisions regarding the granting of membership status and the status of judicial officers to the employees of the Authority and other members of the committees in charge of the tasks assigned to the Authority.
4. Propose the Authority's draft annual budget.
5. Issue regulations and decisions organizing the work of the Authority, the affairs of its members and staff, financial and administrative affairs, procurement, and contracting.
6. Represent the Authority in its relations with third parties and before the judiciary.
7. The chairman of the Authority may delegate some of these competences to his deputy and his deputy shall replace him in his absence.

Article (10)

The Authority shall exercise the powers assigned to it under the provisions of this law, and shall consist of divisions determined, along with their competences, by a decision from the Authority chairman. The Authority chairman may also establish branches, offices, or units for the Authority in some cities and regions.

Article (11)

The chairman, deputy, and members of the Administrative Control Authority shall have the capacity of judicial officers regarding the implementation of the provisions of the present law. Such capacity may also be granted to the Authority employees if required by the nature of their job by virtue of a decision issued by the Authority chairman.

Article (12)

The members of the Administrative Control Authority are technical employees granted the status of membership by virtue of a decision issued by the Authority chairman. The executive regulation of this law shall determine the requirements to be granted membership.

Article (13)

In cases other than *in flagrante delicto*, members of the Administrative Control Authority may only be apprehended or subjected to any investigation procedures by a written authorization of the Authority chairman. In cases of *in flagrante delicto*, the Authority chairman shall be notified within the twenty-four hours subsequent to the arrest.

Article (14)

The appointment, promotion, reassignment -- whether within the Authority or outside it -- delegation, and secondment of members and employees of the Authority, as well as the acceptance of their resignation and termination of their service, shall be effected by a decision issued by the Authority chairman. The executive regulation shall determine the provisions and controls to improve the efficiency of the workers in the Authority to serve its objectives and fulfill the requirements of oversight activity.

Article (15)

A committee for the members and employees of the Authority shall be formed by a decision issued by the Authority chairman, and it shall undertake the competences and powers provided for in the Labor Relations Act and the executive regulation of this law.

Article (16)

The salaries of the employees of the Authority and other benefits granted to them shall be determined by virtue of a decision by the legislature, at the proposal of the chairman of the Authority.

Article (17)

The Authority's employees shall have the right to healthcare, treatment, and compensation for injuries they suffer at or because of work without being personally responsible for them. The executive regulation of this law shall determine the rules and regulations necessary for this purpose.

A fund called the "Workers Fund" shall be formed in the Authority with the aim of providing social and cultural care and assistance to the Authority personnel. The Fund organization, management, identification of resources, and disbursement rules shall be determined by virtue of a decision from the Authority chairman.

Article (18)

The provisions of the Labor Relations Act shall apply to the Authority chairman, deputy, members, and employees with regard to any issue not stipulated in a provision of this law.

Article (19)

Before taking office, Authority members and employees shall take the legal oath to carry out their duties with honesty and integrity. The executive regulation of this law shall determine the text of the oath and the party before which the oath shall be taken.

Article (20)

Disciplinary sanctions that may be imposed on the Authority members are as follows:

- Reprimand
- Warning
- Deduction of the salary for a period not exceeding one month per year
- Denial of annual bonuses for a period of two years
- Denial of promotion for a period of one year
- Withdrawal of membership
- Discharge.

The Authority chairman may impose the sanctions of reprimand, warning, or salary deduction for a maximum period of fifteen days at a time. These sanctions may only be imposed after hearing the member and ensuring his defense through a committee formed by the Authority chairman and comprised of three members whose grades are not lower than that of the member referred to investigation.

Article (21)

The activities of the Authority and its technical employees shall be subject to inspection as stipulated by the executive regulation of this law.

Article (22)

The disciplinary trial of Authority members shall take place before a council comprised of:

- A Supreme Court counsellor delegated by the Court's general assembly (as chairman)
- A counsellor from the Court of Appeal delegated by the Court's general assembly (as member)
- A member of the Authority, whose grade shall be no less than 14, appointed by the

Authority chairman (as member)

The executive regulation of this law shall determine the procedures of the disciplinary trial.

Article (23)

The investigation procedures with non-member Authority employees, their disciplinary trials, and their penalties shall be in accordance with the provisions of the Labour Relations Law.

Chapter (2)

Objectives of the Administrative Control Authority

Article (24)

The Authority aims to achieve an effective administrative control over the executive bodies in the state and monitor their works to confirm the extent to which they achieve their responsibilities and perform their duties in their areas of competence and implement the laws and regulations. It also aims to ensure that in the performance of their works, employees strive to serve citizens. The Authority further works to detect and investigate crimes and offenses related to the performance of public functions duties and the dignity thereof, and to take the necessary measures to hold violators accountable.

In order to achieve these purposes, the Authority shall exercise the competencies stipulated in this law for ministries, authorities, local administration units, Libyan embassies and consulates overseas, public and private bodies and institutions of public interest, and private sector companies and agencies that exercise works for the aforementioned authorities, as well as the parties to which the State contributes or supervises.

Chapter (3)

Competences of the Administrative Control Authority

Article (25)

Without prejudice to the right of the administrative body to follow up, supervise, examine complaints, and investigate, the Authority shall exercise its competencies in these matters as specified below:

- Conduct the necessary investigations and periodically inspect all entities subject to its control to ensure that the performance of tasks assigned to them is in accordance with the legislation in force and that their employees are performing their jobs without mediation, favoritism, or abuse of their positions.
- 2. Follow up on the performance of these bodies, combat administrative lawlessness, and conduct necessary investigations to detect any administrative unfair practice contrary to laws and regulations against any of the workers.
- 3. Detect administrative crimes and violations committed by the workers of bodies that fall under the control of the Authority during the exercise of their work or because of it, and take the necessary measures to control such crimes and violations.

4. Detect crimes and violations committed by individuals who are not mentioned in the preceding paragraph, in the event they target the performance of job duties or public service or harm the public interest, and take the necessary measures to control such crimes and violations.
5. Conduct the necessary investigations to reveal the causes of deficiencies at work in various fields performed by the state, uncover the defects of the applicable regulations that would obstruct the proper functioning of state facilities, and propose solutions to avoid defects.
6. Research and study the complaints and reports submitted by individuals, civil society organizations, or any party in the country to the Authority and act upon them in the light of the results of the research and study.
7. Study and discuss the complaints, investigations, media polls, views, and proposals relating to the functioning of the entities subject to the control of the Authority as published in newspapers and various media outlets.
8. Study laws, regulations, decisions, and systems in force to ensure their adequacy for the purposes for which they were legislated, propose amendments leading to avoid their shortcomings, investigate the causes of deficiencies, inaction, or deviation in application, and propose ways to correct and avoid them.
9. Provide an opinion about the candidates for senior posts at the request of the competent authorities.

Article (26)

The following bodies shall be subordinate to the control of the Administrative Control Authority:

1. The Cabinet, ministries, and all administrative units financed from the general budget.
2. The public bodies and institutions, authorities, independent bodies, and administrative units subordinate to the Cabinet and ministries.
3. Disciplinary agencies and entities.

4. Land, air, and sea ports of entry.
5. Public companies.
6. Companies in which the State or a public body, institution, or company contributes not less than 25% of its capital, whether inside or outside Libya.
7. Production companies, units, and services acquired if they did not yet pay their obligations for the acquisition.
8. The liquidation committees of public companies.
9. Private bodies, institutions, and associations of public interest that the State supports or contributes to their budget.
10. Libyan embassies and consulates abroad and the like.
11. Any other entity subject to the control of the Authority by virtue of a decision by the legislature or at the request of the government.

Article (27)

In order to exercise its competences, the Administrative Control Authority shall employ the necessary means to investigate, detect, and control violations, crimes, and shortcomings at work. For this purpose, the Authority may conduct individual oversight if there is a serious justification requiring it, provided this measure is taken by virtue of a written authorization from the Authority chairman.

Article (28)

The Administrative Control Authority may ask for police assistance to conduct the investigations and oversight referred to in the previous article. In all cases, a report indicating the incident and the outcome of the investigation, surveillance, or control conducted by the Authority shall be issued by security services.

Article (29)

The Administrative Control Authority shall take the necessary actions and measures to protect informants of crimes, witnesses, and experts from any attack because of what they have done to communicate, testify, or share expertise.

Article (30)

The Administrative Control Authority may, at any time, undertake a spot inspection of the entities subject to its control. The Authority member shall have the right to review all documents relating to those entities, even if they are confidential. It shall also have the right to keep the accounts, documents, records, and other papers and summon whoever it deems fit in order to hear his statement.

Article (31)

Oversight and investigation personnel in the Authority may request that an employee be provisionally suspended from work for the public interest or the interest of the investigation, if there are substantial grounds for this action. The suspension decision shall be issued by the Authority chairman or his authorized representative, and the period of suspension may not be more than three months, except by virtue of a decision from the authority that is competent to discipline.

Article (32)

If the Administrative Control Authority reveals actions that harmed public funds, whether movable or immovable, the Authority chairman may order the suspension of the person who caused the damage. He may also stop the disposition of funds from the bank accounts of the party that was harmed. Such funds shall not be released before ensuring that the damage has ceased and it is without prejudice to the provisions concerning criminal and disciplinary responsibility.

Article (33)

In the event investigations or surveillance uncover matters requiring investigation, the Authority chairman or his deputy shall refer the documents to the competent investigating department in the Authority or to the Public Prosecutor, according to the case.

Article (34)

The Authority shall investigate the financial and administrative violations committed by workers in entities that are subject to its oversight, whether they have been discovered and seized during the exercise of its duties or were referred to it by the competent authorities. Referral to investigation shall be decided by the Authority chairman or his authorized representative.

Investigation into financial violations attributed to employees and workers shall be conducted by the investigation member in the Authority. The executive regulation of this law shall determine the investigation procedures and the proceedings.

Article (35)

The investigation member may summon the defendant, witnesses in the entities subject to the control of the Authority, and others connected to the facts of the investigation. He may also resort to experts if need be.

The provisions prescribed in the Code of Criminal Procedure shall apply to the defendant and the witnesses, including the arrest warrant. The provisions on judicial experience shall apply to the experts.

Article (36)

The Administrative Control Authority shall notify the work entity that the defendant is subordinate to that he is being investigated, unless he was referred to investigation by the concerned entity.

Article (37)

The defendant shall be notified of the investigation at least three days before it starts. He may attend all the investigation stages, unless it is in the investigation's interest that it is carried out in his absence.

Article (38)

The Authority members may, without the permission of the Public Prosecution, inspect work places and other spaces used by staff accused of committing violations. The Authority may only conduct body searches and inspect the houses of the employees accused of violations after obtaining written permission from the Public Prosecution if there are substantial grounds to take this action, in accordance with the Code of Criminal Procedure. The Authority may resort to police officers during the inspection and a report shall be prepared to document the inspection, its result, and the presence or absence of the employee when it was conducted.

Article (39)

Upon the completion of the investigation, the investigation member shall submit the case file to the director of the entity concerned with the investigation, with a memorandum containing the results of the investigation, its facts, characterization and his opinion, noting whether the defendant or defendants are provisionally suspended from work or not.

Article (40)

If the Authority chairman or his authorized representative finds that the violation does not warrant a sanction beyond the sanctions that may be imposed by the entity to which the employee to be sanctioned is subordinate, the documents shall

be referred to the entity in question to issue its decision as it sees fit. The entity shall notify the Authority of its decision within fifteen days from the date of issuance.

If the Authority chairman or his authorized representative finds that the violation warrants a sanction beyond the sanctions that may be imposed by the entity to which the employee who should be sanctioned is subordinate, the documents shall be referred to the competent disciplinary board. The employee and the entity he is subordinate to shall be notified of such.

Article (41)

The decisions issued by the competent disciplinary boards shall be notified to the Administrative Control Authority within fifteen days from the date of issuance, in accordance with the provisions of the second paragraph of Article (40) of this law.

The Authority chairman or his authorized representative may appeal the decisions referred to before the competent court on the corresponding dates and in accordance with the procedures established for this purpose.

Article (42)

In the event the investigation reveals the occurrence of a criminal offense or the facts being investigated administratively constitute criminal offenses, the Authority shall refer the documents to the competent Public Prosecution within a period not exceeding one month to take legal action in their regard.

Chapter (4)

Disciplinary Board for Financial Violations

Article (43)

A disciplinary board called the "Disciplinary Board for Financial Violations" shall be established in accordance with the provisions of this Law. It shall have the power to prosecute the employees and staff of the entities subject to the oversight of the Administrative Control Authority and the Audit Office for financial violations committed in violation of the provisions of the law of the financial system of the State of Libya and the regulations issued pursuant thereto and other financial violations stipulated in the legislation in force governing the work in the entities subject to the control of the Authority.

Article (44)

The Disciplinary Board for Financial Violations shall be comprised of:

1. A magistrate whose grade is no less a counselor in the competent Court of

Appeals, selected by the Court general assembly, as chairman.

2. One of the members of the Audit Office whose grade is not less than thirteenth, appointed by the Audit Office chairman, as member.
3. One of the members of the Law Department, appointed by the Minister of Justice. as member.
4. An employee from the Ministry of Labor and Rehabilitation whose degree is not less than thirteenth, appointed by the Minister of Labor and Rehabilitation, as member.
5. An employee from the Ministry of Finance whose degree is not less than thirteenth, appointed by the Minister of Finance, as member.
6. The Board shall have a secretary from among the workers of the Authority selected by the Authority chairman.

If the person referred to disciplinary trial is a member of the Board, the relevant entity shall select a replacement. Membership in the Board shall not exceed two years. The Board shall be formed by virtue of a decision from the Authority chairman. Other Boards may be established, provided that the decision determines the jurisdiction of each board and the composition of these boards be according to the provisions of this Article.

Disciplinary trials for people selected from the legislature shall be before a board formed by virtue of a decision from the legislature.

Article (45)

The referral to the Disciplinary Board for Financial Violations shall be from the director of the department concerned with the investigation after the Authority chairman adopts the decision. The investigation member shall undertake the disciplinary proceedings before the Disciplinary Board for Financial Violations.

Article (46)

The Disciplinary Board for Financial Violations shall hold its meetings at the headquarters of the Administrative Control Authority or one of its branches. The meetings shall only be valid if attended by the chairman and at least three of its members. In the case of a tie vote, the side with which the chairman voted shall prevail. Meetings shall be confidential and its decisions shall be issued by the

majority of members. The Board's decisions shall include the reasons they were based on and they shall be notified to the employee concerned within fifteen days from the date of issuance. The Board's decision shall be conclusive and may not be appealed except before the administrative judiciary. The executive regulation shall determine the disciplinary procedures not stipulated in the provisions of this law.

Article (47)

Testimonies before the disciplinary board shall be given after swearing the oath and with respect to absence, refraining from testimony, and false testimony, the provisions related thereto in the Penal Code and Criminal Procedure Code before the Court of Misdemeanors shall apply to witnesses. The boards shall have the powers prescribed for the Court of Misdemeanors in this regard.

Article (48)

The disciplinary sanctions that may be imposed by the Disciplinary Board for Financial Violations are as follows:

- Reprimand
- Warning
- Deduction of the salary for a period not exceeding one month per year
- Denial of promotion for a period of minimum one year and maximum three years
- Fine of one thousand LYD minimum and five thousand LYD maximum
- Demotion
- Dismissal

Such sanctions shall be imposed by virtue of a decision from the Disciplinary Board for Financial Violations. The employee's end of service shall not preclude his disciplinary trial before a disciplinary board. Compelling the entity to correct the violation upon notification shall not prejudice the implementation of the provisions of this Article.

Article (49)

A monthly bonus shall be granted to the chairman, members, and secretary of the Disciplinary Board, and its amount shall be determined by virtue of a decision by the chairman of the Administrative Control Authority.

Chapter (5) Final and Transitional Provisions

Article (50)

The Cabinet, ministries, and their affiliated entities shall forward a copy of the minutes of their meetings and decisions upon issuance to the Administrative Control Authority. These entities shall also forward to the Authority copies of their letters that grant benefits, impose financial obligations, or include changes in powers and legal positions.

If the Authority finds that the decisions referred to it by the entities subject to its control violate the legislation in force, it shall appeal such decisions before the administrative judiciary circuits. The withdrawal of the appeal by the Authority shall require suspension of implementation of the contested decision pending the issuance of a final judgment on it.

Article (51)

The entities subject to the oversight of the Administrative Control Authority shall notify the latter of the violations that take place within them as they are uncovered. It shall also notify the Authority of the results of investigations into these violations. The Administrative Control Authority shall take the legal measures in their regard.

Article (52)

Entities subject to the oversight of the Administrative Control Authority shall study the observations and inquiries directed to them and respond to them on time. Any employee in the entities subject to the oversight of the Authority who have concealed information requested by the members of the Authority to undertake their works or refrain from submitting it or informing them of it, shall be punishable disciplinarily, as well as anyone who refrains with no acceptable excuse from implementing a summons to hear his accounts or who delays in responding to the remarks or correspondence of the Authority in general or fails to respond to them without an acceptable excuse.

Article (53)

The Administrative Control Authority may resort to the police and other regulatory services to undertake the tasks required for the implementation of the provisions of

this law. It may also resort to experts in matters relating to its functions from people who do not work in the Authority. A decision in this regard shall be issued by the Authority chairman.

Article (54)

The reports prepared by the Administrative Control Authority shall constitute the body of the reports issued by Research and Judicial Expertise Centre.

Article (55)

The Administrative Control Authority shall develop its draft annual budget and submit it to the Minister of Finance no later than the thirty-first of August of each fiscal year. The Minister of Finance shall include the draft budget as prepared by the Authority in the state general budget. In the event the draft budget of the Authority includes an increase of the total allocations over the previous financial year, the Minister of Finance may seek clarifications and justifications for the increase from the Authority. In the event the increase is not approved, the matter shall be referred to the legislature to decide on it.

An ad hoc committee formed by virtue of a decision from the legislature shall review the accounts of the Authority and the decision shall set the review standards and regulations.

Article (56)

The Administrative Control Authority shall submit to the legislature an annual report on its works detailing its remarks and recommendations and noting the measures taken with regard to the violations and infractions revealed to it. The Authority may publish the violations it disciplined and the measures taken in their regard through various media outlets.

Whenever necessary, the Administrative Control Authority may submit to the concerned authorities a report on the issues and topics revealed by the oversight activity and which it finds important to the degree that they require speedy consideration.

Article (57)

Executive regulations and decisions in force related to the work of the Administrative Control Authority shall continue to be applied in accordance with the provisions of legislation, and that until the issuance of texts that amend or repeal them.

Article (58)

The executive regulation of this law shall be issued by virtue of a decision from the legislature at the proposal of the Authority chairman.

Article (59)

Workers and movable and immovable assets shall be distributed between the Audit Office and the Administrative Control Authority by a committee formed by virtue of a decision from the Presidency Office of the General National Congress (GNC), at the proposal of the follow-up committee of oversight agencies in the GNC.

Article (60)

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

**General National Congress
Libya**

**Issued in Tripoli
On 23 Ramadan 1434 AH
Corresponding to 01/08/2013 AD**

Law No 17/2016
Concerning the amendment of the law No 20/2013 concerning establishing
administrative inspection authority

General national congress

After reviewing:

- Temporary Constitutional Declaration issued in 03/08/2011 and its amendments.
- The bylaws of the general national congress
- Laws of penalties criminal procedures and its complementary legislations.
- Law of financial system of the state and the regulation of budget, accounts and stores and its amendments.
- Law No 11/1996 concerning reorganization of popular inspection and its amendments.
- Law of judicial system and its amendments
- Law No 2/2007 concerning the organization of inspection and control.
- Law No 2/2007 concerning establishment and organization of financial control authority.
- Resolution of the Libyan transitional council No 119/201 concerning the establishment of control board and its amendments.
- Law No 12/2010 concerning issuing work relations law.
- Law No 19/2013 concerning reorganization of control board and its amendments
- Law No 20/2013 concerning the establishment of administrative control authority.
- The report of the president of administrative control authority No 1825.1.1 dated in 05/04/2015
- Decision of the president of general national congress in its regular meeting No 239 convened in Thursday 23/02/2016.

The following decision has been issued:

Article 1

Amending the article No 42, whereas its text will be as follows:

If the investigation on a crime or felony resulted, or the facts subject of investigation consist a criminal crimes, the investigation member practice all powers of prosecution stipulated in the fourth chapter of the first letter of criminal procedures law.

If the manager of the competent administration has sufficient proves against the accusations, he should order to refer the documents of the suit to the competent court or charge department as

the case may be, after describing the facts and give it a legal description, and approve it by the president, and the investigation member should perform the proceeding before the competent court, and he have the right to practice all powers of the general prosecution including appeal of issued judgments.

And if the director of the competent administration considers that the suit is not necessary to be raised, he should issue and order to release the accused unless he was stopped for other crime.

The president may cancel the issued order of the incorrectness of raising the suit during three months from the date of issue in all cases stipulated in the law of criminal procedures.

In all cases, the president is specialized of the said appeal in the issued judgments in crimes and he has all powers decided for general prosecutor and stipulated in the law of criminal procedures.

Article 2

Amending article No 38 whereas its text to be as follows: the members of the authority may search work places without prior approval of the general prosecution, and the president in case of investigations may permit searching individuals and their houses if there are reasonable reasons to take this procedure. In all cases the permission should be in writing and the search should be performed by the investigation member.

Article 3

This law is applicable from the date of its issuance and any prejudicing provision should be revoked. This law should be published in the official newspaper.

Signed and sealed by:

General national congress / Libya

Laws

Decision of the Chairman of the General National Congress

No 28 /2015 pertaining to the issuance of the executive regulation of Law No 20/2013 for the establishment of the Administrative control Authority

Considering:

- Interim constitutional Declaration issued on 3 August 2011 and its amendments,
- both Laws ; Penal Law of criminal procedures and their supplementary legislations thereof,
- Financial Law of the state and regulations of the budget, accounts and stores and their amendments,
- Law of judicial system and its amendments
- Law No 12/2010 concerning the passing of labour relationships Law
- Law No 20/2013 relating to the creation of the Administrative control Authority
- What was presented by the Chairman of the Administrative control Authority

It passed the following Law

Chapter 1

General provisions

Article 1

In implementation of these provisions, the words and terms set forth in it have the meanings ascribed to them unless otherwise stated.

Definitions:-

- Authority: Administrative Control Authority
- Law: Law No 20/2013 relating to the creation of the Administrative control Authority
- Chairman: Chairman of the Administrative Control Authority
- Deputy : Deputy of the Administrative control Authority
- Member of the Authority: the technical employee for whom the chairman issued a decision to grant membership the status
- Technical staff: whoever holds a post-graduate or graduate degree in Law or other qualifications for whom a decision is issued by the chairman granting the capacity of Law-enforcement officer.
- Employee, subject to the control of the Authority: all personnel at the entities and agencies that are subject to the control of the Authority pursuant to article 26 of the Law.
- Personnel: affiliates to the Authority as members and employees.

Article 2

The Authority shall commence its competences and functions in accordance with the provisions provided for in its establishing Law, which is set forth in this regulation. Its Headquarters shall be based in Tripoli city. It may open branches and offices to be set up by a decision issued by the chairman.

Article 3

Members and technical staff of the Authority shall be solely subordinate to their seniors according to their grade levels, then to the chairman of the Authority , and they act for each other.

Article 4

The competences of the directors of departments and directors of branches and offices thereof shall be defined by a decision from the chairman of the Authority.

Article 5

The Chairman may delegate some of his powers and competences to the directors of General Departments and affiliated offices if the need and interest of the work so required.

Article 6

The Deputy shall assist the Chairman in supervising the functioning of the Authority's actions in accordance with the provisions of the legislations in force.

- Follow-up of the activities of the Authority's branches, receiving, examining and approving correspondences and reports from them, and following up the procedures related thereto.
- Supervise the units of the Authority in the entry posts to be defined by a decision of the Authority Chairman.
- Signing contracts concluded by the Authority, which do not exceed the value of (150,000 one hundred and fifty thousand dinars) to provide services or assign advisory committees following the approval of the Chairman
- Propose the formation of Procurement Committee and approve its Minutes.
- Chairing specialized and joint committees, the main tenders committee and other committees assigned by the Chairman.
- Follow up the work of the committees formed within the Authority.
- Propose policies and general orientations, supervise programs and propose systems and regulations related to the methods and means of organizing the procedures related to the work of the Authority.

- Propose the setting up of technical and advisory committees to discuss and follow up on issues and complaints that require follow-up.
- Proposing the granting of incentives and committee remuneration to be formed in accordance with the legislations in force.
- Prepare periodic reports on the functions and progress of the Authority.
- Follow up and supervise the daily work of the administrative organ of the Authority.
- Oversee the preparation of the draft general budget and the preparation of the final account and the annual report of the Authority.
- The powers delegated by the chairman of the Authority

Article 7

In case of Chairman's absence, the deputy shall act on his behalf, and if both of them are absent, the oldest and most senior manager of general departments shall act for the chairman.

A state of absence occurs, if the Authority Chairman cannot discharge his duties at the Authority Headquarters in a period exceeding five consecutive days, The Deputy shall notify the Legislature of undertaking the duties of the Chairman immediately after the elapse of the period defined in this Article.

Chapter 2

(On the Exercise of Powers and Competences by the Authority)

Part One

(concerning the control work)

Article 8

In order to exercise its powers stipulated in the law, the Authority shall use all necessary means to investigate and detect crimes, irregularities and deficiencies in the performance of all entities, subject to its control.

Article 9

if the member or technical officer of the Authority deems it necessary to impose individual control, provided for in Article (27) of the Law, he shall indicate this in a detailed report to be appended to the request for permission. Likewise, he will state the incident or the suspicion of crime or offense as well as the employee to be monitored, and the justifications he deems necessary for the implementation of such individual control. The competent Director of the Department or the Branch Manager shall annotate his opinion on the report to obtain permission from the Chairman.

Article 10

Individual control shall be conducted in strict confidentiality and shall be conducted only by and under the supervision of a member or technical officer of the Authority in the manner and method defined by the competent director of the department or the branch manager, as the case may be .The Authority may seek the assistance of the police and security officers in conducting the above-mentioned investigations and monitoring.

Article 11

The written authorization issued by the Chairman of the Authority to conduct individual control shall include the name of the monitorer , the entity he is affiliated to and the purpose of the monitoring.

The member monitoring the individual shall prepare Minutes containing a statement of what was done in each case and the result of investigations, control, and arrest. In all cases, the investigations and control documents shall be considered confidential.

Article 12

The member or the technical officer of the Authority, in order to perform the tasks entrusted to him in execution of the provisions of the law, may use personal sources to obtain information in the entities, subject to the Authority's control, which are required by his control functions and shall notify his immediate superior to deal with them in total secrecy.

Article 13

When requesting the suspension of an employee from his work as a precautionary measure for the public interest, the member or the technical officer of the Authority shall indicate in his request the name of the employee to be suspended preventively and his occupational category and the justifications requiring the suspension, and he shall indicate the aspect of public interest, which necessitated that.

The request shall be submitted to the Chairman of the Authority through the competent Department Director or the Branch Manager, as the case may be, to request the issuance of a suspension order.

Article 14

The member of the Authority or its technical officer shall take into consideration the period of suspension prescribed by law.

If the suspension period is nearing expiry and he views that it should continue for the public interest, he shall draw up a memorandum stating the reasons for the continuation of the suspension. The competent Department Director or the Branch Manager as the case maybe, shall forward the papers the Authority Chairman who will refer them to the competent disciplinary Council to decide on them before the end of the suspension period in good time.

However, if he deems it un necessary to continue the suspension, he shall prepare a memorandum to the Chairman of the Authority through the competent Director of the Department or the Branch Manager, as the case may be, to request the issuance of the necessary decision to lift the suspension.

Article 15

The member or the technical officer of the Authority shall have the right to access all the papers, documents, data and accounts he deems necessary to accomplish his mission even if confidential. Likewise, he has the right to seize them and mace copies thereof. He may also visit work sites and all entities subject to the Authority's control shall provide him with all facilities without hindrance to the duties he is assigned by the law after verifying his affiliation with the Authority by presenting his occupation job identification card.

Article 16

The Authority member or technical officer in carrying out the competences, stipulated in the law, shall investigate the information about the entities

subject to control from the various sources he deems necessary to do so. He shall work on analyzing the information and ensure its validity on the ground. In order to do so, he may move to the location of the entity, conduct the necessary inspection, check the progress of its work and scrutinize the documents and files he deems necessary to examine.

He also has the right to hear and establish the statements of those whom he deems it necessary to hear and document at the Authority Headquarters as required by the circumstances of the incident

Article 17

If a member or a technical officer of the Authority, while performing his duties in conformity with the provisions of the law, reveals that there is a shortcoming or an inadequacy in the entity, subject of the control assignment, which resulted from a violation or a criminal offense, he shall immediately document such violation or crime and conduct the necessary investigation to determine the perpetrator or the person, responsible thereof. He shall include that in the report, prepared for this purpose, and he shall indicate the type of offense or crime and the name or names of the perpetrators and the results of his investigations in this regard.

Article 18

If a member or technical officer of the Authority, finds that there is a justification for seizing the account of the entity, subject control pursuant to Article 32 of the Law; he may establish that in the report, prepared for this purpose. He shall pinpoint the account number and type and the name of the bank deposited in it, and the justifications for the provisional seizure, and present it to the Chairman through the director of the department or branch or the competent office of the member or technical officer to take the necessary measures in this regard.

Article 19

The member or technical officer of the Authority during his investigation of the entity subject to control, should ensure that the performance of that entity is performed in accordance with the purposes and ends specified in its establishment document; and that its personnel and employees perform their functions as required by the legislations in force, and shall indicate this in his report prepared for this purpose. He shall establish and document any deviation from the purposes or laws governing it.

Article 20

The member or technical officer of the Authority, should he find out through his performance of the functions entrusted upon him 'by law or through the information which he receives' that there are suspicions about an employee, subject to the Authority's control indicating that his behavior damages the reputation and dignity of public service, he shall investigate the truth about that information. In so doing, he may notify the competent Authority of the organization to oblige the concerned to submit a financial disclosure.

He may also request individual surveillance if he deems it justifiable pursuant to the provisions of Article 27 of the Law, with due regard to Articles 10 and 11 of these Regulations.

Article 21

If the employee, subject to the Authority's control refrains from providing the member or the technical officer with any documents or data, he requests, the member or technical officer of the Authority shall immediately establish and document this in a report, prepared for this purpose. This will be tabled to the Chairman through the Director of the Department or the branch he is affiliated to, in order to take the necessary measures in accordance with the provisions of Article (52) prescribed for it.

Article 22

The Authority shall follow up the performance rates of the entities, subject to its control in order to ensure the achievement of its desired objectives in the best ways and at the lowest costs. It shall also ensure that its employees perform their work in accordance with the law.

Similarly, it should follow up the performance rates in the production or service units under its control to check the extent to which it has achieved the objectives set for it.

Part II

(on the investigation)

Article 23

The Investigation Department shall undertake investigation with respect to the violations ascribed to the employees working in entities, subject to the Authority's control which are referred to it by its Chairman or his representative in accordance with the law..

Article 24

The administrative and financial violations and irregularities ascribed to employees, subject to the Authority's control shall be investigated by a member of the investigation.

The investigation of such violations shall be conducted in accordance with the rules and measures stipulated for in the law of criminal procedures.

Article 25

Members of the investigation may not be turned back except in cases where members of public prosecution are required to do so as stipulated in the legislations in force.

Article 26

The investigation shall be conducted in the Authority Headquarters, and the investigation member may move to any other entity, so required by the investigation.

Article 27

The investigation shall be conducted in writing, and be established in the Minutes or the sequenced set of Minutes, each of which shall be issued indicating its date, place, the opening hour and its panel. Every page shall be annotated by the signature of the investigation member at the bottom of each page. The investigation member shall record in the Minutes all procedures taken, and the name, surname of the accused, his place of work, his occupation, his place of residence and the questions and answers. He shall request the accused person to sign on each page of his statements in the Minutes.

article 28

A clerk shall undertake the writing of the Minutes of the investigation, who shall co-sign every page along with the investigation member and shall execute his annotations on the papers. He shall also accompany him when moving to investigate outside of the Authority Headquarters. Wherever appropriate, a clerk may be assigned from the entity to which the investigation member has moved, and the clerk shall be requested to take oath before the initiation of the investigation.

Article 29

The investigation member may summon the accused employees of the bodies and entities, subject to the control of the Authority and others for questioning, for what is ascribed to them. This shall be done in accordance with a subpoena either personally or through one of the Law enforcement officers of the Authority or one of the security officers. The subpoena shall include the name of the accused, surname, occupation, work entity and domicile. The charge ascribed to him, date of the subpoena, date and place of attendance and signature of the member shall be appended to the seal of the Authority.

Upon the presence of the accused, the investigation member shall verify his identity, inform him of the charges against him, and establish his statements in the Minutes.

Article 30

If the accused does not appear after being summoned without an acceptable excuse, the investigation member may issue a warrant for his arrest and summons. One of the Authority's Law-enforcement officers or a security officer shall notify the concerned person of the arrest and habeas corpus orders. This order shall include the name of the accused, his surname, occupation , work place, domicile, the charge ascribed to him, date of the warrant and signature of the member appended to the seal of the Authority.

The warrant shall be invalid after the elapse of six months from the date of its issuance unless renewed by the member for another duration.

Article 31

The investigation shall deal with all the facts referred to the member. If the member realizes during the investigation the existence of violations or

crimes that are not related to the original incident, he shall establish them and refer them to the Chairman or his representative through the director of the competent investigation department to assign it a case number.

Article 32

The investigation member may request documents, papers and files from the competent authorities and make photocopies thereof when he deems it necessary for the investigation, and he has the right to access any data he deems necessary and crucial for the investigation. The entities, subject to the Authority's control shall enable the members of the investigation to do so even if their papers or data are confidential.

Article 33

The investigation member may seek the assistance of experts on technical matters if the interest of the investigation so requires. The provisions, provided for, in the judicial expertise in the effective legislations shall apply to those who are from outside the Authority.

Article 34

If the investigation member considers that the interest of the investigation requires the suspension of the accused from his work, he shall prepare a memorandum setting out the subject of the investigation and the justifications for requesting a suspension, to be submitted to the Chairman to issue a suspension decision. The Period of the suspension shall not exceed three months, except by a decision of the competent disciplinary Council.

Article 35

The Investigating Member of the Authority shall complete the investigation with the employee, who is suspended from work within the prescribed period of suspension. If there are strong justifications calling for an extension of the suspension, he shall prepare a memorandum, thereof

setting out the facts ascribed to the suspended employee and the justifications for extending the suspension, then he shall submit it to the Chairman of the Authority through the Director of the Department of Investigation. If he agrees to the extension, then he shall refer the documents to the competent disciplinary council to extend the suspension.

Article 36

The investigation Member may, at any time, inspect work places, and other places, which are used by the employees to whom the offences are ascribed, whenever the interest of the Authority so requires.

Article 37

If there are strong justifications for conducting the search of the employee's house to whom the offense is ascribed or, if the Investigation Department Director submits the matter through a memorandum to the Chief of Public Prosecutions, in whose place jurisdiction the home of the person to be searched is located. A written permission shall be appended to the Minutes.

One of the members of the investigation in the presence of the person to be searched or his representative, whenever possible shall carry out the inspection. If this is not available, the inspection shall take place in the presence of two fully qualified witnesses from his relatives, co-residents or neighbors. This arrangement shall be observed, as far as possible and it shall be established in the Minutes. If the person, to be searched is a female, a female delegated by the investigating member shall carry out the search. The investigating member may request assistance from the police and security personnel in the inspection process.

Article 38

If the results of inspection reveal that documents and objects essential to the investigation have been found, the member shall establish and describe

their data in the Minutes, provided that he keeps them in a secure receptacle, to be stamped with the Authority stamp, indicating in writing the date and number of the Minutes and the subject of the investigation.

If the investigation member, during the inspection, finds things whose possession is considered a crime, according to the Penal Law or any other Law, the member shall seize and preserve them, and draft Minutes thereof, and refer them with the receptacle, immediately to the public prosecution in order to take the necessary legal steps.

Article 39

The investigation member shall document in the Minutes the inspection procedures, the presence or absence of the accused during the inspection, the result and a detailed statement of all the papers or other documents related to the investigation.

Article 40

The investigation member may call witnesses from the employees of the entities, subject to the control of the Authority and others and hear their statements after taking the oath.

The writ of summons to testify shall include the witness's name, surname, place of work, occupation place of residence, subject of the investigation, the date of the writ and date of coming to testify, in addition to the signature of the investigation member and the seal of the Authority.

One of the Authority's Law-enforcement officers or a security officer shall notify the concerned person of the orders of summons to appear for the testimony, the arrest warrants and the habeas corpus .

Such orders may not be executed after the elapse of six months as of the date of their issuance, unless the investigation member extends them for a further period.

Article 41

Any person, called to give testimony must appear on the date set by the subpoena. If he fails to show up or defaults to perform the testimony, the investigating member shall establish this in the Minutes.

The investigating member may assign one of the Authority's Law enforcement officers or a security officer to bring the person who abstains from voluntary presence.

If the witness is sick or has anything preventing him from attending, his testimony may be heard at his domicile.

If the investigation member moves to hear his testimony and finds that the excuse is not valid, the investigation member shall order bringing him on the date set thereof. This shall be carried out with the knowledge of a Law-enforcement officer or a security officer. The provisions prescribed in the Law of criminal procedures relating to refraining from testifying shall be applied on him.

Article 42

Recording any financial or administrative offense, shall be based on the articles of Laws, regulations and decisions whose provisions apply thereof, and the expression, therein shall set forth the description whenever possible.

Article 43

Upon completion of recording or description, the investigation member shall dispose of the papers by referring them to the competent disciplinary Council or he shall order dismissing the disciplinary action owing to non-violation, insufficient evidence, or insignificance. this shall be approved by the Chairman of the Authority after presentation by the Director of the Competent Department.

Article 44

If the results of the investigation indicate a criminal offense, the investigation member shall establish this in the Minutes of the investigation, prepare a memorandum containing a description of the incident and its legal characterization, and refer them to the director of the competent investigation department for submission to the Chairman of the Authority.

Article 45

During the investigation, the accused shall have all the guarantees provided for in the Law of Criminal Procedure where no special legal provision is enacted.

Chapter 3

(On the Rules of Procedures of Members and Staff of the Authority and their Discipline thereof)

Part 1

On the Rules of Procedures of Members of the Authority and its Staff

Article 46

It is stipulated that those who will be appointed in positions of the Authority's members and employees shall meet all appointment conditions prescribed for occupying public service posts in accordance with the legislations, in force, in a manner that does not contradict the provisions of Law No. (20) /2014.

Article 47

Subject to the provisions of the preceding Article, those who are appointed to work at the Authority shall be required to successfully pass the appointment examination before a competent affairs committee formed by

a decision of the Chairman of the Authority defining how the examination shall be conducted.

Article 48

A theoretical and practical training course shall be conducted for the Technical staff, who have successfully passed the appointment examination before placement to work in one of the control departments or branches. The course shall be on the control field according to a program prepared thereof the duration of which is not less than six months.

Article 49

Members and staff of the Authority, before commencing their work shall take the following oath: `` I swear by Almighty Allah to perform my duties in total honesty, sincerity and faithfulness, to respect the Law and safeguard the interests of the Libyan people" . The oath shall be taken before the Chairman, his deputy or his authorized representative.

Article 50

The Committee of the Authority's Members and Employee Affairs shall assume all the functional affairs of its members and other employees, and shall have all competences provided for in the relevant applicable legislations in a fashion that does not contravene the provisions of the law. It also prepares personnel structuring of the Authority in cooperation with the Department of Administrative Affairs, which will be approved by the Chairman.

Article 51

Whoever is granted membership status shall meet the following conditions:

- He must be a holder of a post-graduate or graduate qualification in Law or any other qualification required by the nature of the

Authority's work to be determined by a decision of the Authority Chairman in accordance with Article (6) of the Law.

- Have spent three years in control work in one of the control departments or technical offices as a technical officer.
- The degree of his competence and efficiency in performing the control work shall not be less than very good throughout three consecutive years at the Authority determined by the inspection report, which is prepared by the inspection office.
- Those, who have not been punished previously by disciplinary councils.

Article 52

An inspection office shall be established at the Authority to inspect the work of its members and the technical staff nominated for membership status, taking into account the conditions to be met thereof and stipulated in Article (51) of these Regulations.

Article 53

An adequate number of members whose rank is not less than the eleventh grade shall be assigned to work in the Inspection Office by a decision of the Chairman of the Authority to carry out inspection and evaluation work. They shall be selected from all specializations that are applied in the Authority.

Article 54

Inspection of the work of the Authority's members and technical staff shall be carried out at least once a year. The inspection report shall be deposited, within two months at the latest from the end of the inspection completion. Proficiency is evaluated in one of the following grades:

1. Excellent
2. Very good

3. Good

4. Weak

Members of the Authority shall be informed of any observations or other papers, relating to their job or filed in their files at the Inspection Office.

The inspection regulation shall define the rules and controls based on which the inspection shall be conducted; These Regulations shall be issued by a decision of the Chairman.

Article 55

Employees of the Authority and their families of first degree have the right to health and social care and medical treatment for any of them in health institutions and medical companies inside and outside Libya, that are approved by the Authority. The Authority shall bear the expenses of treatment in these institutions or companies in accordance with the financial allocations approved in the Authority budget according to the following:

- The price of dispensed medicines and amounts for surgeries, laboratory tests and fees of tests and radiology.
- Expenses of accommodation and treatment in these institutions and companies.
- Price of medical glasses and prosthetics, including teeth or hearing aids if recommended by the doctor.
- The Authority may contract with a health insurance company to provide such health care to its employees inside and outside Libya

Article 56

Any employee of the Authority who sustains an injury while performing his work or because of it, resulting in total or partial disability or death of the

employee, shall be granted monetary compensation in accordance with the rules and ratios defined in the legislations in force.

Article. 57

The Authority works towards raising staff efficiency through the development and training in the specialties relevant to the nature of its work and oversight functions, giving priority to training inside the country. Decisions for training shall be issued by the Chairman. The training regulations shall define the rules and controls established for this purpose.

Part 2

(With Respect to Disciplining Members of the Authority)

Article 58

Members of the Authority may not be investigated administratively except by virtue of a written authorization issued by the Chairman of the Authority in which the investigator shall be defined pursuant to article 20 of the law. Confidential files of such investigations shall be opened and the results of the investigation shall be presented in a memorandum to the Chairman of the Authority for action.

The disciplinary action shall be brought against a member of the Authority with a causation report from its Chairman. The member shall be summoned to appear before the Disciplinary Council by a registered letter, the report shall contain a full description of the charge and its evidences.

Article 59

The Council stipulated in Article (22) of the Law shall hold its meetings at the Authority's Headquarters. Its session shall only be valid by the attendance of all its members. It shall pass its decisions by majority of votes.

Article 60

Disciplinary trial hearings shall be confidential and the member shall attend in person and he may appoint a Lawyer to defend him. The Disciplinary Council may request the presence of the member in person. If he is absent, the decision shall be issued in his absence after verification of his receipt of the subpoena.

Article 61

The disciplinary case shall expire upon the expiry of the legal period defined in the legislations in force. The disciplinary action shall have no effect on the criminal or civil case arising from the same incident.

Chapter 4

(Budget, accounts and contracts)

Article 62

The budget of the Authority, after being approved by the Legislative Authority, shall be included in a separate bracket of the State General Budget.

The draft budget is prepared on the basis of the State General Budget and estimates of the possible annual increases.

Allotments shall be issued after the passage of the Budget Law by the Authority Chairman

Article 63

Disbursement shall be made through the General Department for Administrative and Financial Affairs of the Authority on all aspects of

expenditure within the approved budget in accordance with the basics and controls stipulated in the applicable financial legislations.

Article 64

The Authority shall have one or more accounts to be opened at banks operating in Libya. The Chairman of the Authority shall exercise the powers prescribed for the Minister of Finance with respect to the use of the appropriations, set forth in the Authority's budget .He has the power to transfer from an item to an item within the Authority's budget.

Article 65

The Chairman of the Authority shall exercise the powers vested in the Council of Ministers in the execution of the Authority's budget.

Article 66

All expenses are subject to the Authority's prior internal audit to verify their validity and the sound application of financial regulations and systems in force in the Authority. the accounts of advances, imprests and loans shall also be subjected to internal auditing. The accounts of imprests and sustainable advances must be closed before the end of the fiscal year.

Article 67

The provisions of the Administrative Contracts Regulations, shall apply to contracts of public works, construction and supplies that are concluded by the Authority In a manner that does not contradict the provisions of Law No. (20) for the year 2013 AD.

Article 68

The Chairman of the Authority shall assume the competencies assigned to the Council of Ministers or the Minister concerned with the regulations of

administrative contracts in issuing permits and initiating and approving contracting procedures..

Article 69

The Authority may contract the lease of property, machinery and equipment from third parties in cases required by the interest of work, provided that it does not have a similar unutilized. Before that, an economic study should be carried out to compare the cost of purchasing the asset with the leasing costs so as to select the best.

Article 70

A permanent tender committee shall be established at the Authority to be concerned with commencing public and limited tender and bidding procedures, practices, tender examination and adjudication. The Chairman of the Authority shall issue a decision on its formation and definition of its rules of procedures.

Article 71

Any salary increase decided for other State employees shall apply to the salaries of the Authority's employees with the same conditions and ratios that are recognized by the increase.

Article 72

The Chairman of the Authority shall issue Regulations remunerations and allowances of all kinds which may be granted to its members and employees, required by the Authority's work interest, as well as to those who are hired from outside the Authority to perform some work related to its work and to exercise its competencies, provided that these regulations deal with defining the amounts and rules and procedures of dispensing them in addition to cases of non-dispensing these amounts and any other relevant matters.

The Chairman of the Authority shall also issue regulations governing allowances for overtime, travel per diem, dispatch, overnight allowance, training and medical treatment for employees of the Authority and other regulations.

The provisions of the law of work relationships and its executive regulation shall apply to the Authority employees unless a special text is mentioned in the law or in this regulation.

Article 73

The effective regulations and decisions regulating the work of the Authority shall last until the issuance of what amends or cancels them thereof.

Article 74

The competent authorities shall execute this decision, and shall come into force as of date of its issuance and shall be published in the Official Gazette.

Nuri Ali Abu Sahmein

Chairman of the General National Congress

Done in Tripoli

On 17/3/2015

Constitutional Committee –W. Sherif