

General Congress of the People

In execution of the decisions of the basic people's congresses, in their holding sessions for the year 2003; And after having reviewed the Declaration of the People Power Raising; And the Green Document for Human Rights in the era of masses; And the law No. (20) for year 1991, related to freedom enhancement; And the law No. (1) for year 2001, related to people's congresses and people's committees; And the commercial law and its amendments; And the Financial System Law of the State, and its amendments; And the law No. (44) for year 1968, regarding tourism, and its amendments; And the law No. (65) for year 1970, regarding the resolution of some rules related to commerce, trading companies and their supervision; And the Law No. (33) for year 1971, regarding the organization of the trading agencies works; And the customs law No. (67) for year 1973; And the law No. (13) for year 1989, regarding prices control, and its amendments; And the law No. (9) for year 1992, regarding the practice of economic activities, and its amendments; And the law No. (3) for year 1995, regarding vestiges, museums, antique cities and historical buildings protection; And the law No. (5) for year 1997, regarding the encouragement of foreign capitals investment; And the law No. (21) for year 2001, regarding the resolution of some rules related to the practice of economic activities; And the law No. (24) for year 2001, regarding prohibition of using non-Arabic language and Arabic numbers in all transactions; And the law No. (27) for year 2001, regarding the resolution of some rules related to fees and services compensation; And the law No. (4) for year 2004, regarding the establishment of commerce and industry chambers as well as the chambers union.

Has formulated the following law

Section One General and Constitutional Rules

Article One

Tourism means, in applying the rules of this law, movement of persons, nationals and foreigners, individuals and groups, from a place to another, as well as different services and relations resulting therefore or incurred thereon.

Article Two

The tourism intends to achieve the following:

- Identifying the civilization and historical march of the Arab Libyan people, and showing the material and moral achievements and transitions of the Revolution of Great Al-Fateh, through natural tourist, cultural and industrial sites existing in Libya, and civilization achievements realized thereby, as well as showing its honorable picture on the international level.
- Promoting the public taste, individual and collective behavior, to reflect the fit aspect of life modes in Libya.
- Contributing in raising up the national heritage.
- Implanting the social correlation between the individuals of the Libyan society, and enhancing the cooperation and human relationships with the world's peoples.
- Maintaining the tourist sites and utilities, developing, promoting, taking care of them, as well as providing entertainment and promenade means for citizens and tourists.

- Exchanging know-how in the different tourist fields and activities, through establishing conferences, symposiums, meetings, festivals, exhibitions and tourist weeks, in Libya and abroad, and participating therein.
- Encouraging Libyan and foreign investors to invest in tourist projects aiming to develop the national income sources and resources.
- Creating employment opportunities for nationals.
- Contributing in the economic and social development.

Article Three

The relevant bodies undertake, each in its competency extent, to provide suitable conditions to encourage tourism in Libya, especially, with respect to visas granting, simplifying procedures in entry ports, good reception of tourists, managing their movements and lodging, offering them assistance, providing security and safety requirements, enhancing the supervision and control on bodies offering services to tourists, according to basics and restrictions to be determined by the executive regulation of this law.

Article Four

With observance of the rules of law No. (3) for year 1995, mentioned above, the General People's Committee for Tourism undertakes to determine areas of tourist development and tourist attraction, to prepare detailed and general plans therefore, to give them the tourist tincture and to manage and supervise them according to approved plans, in coordination with relevant bodies.

Article Five

Chambers in the fields of tourist services shall be established to perform, each in its field of competency, the tasks and powers conferred to chambers of commerce and industry, established by virtue of law organizing that purpose. Each thereof shall have the moral personality and the independent financial liability. It shall follow, in establishing such chambers, determining their competencies and the manner of their management, the same rules stipulated in the said law. The General People's Committee for Tourism, and its Secretary, performs, towards established chambers, the tasks conferred to the General People's Committee for Economy and Commerce, and its Secretary, in that law.

Article Six

Without prejudice to the rules of the legislations regulating the practice of economic activities, the General People's Committee for Tourism undertake to set out terms and restrictions necessary to practice tourist and investment activities in the tourist projects.

Article Seven

The bodies operating in the tourist activity field must pay a tax for each tourist entering the Libyan territories in its knowledge. The taxes collection will be deposited in a fund to be established for that purpose, and it will spend therefore for purpose of tourist activation.

Article Eight

Without prejudice to the exemptions decided in the law No. (5) For year 1997, mentioned above, the tourist projects are exempted from the following taxes and levies:

- Customs duties on construction materials, tools and equipment, furniture, tourist transport means, and on different types of equipments necessary to construct and operate the tourist utilities and projects. The General People's Committee for Tourism undertakes to determine such needs and to approve their quantities.
- Income, buildings and entertainment levies for a period of five year starting as of date of the project activity actual starting, and it may extend the exemption period for further five years, by virtue of a decision issued by the General People's Committee, upon a proposal to be submitted by the General People's Committee for Tourism.
- Exemptions and incentives to be proposed by the General People's Committee for Tourism, and a decision shall be issued with respect thereto by the General People's Committee.
- The executive regulation determines the basics and restrictions to execute the rules of this article.

Article Nine

The customs fees and duties, exempted according to the rules of this article (eight) of this law, will be collected in the following cases:

- If it has proved that the project is unable to achieve the purpose for which it was established.
- If things exempted from taxes and levies were used in purposes other than that the exemption was decided for.
- If the project breached the terms imposed on the activity practice, or if the materials, subject of exemption, were assigned to others.
- If the project lost its tourist title.

Article Ten

The General People's Committee for Tourism undertakes, in application of the rules of the law No. (5) for year 1997, mentioned above, in the field of tourist investment projects, the competencies conferred to the People's Committee for the Investment Authority. The Secretary of the General People's Committee for Tourism undertakes the power and competencies of the Secretary in Charge Thereof in that law and its executive regulation.

Article Eleven

A council, named "National Council for Tourism" will be established, to be formed by a decision made by the General People's Committee, upon a proposed made by the Secretary of the General People's Committee for Tourism. The relevant bodies in the public and private sectors.

Article Twelve

The National Council of Tourism is competent of the following:

- Proposing the policies ensuring the tourism development and promotion.
- Proposing and studying drafts of laws, regulations and regimes related to tourism.
- Proposing the support of financial allocations necessary for tourism sector.
- Handling the cases related to tourism, requiring cooperation among sectors and finding suitable solutions therefore.

- Coordinating between public and private bodies having connection with the execution of the tourist development plans and programs, and proposing the role conferred to each thereof.
- Settling subjects exposed thereto by the Secretary of Council.
- The Council will set out a bylaw including terms and procedures necessary to organize its works.

Article Thirteen

As an exception from the rules of the law No. (24) for year 2001, mentioned above, the tourist companies and partnerships, travel and tourism offices and tourist public areas, licensed to practice the activity, may use foreign languages in performing their activities and in publishing tourist printings in different languages.

Section Two

Tourist Public Areas Article Fourteen

The public areas shall mean, in application of the rules of this law, the hotels, motels, tourist cities and villages, entertainments, camps, resorts, amusement locations, tourist restaurants and cafeterias, tradition industries products sale shops, and the likes.

Article Fifteen

It may not license the establishment, operation nor management of tourist public areas, unless after the issue of a permission by the People's Committee for Tourism for the Municipality, according to basics and restrictions to be determined by the executive regulation of this law.

Article Sixteen

The tourist public areas are classified on classes. They are reclassified according to the regulation to be issued accordingly by the General People's Committee for Tourism.

Article Seventeen

With observance of the law No. (13) for year 1989, and the law No. (27) for year 2001, mentioned above, the lodging, living and services rate in the tourist public areas, will be determined by a committee to be formed by virtue of a decision issued by the General People's Committee, upon a proposal made by the Secretary of the General People's Committee for Tourism.

Section Three

Tourist Professions

Article Eighteen

The tourist professions means, in the rules of this law, the following professions:

- Works of tourist companies and partnerships and offices of travel and tourism.
- Specialized tourist transport.
- Tourist Guidance.
- Any other activity which the General People's Committee decided to consider it a tourist profession upon a proposal to be made by the General People's Committee for Tourism.

Article Nineteen

It is conditioned for practicing tourist profession to obtain a permission from the Secretariat of the General People's Committee for Tourism. The executive regulation of this law the terms, restrictions, procedures and fees of issue of the permission, its renewal or cases of its cancellation or stopping the activity practice for a specified period.

Article Twenty

The shipping and aviation companies, as well as the land transport national companies and partnerships may practice all works and services of offices of travel and tourism, stipulated in this law, further to travel tickets booking and sale and location reservation on their means, provided that they shall specified an independent section to practice such works, and they shall obtain a license related thereto according to the rules of this law.

Article Twenty One

It is conditioned for granting permission to companies, partnerships and offices of travel and tourism, that those latter shall pay a cash insurance which amount is to be determined by a decision issued by the General People's Committee for Tourism, to be deposited in a specific account in one of the banks, from which the amounts due on those bodies will be deducted therefore, provided that they shall compensate the deducted amounts there from within two weeks as of date of notifying them thereby.

Article Twenty Two

The licensee, to practice a tourist profession or to manage a tourist public area, is considered violating his obligations in the following cases:

- If he delayed to fulfill his duties or to perform his services towards his agents or other tourist professions possessors, or breached or omitted their performance.
- If he entered in illegal competition or damaging the national economy.
- If he committed an action damaging the tourism welfare or reputation in Libya, or practiced the profession in a manner unfit for public morals and etiquettes and the public order.

Article Twenty Three

The Secretary of the General People's Committee for Tourism, upon a report from a committee to be formed for such purpose in the sector, may issue a decision caused by one of the following procurements:

- Stopping the work with the activity practice permission for a period determined by the decision, to remove the breach committed by the activity practitioner.
- Closing the tourist public area, or canceling the profession practice license from who practices the tourist activity without a permission from the Secretariat of the General People's Committee for Tourism.
- Canceling the permission of the tourist activity practice, or refusing its renewal, if a verdict was issued against the practitioner of that activity, in a crime or a felony violating the public morals and etiquettes or the public order.

Section Four

Tourist Guidance and Guide

Article Twenty Four

It is considered a tourist guide every person practicing the tourist guidance works and explanation of the historical, scientific and artistic landmarks and the likes, against compensation. It is considered a tourist guide every person undertakes to accompany tourists in their movements in the different tourist areas.

Section Five

Punishments Article

Twenty Five

Without prejudice to any bigger punishment stipulated by the law of penalties, or in any other law, anyone, who establishes or manages a tourist public area or proceeds a work among them stipulated in this law, without a permission or a license, or breaches its rules and decisions issued accordingly, is punished by a fine not less than five hundred Libyan Dinars and not exceeding one thousand Libyan Dinars, and it may judge the close of the area for a period not exceeding two years.

Article Twenty Six

Without prejudice to any bigger punishment stipulated in the law of penalties or in the law No. (3) for year 1995, mentioned above, or in any other law, anyone, who caused on purpose a gross damage to the tourist sites and areas, is punished by imprisonment or a fine not less than five thousand Libyan Dinars or by both thereof.

Anyone, who uses the tourist areas, sites or public areas, or act therein for purposes other than tourist ones, is punished by imprisonment from a period not exceeding one year, and a fine not exceeding one thousand Libyan Dinars, with obliging the felon to remove constructions, wastes, damages or other impurities on his own expenses. The punishment is doubled in case of return.

Section Six

Final Rules

Article Twenty Seven

The members of the General People's Committee for Tourism, and the employees to be determined by a decision made by the Secretary of the General People's Committee for Tourism, will have the capacity of judicial investigation officers to control the execution of the rules of the law.

Article Twenty Eight

The tourist companies and partnerships and the offices of travel and tourism, as well as the tourist guides and owners of tourist public areas shall settle their situations according to the rules of this law within six months as of date of its coming into force, otherwise, they will be considered as practicing the profession without license.

Article Twenty Nine

The executive regulation of the rules of this law will be issued by a decision made by the General People's Committee upon a proposal to be submitted by the General People's Committee for tourism.

Article Thirty

The law No. (44) for year 2000, regarding the tourism, mentioned above, shall be cancelled, provided that the application of regulations and decisions issued accordingly, which are not contradicting the rules of this law, shall still in force until issue of what amends or cancels them.

Article Thirty One

This law shall come into force as of date of its issue, and shall be published in the legislations record.

Article Thirty two

In previous article, it is prohibited not adhering to rules of general security & conduct, noisy acts, actions which citizens dislike.

Article Thirty three

Cancellation decision does not allow license holder to resume tourism activities. Parties arranging accommodation for tourists should keep records for tourists nationalities, period of stay and should be submitted monthly to peoples general committee of tourism in the shabiat .

Article Thirty four

Managers of tourism offices rendering services should submit list of services and prices according actual costs and classification to the concerned authorities.

Article Thirty five

Manager of tourism office rendering housing services announce in the entrance price list showing prices of accommodation, meals & refreshments and list should be stamped by peoples general committee of tourism.

Issued in Sirte on 06/03/2004.

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