

General Congress of People

In Execution of the decisions of the basic people's congresses in their holding annual sessions for 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, regarding the people's congresses and the people's committees. And the Libyan Commercial law; And the law No (101) for year 1973 regarding the chambers of commerce, industry and agriculture; And the law No (65) for year 1970 regarding trading, trading companies and their supervision; And the law No (8) for year 1988 deciding some rules pertaining with the economic activities; And the law No (9) for year 1992 regarding the organization of practicing the economic activities; And the law No (21) for year 2001 deciding some rules pertaining with the practicing of economic activities.

HAS FORMULATED THE FOLLOWING LAW

Article One

The chambers of Commerce and Industry are national establishments that enjoy moral personality and independent financial liability, and aims to undertake the economic, commercial and industrial services and take necessary measures and to improve the profession, and serving its members, and cooperating with the general and national bodies to realize its economic and social objectives.

Article Two

The establishment and canceling of chambers will be done by a decision from the general people's committee for economy and commerce, and the issued decision regarding the establishment of each chamber will determine its location, their domain of competence and the number of members of their administrative committees.

Article Three

Within the frame of its functions, the chamber practices the works that help in the realization of its objectives and by observing the provisions of the other related regulations, in particular:

- Organizing economic conferences and meetings and training sessions, and participating in the works of the councils, committees, and congresses pertaining with the economic and trading activities, to give its opinion, offering the technical expertise and consultations in the economic and trading matters.
- Collecting the information and data and statistics peculiar with trading and industry in the domain of its competence, their analysis on a scientific basis and their publishing.
- Undertaking the profession affairs and the common interests of its members at the general boards in the domain of its competence.
- Settling the Commercial disputes that may arise between its members through conciliation and arbitration pursuant to an agreement of the concerned parties.
- Follow-up and Control of trading and industrial activities, and to monitor its hindrances, and working to find out solutions for it by coordinating with the concerned bodies.

- Issuing the economic bulletins and the commercial guide.
- Issuing the certificates of origin for the origin of the national goods and products and for the prices of commodities and all the certificates determined by the secretary of the general people's committee for economy and commerce.
- Authenticating the documents and data related with the economic and trading activity within the domain of its competence. And the executive regulation will determine the detailed competence of the chamber.

Article Four

The registration in the chamber registers is compulsory for each natural or moral person practicing

Article Five

The registration at the chamber registration is valid for a period of one year, and it shall be renewed before the end of the period, and regarding the determination of registration fees and renewal, a decision from the general people's committee for economy and commerce shall be issued according to the provisions that are fixed by the executive regulation of this law.

Article Six

It is not allowed to renew the license of practicing any trading, industrial or services activity unless the registration applicant submits to the body competent of issuing the licenses, evidence on its registration in the chambers registers and settling the decided fee.

Article Seven

The general assembly of the chamber is composed of a secretary elected by the secretary of the general people's committee for economy and commerce and all the members of the people committees, this general assembly holds a meeting by virtue of a convocation from its secretary pursuant to a request from the administrative committee in an ordinary session once a year, and it may be called to meet whenever necessary (in an extraordinary session) to examine fixed matters, the executive regulation of this law shall determine the rules and procedures of calling the general assembly to meet (in the ordinary and extraordinary sessions) and the system of its work.

Article Eight

The General assembly is competent for the following:

- approving the budget and closing account
- Examining the report of the board of directors for the chamber activities.
- Examining the report of auditor.

Article Nine

The chamber board of directors consists of a number of members according to what is determined by the decision of its foundation so that it will not exceed twelve members, and the chamber general assembly undertakes to elect two thirds of the board of directors members, and regarding the appointment of the remaining one third and the chairman of the board of the directors a decision is issued from the secretary of the general people's committee for economy and commerce pursuant to an exposition from the chambers general union, the duration of membership at the board of directors shall be three years that starts from the date of approving it by the secretary of the general people's committee for economy and commerce.

Article Ten

The executive regulation of this law shall determine the conditions of membership at the board of directors and the procedures related with the election of the members and the cases of membership privation.

Article Eleven

The board of directors is the authority competent to manage the chamber affairs and matters, and in order to realize its functions the board of directors may take the required decision, recommendations it sees fit to achieve the chamber objectives, in particular:

- Approving the general policy of the chamber and supervising its execution.
- executing the decision and recommendations of the general assembly
- proposing the chamber organizational structure
- Proposing the internal regulations pertaining with the technical, administrative and financial affairs.
- Preparing the annual balance sheet project and closing account.
- Accepting the gifts and donations and helps and legacies that presented to the chamber.
- Establishing the systems and procedures of conciliation and arbitration at the chamber.
- The other questions that are determined by the executive regulation of this law.

And the decisions regarding the items (3, 4) are not in force unless approved by the secretary of the general people's committee for economy and commerce.

Article Twelve

The board of directors holds a meeting pursuant to a convocation from its secretary at least once a month. And the executive regulation of this law shall organize the procedures of calling the board of directors to hold a meeting, to manage its deliberations, and the required quorum for the validity of its holding and resolutions.

The decisions of the board of director shall be notified to the secretary of the general people's

Article Thirteen

The secretary of the board of directors undertakes the follow-up of executing the general policy of the chamber and the decisions of the board of directors, and the relations of the chamber with others and before courts and the other competence assigned to the chamber are determined by virtue of the executive regulation of this law.

Article Fourteen

The entities enrolled at the chamber of commerce are categorized in specific and coherent sections, the executive regulation of this law shall determine its number and the activities contained in each section, and the minimum number of members in the section and the conditions and procedures of membership.

In all cases the number of sections in each chamber shall not be less than twenty sections.

Article Fifteen

The members of each section shall elect three among its members to form the section committee, and the committee undertakes their representation in the chamber general assembly, the follow-up of their interests through the board of directors. The executive regulation of this law shall determine the competence of the people's committees and the organization of the works therein.

Article Sixteen

The funds chamber consists of:

- The fees decided to the chamber according to this law.
- The real-estates and funds and movable values owned by it.
- The revenues of the establishments, the profits of the investments it owns, and the charge of the services it offers to others.
- the gifts, donations, helps and legacies accepted by the board of directors, and that do not contradict with the chamber objectives.
- Any other revenues authorized by law.

Article Seventeen

The chamber shall have an independent budget, and the financial year of the chamber shall start as from the beginning of the state financial year and ends by its end. The executive regulation shall determine the measures and rules related with the preparation and execution of the budget and the closing account of the chamber and accounts audit procedures.

Article Eighteen

The general union of the chambers of commerce and industry consists of the existing chambers of commerce or those that will be established in future according to the provisions of this law, the union enjoys a moral personality and an independent financial liability.

Article Nineteen

The union aims to develop the trading and industrial professions, and the protection of the common interests of the entities associated to these domains, in the manner that serves the national economy interest, and in order to achieve this objective the union may in particular perform the following:

- Undertaking the affairs of the chambers of commerce at the different administrative, commercial and economic bodies, and all the general bodies, and in the discussions with the commercial delegations inside Libya and abroad and at the competent international authorities.
- Following up the activities of the chambers of commerce and establishing the cooperation bases and coordinating between them, and settling any dispute that may arise between them.
- Participating in the economic conferences and internal and foreign exhibitions.
- Preparation of studies and researches, and setting the recommendations and proposals pertaining with the affairs of economy and commerce and the means to activate it.

- The arbitration between the members of the chambers pursuant to an application from the concerned provided that the conflicting parties do not belong to the same chamber of commerce.
- Proposing the establishments of joint chambers of commerce with similar chambers in other countries and representing Libya within these chambers.
- The arbitration and settling the disputes in which one foreign entity is a party pursuant to an agreement of the concerned parties.
- Assigning the members of the general assemblies and the board of directors of the joint chambers for the Libyan side.

Article Twenty

The management of the union is undertaken by a board of directors (administrative committee) that works to achieve the objectives for which it is established, in this regard an administrative and technical board assists it, the board of directors shall issue a decision regarding the establishment and assignment of the competences and system of work of the administrative and technical board.

Article Twenty-One

The board of directors of the union consists of:

- The secretary of the board of directors of each chamber of the chambers of commerce and industry established according to the provisions of this law.
- Two members among the members of each chamber elected by the competent general assembly.
- Five members having the expertise, for which a decision from the secretary of the general people's committee for economy and commerce shall be issued to assign them.
- The period of the board of directors shall be three years.

Article Twenty-Two

The board of directors elects a chairman and his deputy (vice chairman) among the members of the board of directors, this election shall not be valid unless after its approval by the secretary of the general people's committee for economy and commerce.

The chairman of the board of directors undertakes the management of the union affairs, and the undertaking of its affairs regarding its relations with others and before courts and the other competences fixed in the regulations in force as well as those contained in the executive regulation of this law, the vice-chairman replaces the chairman if he is absent or there exists a restraint preventing him from performing his functions.

Article Twenty-Three

Regarding the meetings of the administrative committee the procedures and rules in force in the chambers of commerce and industry. The decisions of the administrative committee should be notified to the secretary of the general people's committee for economy and commerce within two weeks from its date of issuance.

Article Twenty-Four

It is allowed to found a council called (works owners council) that undertakes the performance of

all what can support the interests of its affiliates among the Libyan businessmen, and to introduce them abroad so that they can establish a strong relation with their homologues I the other countries, and leads to the movement of the production and exportation mechanism, the council enjoys a moral personality and an independent financial liability and operates in the frame of the union and under its patronage, the executive regulation of this law fixes the rules to form this council and the specific committees that may branch from it, and the minimum number of the founders and the fees of participation.

Article Twenty-Five

The union shall have an independent budget and its financial year shall start from the beginning of the financial year of the state and ends by its end.

Regarding the budget and the closing account and the auditing of the accounts, the rules decided for the chambers of commerce and industry should be applied.

Article Twenty-Six

The funds of the union consist of the following:

- A rate of (15%) from the total revenues of each chamber of commerce according to the budget approved for them.
- The movable real-estates and establishments and funds owned by them.
- The donations and gifts and supports and recommendations accepted by the administrative committee of the union and being not in contradiction with its objectives.
- Any other resources licensed by law.

Article Twenty-Seven

The secretary and members of the administrative committee of the union or chamber or one of their relatives until grade four, are not allowed to conclude with the union or the chamber personally or by mediation a contract of partnership or contracting nor supply or sale or to buy a right subject to dispute with them, or to work in a suit or dispute against the chamber in his capacity of a lawyer or expert of arbitrator or attorney.

Article Twenty-Eight

The decision to form the chamber shall include the formation of a temporary committee to manage it until its administrative committee is elected according to the provisions of law, the formation of the general assembly of the chamber and the election of its administrative committee shall be done within six months at most from the date of applying the formation decision.

Article Twenty-Nine

Upon the issuance of this law, the chambers of commerce and industry are deemed to be chambers formed according to its provisions, and each of them keeps its funds, rights and liabilities, moreover the workers in these chambers keep their current situations until the decisions organizing the workers affairs in each chamber are issued according to the provisions of this law, moreover the current general union of trading and industry is considered established and continues I practicing its activity according to the provisions of this law.

Article Thirty

The executive regulation of this law shall be issued by a decision from the general people's committee for economy and commerce pursuant to a proposal from the general union of the chambers of commerce and industry.

Article Thirty-One

The law No (101) for year 1973 regarding the chambers of commerce and industry and agriculture is cancelled, and any text in contradiction with the provisions of this law is also cancelled.

The application of the regulations and systems in force currently in the existent chambers of commerce and industry upon the issuance of this law continues until the issuance its executive regulation.

Article Thirty-Two

The provisions of this law are not applicable on the chambers of the maritime navigation.

Article Thirty-Three

This decision enters into force from its date of issuance, and is to be published in the regulations record.

Issued in Sirte, on 06/03/2004

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