

Libya

GOVERNOMENT OF NATIONAL ACCORD- COMISSION OF CIVIL SOCIETY

DATE: 14/03/2019

ON THE:

Gentlemen/heads of branches and bureaus of the civil society commission

Greetings,

We, hereby, present to you a copy of the presidency council decree on behalf of the Government of National Accord, the law N (286) dated the year 2019. RE the adoption of the regulations for the work and activities of the Commission of Civil Society. And that, for awareness and applicable actions by power of this document.

Salutations,

Signature Abd Elhaq Guerid

Executive Director

Stamp

Copy to: Gentlemen, heads of bureaus

Mr. The director of the department of administration and financial affaires

Mr. The director of legal affaires

File subject

Note taker: Khaled

■ *Draft*

Presidency council Government of national accord

Stamp – logo

Decree of the presidency council of the Government of national accord N 286 Of the year 2019 RE the adoption of the regulation of the work and activities of the commission of civil society.

Presidency council

Upon review of the Libyan constitutional declaration issues in 2011 and its following amendments

- The political pact signed on December the 17th of the year 2015
- Libyan Civil Law
- Libyan Penal code and its amendments
- State Financial system law, budget law, accounts, treasury and related amendments
- Law N23 of the year 11998 RE syndicates
- Law N19 of the year 2019, RE the restructuring of the civil association and its executive regulations
- Law N20 of the year 2001, RE the organization of women associations and its regulations
- Law N12 of the year 2001, RE the issuance of labour relations law and its regulation
- Law N23 of the year, RE commercial activity and regulation issued thereunder
- The presidency council decree N4 of the year 2016, RE the formation of a national accord government
- The presidency council decree N12 of the year 2016, RE task procuration
- The presidency council decree N1605 of the year 2018, RE the restructuring of the commission of the civil society and deciding certain regulations
- The director's book, head of the presidency council office of civil society, Mr. Ahmed Hamza N60 dated 14/2/2019 and in accordance with the publicinterest.

DECIDED

Article 1

The regulations of the work of the commission of civil society and annexed texts to this decision

Article 2

This decree is effective as of date of issuance and shall rescind any decision that contravenes it. All relevant parties are to be abided and responsible for the execution upon its publication in the official gazette.

Article 1

The following is a list of terms and applicable definitions as should be understood.

- Commission of Civil Society and its branches and offices:

Is the entity that legally specialized in registering and publishing organizations, associations, and any civil institutions issued by power of this decree.

- An organization or association:

Is a legal entity that is founded by a group of individuals or legal persons for not for profit and apolitical purposes.

Joining the organization or association should be available to all persons without discrimination, its internal statute details the decision-making processes , execution and oversight within these structures.

- Foreign organization:

Is a legal entity that is founded outside the Libyan state borders, and by the laws of a foreign country wishing to do work in Libya.

- Internal statute:

is the system agreed upon by the founders of the legal entity, and hence, should include appellation; location ; logo and objectives; membership acceptance and annulment criteria; members rights and obligations; and penalties applicable to members and bodies; the structure schemes and specialized units and legal quorum to take the right decisions ; establishing the financial and administrative systems; regulation of integration, Cessation and liquidation.

- Registration
- Publicity/notice
- The network

Is the relationship that links between more than two legal entities of the civil society. Its purpose is to achieve the objectives in accordance to internal statutes within the network. The network is dissolved upon achieving the targets or otherwise found impossible to achieve or exceeded the time limits

- General Assembly

Is the highest authority in the legal entity. It consists of a group of founding members of not less than ten persons, the members and those who were granted honorary membership. The Statute defines its competence, its timing and the way it is held, and how to make the decision and other matters related to its work.

- Board of Directors

Is the decision-making authority in the entity and consists of the Chairman of the Board of Directors, a deputy and three members. The Internal Statute shall determine the manner of its election, its questioning, its dismissal, and the decision-making mechanism in it.

- Office of Foreign Organizations

The office concerned with the registration of foreign organizations in the register prepared for this purpose, supervising the process of granting work permits to them and following up on their international reports.

- Financial Year

The period from January 1 to December 31 of each year.

- Period of Activity

The period from the beginning of the Organization's activity in Libya to the end of the period of activity if it does not exceed the financial year.

- Application

Application for work permit in Libya submitted by the foreign organization to the Commission on the form prepared for this purpose, complying with all the documents and conditions stipulated in this regulation.

- Authorization

The approval of the Commission for the work of the foreign organization in Libya, and that is issued by a decision of the Executive Director of the Commission after the completion of the registration process.

- E – mail

Civil Society Commission 's address on the Internet.

Article 2

The provisions of these Regulations shall apply to all local civil society organizations as well as to foreign organizations while working in Libya.

Part One

Local Civil Society Organizations

Article 3 – Registration process for LCSOs

The Organization shall be established in accordance with the following procedures:

1. The founders' agent shall submit a preliminary request to the Civil Society Commission on the form prepared for this purpose. The application shall include the name chosen by the founders, the type of activity, the statement of objectives and the means of achieving them.
2. The Commission shall verify that there is no duplication of name, its suitability to the type and objectives of the organization, and that the name should not be that of a dead or living person, name of a family, tribe or prohibited organization, or that it is a public name mixed with other names used in judicial, legislative or political activities and parties, or in instruments of economic or political activity. The Commission also verifies the appropriateness of the objectives to the conventions and treaties which are considered as the primary assumption of the rule of law and of the national legislation in force. The competent officer must record these observations on the request and notify the founding agent in writing.
3. If the founders' agent does not deposit the statute no later than ten days from the date of submission of the application, the application shall be considered canceled.
4. The Commission shall provide a document to the founders' agent stating the date of receipt of the application, the name of the employee who received it and his position.
5. The Commission shall decide on the application and its annexes. If approved, it shall register the entity in the registration list. If refused, it shall indicate the reasons for so doing. The registration shall be deemed acceptable if the Commission does not decide on the application within ten days from the date of the knowledge of the founders' agent's about the decision.
6. Grievance may be appealed against the decision to refuse registration to the Executive Director of the Commission within ten days from the date of the founding agent's knowledge of the decision.
7. The appeal shall be dismissed within one month from the date of its submission. The decision to reject the registration shall be canceled if the grievance is not decided within the specified period. The Commission shall immediately comply with the registration and publicity procedures in accordance with the provisions of these regulations.

8. The decision issued in the grievance shall be reasoned and shall be communicated to the complainant within ten days from the date of its issuance to the address specified in the application.
9. Within a week of the completion of the registration, the Commission shall publish the summary of the registration on the CSC website or by any other means. The summary should include (the name of the organization, its area of work, the address of its headquarters, its legal representative), and publicity shall be deemed to have been obtained by force of such regulation if the period specified in the preceding time span has expired and has not been announced by the Commission.
10. The publicity shall be accomplished by the completion of the registration and publication procedures. The Organization shall acquire the legal personality from its date or from the day following the expiry of the period specified for the publicity procedure.

Article 4 – Selection of executive positions

The Commission shall give the Founding Agent the certificate of publicity, provided that he undertakes to invite the founders to the first General Assembly meeting for the selection of the following functions:

- 1- President of the General Assembly
- 2 - Decision-maker of the General Assembly
- 3- Chairman of the Board of Directors
- 4- Vice Chairman of the Board
5. Treasurer

The General Assembly may include other members in the Board of Directors to assume their functions.

The Chairman of the Organization shall inform the Commission within one month from the date of receipt of the Certificate of Publicity in the First General Meeting.

Article 5 – 1st GA meeting

Once the Commission has been notified of the first General Assembly meeting, the Commission shall grant to the Chairman of the Board of Directors or his authorized representative, upon his request, the following:

- 1- A letter to the competent authorities to extract the seal of the organization and the necessary documents for its work.
- 2 - A letter to open a bank account for the organization in one of the banks operating in Libya.

Article 6 – competencies of GA

The General Assembly of the Organization shall be capable of:

- Drawing up the general policy of the organization.
- Approving the general budget and approving the final account.
- Approval of the establishment of branches and offices.
- Adoption of the administrative and financial regulations of the Organization.
- Amendment of the Statute.
- Selection of the Board of Directors and its issue and dismissal.
- Selection of the Treasurer or his question and his dismissal.
- Approving the Board of Directors' reports.
- Appointing an auditor and determining his remuneration.
- Any other matters falling within its competence.

Article 7

The General Assembly shall be convened once a year for the three months following the end of the previous financial year.

Article 8

The first meeting shall be chaired by the oldest member. The youngest of them shall take the duties of the rapporteur. The first meeting shall appoint a chairman, a deputy and a rapporteur.

Article 9

The President of the General Assembly shall determine the dates of the meetings and preside over their sessions and if he is absent, his deputy shall replace him.

Article 10

The Rapporteur shall establish the deliberations and meetings of the General Assembly, publish its dates and notify its members and the Board of Directors of its decisions.

Article 11

The rapporteur shall communicate the decisions of the General Assembly to the Commission within one week from the date of their issuance. The President of the General Assembly shall inform the Commission if the Assembly's session is impossible for a second time.

Article 12

The Assembly's rapporteur shall prepare a statement of the issues to be presented at the meeting in coordination with the President of the General Assembly, and communicate them in any way to the members at least three days before the meeting.

Article 13 – competencies of GA

The General Assembly shall be entitled to:

- Drawing up the general policy of the organization.
- Approving the general budget and approving the final account.
- Approval of the establishment of branches and offices.
- Adoption of the administrative and financial regulations of the Organization.
- Amendment of the Statute.
- Selection of the Board of Directors and its issue and dismissal.
- Selection of the Treasurer or his question and his dismissal.
- Approving the Board of Directors' reports.
- Appointing an auditor and determining his remuneration.
- Any other matters falling within its competence.

Article 14 – votes needed

The decisions of the General Assembly of the Organization shall be taken by a majority. If the votes are equal, the President of the General Assembly shall prevail. If the issues relate to the Internal Statute of the Assembly or the removal of the Board of Directors, the decision shall be taken by a two-thirds majority of the members present.

Article 15 – emergency meetings by vote

At the request of two thirds of the Members of the Organization, an emergency meeting of the Assembly may be convened. The President of the Assembly shall set an appointment within one week from the date of submitting the application and publish it in the approved means of the Organization. The date shall include the place and date of the meeting and the agenda.

Article 16 – emergency meetings by Board

If circumstances arise that affect the organization's activity or threaten its existence, the board of directors may request a general assembly meeting. The President of the Assembly shall set a date for the meeting within one week from the date of the request and publish it in the means of publication agreed upon by the Organization. The declaration shall specify the date, venue, and the agenda.

Article 17 – quorum

The General Assembly's meetings shall be valid if attended by two-thirds of the members. If the quorum is not available, the President of the General Assembly shall convene a second meeting within a period not less than ten days after the previous date, and in the specified ways of the agreed declaration. The second meeting shall be valid with one third of the members present.

Article 18 – absence of quorum

If it is impossible to hold the General Assembly for lack of quorum, an opportunity is granted for another meeting. In the absence of a quorum, the Commission shall be entitled to write off the registration of the Organization, take the necessary measures for its liquidation and declare this on the Commission's website and in any means of publication it deems fit.

Article 19 – competencies of Board

The Board of Directors of the Organization shall have the following matters:

- Passing Plans and programs and taking the necessary measures to implement the general policy set by the General Assembly and to implement the objectives set forth in the Statute and the implementation of General Assembly resolutions in light of the legislation in force.
- Managing the affairs of the Organization and following up its activities.
- Adoption of periodic reports on the activities of the Organization and their submission to the General Assembly.
- Studying and deciding on membership applications.
- Setting the system of remuneration and wages for the employees of the Organization.
- Preparation of draft plans, policies and budgets.
- Invitation to the General Assembly if there are circumstances that affect its activities or threaten its existence.
- Appointment of the Executive Director of the Organization.
- Proposal to appoint an auditor.

Article 20 – competencies of Board Chairman

The Chairman of the Board of Directors shall be responsible for the following:

- Representing the organization to others and before the judiciary
- Signature of the instruments with the treasurer as the first signature.
- Administrative and financial management.
- Preparation of board meetings.
- Referral of membership applications to the Board of Directors.
- Transmit all that is to be presented to the General Assembly to its Chairman.
- Implementation of the budget of the Organization.
- The conclusion of agreements and contracts.
- Direct supervision of the employees of the organization, and taking all functional decisions in accordance with the legislation in force.
- Proposed appointment of an Executive Director to the Board of Directors.
- Designation of branch and office managers.

Article 21 – Executive Director

An Executive Director of the Organization may be appointed under the supervision and control of the Chairman of the Board of Directors. The decision to name him and the statement of his competence shall be issued by the Board of Directors on the proposal of the Chairman of the Board of Directors.

Article 22 – Supervisory committee to oversee Board

The General Assembly may establish a supervising committee consisting of three persons whose task is to control the Board of Directors and the extent of its commitment to implement the legislation in force and to observe the provisions contained in the Statute. The Statute shall include the financial and administrative regulations of the Organization to define the implementation structures, its levels, authority and responsibilities.

Article 23 – Amending statute

Any amendment to the Statute shall be valid only with two conditions:

1. The amendment shall be made in accordance with the provisions of these Regulations and the Statute.
2. The amendment shall be approved by the Civil Society Commission.

Article 24 – accounting and auditor

The board of directors of the organization, association or institution, when preparing the annual budget and the final account, shall take into account the accepted accounting principles and refer them with the report of the auditor to the President of the General Assembly two weeks before its approval.

The General Assembly shall appoint an Auditor annually who shall not be a member of the Board of Directors. The auditor shall prepare his reports in accordance with the accepted accounting principles and submit them to the President of the General Assembly.

Article 25 – Voluntary dissolution

The life of the organization, assembly or establishment ends with one of the following reasons:

- 1- The expiry of the period specified in the statute unless members agree to extend it for another period.
- 2 - The impossibility of achieving its objectives.
- 3 - A resolution of the General Assembly at an unusual meeting.
- 4- The Commission's decision to cancel the registration in case one of the justified legal reasons is available.

Article 26 – Rights of CSOs

The Organization has the following rights:

- The right to obtain information relevant to its activities in a manner that does not violate confidentiality in some entities, and in light of the requirements of national security.
- The right of demonstration and assembly in accordance with the legislation in force, and the establishment of scientific and training meetings.

- The right to evaluate state institutions and make proposals for their development
- The right to publish information and reports.
- The right to exercise its activities to achieve its objectives by the means specified in its statute.
- The right to benefit from the proceeds of the exercise of its activities without the distribution of profits to members.

Article 27 – Prohibited activities

The organization shall be prohibited the following:

- 1- Seeking profit and gain from its activities
2. Advocacy for violence, hatred and discrimination due to religion, language, race, tribal, sectarian or regional affiliation.
- 3 - the exercise of political actions directly or indirectly.
- 4 - Receiving any gifts or donations only after obtaining permission from the Commission.

Article 28 – Public fundraising

The organization may collect donations in public places and streets only to the extent that it is required to achieve its objectives and after obtaining the authorization of the Commission a week before the start of the donation campaign. The request for permission to collect donations in public places and streets must include the purpose of the fundraising campaign, the target locations, and the duration of the campaign.

Article 29

Prior to granting permission to start a fundraising campaign, the organization must obtain approvals from the competent authorities. The Commission's decision not to grant permission to collect donations in public places and streets is reasoned. The concerned parties shall be notified at the address indicated in the application within one week from the date of issue. The complainant may appeal against the rejection decision before the Executive Director of the Commission, and he shall submit the appeal within one week from the date of its submission. Otherwise, the decision shall be deemed nullified by the force of the regulation.

Article 30 – Recordkeeping requirements

The Organization shall maintain in its management center its documents, correspondence and records. Records shall be determined as follows:

1. Membership and subscriptions manager, indicating the name, surname, nationality, profession, place of residence and date of membership of each member.
2. The Board of Directors record, indicating the date of the Board's selection, duration and its expiry date.
3. Register of meetings of the General Assembly.
4. Record of Board meetings.
5. Record of revenues and expenses.
6. Record of the Organization's fixed and movable assets.

The Organization may maintain other records in accordance with the needs of its activities, and shall in all cases keep all its records, documents and legal papers in the center of its administration.

Article 31 – Activities must be within objectives

No organization, association or institution may exceed the objectives established for its achievement. The Commission may warn the Organization to suspend activities that exceed its objectives or violate existing legislation and regulations.

In case the violation continues, the activities shall be suspended for a period of not more than six months. If it returns during the suspension period or thereafter for the exercise of these activities, the Commission may cancel its registration and request permission from the competent court to liquidate it.

Article 32 – Grounds for de-registration

The Commission shall, by reasoned decision, remove the publicity register of the organization, association or institution in the following cases:

1. Committing any violation of the provisions of the legislations in force or repeating violations of their statutes.
2. If it proves that it is unable to achieve the goals for which it was founded.
- 3 - if it acted in its funds in other ways than the purposes assigned to it.
- 4- If the General Assembly of the Organization, the Association or the Foundation does not convene for two consecutive years.
5. If any funds or donations are received without the Commission's authorization.

Article 33 – publication of de-registration

The cancellation decision shall be published on the Commission's website or by any other means of publication deemed by the Commission, immediately after the decision to cancel.

Article 34 – Liquidation of assets upon dissolution

In case of dissolution of the Organization, its assets shall be liquidated in accordance with the accounting rules applicable to the liquidation of the organizations. The proceeds of its assets and funds, after payment of all its obligations, move to another organization determined by the General Assembly or the Board of Directors of the Commission.

Article 35 – Appealing decision to de-register

A committee shall be formed by a decision of the Board of Directors of the Commission to consider grievances against the decision to write off the registration, provided that one of its members is a specialist in the field of law and the other one being active in the fields of civil society.

Article 36 – Process to appeal de-registration

Concerned parties may file a complaint against the decision of cancellation within one week from the date of being informed. The Grievance Committee shall decide on the issue of grievance within two weeks from the date of its submission. Otherwise, the decision of cancellation shall be deemed null and void. The Committee must justify its decision to support the decision of cancellation.

The decision of the Grievance Committee may be appealed against before the competent court. In case of cancellation of the decision to write off from the part of the committee or from a competent judicial authority, the Commission shall publish it in the same manner in which the decision of cancellation was published in a period not exceeding one week from the date of issue.

Article 37 – Permission to receive funds from any entity

The organization, association or establishment shall notify the Commission ten days prior to its acceptance of any donations or funding from any entity. The Commission shall respond within one week from the date of the notification.

If the Commission finds that there is a violation of the legislation in force or the objectives of the Organization, the Organization shall be notified of the non-acceptance of such donations or funding. In case of non-compliance by the Organization with the decision of the Commission in this regard, the provisions of write-off and suspension shall apply to it.

Article 38 – Permission to open bank account

The organization, association or institution may only open a bank account after obtaining the permission of the Commission. The organization must deposit its cash money in its bank account and not hold it elsewhere. The Commission may notify the concerned parties of the necessary procedures to close or freeze the bank accounts opened by the organization without being bound by the procedures provided.

Article 39 – Annual reporting

Organizations, associations and institutions must submit their annual report to the Commission on the form prepared for this purpose by the Commission.

Article 40 – CSC as mediator

The Commission may, at the request of the concerned parties, settle disputes between the organizations and its decision in the dispute shall be binding on its parties. The Executive Director of the Commission shall lay down the decisions establishing such work.

Article 41 – Ability to amend form statutes

The organizations may be guided by the statutes attached to these regulations, and may add and amend them in proportion to the work of the organization and its objectives in a way not to violate the provisions of the legislation in force, the principles and standards stable in the establishment of civil non-profit organizations.

Article 42 – Permissible funding sources

The organization's resources consist of the following:

- Membership subscriptions.
- Proceeds of its activities.
- What may the state allocate in supporting civil organizations.
- Unconditional donations and funds, or the ones associated with a condition that does not contravene the legislation in force or the objectives of the organization.

Article 43 – Financial year

The financial year of the Organization shall begin from 1 January of each year and end on 31 December. The first year of the Organization shall commence from the date of its acquisition of the legal person and shall end at the end of that year.

Article 44 – Timeframe to adjust to new regs

All organizations, associations or institutions operating prior to the adoption of this regulation shall settle their conditions in accordance with the provisions of these Regulations within three months, otherwise their registration shall be deemed to be suspended by force of the Regulations.

Part Two

Foreign Non-Governmental Organizations

Article 45 – INGO work permits

The foreign organization wishing to work in Libya shall obtain a work permit from the Commission before exercising any work or activity. The authorization shall be issued at the request of the Organization on the form prepared for this purpose, accompanied by the following documents:

1. Certificate of registration of the Organization in accordance with the laws in force in the State established by its law and bearing its nationality.
2. A copy of the statutes of the parent organization, indicating that it is non-profit.
3. The parent organization's decision to approve the opening of a branch in Libya, including the statement of the legal representative of the branch in Libya.
4. Copy of the last budget of the parent organization, accompanied by a report of its activity for the same year.
5. Proposed organizational structure of the branch of the foreign organization in Libya, the proposal of the staffing, and the salary scale, remuneration, qualifications and conditions required for filling the posts in the organization.
6. The Organization's work program to be implemented in Libya, including the following:
 - Determine the requirements and components of the project.
 - A statement of the main and subsidiary activities, and the start and end date of each activity.
 - The financial value to be spent on each activity.
 - Statement of monitoring and auditing mechanisms for the implementation of the project and achievement of its objectives.
7. Statement of the value of the budget allocated to work in Libya and the value of each time period.
8. A statement from the donor to the work of the foreign organization in Libya, addressed to the Commission, indicating the value of the funding, the payment mechanism and any conditions related to this financing, accompanied by a copy of the project for which the funding is granted. This condition applies even if the parent organization is the entity funding the work of the branch in Libya.

Article 46 – Process for applying for work permit

The application may be submitted directly to the Commission, or through the Commission's e-mail, provided that in the latter case, the foreign organization is required to submit the original copies of the application attachments when it is informed that all registration requirements have been met.

Article 47 – Required certification for application docs

The attached documents must be certified by the Ministry of Foreign Affairs of the mother country and translated into the mother tongue and authenticated by the Libyan Embassy in the country of

the parent organization. If translated by a legal interpreter within Libya, they shall be certified by judicial expertise and Libyan Foreign Ministry.

Article 48 – Application receipt

The Commission shall grant the applicant the right to get the receipt of documents once the request has been received. The Commission shall decide on the application within one month from the date of its receipt.

Article 49 – OFO recommendation on work permit

The Office of Foreign Organizations shall prepare a recommendation on the request after it has been received for presentation to the Executive Director of the Commission at the first meeting of the Governing Council of the Commission in preparation for the issuance of the authorization. In case of disagreement, the decision of refusal must be substantiated and the applicant shall be notified in the time specified in the preceding article.

Article 50 – Content of work permit & extension

The decision to grant permission should encompass the organization's name, nationality, area of work, name of legal representative, registration number, and duration of work in Libya. The duration of the organization's work in Libya shall include the following:

1. Nature and size of the organization's work program in Libya.
2. The amount of funding allocated to work in Libya.

At the end of the period specified for the work of the Organization and if there are justifications for extending the period, The organization must make a request containing the reasons for the renewal 30 days before the date on which the authorization has expired.

Article 51 – Right of appeal if permit rejected or cancelled

In case the application for a work permit is rejected or the renewal of the work permit is canceled, as in the Article 48 without deciding on it, the organization has the right to appeal against the decision to the Board of Directors of the Commission within two weeks from the date of notification thereof, or at the end of the period specified in Article 48. The Board of Directors shall decide on the grievance at its first meeting. In all cases, the grievance shall be decided within a period not exceeding two months.

Article 52 – Coordination of Commission on work permit

The Commission shall coordinate with all national public bodies concerned with the work of foreign organizations before and after the granting of permission to ensure its work in Libya in accordance with established and recognized standards in this field and to make the best use of it. The registration number of the Organization shall be based on the register of foreign organizations indicating the decision to grant permission to all transactions carried out by the Organization in Libya with the relevant bodies in the work of the Organization.

Article 53 – Required Libyan deputy and admin

The legal representative of the organization shall, immediately upon receipt of the work permit, undertake the following:

1. To appoint a deputy, bearing Libyan nationality, to be accredited by the parent organization, if the legal representative of the organization is not authorized to do so.
2. Contracting with a legal person licensed to the Libyan nationality who shall complete all the administrative and legal procedures of the Organization with the parties concerned in its work. The person charged with these tasks shall initiate the opening of files to the Organization at the following entities:
 - 1) Ministry of Labor.
 - 2) Social Security Fund.
 - 3) Internal Revenue Service.
 - 4) Passports Department.
 - 5) Any other entity that requires the work of the Organization to communicate with it. The assignment or contract for the exercise of the aforesaid functions shall be required only if the person in charge or his contractor is employed by another foreign organization within Libya.

Article 54 – Effect of work permit

Once the work permit is issued, the organization is entitled to receive messages for the following purposes:

- 1) Opening a bank account in one of the banks operating in Libya.
- 2) Extracting seals for the work of the organization.
- 3) Printing publications related to the work of the organization.

Article 55 – Requirements for INGO correspondence

The official correspondence of the Organization shall include the following:

- 1) The name of the organization registered with the Commission in Arabic and English.
- 2) the organization logo adopted by the Commission.
- 3) Registration number.
- 4) Address in Libya (Headquarters, Telephone, Email.)

Article 56 – Required INGO notifications after

The Organization shall notify the Commission in a week's time of the following:

- 1) the lease of the headquarters in Libya and any other leases concluded on the occasion of the work of the Organization in Libya.
- 2) Statement of working hours and days during the week.
- 3) Purchase of any automated vehicle for the use of the organization or its employees.
- 4) Telecommunications contracts and electronic means used for the purpose of the work of the Organization.
- 5) Any funds entered into for the bank account.

Article 57 – Required INGO notifications before

The Organization shall notify the Commission in advance and in a period not less than two weeks in the following cases:

- 1) Implementing any activity including seminars, conferences, workshops, campaigns, publicity and publishing, and the notification shall include the following data:
 - Detailed data on the activity in terms of time, place and description.
 - Data on the target population and their selection criteria.
 - A statement of the content of publications and publicity.
- 2) Implement the grant program for local organizations in Libya, provided that the notification includes the following data:
 - Description of the program of work.
 - Value of grants.
 - Names of target local donor organizations.
 - Criteria for selecting local organizations nominated for the program.Grant organizations should be registered with CSC.

Article 58 – Prior approval requirements

The organization must obtain the prior approval of the Commission before the:

1. Receipt of any money in kind or cash.

2. Transfer of funds outside Libya.
3. Opening a bank account to deposit the amounts allocated for work in Libya.
4. Change the signature of the authorized parties to sign the instruments at the bank.
5. Grant any funding or monetary or in-kind support to any Libyan or foreign civil society organization within Libya.
6. The conclusion of employment contracts or the employment of others in return for or without remuneration to perform works or tasks related to the work of the Organization.

Article 59 – Limited to approved bank account

The organization should open a bank account with a bank operating in Libya to deposit any funds it receives, and it shall be prohibited to deposit in any account other than the account approved by the Commission.

Article 60 – CSC right to review all INGO records

The Organization shall maintain its location of business in Libya in all records, documents and administrative and financial documents related to its activities in Libya. The Commission shall have the right to review them at any time and prepare reports thereon. The Organization shall take into account, in the maintenance of records and documents, the rules prescribed by law and the applicable rules in this field.

Article 61 – Quarterly reporting

The organization is obliged to submit quarterly periodic reports to the Commission in the following periods: (31 March, 30 June, 30 September, 31 December), regardless of the date of commencement of its operation in Libya, within two weeks of the month following the date indicated above, provided that the reports shall include the following:

- 1) A report on the activities, programs and projects initiated by the Organization or completed in Libya, including the following:
 - A) An assessment of each activity showing the percentage of achievement of its objectives.
 - B) Evaluation of participants by the organization.
 - C) Evaluation of the activity by participants.

2) A financial report showing the details of its funding and all its expenses for its work in Libya.

Article 62 – Annual financial reporting

The Organization shall submit its final accounts to the Commission annually or for the financial period upon completion of its work in Libya accredited by an accountant and legal auditor registered in the Association of Libyan Accountants and Auditors, within a period not exceeding one month from the end of the financial year or upon expiry of its term in Libya.

Article 63 – Final reporting requirement

The Organization shall submit its final accounts to the Commission. Its components shall include the forms attached to the Regulations for the financial period prepared for the final account:

- 1) Report of the Chartered Accountant on the accounts of the Organization.
- 2) Bank and Fund Account.
- 3) Disclosure of expenses.
- 4) Disclosure of cash.
- 5) Bank settlement memorandum and disclosure of suspended instruments.
- 6) bank statement.
- 7) Accounts of the financial covenant and advances, payments to the account paid to others, and any financial information that needs clarification, in accordance with the principle of full clarification and the principle of transparency.
- 8) A statement of payment of the security contributions and taxes to the employees of the Organization and fees and taxes due to the Libyan state by law.

Article 64 – CSC right to appoint internal auditor

If the periodic reports of the Organization or the reports of the Commission in accordance with Article 61 of these Regulations disclose gross financial irregularities, the Commission may assign a financial person to serve as an internal auditor of the Organization, who shall be competent to sign the instruments issued by the Organization together with the signature of the legal representative of the Organization.

Article 65 – Requirement to use Libyan staff/services

The organization shall take advantage of all local resources and expertise in Libya to carry out its work and conduct its activities. It may not use a person or service from outside Libya unless it is available locally. The Commission shall, at the request of the Organization, determine the availability of the service or expertise locally. The Commission shall also use all centers of experience and local service, both public and private.

Article 66 – Prohibited INGO activities

The Organization is prohibited to undertake the following activities:

- 1) Fundraising within Libya.
- 2) Fundraising from outside Libya in the name of the organization branch in Libya.
- 3) Carrying out any act that violates public order and morals.
- 4) the exercise of any activity or work not authorized by his practice, or contrary to the purposes for which he was granted permission.
- 5) the exercise of any task or activity after the expiry of the period of authorization granted to it.
- 6) The exercise of any activities related to political, military and security matters.
- 7) Communicating with political parties and entities inside Libya.

Article 67 – grounds to cancel INGO work permit

The Commission may cancel the registration and work permit of the foreign organization in the following cases:

- 1) Getting the organization to advertise in incorrect ways.
- 2) if it acted in its own money other than for the purposes for which it was allocated.
- 3) Violation of activities, programs and projects to be implemented in accordance with the work permit.
- 4) the exercise of any work and activity after the end of the period of permission granted to them.
- 5) Violating the provisions of these regulations.
- 6) Violations of legislation and laws and decisions and regulations in force in Libya.
- 7) If the work permit is not renewed during the period specified for renewal.

Article 68 – grounds to sue

In addition to the article 67 of these regulations, the organization has the right to sue the parent organization or its branch in front of the Libyan judiciary or the judiciary of another country upon the

wishes of the Commission , if it proves that it has not fulfilled its obligations in its work in Libya or if the organization discovers any violation after completing its work in Libya.

Article 69 – INGO must close out before leaving

The Organization shall not leave Libya until all its administrative and financial obligations have been settled by the competent authorities and its file with the Civil Society Commission is closed.

Article 70 – 2 months for INGOs to adjust to new regs

All foreign organizations working in Libya must settle their conditions in accordance with the provisions of these regulations within two months from their issuance, otherwise their presence in Libya is considered illegal.