

TRANSLATION FROM ARABIC.

GREAT SOCIALIST PEOPLE'S LIBYAN ARAB JAMAHIRIYA

General People's Congress

Law NO. (7) of 1372 P.D. (2004) regarding Tourism

The General People's Congress

In compliance with decisions of the Basics People's Congresses, and

After perusal of the declaration for establishing People's Authority,

The Grand Green Charter for Human Rights in the Era of Masses,

Law No. (20) of 1991 for enhancing freedom,

Law No. (1) of 1369 P.D. (2001) regarding People's Congresses & Committees,

The Commercial Law and its amendments,

The Law for the Financial System for the State and its amendments,

Law No. (44) of 1968 regarding tourism, and its amendments,

Law No. (65) of 1970 for specifying certain provisions for trade & trading companies and supervising them,

Law No. (33) of 1971 for organizing Trade Agency activities,

Customs Law No. (67) of 1973,

Law No. (13) of 1989 for price control and its amendments,

Law No. (9) of 1992 for performance of economic activities, and its amendments,

Law No. (3) of 1424 PB. (1994) for protection of antiquities, museums, old cities and historical buildings,

Law No. (5) of 1426 PB. (1997) for promotion of investment of foreign capitals,

Law No. (21) of 1369 P.D. (2001) for specifying certain provisions for performing economic activities,

Law No. (24) of 1369 P.D. (2001) for prohibiting use of other than Arabic language and Arabic figures in all transactions,

Law No. (27) of 1369 P.D. (2001) for specifying certain provisions for fees against services, and

Law No. (4) of 1372 P.D. (2004) regarding Chambers of Commerce & Industry and the General Union of Chambers,

Do hereby formulate the following Law:

Chapter One **General & Constituent Provisions**

Article (1)

Tourism means, in applying the provisions of this law, movement of persons, whether citizens or foreigners, as individuals, or groups, from one place to another, and the resulting or necessary services and various relations.

Article (2)

Tourism aims at achieving the following:

- 1- Introducing the civilizational & historical process of the Libyan Arab People, and depicting the material & moral accomplishments and transformations of the Great Al-Fateh Revolution with respect to the potentials of the Great Jamahiriya, such as tourist sites, and natural, cultural & industrial resources and the civilizational achievements therein and providing its honourable picture/image at international level.

- 2- Development of public taste and individual and collective behaviour to reflect the decent appearance of life pictures in the Great Jamahiriya.
- 3- Contribution to revivification of the national heritage.
- 4- Deep-rooting social correlation between the individuals of Libyan society and enhancing & supporting co-operation and human relations with the peoples of the world.
- 5- Maintaining the tourist sites & facilities, and development, promotion and giving due attention thereto, and provision of recreational and touring means for the citizens & tourists.
- 6- Exchanging of knowledge in the various tourist fields & activities by holding conferences, seminars/symposiums, forums, festivals, fairs/exhibitions and tourist weeks inside and outside the Great Jamahiriya, and participation therein.
- 7- Encouraging Libyan & foreign investors for investment in tourist projects with a view to developing the resources and sources of national income.
- 8- Creation of employment/work opportunities for the citizens.
- 9- Participation in economic and social development

Article (3)

The relevant bodies shall, respectively within their sphere of competence, provide the suitable conditions for promotion of tourism in the Great Jamahiriya, especially regarding facilitation of granting visas, and simplifying the procedures in entry inlets, proper reception of tourists, facilitating their movement and residence, providing assistance to them, as well as security and safety requirements, and strict supervision and control of the bodies which provide services to the tourists as per the basics and rules specified in the executive regulation for this Law.

Article (4)

In observance of the provisions of Law No. (3) of 1424 P.B (1994), the General People's Committee for Tourism shall specify the areas of tourist development & attraction, and prepare the relevant general/master and detailed plans, and imbue them with tourist nature, and manage & supervise them as per the approved plans, in co-ordination with the relevant bodies.

Article (5)

There shall be established Chambers in the field of tourist activities to perform respectively in their field of competence the tasks & powers entrusted to the Chambers of Commerce & Industry established under the organizing law for this purpose. Each of them shall be an autonomous body with independent financial commitment. In establishing such Chambers, specifying their functions/powers and manner of management thereof, the same provisions of the said law shall be applicable. The General People's Committee for Tourism and its Secretary shall, with respect to the Chambers established in the tourist fields, perform the tasks entrusted to the General People's Committee for Economy and Commerce and its Secretary in the said Law.

Article (6)

Without prejudice to the provisions of the legislations organizing the performance of economic activities, the General People's Committee for Tourism shall set out the necessary conditions & rules for performing the tourist activities and investment in the tourist projects.

Article (7)

The bodies operating the field of tourist activity shall pay a fee on each tourist entering by their knowledge into the territories of the Great Jamahiriya. The outcome of the fees shall be deposited in a fund to be established for this purpose for expending therefrom for the purpose of tourist promotion.

Article (8)

Without prejudice to the exemptions specified in Law No. (5) of 1426 P.B. (1997), the tourist projects shall be exempted from the following fees and taxes:

- 1- Customs duties on building materials, tools & equipment, furniture, tourist transport means, and the various kinds of necessary logistics for construction and operation of the tourist utilities & projects. The Secretariat of General People's Committee for Tourism shall specify such requirements and approve their quantities.
- 2- Taxes on income, buildings and luna parks for a period of five years from the starting date of actual activity for the project. The exemption period may be extended for further five years by decision of the General People's Committee upon submission of the Secretary of the General People's Committee for Tourism.
- 3- The exemptions and incentives proposed by the General People's Committee for Tourism, shall be issued by decision of the General People's Committee.

The executive regulation for this law shall indicate the basics & rules for implementing the provisions of this Article.

Article (9)

The tax & Customs duties exempted under the provisions of Article (8) of this Law shall be cancelled in the following cases:

- 1- If it transpires that the project cannot achieve the relevant purpose.
- 2- If the things exempted from taxes & fees are used for other purposes than those specified for exemption.
- 3- If the project contravenes the conditions for performing the activity or the materials under exemption are assigned to others.
- 4- If the project loses its tourist status.

Article (10)

In applying the provisions of Law No. (5) of 1426 P.B (1997) in the field of tourist investment projects, the General People's Committee Tourism shall perform the functions/powers entrusted to the People's Committee for Investment Promotion Board. The Secretary of General People's Committee for Tourism shall perform the powers & functions of the competent Secretary in the said Law & its executive regulation.

Article (11)

There shall be established a Council, to be called (The National Council for Tourism), to be formed by decision of the General People's Committee, upon proposal of the Secretary of General People's Committee, in which the relevant bodies in both the public and private sectors shall be represented.

Article (12)

The National Council for Tourism shall deal with the following:

- 1- Proposal of policies for development & promotion of tourism.
- 2- Proposal & study of the draft laws, regulations and rules for tourism.
- 3- Proposal of supporting the financial allocations necessary for the tourist sector.
- 4- Treatment of the issues related to tourism, as would require co-operation between the sectors and finding the suitable solutions for them.
- 5- Co-ordination between the public and private bodies related to implementation of the tourist development plans & programmes and proposal of their respective roles.
- 6- Decision for the matters presented thereto by the Secretary of the Council.
- 7- The Council shall set out its internal regulation, including the rules & procedures necessary for organizing its work.

Article (13)

In exclusion of the provisions of Law No. (24) of 1369 P.D. (2001), the companies, partnerships, travel & tourism offices, and public tourist places/facilities licensed for performing the activity may use foreign languages for performing their activity, and issuing the tourist publications in various languages.

Chapter Two
Public Tourist Facilities

Articles (14)

Public tourist facilities mean, in applying the provisions of this Law, hotels, motels, tourist villages & towns, guest – houses camps, resorts, recreational places, restaurants, tourist cafes, and shops for sale of traditional industrial products and the like.

Article (15)

It is not allowed to license for establishing/construction, operation or management of public tourist places/facilities, except after issue of permission from the People's Committee for Tourism in the Shaabia (Municipality) as per the basics and rules specified by the executive regulation for this law.

Article (16)

The public tourist places/facilities shall be classified into grades, and shall be also re-classified as per regulation to be issued by the General People's Committee for Tourism in this respect.

Article (17)

In observance of Law No. (13) of 1989, and Law No. (27) of 1369 P.D. (2001), the tariff of residence, meals and services in the public tourist places/facilities shall be specified by a Committee to be formed by decision of the General People's Committee upon proposal of Secretary of the General People's Committee for Tourism.

Chapter Three **Tourist Jobs**

Article (18)

Tourist jobs mean, in applying the provisions of this Law, the following jobs:

- 1- Activities of tourist companies & partnerships and travel & tourism offices.
- 2- Specialized tourist transport.
- 3- Tourist guidance.
- 4- Any other activity specified by the General People's Committee as tourist job upon proposal of the General People's Committee for Tourism.

Article (19)

It is required for performing tourist jobs to obtain permission from the General People's Committee for Tourism. The executive regulation for this law shall specify the conditions, rules, procedures and fees for issuing the permission, its renewal and cases of cancelling it or suspending performance of the activity for a specific period.

Article (20)

The navigation & aviation companies, and national land transport companies & partnerships may perform all activities & services of travel and tourism offices, as specified in this law, apart from sale & issue of travel tickets and reservation of places on their means, provided that they shall allocate a separate section for performing such activities and to obtain license for that under the provisions of this law.

Article (21)

It is required for granting the permission for the companies, partnerships and travel and tourist offices to pay a monetary deposit, to be specified by decision of the General People's Committee for Tourism, and deposited in a special account in a Bank, and to deduct therefrom the amounts due on such bodies, provided that they shall compensate for the deducted amounts within two weeks from the date of being notified thereof.

Article (22)

The licensee for performing a tourist job or management of a public tourist place/facility shall be considered as violating his obligations in any of the following cases:

- 1- If he delays in performing his duties or services towards his clients or other tourist dealers or violates them or fails in providing them.
- 2- If he enters into illegal competition or harmful to the national economy.
- 3- If he commits an act prejudicial to the interest or reputation of tourism in the Great Jamahiriya or performs the job in a manner contravening public morale and order.

Article (23)

The Secretary of the General People's Committee for Tourism may, on the basis of a report of a Committee formed by him for this purpose in the sector, issue a causal decision for any of the following procedures:

- 1- To suspend using the permission for performing the activity for the period specified in the decision for removal of the contravention committed by the relevant dealer.
- 2- To close the public tourist place/facility or cancel the license for performing the job by the person performing tourist activity without permission from the Secretariat of General People's Committee for Tourism.

- 3- To cancel the permission for performing the tourist activity, and refusal of renewal thereof, if a verdict is issued against relevant dealer for a felony/crime or misendeavour involving moral turpitude or violating public order.

Chapter Four **Guidance & Tourist – Guide**

Article (24)

Anyone performing tourist guidance activities and explaining the historic, scientific and technical/artistic features or the like against fees shall be considered as a tourist guide, and any one accompanying the tourists in their movements in the various tourist areas shall be considered as a tourist-guide/escort.

Chapter Five **Penalties**

Article (25)

Without prejudice to any stricter penalty specified in the Penal Law or any other law, any one establishing or managing a public tourist place/facility or performing any of the activities specified in this law without permission or license or in contravention to its provisions and the decisions issued thereunder shall be punished by a fine not less than LD. 500 (Five hundred Libyan Dinars) and not more than LD 1000 (one thousand Libyan Dinars), and it may be judged for closing the place for a period not more than two years.

Article (26)

Without prejudice to any stricter penalty specified in the Penal Law or Law No. (3) of 1424 P.B. (1994) or any other law, anyone causing deliberately serious damage to the tourist sites shall be punished by imprisonment and a fine not less than LD 5000 (Five thousand Libyan Dinars) or either penalty.

Any one using the tourist areas, sites or public tourist places or disposes of them for other than tourist purposes shall be punished by imprisonment for a period not more than one year and a fine not more than LD 1000 (one thousand Libyan Dinars), and obligating the offender to remove the installations, wastes or damages or other impurities at his own expenses and the penalty shall be doubled in cases of repetition.

Chapter Six **Final Provisions**

Article (27)

The members of the General People's Committee for Tourism and the officials specified by decision of Secretary of General People's Committee for Tourism shall have the capacity of Law Enforcement Officers for control of implementation of the provisions of this decisions.

Article (28)

The companies, partnerships, travel and tourism offices, tourist guides and owners of public tourist places/facilities shall settle their situations under the provisions of this law, within six months from the date of its effectiveness, otherwise they shall be considered as performing the job without license.

Article (29)

The executive regulation for the provisions of this law shall be issued by decision of the General People's Committee upon submission of the General People's Committee for Tourism.

Article (30)

Law No. (44) of 1968 regarding tourism shall be repealed, provided that the regulations and decisions issued thereunder shall continue to be applicable, in so far as not contravening the provisions of this law, until issue of amendment or cancellation thereof.

Article (31)

This law shall come into force from the date of its issue and shall be published in the Legislations Encyclopaedia.

The General People's Congress

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