Law No. 23 for 2010 concerning commercial activity
Book Twelve

Chambers of trade, industry and agriculture and general union of chambers

Article (1328)
Identification
Chambers of trade, industry and agriculture are national corporations which enjoy corporate bodies and independent financial status and its aim is to be in charge of the economical, commercial, industrial and agricultural interests and to take the appropriate procedures for advancement of the economic activity, to serve its members and to cooperate with public and national authorities to achieve the targets of the economical and social development.

Article (1329)
Establishment of chambers
The concerned secretary will issue decision for establishment and cancellation of chambers and the issued decision will specify establishment of the location of each chamber, scope of its jurisdiction and the number of the members of its administration committee.

Article (1330)
Jurisdictions of chambers
The chamber within the scope of its jurisdiction will resume the deeds and actions that assist in achieving its purposes in consideration of the provisions of other related regulations, particularly the following:

1. To hold symposiums, economical conferences, training courses and participation in the deeds of boards, committees and conferences concerning the economical and commercial activity, to state the point of view, to provide experience and technical consultancy in the economical and commercial issues.
2. To collect information, data and statistics which are essential for trade, industry and agriculture within the scope of its jurisdiction, to analyze it in a scientific mean and to publish it.
3. To provide occupational affairs and joint interests to its members with the public authorities within the scope of its jurisdiction.
4. Resolution of conflicts that arise between its members through conciliation and arbitration according the agreement of the concerned parties.
5. To follow the commercial and industrial activities, to monitor difficulties and to propose solutions with the coordination of the concerned authorities.
6. To issue economical publications and commercial directory.
7. To issue certificates of origin on origin of goods and national products and prices of commodities and all certificates which are specified by the concerned secretary.

8. Approval of papers and data concerning the economical and commercial activity within its jurisdiction.

The executive rules will specify the detailed jurisdictions of chambers.

Article (1331)
Registration in the chambers
The registration in the chambers is compulsory for any ordinary person or corporate body practicing commercial or industrial or serviceable activity and the executive rules will specify period for registration and fees.

Article (1332)
License renewal
Licenses for resuming any commercial or industrial or serviceable activity will not be renewed without submission to the concerned authority for issuing licenses a proof of registration in the chamber's records and settlement of the due fees.

Article (1333)
General assembly
Chamber's general assembly is formed from a secretary who is selected by the concerned secretary and members of the people committee; the general assembly is concerned with the following:

1. Approval of budget and final account.
2. To view the report of the board of directors on chamber's activities.
3. To view the report of the accounts' auditor.
4. To appoint the external accounts' auditor and specify his entitlements.

Article (1334)
Chamber's administration
Chamber's administration committee is formed from the members as specified by the decision of its establishment provided that it should not exceed 12 members and the chamber's general assembly will select two-thirds of the number of the administration committee's members. The concerned secretary will issue decision nominating the remaining one-third and administration committee's secretary. Membership period in the administration committee will be 3 years commencing from date of its approval by the concerned secretary.

Article (1335)
Administration committee's jurisdictions
The administration committee is the concerned authority to manage chamber's affairs and it will take the necessary decisions and recommendations to achieve the targets of the chamber, particularly the following:

1. To propose the chamber's general policy and supervises its implementation.
2. To implement the decisions and recommendations of the general assembly.
3. To propose chamber's organization chart.
4. To propose the internal rules concerning the technical, administrative and financial affairs.
5. To prepare the annual budget and final account.

6. Acceptance of grants, contributions, aids and wills which are presented to the chamber.
7. To set systems and procedures for conciliation and arbitration in the chamber
8. Other issues which are specified by the executive rules of this law in addition to the rules for nominating the external accounts auditor.

The decisions concerning paragraph (3 and 4) will not be effective without approval by the concerned secretary.

Article 1336
Administration committee's meeting
The administration committee will meet upon invitation from its secretary at least one time every month or with invitation of a number of members that is not less than one-third. The executive rules will organize the procedures of committee's invitation for meeting, management of its circulations, the necessary quorum and issuance of its decisions.
Administration committee's decisions should be reported to the concerned secretary and the general union of chamber of trade, industry and agriculture during 15 days from date of issuance.

Article (1337)
Administration committee's secretary
The administration committee's secretary will follow the implementation of the chamber's general policy, administration committee's decisions and its representation before others and the court.

Article (1338)
Sections
The registered parties in the chambers of trade are classified in homogeneous quality sections. The executive rules will specify its number, the activities under each section, minimum number of members in the section, conditions and procedures for enrollment.
In all case the number of sections in each chamber should not be less than 20 sections.

Article 1339
Section's committee
The members of each section select three members among its members to form section's committee. The committee will provide the proposals of the section in the general assembly to the chamber and it will follow their interest through the administration committee. The executive rules will specify the jurisdiction of sections' committees and will organize their work.

Article (1340)
Chamber's fund
Chamber's fund is formed from:
1. Established fees for the chamber according this law.
2. Owned real estate, funds and moveable values.

3. income of establishments, proceeds of owned investments and value of services rendered to third parties
4. contributions, grants, aids and wills that the administration committee accepts and which do not contradict the targets of the chamber
5. any other income legally permitted

Article (1341)
Chamber's budget
The chamber will have an independent budget and chamber's financial year starts with the beginning of state's financial year and end with its end. The executive rules will specify the procedures and rules concerning preparation and implementation of budget and final accounts of the chamber and procedures for auditing accounts.

Article (1342)
Chambers' general union
General union of chamber of trade, industry and agriculture is formed from the present chambers and which will be established in future according to provisions of this book. The union enjoys the corporate body and an independent financial status.

Article (1343)
Union's targets
The union's aims are for advancement of crafts of trade, industry and agriculture and to sponsor the joint interest of those involved in those fields for serving the interest of national economy; in order to achieve that, the following should be performed particularly:

1. To deal with chambers' affairs with the administrative, commercial and economical authorities and all public entities as well as discussions with commercial delegations inside and outside and with the concerned international institutions.
2. To follow the chambers' activities and to set rules for cooperation and coordination between them and to resolve that disputes may arise.
3. To participate in the economic conferences and the internal and external fairs
4. To prepare studies and researches, to set recommendations and proposals concerning the affairs of trade and economy as well as means for activation.
5. Arbitration between chambers' affiliates according the request of the concerned provided that the conflicting parties are not affiliated to one chamber.
6. To propose establishment of joint chambers with symmetric chambers in other countries and take care of Libya's relations in it.
7. Arbitration and resolving disputes in which a foreign party is involved According to an agreement of the concerned parties.
8. Nomination of the general assembly's members and administrative committees of the joint chambers from the Libyan side after approval of the concerned secretary.
9. Establishment and management of the public stores and warehouses individually or jointly with third party.

Article (1344)
Union's administration
An administration committee will manage the union's administration in order to achieve the purposes for which it was established and it will be assisted by an administrative and technical authority which will be established and its jurisdictions as well as its work system will be specified by decision issued by the administration committee.

Article (1345)
Formation of the administration committee
Union's administration committee is formed from:

1. Administration committees' secretaries of the chambers of trade industry and agriculture which were established according the provisions of this law.
2. Two members among the members of each chamber who will be selected by the concerned general assembly.
3. Five members among the registered in the existing chambers who are experienced and will be nominated by the concerned secretary.
4.

The period of the administration committee will be three years.

Article (1346)
Administration committee's secretary
The administration committee's secretary is nominated among its members by GPC decision on proposal from the concerned secretary.
The administration committee's secretary will manage the union's affairs and will be in charge of the relations with third parties, the court and other jurisdictions specified in the effective regulations and which are included in the executive rules.

Article (1347)
Administration committee's meetings
The procedures and applicable rules in the chambers will be applied in respect of the administration committee's meetings; administration committee's decisions should be reported to the concerned secretary during 15 days from date of its issuance.

Article (1348)
Union's budget
The union has an independent budget and its financial year starts with the beginning of the state's financial year and ends with its end. The rules established for chambers of traded, industry and agriculture will be applied in respect of the budget and final account as well as auditing of accounts.
Union's funds are formed from:

1. Percentage of 15% from the total income of each trade chamber according the approved budget
2. Owned real estates, establishments and moveable funds.
3. Incomes of establishments, proceeds of owned investments and amounts of services rendered to third parties.

4. Grants, contributions, aids and wills accepted by union's administration committee and do not contradict its purposes.
5. Any other legally licensed income.

Article (1349)
Conflict of interests
The secretary and members of the administration committee of the union or chamber or any of their relatives up to the 4th degree should not sign with the union or chambers itself or through contract of partnership or contracting or supplying or sale or purchase of disputed right or to proceed in a case or dispute against the chamber in any capacity.

Article (1350)
Businessmen council
A council named (businessmen council) may be established to take care of whatever supports in the interest of its affiliates from Libyan businessmen and to be acquainted abroad to enable them establish relations with the businessmen in other countries to serve the national economy. The council enjoys a legal characteristic and independent financial status and the executive rules will specify bases for establishing this council, the branch committees of the council, minimum number of founders and subscription fees.

Article (1351)
Exception
The provisions of this book are not applied on the chamber of marine shipping

Article (1352)
Executive rules
The executive rules organizing the provisions of this book are issued by GPC decision on presentation of the concerned secretary and after proposal of the general union of chambers of trade, industry and agriculture provided that it includes the period of registration's validity, registration fees and renewal, the necessary procedures for inviting for meeting the chambers' general assembly, necessary quorum for meeting, issuing decisions, the necessary conditions to be provided in the members of chambers' administration committees, the provisions organizing the organizational chart of businessmen council and its internal organization.