

Council of Ministers decision
No. (313) for the year 2012 AD
Concerning the establishment of the Libya Trade Network Project

Council of Ministers

After perusal of the constitutional declaration, and the declaration of the establishment of the Interim National Transitional Council.

And the statutes of the National Transitional Council.

And the Law of the State's Financial System and the Budget, Accounts, and Stores Regulations.

And Law No. (12) of 2010 AD, promulgating the Labor Relations Law and its executive regulations.

And Law No. (22) of 2012 AD, regarding communications.

And Law No. (23) of 2010 AD regarding the economic activity.

And National Transitional Council Resolution No. (184) of 2011 AD regarding the adoption of the transitional government.

And Cabinet Resolution No. (59) of 2012 AD approving the organizational structure and the functions of the Ministry of Economy and organizing its administrative apparatus.

And what was presented by the Minister of Economy in his letter No. (1/5/173) dated 04/19/2012 AD, and his letter No. (5/1/2234) dated 06/04/2012 AD;

And what was decided by the Council of Ministers at its twenty-seventh ordinary meeting for the year 2012 AD.

Decided

Article (1)

A project called (Libya Trade Network Project) shall be established by the provisions of this resolution, which shall have a legal personality and an independent financial nation, and shall be affiliated with the Ministry of Economy.

Article (2)

The main headquarters of the project shall be in the city of Tripoli, and the project board of directors may open branches or offices for the project in some other cities as needed.

Article (3)

The Libya Trade Network project aims to develop and develop the trade movement by simplifying procedures and commercial transactions, enhancing electronic services in the field of trade, in addition to establishing transparency, and enhancing the decentralization of services in the commercial field.

Article (4)

The project is concerned with carrying out the executive work required for the establishment of the Libya Trade Network, working on its management and operation, and following up on the implementation of the partial projects that comprise it. In particular, it may do the following:

Carrying out the required executive work within the framework of the implementation of the approved interim executive program for the project and following up on the actual work of the programs and applications necessary for the establishment and operation of the trade network. Carrying out the tasks necessary to complete the components of the trade network and the procedures it requires to facilitate and facilitate the completion of the required contracts such as supply and installation contracts, and to secure advisory services and others by the legislation in force.

Preparing and implementing appropriate training programs and plans to build and rehabilitate the human capabilities necessary for the work of the trade network, including operators and users, as well as workers in the authorities related to the work of the project and its technical departments in various fields.

Follow-up the work of generalizing the trade network to land, sea, and airports in coordination with the relevant authorities, by accelerating the implementation of the partial projects that make up the trade network with the relevant authorities, identifying the obstacles and difficulties encountering its accession to the trade network and proposing the means to address them. Studying the difficulties facing the flow of goods and merchandise through the ports, finding appropriate solutions to them, and proposing appropriate means and techniques to expedite the termination of related transactions.

Follow up on the development of foreign trade procedures by international standards, and propose the development of its procedures to serve the national economy.

Working on introducing electronic commerce tools and means to the Libyan market, and proposing policies that ensure the good use of those who deal with them in a way that ensures the expansion of the e-commerce base.

Preparing the plans and programs necessary to complete the trade network project, and following up its implementation with the relevant authorities.

Follow up the work of preparing and developing electronic information systems and programs that would raise the level of trade.

Participate in the study, amendment, and preparation of legislation related to foreign and electronic trade procedures.

Coordination with the competent authorities in the sectors concerned with import and export transactions and the accompanying services to ensure the connection, operation, and management of the trade network.

Providing the necessary technical and informational solutions to the parties involved in the network, ensuring the circulation of the trade network and activating its activity to achieve its objectives, and proposing the requirements to facilitate and simplify the exchange of information and messages through the trade network within the framework of the unified system of foreign trade procedures.

Activating technical cooperation relations with specialized local and international institutions and organizations working in the field of standardizing foreign trade and e-commerce transactions.

Preparing studies and research on programs for developing and facilitating foreign trade procedures and their mechanization.

Contribute to suggesting the necessary means and methods create a climate for e-commerce and encourage its dealers to use the techniques used in this field.

Suggesting the acquisition and construction of information terminal applications and complementary solutions to the center of the foreign trade network and providing the necessary technical and informational solutions to the parties involved in the network to ensure the dissemination of the trade network and activate its activity to achieve its objectives.

Studying the available communications and information infrastructure in coordination with the relevant authorities and their suitability for the successful operation and development of network applications and operations used in cooperation with the relevant authorities.

Participation in internal and external conferences, seminars, and workshops to gain experience and build the necessary human capabilities to manage and develop the network, taking into account the prescribed legislation in this regard.

Participation in the development, promotion, and awareness-raising work for dealers through the Libya Trade Network, in coordination with the Chambers of Commerce, Industry, and Agriculture.

Preparing the necessary training programs and plans to train operators and users of the Libya Trade Network.

Article (5)

The project shall have a higher committee to supervise and follow up the implementation of its phases, as follows:

The Minister of Economy as Chairman.

Minister of Planning as a member.

Minister of Communications and Informatics as a member.

The Minister of Transportation and Transport, as a member.

Deputy Governor of the Central Bank of Libya, Member.

Director-General of the Customs Authority, as a member.

Chairman of the General Federation of Chambers of Commerce, Industry, and Agriculture, as a member.

Article (6)

In the previous article, the Higher Committee is concerned with the following:

Approving work plans and mechanisms and the executive program for the project.

Preparing the general budget for the project and presenting it for approval.

Name the project's board of directors and determine its remuneration, taking into account the financial allocations included for that.

Adopting the general regulations regulating the work of the project by the legislation in force.

Approving the organizational structure, staffing, salary scale, and benefits, taking into account the listed financial allocations, and in coordination with the relevant authorities.

Adoption of plans and proposals for integration between the components of the project with all relevant authorities.

Supervising the implementation of the project and its complementary projects in the various sectors.

Submit periodic reports to the Council of Ministers on the progress of project implementation. The meetings of the Higher Committee are held every quarter, and it also meets exceptionally upon an invitation from its Chairman or whenever the need arises.

Article (7)

The project is housed in a board of directors consisting of a chairman and at least six members, to be named by a decision of the Higher Committee.

Article (8)

The project board of directors shall have the widest powers in managing the project and disposing of its affairs by the legislation in force and the relevant laws and regulations, and undertaking all the necessary actions and actions to ensure the achievement of its objectives and the purpose of its establishment by the establishment decision, and in particular, it has the following: -

- Setting the general policy for the project, preparing plans and programs to ensure its success, and submitting them to the Higher Committee for approval.

- Suggesting the regulations governing the work of the project.

- The suggestion of salary and benefits scale.

- Proposing a draft general budget for the project.

- Supervising the preparation of the final account of the project.

Work to generalize the trade network and expand its scope at sea, land, and airports in coordination with the competent authorities.

Approving the results of the contracting committees and the work accomplished within the framework of project implementation.

Adopting the forms of administrative contracts and work contracts and approving their conclusion by the legislation in force.

Approval and follow-up of the implementation of proposals for the development of the project and the preservation of its assets and properties.

Name the project's executive director from among its members or others, and define his terms of reference.

Article (9)

The Chairman of the Board of Directors undertakes the following: -

- Representing the project in its relations with others and before the judiciary.

- Calling meetings of the Board of Directors, presiding over its meetings, approving its minutes, and following up on the implementation of its decisions.

- Sign the decisions issued by him or the Board of Directors.

- Direct supervision of the CEO and suggesting his nomination or replacement.

- Nomination of the technical director of the project and the directors of departments and offices in coordination with the Executive Director

- Referring to the topics that require approval to be presented to the Higher Committee.

- Any other functions delegated to it by the Board of Directors by the legislation in force.

Article (10)

The Board of Directors holds its meetings at least once a month and whenever the need arises. The Board of Directors shall have a Secretary whose name is issued by a decision of the Board based on a proposal from its Chairman.

Article (11)

The project shall have an organizational structure whose main divisions and terms of reference shall be determined by a decision of the Higher Committee.

Article (12)

The authorities related to the work of the project and complementing it, in particular: (customs, ports, technical control departments on goods, banks, shipping, and transport agencies, chambers of commerce and industry, etc.) outlined in this resolution.

Article (13)

The financial resources of the project consist of the following: -

What is allocated to him from the general budget.

The fees are collected and authorized to dispose of them by the legislation in force.

Any other resources authorized by law.

Article (14)

The project shall have an independent budget that begins with the beginning of the state's fiscal year and ends with its end, provided that the first year begins from the date of enforcement of this resolution and ends at the end of the fiscal year.

Article (15)

The project shall open one or more bank accounts in the banks operating in Libya in which its funds and allocations are deposited.

Article (16)

This decision shall be effective from the date of its issuance, and every ruling that contradicts it shall be rescinded, and the concerned authorities shall implement it, and it shall be published in the Official Gazette.

Council of Ministers

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Corresponding to 07/17/2012 AD.