

**Law No. (40) of 1974
on service in the Armed Forces**

In the name of the people,

The Revolutionary Command Council,

Upon review of:

- The Constitutional Declaration;
- The Army Law issued on 20 Muharram 1381 AH corresponding to 3 July 1961 AD, and the amending laws thereof;
- The law on compulsory military service issued on 27 Muharram 1387 AH corresponding to 3 May 1967 AD;
- The Military Penal Code issued by virtue of Law No. (37) of 1974;
- Code of Military Procedure issued by virtue of Law No. (39) of 1974;
- Based on the proposal of the Prime Minister and the Cabinet's approval;

issued the following law:

Article (1)

The provisions of the attached law on military service in the Armed Forces shall take effect, and the aforementioned Army Law shall be repealed. Any provision contrary to the provisions of this law shall be repealed.

Article (2)

This law shall be published in the Official Gazette and shall enter into force from its date of publication.

Revolutionary Command Council

**Major Abdessalam Ahmed Jalloud
Prime Minister**

**Issued on 30 Jumada al-Oula 1394 AH
Corresponding to 20 June 1974 AD**

Part 1
Definitions and Military Ranks

Chapter 1
Definitions

Article (1)
Definitions

For the implementation of the provisions of this law and other legislation governing the Armed Forces, the following terms and expressions shall have the indicated meanings ascribed to them:

1. Armed Forces: which include:
 - a. Ground Forces
 - b. Naval Forces
 - c. Air Force
 - d. Air Defence Forces
2. Soldier: refers to officers, cadets of military academies and academies, non-commissioned officers, and privates of the Armed Forces.
3. Officers: any soldier of the rank of second lieutenant and above, whether in permanent or temporary service in the Armed Forces.
This term comprises the following categories:
 - a. Permanent service officers:
 1. Working officer: graduate of a military college or an equivalent military academy recognized by the Chief of the General Staff of the Armed Forces; or graduate of a civilian college permanently appointed afterwards to an officer rank in the Armed Forces upon completion of special military study.
 2. Honorary officer: any soldier promoted from the rank of non-commissioned officer (NCO) to the rank of officer.
 - b. Temporary service officers:
 1. Call-up officer: any retired working or honorary officer who is summoned for service in the Armed Forces under his military rank.
 2. Reserve officer: any person not belonging to the abovementioned categories who is granted the rank of officer.
 3. Officer instructor: any instructor of the rank of second lieutenant and above who graduates from a military college. The general principles of his treatment shall be determined by a decision of the General Commander of the Armed Forces.
 4. Non-commissioned officer (NCO): any soldier of a rank that lies between Private First Class (PFC) and second lieutenant.
 5. Private: any soldier of a rank lower than corporal.
 6. Salary: The basic salary of a given rank as determined by the attached table, in addition to the annual bonus payable to the soldier, excluding other benefits or allowances.

Chapter 2

Military Ranks

Article (2)

Officer Ranks

- A. Military ranks of officers are the following:
1. Second Lieutenant
 2. First Lieutenant
 3. Captain
 4. Major
 5. Lieutenant Colonel
 6. Colonel
 7. Brigadier General
 8. Major General
 9. Lieutenant General
 10. General
 11. Field Marshal
- B. The term “honorary” or “reserve” shall be added to military ranks for honorary officers or reserve officers.
- C. The term “sailor”, “pilot”, or “navigator” shall be added to the ranks of sailor, pilot, or navigator officers below the rank of major general.
- D. The term “physician”, “engineer”, or “pharmacist” shall be added to the ranks of physician, engineer, or pharmacist officers.
- E. The term “technical” shall be added to the ranks of technical officers. The definition and eligibility of such title shall be determined by a decision of the Chief of the General Staff.
- F. In case of multiple titles for the same rank, they shall be mentioned in the order set forth by the previous clauses.

Article (3)

NCO and Private Ranks

- A. Military ranks of NCOs and privates are the following:
1. Private
 2. Private First Class
 3. Corporal
 4. Sergeant
 5. Company Staff Sergeant
 6. Unit Staff Sergeant

Article (4)

Rank Insignia and Military Uniform

Rank insignia and military uniform shall be determined by a decision of the General Commander based on the proposal of the Chief of the General Staff.

Part 2

Military Service and Types Thereof

Article (5)

Types of Service

Service in the Armed Forces shall be voluntary or compulsory in accordance with the law. The provisions of this law shall only be applicable to compulsory military service to the extent consistent with the nature or regulating rules thereof.

Article (6)

General Service Requirements

1. Whoever is appointed or enlisted for the first time in any military rank shall meet the following requirements:
 - a. Hold the nationality of the Libyan Arab Republic; non-Libyan Arabs and Muslims may be appointed with the consent of the Revolutionary Command Council (RCC);
 - b. Aged between seventeen and thirty years;
 - c. Be of good reputation and ethics, and must not be convicted of any misdemeanour of moral turpitude or any felony unless he has been rehabilitated in either case;
 - d. Must not be subject to a disciplinary decision expelling him from public service, and such decision must not date back more than five years at least;
 - e. Must be medically fit for military service. Medical fitness conditions shall be determined by decision of the General Commander;
 - f. Must hold the academic degree required for appointment;
 - g. Must not have a foreign spouse;
 - h. Must be part of the people's forces with an interest in the September 1 Revolution;
2. The Chief of the General Staff may add any other requirements it deems necessary for certain types of military service.

Chapter 2

Appointment of Officers and Stripping of Ranks

Article (7)

Appointment of Officers

Upon first-time appointment in the Armed Forces, officers shall be appointed to the rank of second lieutenant. An officer may be appointed to a higher rank if he holds a university degree or higher qualification, and the rules of such appointment shall be determined by a decision of the General Commander of the Armed Forces, provided that the appointed officer does not surpass his colleagues who graduated from military academies with the rank of second lieutenant and who obtained the qualification by which they enrolled in such colleges on the same date as he. In any case, such officer may not be appointed to a rank higher than captain.

Article (8)

Granting and Stripping Officer Ranks

Officers shall be granted ranks and stripped thereof by an RCC resolution in accordance with the law.

Chapter 3

Enlistment of NCOs and Privates

Article (9)

Volunteering

1. Acceptance of volunteers in the Armed Forces shall be effected by special contracts of at least five years, renewable for consecutive periods ranging between two and five years each. Throughout his service, the volunteer shall be subject to the laws, orders and regulations applicable in the Armed Forces.
2. Female volunteers may be accepted in accordance with the rules and conditions stipulated by a decision of the General Commander of the Armed Forces.

Article (10)

Volunteer Contracting Procedures

Based on the proposal of the Chief of the General Staff, the contracting and renewal procedures for volunteers as well as the required examinations that shall be passed, the ranks they shall be appointed to, and the template of contracts that shall be concluded with them, shall be determined by a decision of the General Commander.

Part 3

Seniority and Competency Reports

Chapter 1

Seniority

Article (11)

Determining Seniority

Seniority in rank shall be reckoned from the date of appointment or promotion to the rank. If two or more soldiers are appointed or promoted on the same date, their seniority in the former case shall be determined according to their date of graduation; in they graduated on the same date, seniority shall be based on the higher order of placement, the earlier enlistment date, or the military number, depending on the case. In the latter case, seniority shall be decided based upon seniority in previous rank(s).

Article (12)

Seniority Statements

The Chief of the General Staff shall prepare seniority statements for officers, NCOs, and volunteer privates. The rules of preparation and distribution of such statements, the complaint procedures, and the cases of amendment thereof shall be determined by a decision of the General Commander.

Article (13)

NCO or PFC Demotion or Deprivation of Rank

If an NCO or PFC is deprived of his rank or demoted to a lower rank, his seniority in the new rank shall be reckoned from the date of issuance of the deprivation sentence or the demotion order, depending on the case.

Article (14)
Leadership Priority

Leadership priority among officers of the same rank shall be given in the following order:

1. Working officer
2. Called-up working officer
3. Honorary officer
4. Called-up honorary officer
5. Reserve officer

If any officers of the abovementioned categories belong to different forces, seniority shall be given to officers of ground forces, followed by air force and air defence.

Chapter 2
Officer Competency Report

Article (15)
Types of Competency Reports

Officers up to the rank of brigadier general shall be subject to the competency report system. The rules of preparation of such reports shall be determined as follows:

- a. A competency report shall be prepared on an annual basis for each officer.
- b. An abridged competency report shall be prepared for officers tasked with special duties.
- c. The Chief of the General Staff may prepare special reports to recommend leadership positions or other key positions, or to recommend decorations, medals, etc.
- d. In exceptional circumstances, a special report may be written at any time at the request of superiors, or when the direct commander determines that the officer is not fit for service in any way.
- e. The General Commander shall issue a decision based on the proposal of the Chief of the General Staff in order to determine competency report procedures, final grades, and the guidelines for their preparation.

Article (16)
Accused or Punished Officer

If an officer is referred to investigation or prosecution, such referral shall be stated in his annual report without affecting the assessment of his competency grade.

Penalties imposed on such officer during the reporting period shall be mentioned at all times.

Part 4
Promotion

Chapter 1
Promotion of Officers

Article (17)

Promotion of Officers up to the Rank of Colonel

Officers up to the rank of colonel shall be promoted by seniority upon meeting the following conditions:

1. Completion of at least the following periods in the rank from which they are promoted:

From	second lieutenant	to	first lieutenant	thirty months
from	first lieutenant	to	captain	three years
from	captain	to	major	five years
from	major	to	lieutenant colonel	four years
from	lieutenant colonel	to	colonel	five years

Officers appointed to a higher rank than second lieutenant as referred to in Article (7) shall be exempted from the above upon their promotion for the first time after appointment along with their colleagues on the same list.

2. Proof of medical fitness
3. Satisfactory competency reports
4. Absence of any final conviction judgment pronounced by military tribunals against the officer in the year preceding the promotion, or any disciplinary penalties imposed five times during that year
5. Passing the promotion examination or obtaining the qualification determined by the Chief of the General Staff with regard to officers of a rank lower than lieutenant colonel.
6. Vacancies in the ranks.

Article (18)

Promotion from the Rank of Colonel and Above

1. Officers of the rank of colonel and above shall be promoted by selection without a specific timeframe in accordance with the rules issued by a decision of the General Commander.
2. Officers who are overlooked for promotion shall retire unless they wish to remain in service with the consent of the General Commander.
3. The provision of the previous clause shall not be applicable to promotion to the position of General Commander, Chief of the General Staff, or any deputies thereof.

Article (19)

Promotion Hierarchy

Officers shall be promoted directly to the next higher rank.

Article (20)

Seniority for Excellent Service

1. The General Commander may grant officers seniority for excellent service of at most two years at one time and of four years throughout the length of their service, in any of the following cases:
 - a. If the officer participates in war or any other conflict, or conducts any glorious acts to defend the September 1 Revolution or acts that inspire honour and pride in the Armed Forces or deter a serious threat thereto, and his superiors testify thereto.
 - b. If the officer obtains the Staff certificate.

- c. If the officer holds a university or higher diploma recognized by the Libyan Arab Republic before enlisting in the military academy.
2. The period of seniority for excellent service shall be counted as part of the promotion period and shall not be reckoned in the calculations of pensionable service.

Chapter 2

Promotion of NCOs and Privates

Article (21)

Promotion Conditions

NCOs and volunteer privates shall be promoted on the following conditions:

1. Complete the minimum required period of service in the ranks from which they are promoted.
2. Obtain academic qualifications or undergo training courses determined by the Chief of the General Staff.
3. Pass the promotion examinations, if any.
4. Recommended for promotion by their superiors.
5. The existence of vacant ranks in the service to which they can be promoted.

Article (22)

Promotion System

NCOs and volunteer privates shall be promoted by seniority based on the conditions stipulated by the previous article.

Article (23)

Minimum Service Period Required for Promotion

1. NCOs and volunteer Privates shall be promoted directly to the next higher rank upon completion of the periods hereafter in the rank from which they are promoted:

From	private	to	private first class	One year
From	private first class	to	corporal	Two years
From	corporal	to	sergeant	Three years
From	sergeant	to	company staff sergeant	Four years
From	company staff sergeant	to	unit staff sergeant	Four years
2. Promotion from the rank of unit staff sergeant to the rank of honorary second lieutenant may be effected in accordance with the rules and conditions stipulated by a decision of the General Commander.

Article (24)

Extraordinary Promotion

Soldiers may be promoted without abiding by the provisions of this Part if they participate in a war or other conflict, undertake glorious acts to defend the September 1 Revolution or acts that inspire honour and pride in the Armed Forces or that deter a threat thereto, and his superiors testify thereto; or in other cases determined by the RCC with regard to officers or by the General Commander with regard to NCOs and privates.

Chapter 3 General Provision

Article (25)

Suspension of Promotion of Soldiers Referred to Investigation or Prosecution

Soldiers referred to investigation or military prosecution may not be promoted. Their ranks shall be reserved if the promotion is by seniority until their situation is settled. If the investigation or prosecution establishes the absence of any grounds to proceed with the action, exonerates the soldier, or merely imposes a disciplinary punishment, such soldier shall be promoted to the reserved rank if he meets other promotion requirements. His seniority and the related salary shall be counted from the date when such promotion would have taken place if the investigation or prosecution were not undertaken against him.

Part 5

Transfer, Reassignment, and Secondment

Chapter 1

Article (26)

Transfer and Designation of Officers' Duties

Officers of the rank of colonel and above and commanders of forces and brigades regardless of their rank shall be transferred and their duties designated by decision of the General Commander based on the proposal of the Chief of the General Staff. The transfer and duty designation of other officers shall be effected by a decision of the Chief of the General Staff.

Article (27)

Place of Service

Soldiers shall perform service in the Armed Forces inside and outside the Libyan Arab Republic in accordance with the laws and regulations of the Armed Forces. Transportation costs entailed thereby shall be assumed by the Armed Forces.

Article (28)

Transfer of NCOs and Privates

The Chief of the General Staff or his deputy may transfer NCOs and privates to locations required for service purposes.

Chapter 2

Reassignment and Secondment

Article (29)

Reassignment

1. Soldiers may be delegated to work outside their unit and may also be reassigned to work outside the Armed Forces in a government entity as required by circumstances and for a limited renewable period of time.
2. Reassignment outside the Armed Forces shall be effected by a decision of the General Commander for officers, and by the Chief of the General Staff for NCOs and privates.

3. Reassignment inside the Armed Forces shall be effected by decision of the competent transfer authority.

Article (30)

Secondment

Soldiers may be seconded to countries and to local, foreign, or international civil bodies. The secondment period shall be considered as a period of service in the Armed Forces. A soldier may not be seconded for a period exceeding his remaining service period. In any case, the secondment period may not exceed three years.

Article (31)

Rules of Secondment

The rules and regulations of secondment shall be determined by a decision of the General Commander based on the proposal of the Chief of the General Staff.

Part 6

Leave

Chapter 1

Regular Leave

Article (32)

Annual Leave

1. Subject to service requirements, the officer shall be entitled to a leave of thirty-two days each calendar year. The leave may be accrued provided that it does not exceed sixty-four days. The officer's right to accrued leave shall be forfeited if it exceeds such period unless the leave is preserved for work purposes.
2. NCOs and volunteer privates shall be entitled to an annual leave of thirty days per calendar year. They may accrue leaves with the commander's approval provided that their total does not exceed sixty days.
3. A leave year begins on the first day of the month of January that follows the date of appointment. The soldier shall be entitled to a leave for the period starting on his date of commencement of the work until the first day of the month of January that follows such date according to the ratio of such period to the entire year.
For purposes of leave calculation, any portion of the month exceeding fifteen days shall be counted as a full month, and fractions of a day shall be discarded.
4. The Chief of the General Staff or his deputy may postpone annual leaves when necessary.

Article (33)

Emergency Leave

A soldier may be granted emergency leave for a maximum of seven days per year for officers and a maximum of ten days for NCOs and privates. Such leave may not exceed three days at one time and shall be forfeited if it is not granted during the year.

Article (34)
Leave Without Pay

When necessary, a soldier who is not entitled to annual leave or has consumed his annual leave may be granted leave without pay for a maximum period of sixty days.

Article (35)
Pilgrimage Leave

A soldier shall be granted a twenty-five-day leave to perform the pilgrimage duty once throughout his service.

Chapter 2
Sick Leave

Article (36)
Duration of Sick Leave

Every three years starting on the date of appointment, a soldier shall be entitled to sick leave for one or more consecutive or separate periods not exceeding six months on full pay, three months on half pay, and three months on quarter pay, for any illness or injury not sustained or caused by service.

The right to any partially or totally unconsumed sick leave shall be forfeited at the end of the aforementioned three-year period.

Article (37)
Service-Related Injury

If a soldier sustains illness or injury arising or resulting from service, he shall be entitled to full pay throughout his hospitalisation. Upon his discharge from the hospital, he may be granted at most a one-year leave on full pay.

Article (38)
Sick Leave-Granting Authority

Sick leave shall be granted by a decision of the Chief of the General Staff or his deputy based on the medical committee's recommendation.

Article (39)
Chronic Illness

If a soldier does not recover from his illness or injury after consuming all his sick and annual leave, he shall be retired. Nonetheless, the General Commander may grant the officer sick leave on half pay for a maximum of six months before retiring such officer.

Chapter 3
Special Leave

Article (40)
Exam Leave

A soldier may be granted special leave to sit for an examination at an academic institute in which he enrolled with the prior approval of the Chief of the General Staff. Such leave shall not exceed the duration of the examination.

The soldier shall submit an attestation in which the institute's administration states that he has taken the exam during the specified period. If the soldier fails to submit such attestation, his non-attendance shall be considered as unauthorised absence. If he fails the exam, his leave shall be considered as leave without pay.

Article (41)
Marriage Leave

A soldier shall be granted a paid leave for seven days on the occasion of his marriage. Such leave shall not be granted more than once throughout his service.

Chapter 4
General Leave Provisions

Article (42)
Transfer of Soldiers to Different Entity

If a soldier is transferred to a different entity outside the Armed Forces, he shall be granted his outstanding annual leave in accordance with the regulations of the receiving entity.

Article (43)
Leave of Absence Abroad

Leave of absence spent outside the Republic shall be approved by the Chief of the General Staff.

Article (44)
Regulatory Rules

The regulatory rules for granting all types of leave as well as the soldiers' absence rate from their units, the timing of leave and the directives to be followed in such cases shall be determined by a decision of the Chief of the General Staff.

Part 7
Treatment of Soldiers and Their Families

Article (45)
Treatment Beneficiaries

The following persons shall benefit from medical treatment in hospitals and sanatoriums inside the Republic at the charge of the Armed Forces:

- a. Soldiers.
- b. The spouse, children, parents and siblings of soldiers if they are proven to be dependents of such soldier.
- c. Widows, children and parents of martyrs or soldiers who died as a result of service.
- d. Soldiers retired due to attainment of legal age or lack of medical fitness due to war operations or service.

e. Civilian employees enlisted in the Armed Forces.

Article (46)

Treatment outside the Republic

Persons referred to in Article (45), clauses (a, b, c, d) may be treated outside the Republic at the expense of the Armed Forces with the approval of the Chief of the General Staff if their treatment is established to be impossible inside the Republic by a decision of the medical committee.

Article (47)

Treatment Abroad of Delegates

Soldiers and members of their family referred to in Article (45), Clause (b) shall be treated abroad at the expense of the State if the soldier resides outside the Republic due to his job or if he is delegated on an official mission, provided that the need for treatment and the validity of its procedures are corroborated by medical reports approved by the competent official authorities of the State providing the treatment and ratified by the Libyan Arab political representation mission or its counterpart in such country.

Article (48)

Establishment of Medical Committees

The establishment process of medical committees as well as the competences, duties and meeting venues thereof shall be defined by a decision of the Chief of the General Staff.

Part 8

Salary, Bonus, and Allowances of Soldiers

Article (49)

Salary Schedule

The salary and annual bonus of soldiers shall be determined in accordance with the attached table and the rules specified therein.

Their other bonuses and allowances shall be determined by a decision of the General Commander based on the proposal of the Chief of the General Staff.

Article (50)

Salary Initial Payability Date

In the event of appointment or promotion, the soldier's salary shall become payable starting on the date of issuance of the appointment or promotion decision or the date specified in such decision.

Article (51)

Delegation and Travel Allowance

Any soldier delegated on an official mission shall be entitled to a delegation and travel allowance in addition to transportation and other allowances determined by a decision of the General Commander at the proposal of the Chief of the General Staff.

Part 9
Soldier Duties and Prohibitions

Article (52)
Oath of Allegiance

1. Upon beginning service in the Armed Forces, soldiers shall take the following oath of allegiance:
“As God is my witness, I swear by Almighty God to sacrifice my blood and soul for the sake of the Great Socialist People's Libyan Arab Jamahiriya, to uphold its Jamahiri system and the Great First of September Revolution, to serve it with honesty on land, sea and air, to defend its flag and the security and the safety of its land, to never drop my weapon until my death, to preserve my military honour, and to obey my superiors in all matters related thereto.”
2. Officers shall take the oath before the General Commander of the Armed Forces or his deputy, whereas NCOs and privates shall take the oath before the unit commander.

Article (53)
Soldier Residence

Soldiers shall reside in the location of their duty station and may only reside outside such location for reasons of necessity approved by the unit commander.

Article (54)
Soldier Prohibitions

Soldiers shall be prohibited from committing any of the following acts, whether personally or through an intermediary:

1. Practice commercial business of any sort or have an interest in any contracting, supply, or tender business related to the soldier's work.
2. Purchase or rent for investment purposes any real estate properties or movables put for sale or rent by administrative or judicial authorities in the location of the soldier's duty station if such is related to his work.
3. Co-found any company or accept any position therein unless assigned by the government.
4. Use an intermediary in any matter related to his work or act as an intermediary for any person in matters that do not fall under his specialty.
5. Assume beside his job any other job with or without compensation without the written authorisation of the General Commander of the Armed Forces. In addition to the aforementioned prohibitions, soldiers shall be subject to the same prohibitions applicable to civil servants. Exceptions thereof are custodianship, guardianship, or judicial assistance if the person subject of custody or guardianship, the absentee, or the person who is assigned a judicial assistant is related to the soldier by kinship up to the fourth degree; in addition to custody of properties if the soldier or any of his relatives or in-laws up to the fourth degree is a partner or has an interest therein.

Article (55)

Military Information

A soldier may not disclose in any way whatsoever any information or explanations about matters that should be kept secret due to their nature or to special instructions, and he may not discuss any military topic with unauthorised persons or announce to third parties, whether directly or indirectly, any military news, except by special authorisation from the Chief of the General Staff. This secrecy obligation shall remain effective even after separation from service.

Article (56)

Retention of Military Documents

A soldier shall be prohibited from taking any papers, documents, drafts, etc. related to his job outside his duty station. He may not retain any official documents or copies thereof even if they pertain to a task assigned to him personally.

Article (57)

Soldier Training

A soldier shall not train or assist any party in training or preparing civilians for military duties unless officially tasked therewith.

Article (58)

Marriage Authorisation

1. Soldiers shall marry upon obtaining the authorisation of the Chief of the General Staff or his deputy.
2. Soldiers shall not marry foreigners. Any soldier who takes a foreign spouse shall be considered to have resigned; he shall lose his right to pension dues and shall be bound to reimburse all the amounts paid for his education or training, without prejudice to penalties stipulated by the Military Penal Code.

Article (59)

Inventions

Any writings or inventions created by a soldier shall be the property of the Armed Forces on the following conditions:

1. If the writing or invention is the result of experiments or research with which the soldier is officially tasked.
2. If the writing or invention is related to military affairs.

If the writing or invention can be exploited financially, the soldier shall be entitled to a fair compensation determined by the Chief of the General Staff.

Part 10

Transfer to Half-Salary List and Forfeited Service

Chapter 1

Transfer of Officers to Half-Salary List

Article (60)

Conditions for Officer Transfer to Half-Salary List

An officer shall be transferred to the half-salary list on the basis of a military tribunal judgment. At the proposal of the Chief of the General Staff, the General Commander may transfer an officer to the half-salary list on the following conditions:

1. If the officer is proved incapable of performing his official duties upon obtaining an unsatisfactory competency rating in two consecutive annual reports, or upon the testimony of his various superiors if such officer is not subject to the competency report system.
2. If the officer fails the promotion exam for one rank twice.
3. If the officer proves of poor conduct.

Article (61)

Consequences of Transfer to Half-Salary List

Transfer to half-salary list shall entail the following consequences:

1. The officer shall remain subject to military laws and military discipline as if he is still in active service.
2. The officer shall not wear the military uniform throughout his transfer to the half-salary list.
3. The officer shall receive half the basic salary of his rank.
4. For pension calculations, only half the period of transfer to half-salary list shall be reckoned.
5. The officer shall lose seniority in equivalence with the duration of his transfer to half-salary list.
6. Any officer who remains on the half-salary list for one year shall be considered retired on the next day following the end of such period.

Article (62)

Reinstatement from Half-Salary List to Service

Within one year from the officer's transfer to half-salary list, the General Commander may order his reinstatement to service based on the recommendation of the Chief of the General Staff.

Chapter 2

Forfeited Service

Article (63)

Duration of Forfeited Service

The following periods shall be deducted from a soldier's active service. He shall not earn any salary for such periods and they shall not be counted in his pension:

1. Period of absence or desertion.
2. Time spent in prison in execution of a detention or imprisonment sentence.
3. Period of arrest for a charge of which he is convicted.

4. Time spent in the hospital due to an illness determined by the treating physician to be caused by a crime committed by the soldier
5. Time spent in captivity if such occurs due to his negligence

Part 11
Termination of Military Service

Chapter 1
End of Military Service

Article (64)
Reasons for End of Military Service

The service of a soldier in the Armed Forces shall end for any of the following reasons:

1. Attaining the specified retirement age
2. Overlooked for promotion
3. Lack of medical fitness
4. Expulsion or removal
5. Redundancy
6. Transfer to civil service
7. Resignation
8. Expiration and nonrenewal of volunteer contract
9. Loss of nationality
10. Death

Article (65)
Retirement Age

1. Officers shall retire at the following age:
 - a. Second lieutenant: 40 years
 - b. First lieutenant: 42 years
 - c. Captain: 44 years
 - d. Major: 48 years
 - e. Lieutenant colonel: 50 years
 - f. Colonel: 55 years
 - g. Brigadier general: 56 years
 - h. Major general: 57 years
 - i. Lieutenant general: 58 years
 - j. General: 60 years
 - k. Field marshal: 64 years

The age stated in clauses (a, b, c, d, e) shall be replaced with fifty-two years old for honorary officers.

2. NCOs and privates shall retire at the age of fifty.

Article (66)
Overlooked for Promotion

Subject to provisions of Article (18), Clause (3), the service of officers of the rank of colonel and above who are overlooked for promotion shall end by retirement unless such officers wish to remain in service with the consent of the General Commander.

Article (67)

Lack of Medical Fitness

Military service shall be terminated if the soldier is proved medically unfit for service by a decision of a military medical committee. Nonetheless, he may be retained in service for a maximum of one year from the date of establishing his medical unfitness in order to prepare him for a civil work. In this case, the soldier shall be retained with his consent, insofar that his medical condition is not contagious and does not represent any danger to himself or to his surroundings.

Article (68)

Expulsion or Removal

The service of a soldier shall be terminated if an enforceable judgment is issued against him by a military tribunal that has jurisdiction over cases of expulsion or removal from the Armed Forces.

Article (69)

Redundancy

The service of a soldier shall be terminated by redundancy in any of the following cases:

1. If he is proved technically or militarily unfit based on his superiors' reports.
2. If the General Command decides so for reasons related to public interest.
3. If the officer remains on the half-salary list for a year.
4. Bad conduct of the soldier, as proven by his file.

Article (70)

Transfer to Civil Service

1. The service of officers and NCOs of the rank of company staff sergeant and above who have completed at least the first contract period may be terminated by transfer to civil service by virtue of an RCC resolution for officers and a Prime Minister's decision for NCOs.
2. The grade and seniority of the transferee shall be determined on the basis that he was appointed to the receiving entity on the date of his appointment or enlistment in the Armed Forces, in the grade and seniority equivalent to his rank and salary on such date. He shall be listed for promotion in that entity with others of the same seniority status upon appointment, subject to any special seniority that the transferee may have acquired or lost for personal reasons during his service in the Armed Forces.
3. The transferee shall be entitled to the salary of the grade to which he is transferred depending on his seniority therein, provided that the salary he earned before his transfer is retained for him in his personal capacity if such salary exceeds the amount he is entitled to. Such excess shall be deducted from any annual or promotion bonuses payable to the transferee in the future in the job to which he is transferred.

Article (71)

Resignation

1. An officer's resignation may only be accepted if he has at least fifteen years of service in the Armed Forces starting on the date of obtaining the rank of officer if he is a working officer and on the date of enlistment if he is an honorary officer.
2. However, in compelling circumstances, the resignation may be accepted before the period stipulated in the previous clause if the resigner has settled all his education or training costs in military academies, academies, or courses and others inside or outside the Republic, excluding the salary disbursed thereto during his service or the remuneration disbursed during his study.
3. The request of an NCO or private to terminate the contract before expiration thereof shall fall under the provision concerning officer resignation, provided that the period referred to in Clause (1) is of five years only.

Article (72)

Expiration of NCOs' and Privates' Contracts

A volunteer's service shall end with the expiration of his contract and nonrenewal thereof by himself or by the Armed Forces. If the contract is not renewed at the volunteer's request, the General Commander may delay his discharge in time of mobilisation or confrontation with the enemy until the end of such time. He may also delay discharge when necessary for a maximum period of three years.

However, if the volunteer is subjected to five disciplinary punishments in the last tenth of his contract or his aforementioned retention period, the reason for service termination shall be redundancy for bad conduct.

Article (73)

Loss of Nationality

Without prejudice to any penalty, the soldier's service shall be terminated from the date that he loses the nationality of the Libyan Arab Republic.

Article (74)

Death

The soldier's service shall be terminated on the day following his death. In the case of martyrs, their service shall continue with gradual promotion until the age of retirement as if the martyr were still alive.

Chapter 2

General Provisions on Service Termination

Article (75)

Timing of End of Service for the Sick and Wounded

Soldiers whose service is terminated for any reason during their hospitalisation shall be subject to regular end of service procedures. However, they shall remain in hospitalisation at the expense of the Armed Forces until completion of treatment, and they shall not earn any salary or compensation from the date of termination of their service. The following shall be

exempt therefrom and shall remain in service until recovery before end of service procedures are taken:

- a. Those wounded and stricken ill in war
- b. Those injured in the line of duty

Article (76)

End of Service Certificate

1. In all end of service cases, except death, NCOs and privates whose service is terminated shall receive a certificate attesting the performance of military service and stating the reason for termination and the ethics rating during service.
2. The ethics rating shall be determined by one of the following ratings in accordance with the rules determined by the Chief of the General Staff:
 1. Exemplary
 2. Very good
 3. Good
 4. Average
 5. Poor

Article (77)

Certificate of Appreciation

Upon discharge from service, a certificate of appreciation from the Armed Forces according to the template determined by the Chief of the General Staff shall be granted to the following:

- a. Those who complete their service until the age of retirement
- b. Those who perform an honourable act for the Armed Forces
- c. Those who sustain an injury because of service

Such certificate shall also be granted to heirs of martyrs or soldiers who die due to service.

Article (78)

Service in the Armed Forces of Another Country

Those whose service in the Armed Forces has ended may not enlist in military service for the armed forces of another country unless with the permission of the RCC.

Article (79)

Retention of Rank

Officers whose service is terminated upon attaining of retirement age shall retain their military ranks but shall not wear their military uniform.

Article (80)

End of Service Procedures

Service shall be terminated in case of expulsion or removal by virtue of a final judgment pronounced by the military tribunal in this respect. In other cases except death, service shall be terminated by an RCC resolution for officers and by a decision or order of the Chief of the General Staff or his deputy for others, unless stipulated otherwise.

The Chief of the General Staff shall establish the procedures and instructions to be followed upon termination of service for any reason. Soldiers may not leave the service before issuance of an order by the competent authority in this respect, and shall only do so as of the date specified in such order.

Part 12

Reinstatement and Call-up

Chapter 1

Reinstatement in Service

Article (81)

Reinstatement Conditions

Reinstatement is the return to military service after discharge therefrom. The person seeking reinstatement shall meet the following conditions:

1. His military service must have been terminated for one of the following reasons:
 - a. Transfer to civilian position
 - b. Resignation or expiration of contract
2. He must have been discharged less than two years ago.
3. He must be medically fit for reinstatement in conformity with specified medical levels.

The Chief of the General Staff shall determine the other conditions required by some forms of military service and the necessary reinstatement procedures.

Article (82)

Seniority of the Reinstated

Soldiers shall be reinstated at the same previous rank and their seniority shall be based on the duration of service in such rank before discharge from the Armed Forces.

Chapter 2

Call-Up

Article (83)

Retired officers who possess special expertise needed by the Armed Forces may be called-up by an RCC resolution based on the proposal of the General Commander of the Armed Forces.

Such resolution shall determine the remuneration thereof provided that it does not exceed the total salaries and allowances earned by officers in active service of the same rank and period of service.

Part 13
Final Provisions

Article (84)

Military Decorations, Insignia, and Medals

The institution and conferral of military decorations and insignia, as well as the acceptance and wearing of foreign decorations and insignia shall be regulated by a decision of the Commander-in-Chief based on the proposal of the General Commander. The institution and conferral of military medals, as well as the acceptance and wearing of foreign military medals shall be effected by a decision of the General Commander.

Article (85)

Delegation to Missions and Scholarships

A soldier may be delegated on a mission or scholarship outside the Republic by a decision of the General Commander based on the recommendation of the Chief of the General Staff.

The duration of the mission or scholarship shall be counted as period of service in the Armed Forces.

The financial treatment of delegates to missions or scholarships- shall be determined by a decision of the General Commander issued in accordance with Article (49) of this law.

Article (86)

Appointment of Civilians in the Armed Forces

1. Civilians may be appointed to the Armed Forces in accordance with the civil service law and the regulations issued as a result thereof by a decision of the Chief of the General Staff of the Armed Forces.
2. Non-Libyan technical civilians may be appointed to the Armed Forces by special contracts that specify the duration and conditions of their employment as well as their salary.

Article (87)

Adoption of Gregorian Calendar

Periods stipulated by this law shall be reckoned according to the Gregorian Calendar.

Table (1)**Officer Ranks and Salaries**

Rank	Annual Salary (LYD)		Class of annual bonus	Number of annual bonuses
	Min.	Max.		
Field Marshal	Fixed salary of LYD 5400			same bonuses and benefits as the Minister
General	4050	5299.920	124.992	10
Lieutenant General	3750	4999.920	124.992	10
Major General	3187.500	4437.420	124.992	10
Brigadier General	8212.500	3749.940	93.744	10
Colonel	2437.500	3187.500	75	10
Lieutenant Colonel	2250	2925	67.500	10
Major	1875	2475	60	10
Captain	1500	2025	52.500	10
First Lieutenant	1275	1725	45	10
Second Lieutenant	1125	1500	73,500	10

Table (2)

Ranks and Salaries of NCOs and Privates

Rank	Annual Salary (LYD)		Class of annual bonus	Number of annual bonuses
	Min.	Max.		
Unit Staff Sergeant	975	1275	30	10
Company Staff Sergeant	825	1050	22.500	10
Corporal	712.500	862.500	15	10
Lance Corporal	675	825	15	10
Private First Class	600	750	15	10
Private				