

LIBYAN ARAB REPUBLIC

A Resolution of the Revolutionary Command Council
Promulgating a Law for the Protection of Agricultural

In the name of the people

The Revolutionary Command Council

Having seen the Constitutional Declaration

No. 1 issued On 2 Shawal 1392 corresponding to 11 December
1969, and

The law for protection of afforested land issued On 7 Dhu
El-Hijja 1386 corresponding to 18 March 1967, and

Law No. 5 of 1969 for the planning and organisation of towns
and villages, and

Acting upon the submission of the Minister of
Agriculture and Agrarian Reform, and approval of the
Council of Ministers

Do hereby order as follows:

Article (1)

In applying the provisions of this law and the Regulations
issued thereunder, unless otherwise provided for, agricultural land
shall mean such lands as located outside the approved town and
village plans, which are utilised or naturally useful for investment
agricultural production, including natural forestry, pasture
land, and afforested or tree-planted land.

Article (2)

1. Disposal of agricultural land shall be prohibited for other purposes except agricultural utilisation or investment.
2. Agricultural land plot division for disposal to others shall be prohibited, unless a relevant license has been obtained from the Ministry of Agriculture and Agrarian Reform. Such a license shall only be issued in necessary cases, provided that the land plots shall be valid for agricultural production utilisation.
3. Any pertinent land disposal contravening the provisions of this Article shall be void and shall not be registered.

Article (3)

1. Construction of buildings on agricultural land shall be prohibited. Land plot division for building purposes or diversion of agricultural land in any form for building purposes or any other purpose except for agricultural utilisation shall be prohibited.
2. Building license on agricultural land shall not be given, unless a relevant decision for allocation of such land for building purposes be issued. Such a license shall only be issued in the following cases:
 - a) Construction of mosques, restaurants, rest-houses, groceries or fuel stations on public roads.

b) Construction of public utilities or agricultural or industrial facilities.

c) Construction of buildings for the accommodation of the landlord and his employees.

3. A decision for the allocation of land for such buildings shall be issued by the Minister under a Regulation to be issued by the Council of Ministers upon the submission of the Minister of Agriculture and Agrarian Reform and the Minister of Housing and Utilities.

4. In applying this Article, any land for which the relevant license for plot division or building has not been issued, shall be considered as agricultural land, even if interim land plot division or building works have been commenced.

Article (4)

1. Any damage or harmful act to agricultural land and the relevant trees and plants shall be prohibited, whether by causing damage to soil or spoiling its composition or reducing its fertility or causing damage to trees and plants or cutting them down or harming them in any manner, or damaging water springs or sources or the facilities of water carriage or pumping, or through any other harmful act.

Any negligence leading or which would lead to damage to agricultural land, trees, plants and agricultural facilities shall be considered a harmful act or offence.

3. Negligence of agricultural land without utilisation for a period exceeding one agricultural year without a reasonable excuse shall also be considered a harmful actor offence.

Article (5)

1. Any agricultural land shall not be included in a certain physical development planning project except after the approval of the Minister of Agriculture and Agrarian Reform.
2. Such a physical development planning project shall not be implemented with respect to the relevant agricultural areas except after seeking the advice of the Minister of Agriculture and Agrarian Reform.
3. Any trees existing in the land located within the scope of the approved physical development plans shall not be cut down, unless permission has been obtained from the Ministry of Agriculture and Agrarian Reform.

Article (6)

Trees existing in the areas located outside the town and village plans shall not be cut down, as long as they serve the purpose of plantation unless for the sake of substitution or agricultural utilisation or in necessary cases as determined by a Regulation to be issued by the Minister.

In all the above cases, a relevant permission must be obtained before cutting down the trees.

Article (7)

Public notaries and other persons legally authorised for the preparation of legal documents shall not be allowed to prepare or legalise any relevant disposal which does not comply with the provisions of this Law. The Cadastral Registration and Documentation Department shall not register such disposal.

Article (8)

Without prejudice to any other severer punishment as provided for in the punishment Law or any other Law, any person violating or contravening the provisions of Article (2), Art.3 (1), Art 4, Art.5 (3), or Art 6, shall be punished by imprisonment for a period not exceeding one year and not less than three months, and a penalty not exceeding three thousand pounds and not less than five hundred pounds or either punishment .

The Court of Law may decide - together with the punishment - for the removal of the works constructed in contravention to the provisions of the above articles, together with restoration of the location to the original form at the expense of the contravening person.

Article (9)

The staff to be designated by a decision of the Minister of Agriculture and Agrarian Reform shall have the judiciary capacity respect to investigation of relevant offences as contravening the provisions of this Law.

In this capacity such persons shall be empowered to suspend contravening acts through the administrative procedures, seeking the assistance of security authorities of the Government.

Article (10)

The Law for the protection of afforested land, issued on 7 Dhu El-Hijja 1486 corresponding to 18 March 1967, as well as any other provisions contravening the provisions of this Law shall be repealed .

Article (11)

The Minister of Agriculture and Agrarian Reform shall implement this Law which shall come into force as from the date of its publication in the Official Gazette.

issued on 7 Muharran 1390 H
corresponding to 15 March 1970

The Revolutionary Command Council
(Col. Muámmar El-Gaddhafi)
Prime Minister

(Dr. Juma Shuraiha)

Minister of Agriculture & Agrarian Reform
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