

Constitutional Amendment No. 1 (2012) on amendment of certain items of Article 30 of the Constitutional Declaration

Having considered the Constitutional Declaration issued on 03 Ramadan 1432 (Hijri) corresponding to 03/08/2011, the text of Article 30 of the Constitutional Declarations shall be amended to read as follows:

- The interim National Transitional Council shall be completed in accordance with Article 18 of this Declaration. It shall remain the highest authority in the Libyan State and shall be responsible for administering the affairs of the country pending the elections of the Public National Conference.
- Following the Declaration of Liberation, the interim National Transitional Council shall move to its headquarters in Tripoli. It shall form a transitional government within a maximum period of thirty (30) days and within a period not exceeding ninety (90) days from the Declaration of Liberation. The Council shall:
 1. Enact a law for electing the Public National Conference.
 2. Appoint the High Electoral Commission.
 3. Call for the election of the Public National Conference.
- The Public National Conference shall be elected within two hundred and forty (240) days from the Declaration of Liberation.
- The Conference shall consist of two hundred (200) members elected by the entire Libyan people according to the special Law for electing the Public National Conference.
- The interim National Transitional Council shall be dissolved during the first session of the Conference and all its competencies shall devolve to the Public National Conference. The eldest member shall preside over the session and the youngest member shall be the rapporteur. The President of the Public National Conference and two deputies shall be elected by secret ballot during the session. The Transitional Government shall continue conducting its work until the formation of an interim government. In all conditions, all resolutions of the Public National Conference shall be taken by the majority of two thirds of its members.
- In a period not exceeding thirty (30) days from the first meeting, the Public National Conference shall:
 1. Appoint the Prime Minister who shall, in turn, propose the names of the government provided that they all command the confidence of the Public National Conference before assuming their duties as an interim government. The Conference shall also appoint heads of sovereign positions.

2. Select a statutory body of non-members to draft a constitution for the country. It shall be called the Statutory Body for Constitutional Drafting. It shall consist of sixty (60) members similar to the Sixty Committee established to develop the Libya Independence Constitution in 1951. In all conditions, the resolutions of the Statutory Body for Constitutional Drafting shall be taken by majority of two thirds of its members plus one provided that it completes drafting the constitution and adopts this draft within a period not exceeding one hundred and twenty (120) days from its first meeting.
- The Draft Constitution shall be submitted to a referendum (Yes or No) within thirty (30) days from the date of its adoption. If the Libyan people agree to the draft by majority of two thirds of voters, the Body shall endorse it as a constitution of the country. It shall be referred to the Public National Conference for enactment. If not agreed upon, the Body shall re-draft and re-submit it for referendum within a period not exceeding thirty (30) days from the date of announcing the results of the first referendum.
 - The Public National Conference shall enact the General Elections Law in accordance with the Constitution within thirty (30) days.
 - The general elections shall be held within one hundred and eighty (180) days from the date of enactment of regulating laws. The Public National Conference and interim government shall oversee preparation of all requirements for conducting the electoral process in a democratic and transparent manner.
 - The National High Commissioner for Elections (which shall be re-established by the Public National Conference) shall hold the general elections under the supervision of the national judiciary and monitoring of the United Nations and International and regional organizations.
 - The National High Commissioner for Elections shall endorse and announce the results. It shall invite the legislative authority to convene within a period not exceeding thirty (30) days from the date of endorsement by the Public National Conference. In its first session, the Public National Conference shall be dissolved and the legislative authority shall assume its functions.

Interim National Transitional Council

Issued in Tripoli on 20 Rabee' El-Akher 1433 Hijri corresponding to 13/3/2012