

IIB MA GALO

# FAAFINTÁ RÁSMIGA AH

الرسمية



إلجريدة

JAMHUURIYADDA DIMOQRAADIGA SOOMAALIYA

Sannadka 12aad Muqdisho 2da Maajo 1984 Lr. 5

لجمهورية الصومال الديمقراطية

FAAFIN BIL SOO BAXA

جريدة شهرية

**QIIMADU:** waa 5 shilin lambar waliba — **RUKUNKA:** Sanaadi waa Sh. 100 Soomaaliya gudeheeda - dibaddana waa Shs. 300. Rubunka la weydiisto waqtiga loo gooyey wuxuu ka bilabmaa 1 Janaayo. Qiimaha qortitaanku F. R. halkii sadar iyo waxii ka yar waa 2 laba Sh. Rukunka iyo qoritaanku waxaa la weydiistaa Laanta Maamulka Faafinta Rasmiga ah Lacagta waxaa lagu bixinayaa Xafiiska Canshuuraha ee Wasaaradda Lacagta.

K O O B N I I N

QAYBTA

KOOWAAD

SHARCI

SHARCI L. 13 ee 4 Maarso 1984. Dhisid  
Hay'adda Horseed ee Kallumeysiga BOG. 287

LAW N. 13 On 4 March 1984. Establishent  
Of a Pilot Fisheries » 295

QAYBTA

LABAAD

XEER

W. M.

QAYBTA

SADDEXAAD

TALOOPYIN ISGAARSIIN OGEYSIIS IYO WIXII LA  
MID AH.—

Wakaaladda Madbacadda Qaranka

QAYBTA KOWAAD  
SHARCI

SHARCI L.13 ee 4 Maarso 1984, Dhisid Hay'  
ad Horseed ee Kallumeysiga

MADAXWEYNAHA J.D.S.

ISAGOO TIXGELIYEY Oggolaanshaha Guddiga Joo  
gtada ah ee Golaha Shacbiga

WUXUU SOO SAARAYAA Sharciga Soo Socda:

Qod. 1aad

ASAASIDDA HAY'AD KALLUMEYSI

1. Sharcigan waxaa lagu dhisay Hay'ad Horseed u ah Kallumeysiga Xeebaha Waqooyi Bari, hadda ka dibna lagu magacaabi doono Hay'adda Kallumeysiga ee Xeebaha Waqooyi Bari.

2. Hay'adda Horseedka u ah Kallumeysiga Xeebaha Waqooyi Bari, waxay noqon doonta Hay'ad madax Banaan, iyadoo yeelan doonta Shakhsiyad qaynuuni ah iyo maamul madax Banaan.

Qod. 2aad

KORMEERKA HAY'ADDA

1. Dawladda Soomaaliyeed oo kaliye ayaa yeela naysa hantida Hay'adda.

2. Wasiirka Kallumeysiga ayaa masuul ka noqon doona Kormeerka Hay'adda.

3. Hay'adda laguma dhaqi doono sharciyada lam-16 ee 1.4.70 iyo lam- 17 ee 21.4.74 ee ku saabsan awooda iyo hawlaha Hay'adda madaxa Banaan.

Qod. 3aad

XARUNTA HAY'ADDA

Hay'adda waxay xarunteedu noqon doontaa Muqdi sho hase yeesh ee waxay laamo ku yeelan doontaa deg mooyinka iyo Gobollada Jamhuuriyadda D. Soomaaliya

Qod.4aad

UJEEDDOOYINKA HAY'ADDA

Ujeedooyinka Hay'adda waa sida soo socota.

a) Inay soo saarto Kalluun warshadeysan, kala saarto tijaabana u suuq geyso noocyada Kalluunka pe lagic ee Xeebaha waqooyi Bari iyadoo la waafajinayo habka ugu dhow shuruudaha ganacsiga.

b) Inay u fidiso tababarro, **taageero** sa Infrastructure bulsho la soo xulay ee ka Kalluumeysata Xeebaha Waqooyi Bari, iyo inay ururiso, warshadeyso keydiso, u suuq geysana gudaha iyo dibadda Kalluunka ay soo saarto.

c) Inay hore u mariso xaaladda dhaqan dhaqaale ee Kalluumeysatada taasoo lagu gaari karo iyadoo loo fidiyo tababarro, tashiilaad wax ku ool ah, infrastruuctu re iyo fursado lagu horumarinaayo soo saarkeeda iyo heerka wax soo saarka.

d) Inay sameyso daraasado, tijaabooyin iyo sha qooyin kale oo lagama maarmaan u ah in loo qorsheeyo ballaarinta Hay'adda mustaqbilka soo socda.

Qodobka 5aad

AWOODDA HAY'ADDA

Hay'adda Waxay lahaan doontaa Awoodaha soo socda:

a) Inay soo qabsato, soo iibsato, xamaasho, kala saarto, kaydiso iyo suuq geyso wax soo saarka badeed oo nooc kasta leh, taasoo ujeeddadeedu tahay inay dha wrto sharci kasta oo kallunka la xiriira si loo ilaaliyo khayraadka kallunka.

b) Hay'addu waxay qoran kar'aa Shaqaale, iya doo heshiis la geleyso, inkastoo Hay'addu aqoonsan ta hay sharciga 36 ee 22.4.72, kuna saabsan shaqaalaha Hay'adaha madax banaan haddana Hay'adani wAxBa kama khuseyn doono sharciga kor ku qoran:

hawlahaa Hay'adda, si loo meel mariyo ujeedooyinka Hay'adda.

d) Guud ahaan iibka, kala bedelka, kiraysato ama hesho hanti guurto ah, oo ay ku jinaan doonyaha kallu meysiga ama doonyaha kale iyo qalabka looga baahan yahay hirgellinta iyo hawlaha Hay'adda.

e) Guud ahaan inay hesho xuquuq kasto ama wax kastoo lagama maarmaan oo macquul ah ee lagu gaari karo ujeedooyinka Hay'adda.

f) Inay iska gado, dhaafto, horumariso, ijaarto, bedelato, ama rahanto dhamaan ama qeyb ka mid ah xoolaha iyo xuquuqda Hay'adda.

g) Inay la gasho qandaraas, heshiisyo dawlado, ama Hay'ado (Sare, D/hoose ama cid kasta oo kale) ama Hay'adda kastoo kale, shirkado ama shakhsiyaad qeyb kastoo oo dunida ka mid ah oo ay Hay'addu dan ugu jirto.

h) Inay haysato, soo daymato lacag kasta oo ay ugu baahato fulinta ujeedooyinka Hay'adda iyadoo ku raadinaysa shuruudo munaasib ah.

l) Inay samayso, saxdo, oggolaato, saxiixdo, hoos u dhinto iyo soo saarto jeegag, dayn bixin, isdhaafin, qaansheeg, ballanqaad, qoraalo dayman, ka soo gatay, qaansheegtooyinka shixnadaha iyo heshiis kasta oo la xiriira wareejinta iyo xafidaada qalabka.

j) Inay ka furato xisaab bunuugta dalka gudahii sa iyo dibadiisa haddii ay ula muuqato lagama maarm aan iyo inay lacag dhigto ama qaadanayso xisaabaad kaasi.

k) Inay lacag daymiso, soo saarto waregto dad ama Hay'ado macaamiil la leh Hay'adda iyo inay bixiso wax kastoo dhamaanado iyo magdhaw ah oo ay ula muuqato inay tahay lagama maarmaan.

l) Inay ururiso lacagaha ama dawlaha kale oo

m) Inay samayso wax alaala wax kasto lagu gaa ri karo ujeedooyinka Hay'adda.

Qodobka 6aad

### XUQUUQDA HAY'ADDA

Iskaashatooyinka kalluumeysiga iyo bulshada hay' adda caawinto waxay Wasaaradda kalluumeysigu ka weydiisanaysaa inay wax soo saarkooda ka iibiyaan Hay'adda, iyadoo sicirka ay Hay'addu wax kaga iibsane yso u noqoto ugu yaraan mid ka soo jiidan kara dalab kasta oo kale.

Qodobka 7aad

### CANSHUUR DHAAF IYO XUQUUQ

1.) Hay'addu waxay noqon doontaa mid laga saamaxo canshuuraha iyo hawlaha muddo 5 (shan) sano ah.

a) Hawlaha furadaha iyo tariifada canshuurta soo deinta oo nooc kasta oo qalab, allaab la xiriirta ji laabashada diyaarinta, duubida, qaboojinta, salimid da, iyo qaadida xamuulka badeeco badeed iyo canshuurta dhoofinta kuwaasoo loo iib geynaayo suuqyada caalamiga ah.

b) Dhamaan hawlaha Dekedaha iyo wixii la xirii ra hawlgelinta doonyaha Hay'adda ee la xiriirsan ururinta, xamuulka kallunka, qalabka alaabta iyo wax kasto Hay'addu u baahan tahay, laga keenay ama loo qaaday, tuulooyinka kalluumeysiga qaabka kala saarida iyo qaboojiyeyaasha ee goobta hawlgelinta Hay'adda.

2) Hay'adda waxaa kaloo ay Dawladda Soomaaliyeed u oggolaatay inay ka dhaafto inay bixiso canshuurta dakhliga ama faa'iidadaha ama shaqi kastoo canshuurku waajibisay muddo (5) shan sanadood ah laga bilaa bo 1.7.1984.

Qodobka 8aad

### XUBNAHA IYO QAABKA HAY'ADDA

- a) Guddiga Agaasinka    b) Gudoomiyaha Gu/ga  
c) Maareeyaha Guud    d) K. Maareeyaha guud  
2) xubnaha Guddiga Agaasinka, howlihiisa iyo  
awoodiisa waxay ku cadyihiin qodobada soo socda.

Qod. 9aad

GUDDIGA AGAASINKA

1.) Guddiga Agaasinka ee lagu sneegay qodobka 8aad sharciga, wuxuu tilmaamayaa xubnaha soo socda.

- a) Wasiirka Kalluumeysiga — Guddoomiye  
b) W. ku xigeenka Kalumeysiga — k.x. Guddoomiye  
c) Maareeyaha Guud ee nay'adda — Xubin  
d) Wakiil B. Horumarinta Soomaaliyeed — xubin  
e) Wakiil Wasaaradda Maaliyadda — xubin  
f) Laba wakiil Ganacsatada gaar ahaan, ee uu soo magacaabo Madaxweynaha J.D.S. Soona jeediyo Wasiirka Kalluumeysiga.

2. Xubnaha Guddiga Agaasinka oo wakiil ka ah Wasaaradda Maaliyadda iyo Bankiga Horumarinta Soo maaliyeed waxay soo magacaabayaa Wasiirka Maaliyadda iyo Gudoomiyaha Bankiga Horumarinta Soo maaliyeed iyagoo la tashanaayo Wasiirka Kalumeysiga

3. Fadhiyada caadiga ah ee Guddiga Agaasinka waxaa la qaban doonaa ugu yaraan laba jeer sannad kiiba. laakiin fadhiyada aan caadi ahayn waxay ku xiran tahay codsi ka yimaad xubin Guddiga ka mid ah waqti kasta.—

4. Maareeyaha Guud, isagoo tixgelinaaya talada Gudoomiyaha Guddiga Agaasika, wuxuu xubnaha Guddiga Agaasika ku gaarsiin doonaa qoraal (2) labo usbuuc ka hor waqtiga shirka la qabanaayo.

5. Xubin kasta wuxuu yeelan doonaa hal cod, Go'aanka wuxuu ku ansixi doonaa cod hal dheeri ah, hase yeeshee hadii codku isla ekaado, Gudoomiyaha ayaa yeelan doona cod dheeraad ah.

6. Guddiga Agaasika wax Go'aan ah kama qaadan karo ilaa fadhiga ay ka soo qeyb galaan ugu yaraan (3)

7. Xubnaha oo dhan, marka laga reebo Maareeya ha Guud, waxay xaq u leeyihiin gunno fadhi, cadadka gunnada waxaa oggoiaan doona Wasiirka Kallumeysiga isagoo dhegeystay soo jeedinta Guddiga.

8. Dhamaan hadal qorallada shirarka, waxaa lagu qori doonaa luqadaha Soomaaliga iyo Ingiriiska.

### Qodobka 10aad

#### MAS'UULIYADDA GUDDIGA AGAASINKA

Guddiga Agaasinka waxay masuul ka noqon doonaa qeexidda siyaasadda Guud ee Hay'adda, iyagoo waafajinaaya hawlaha iyo ujeedooyinka, isla markaas waxay xaqiijin doonaan horumarkeeda.

Guddiga ayaa qariraaya miisaaniyadda sanadeed ka, wuxuuna oggolaan doonaa cadaymaha xisaabaadka sannadka waxaa intaas dheer in go'amada hoos ku qoran looga baahan yahay oggolaanshaha Guddiga Agaasinka.

a) Qandaraasyada caalamiga ah ay hay'adda ka qeybgeleyso, iyadoo raaceyso habka tartanka calamiga

b) Ogoiaanshaha Barnaamijka shaqo sanadedka.

) Dhamaan daymaha ay hay'addu galayso.

d) Wax kasto oo ay hay'addu ku gadeyso qiimo Go'an.—

e) Xisaab kasto oo ay hay'addu ka furaneyso Bunuugta.—

f) Magacaabidda Guddiga hanti dhowrka sida ku cad qod. 15aad.

g) Oggolaansho qaabka mushaaharka shaqaala ha ee hay'adda oo ay ku jiraan gunooyin iyo abalgud yada.—

### Qodobka 11aad

#### MUDDADA XILKA GUDDIGA AGAASINKA

Xilliga xafiiska xubnaha Guddiga, wuxuu noqon doonaa (2) labo sanno oo laga bilaabo waqtiga la maga ayba xubnaha. Xubnaha waxaa lagu magacaabi ka

raa iyadoo saldhig looga dhigaayo warbixinta Wasiirka Kalluumeysiga iyo in lagu dabaqo sida uu qoraayo qod-9aad qeybtiisa 2aad ee sharcigan.

#### Qodobka 12aad

### MAGACAABIDDA SARAAKIISH HAY'ADDA

1. Maareeyaha Guud ee hay'adda waxaa lagu magacaabaya xeer Madaxweynaha J.D.S. Isagoo dhegeysa tu talada Wasiirka Kalluumeysiga.

2. Kaaliyaha Maareeyaha, waxaa magacaabaaya Guddoomiyaha Guddiga Agaasinka ka dib markuu tix geliyo talada Maareeyaha Guud iyo xubnaha Guddiga.

#### Qodobka 13aad

Mas'uuliyadda Maareeyaha Guud ee hay'adda

Maareeyaha Guud, waa madaxa fulinta hay'adda, wuxuu awood buuxda u leeyahay mas'uuliyad kasta ee maamul ee hawl maamuleedka isagoo raacaaya siyaa sadda iyo miisaaniyadda uu qariray Guddiga Agaasin ka iyo ujeedooyinka hay'adda.

#### Qodobka 14aad

### XISAABAADKA HAY'ADDA m

1. Ugu yaraan seddex bilood, ka dib ee dhamaad ka miisaaniyadda sannadeedkasta ee hay'adda Maareeyaha Guud, waa inuu soo hordhigaa Guddiga Agaasin ka, dheelitirka wixii faa'iido iyo khasaaro iyadoo laga tusinayo habka maaliyadda iyo natiijooyinka maaliyadeed ee hay'adda iyo hawlaha miisaaniyadda ee sannadeedkaasi.

2. Iyadoo ay u dhan tahay dokumentiga dheelitirka sannadeed, Maareeyaha Guud wuxuu horkeenayaa Guddiga Agaasinka, sida loo dhaqan geliyey warbixinta sannadeedka iyadoo laga warbixinaayo hawlaha hay'adda inta lagu jiray hawlaha sanadka lagana hadlaayo, lana qiimaynaayo horumarka dulinta ujeedooyinka hay'adda lana ifinayo waxyaabihii ugu waaweynaa oo ay



Warbixinta sanadeedka waxay kaloo ka koobnaan doontaa wararka ku saabsan qodobadan.

- a) Tirada shaqaalaha iyo mushaaharka la bixiyey
- b) Heerka wax soo saarka dhinacyada xeebaha iyo badweynta.
- c) Heerka iibka Suuqyada gudaha iyo dibadda.
- d) Qiimeynta ganacsiga ee barnaamijyada xeebaha iyo badweynta.

3. Guddiga Agaasinka wuxuu oggolaan doonaa caddeynta xisaabaadka kama dambeys 31 Maarso sanad kasta iyadoo la socoto warbixin sannadeedka shaqooyi nka hay'adda, waxaana u gudbin doona Madaxweynaha J.D.S, Iyo Wasiirka Maaliyadda, Guddoomiyaha Guddiga Agaasinka.

4. Warbixinadda oo dhan iyo cadaymaha maaliyada ee ku qoran qodobkan waxay noqon doonaan luqada ha Soomaaliga iyo Ingiriiska.

Qodobka 15aad

#### BAARISTA XISAABAADKA

Xisaabaadka sanadka ee hay'adda, waxaa baari doona baare madax banaan oo ay magacaabaan Guddiga Agaasinka.—

Sidoo kale waxaa baari karo hantidhowrka Guud haddii Guddiga Agaasinka u arko inay tahay dan.

Qodobka 16aad

#### MIISAANIYADDA HAY'ADDA

Ugu yaraan Seddex (3) bil ka hore ee dhamaadka xisaab sanadeed kasta, Maareeyaha Guud wuxuu hor dhigayaa Guddiga Agaasinka si ay u oggolaadaan ku talo galka miisaaniyadda sannadka xiga.

Qodobka 17aad

#### HABAYNTA QAABKA HAY'ADDA

Hay'addu waxay lahaan doontaa xeer hoosaad iyo qorsho shaqo oo faahfaahinaaya xuquuqda, xilka iyo hawlaha shaqaalaha, taasoo uu soo diyaariyey Maaree

Qodobka 18aad  
HANTIDA HAY'ADDA

Hantida hay'adda waxay ka kooban tahay.

a) dhamaan hantida guurtada iyo ma'guurtada doonyaha iyo qalabka la soo iibiyey, lagu deeqay ama si kastaba ha ugu yimaadee Hay'adda.

b) Dhamaan lacagaha dhigaalka hay'adda ama hay'addu masuul ka tahay Banki kasta gudaha iyo dib adda Soomaaliya iyo wax kastoo ay qabsan ama masuul ay hay'addu ka tahay.

c) Dayn kasta oo ay hay'addu ku leedahay macaa miisha ama qof kastoo urur, wakaalad ama wakaalada ha Daladda.

d) Dhamaan kaydka wax soo saar iyo qalab ay hay'adda laga helo.

Qodobka 19aad  
SANAD MAALIYADEEDKA

1. Xisaab sannadeedka hay'adda wuxuu bilaaban doonaa 1 Jennayo wuxuuna dhamaan doonaa 31da Disember sannad kasta.

2. Faa'iidooyinka ka yimaada hawlaha hay'adda waxaa loogu faa'iidayn doonaa hay'adda, iyadoo saldhig looga dhigayo go'aanka Guddiga Agaasinka, kaasoo tix gelin doono lacagaha looga baahan yahay dhaq dhaqaaqa mustaqbilka.

Qodobka 20aad  
XEER NIDAAMIYE

Madaxweynaha J.D.S. Wuxuu awood u leeyahay inuu soo saaro Xeer nidaamiye khuseya hirgelinta sharcigan.—

Qodobka 21aad  
DHAQANGAL

Sharcigan wuxuu dhaqan geli doonaa, marka la sa xiixo, waxaana lagu soo saari doonaa faafinta Rasmiga ah ee Jamhuuriyadda.

Law N. 13 on 4 March 1984. Establishment of a Pilot Fisheries Enterprise.—

The President of the Somali Democratic Republic  
HAVING SEEN: The Constitution of the Somali Democratic Republic,

TAKING NOTE: Of the approval of the National Assembly of the Somali Democratic Republic.

HEREBY PROMULGATES

THE FOLLOWING LAW

A R T I C L E I

ESTABLISHMENT

Establishment of a pilot fisheries Enterprise.

1) By this law the North East Coast Fisheries Enterprise is being established and from now on shall be called «The Enterprise».

2) The North East Coast Fisheries Enterprise being an autonomous Enterprise will possess a Juridical Personality, and financial autonomy.

A R T I C L E 2

SUPERVISION OF THE ENTERPRISE

The Somali Government being the sole owner of the assets of the Enterprise the Minister of Fisheries shall be responsible for the supervision of the Enterprise as Chairman of the Board of Directors of the Enterprise. The Provisions regarding the supervision of autonomous agencies contained in law No. 16 of 1st. April 1970 and law No. 17 of 21st. April 1974 shall not apply to the Enterprise.

A R T I C L E 3

THE HEAD OFFICE OF THE ENTERPRISE

The Enterprise shall have its head office in Mogadishu, but may establish Branch Offices in the Regions

## ARTICLE 4

### OBJECTIVES OF THE ENTERPRISE

The Objectives of the Enterprise are as follows.

- a) To carry out industrial fishing, processing and marketing trials for a variety of pelagic species of fish in Northern Somali waters in as near commercial conditions as possible.
- b) To provide training, support facilities and infrastructure to selected fishing Communities on the North coast, and to engage in the collection, processing, storage, domestic and export marketing of their catch.
- c) Through the provision of training, support facilities and infrastructure, and thus the opportunity to improve overall production and productivity, to improve the socio economic status of the said communities.
- d) To carry out studies, trials and other activities necessary to plan the future expansion of the Enterprise.

## ARTICLE 5

### POWERS OF THE ENTERPRISE

The Enterprise shall have the following powers.

- a) To capture, purchase, transport, process, store and market marine products of all descriptions, subject to the provisions of any fisheries legislation in regard to fishery resource protection.
- b) To employ such personnel as the Enterprise may require on such terms and conditions as may be appropriate to carry out its obligations, and recognizing that the law No. 36 of April 22nd. 1972 concerning the personnel of Autonomous Agencies shall not apply to the Enterprise.
- c) To Employ and remunerate experts, consultants, agents or firms in connection with the implementation and operation of the Enterprise, with a view to achieving the objectives of the Enterprise.

ble property, including fishing vessels, other boats and equipment needed for the implementation and operation of the Enterprise.

e) Generally to acquire any rights or privileges necessary or convenient in achieving any of the Enterprise's objectives.

f) To sell, let, improve, develop, lease, mortgage, exchange or otherwise dispose of all or any part of the property and rights of the Enterprise.

g) To enter into contracts, agreements or arrangements with Governments or authorities (Supreme, municipal, local or any other) or any corporations, companies or persons in any part of the world as may further the interests of the Enterprise.

h) To raise, borrow, or secure any moneys needed for any purpose of the Enterprise and on such terms and conditions as may seem expedient.

i) To make, draw, accept, endorse, discount and issue, cheques, credit notes, bills of exchange, promissory notes, debentures, bills of lading and other negotiable or transferrable instruments or securities.

j) To open such accounts with banks inside and outside of Somalia as may be necessary, and to make any deposits and withdrawals of the Enterprise's funds into or from such accounts.

k) To lend money and issue warrants to such persons or corporations as may seem expedient and in particular to customers of, suppliers to and any other persons having dealings with the Enterprise, and to give any guarantees or indemnities that may seem expedient.

l) To collect moneys or other debts owed to the Enterprise, and to take any necessary legal action in its name.

m) To do all such things as are conducive or incidental to the attainment of the objectives of the Enterprise.

## ARTICLE 6

### RIGHTS OF THE ENTERPRISE

The fisheries cooperatives and communities assisted

fisheries to offer their production for sale to the Enterprise.

Provided that the prices offered by the Enterprise are at least as attractive as any alternative offer.

#### ARTICLE 7

#### TAX EXEMPTIONS AND PRIVILEGES (PRIVILEGES)

1. The Enterprise shall be exempt from the following taxes and duties for a period of five years:

a) Customs duties, charges and any tariffs and import taxes on all manner of materials, goods and equipment relating to the catching, processing, packaging, freezing, handling and transportation of marine products and also export taxes or levies on the sale of such products in international markets.

b) All port and harbour dues and charges relating to the operation of vessels of the Enterprise engaged in the collection and transportation of fish, materials, goods and any supplies necessary to the Enterprise, from or to ports, fishing villages, processing establishments and cold stores within the Enterprise's area of operation.—

2. The Enterprise will also be allowed by the Government of Somalia a remission from payment of income or profits tax or and other business taxes for a period of five years from 1st. July 1984.

#### ARTICLE 8

#### ORGANS AND STRUCTURE OF THE ENTERPRISE

1. The Enterprise shall have the organs and structure set out as follows.—

- a) Board of Directors.
- b) Chairman of the Board.
- c) General Manager.
- d) Assistant General Manager.

2. The Membership of the Board of Directors, its functions and powers are prescribed in the subsequent articles.

#### ARTICLE 9

of this law shall consist of the following members—

- a) The Minister of Fisheries Chairman
- b) The Vice minister of Fisheries Vice Chairman
- c) The General Manager of the Enterprise
- d) A Representative of the Somali Development Bank
- e) A Representative of the Ministry of Finance
- t) Two Representatives of the private business community, appointed by The president of the Republic on the recommendation of the Minister of Fisheries.

2. Members of the Board of Directors who are representatives of the Ministry of Finance and the Somali Development Bank shall be appointed by the Minister of Finance and the President of the Somali Development Bank respectively, in consultation with the Minister of Fisheries.

3. Ordinary meetings of the Board of Directors shall be held at least twice a year, but extraordinary meetings may be held at the request of any member at any time.

4) The General Manager, taking note of the advice of the Chairman of the Board shall notify members of the Board in writing, two weeks in advance of the date of the next meeting.

5. Every Director shall have one vote. Decision shall be taken on A Simple majority, but if voting on any issue is equal, the Chairman shall have the casting vote

6. No decision of the Board of Directors shall be valid unless taken at a properly convened meeting where a quorum of at least three Directors are present.

7. All Directors except the General Manager shall be entitled to receive sitting allowance, and the amount of such allowances shall be approved by the Minister of Fisheries on the recommendation of the Board.

8. The minutes of all meetings of the Board shall be written in both the Somali and English languages.

## ARTICLE 10

## RESPONSIBILITIES OF THE BOARD OF DIRECTORS

formulation of the General policy of the Enterprise in relation to its activities and objectives and for monitoring its progress.

The Board shall determine the annual budget and approve the annual statement of accounts. In addition the following decisions shall require the approval of the Board of Directors.—

a) Contracts to be entered by the Enterprise under international Competitive Bidding procedures.

a) Contracts to be entered by the Enterprise under international Competitive Bidding procedures.

b) Approval of annual work programs.

c) All borrowings to be made by the Enterprise.

d) Any sale of fixed assets of the Enterprise.

e) The opening of any Bank Account of the Enterprise.—

f) Appointment of Auditors for the purpose of Article 15.

g) Approval of the salary structure of the Enterprise including allowances and Gratuities.

## ARTICLE 11

### TENURE OF OFFICE OF MEMBERS OF THE BOARD OF DIRECTORS

The tenure of office for Board Members shall be two years from the date of their appointment. Members may be appointed for subsequent terms at the discretion of the Minister of Fisheries and in accordance with the provisions of Article 9 section 2 of this law.

## ARTICLE 12

### APPOINTMENT OF THE ENTERPRISE

1. The General Manager of the Enterprise shall be appointed by Decree of the President of the Republic having heard the recommendation of the Minister of Fisheries.—

2. The Assistant Manager shall be appointed by the Chairman of the Board, having taken due note of the advice of the General Manager, and the members



of the Board of Directors.

### ARTICLE 13

#### RESPONSIBILITIES OF THE GENERAL MANAGER

The General Manager shall be the executive head of the Enterprise, and shall have full authority and responsibility for all aspects of the administration, day to day operation within the policy and budgets established by the Board of Directors, and the stated objectives of the Enterprise.—

### ARTICLE 14

#### ACCOUNTS OF THE ENTERPRISE

1. Not later than three months after the end of each financial year of the Enterprise the General Manager shall present to the Directors for adoption by the Board, a balance sheet and profit and loss account showing the financial status, and the financial results of the Enterprise's activities for that financial year.

2. Together with the annual balance sheet the General Manager shall submit to the Board of Directors for adoption, an annual Report describing the activities of the Enterprise during the preceding year mentioning and evaluating progress in implementing the objectives of the Enterprise, and bringing to light major or extraordinary circumstances that have positively or negatively affected the year's results and the Enterprise's status.

The annual report shall also contain information on the following subjects.

- a) Number of Employees and salaries paid
- b) Level of production in both inshore and offshore sectors
- c) Level of sales in domestic and export markets
- d) Commercial evaluation of both inshore and offshore programs.

3. The Board of Directors shall approve the statement of accounts not later than 31st March of each year, and these together with the annual report of the Enterprise's activities shall be presented to the preside

nt of the Somali Democratic Republic and to the Ministry of Finance by the Chairman of the Board.

4. All reports and financial statements referred to in this Article shall be in both the Somali and English languages.

#### ARTICLE 15

##### AUDITING OF THE ACCOUNTS.

The Annual Accounts of the Enterprise shall be audited by an Independent firm of Accountants appointed by the Board of Directors. The Accounts may also be audited by the Magistrates of Account as and when deemed necessary by that body.

#### ARTICLE 16

##### BUDGET OF THE ENTREPRISE

Not later than three months before the end of each financial year the General Manager shall submit to the Board of Directors for approval a fiscal and manning budget for the next financial year.

#### ARTICLE 17

##### ORGANISATIONAL ESTABLISHMENT OF THE ENTERPRISE

The Enterprise shall have an internal organisation and work plan, detailing the rights, responsibilities, and activities of the personnel, which shall be prepared by the General Manager.

#### ARTICLE 18

##### ASSETS OF THE ENTERPRISE

The assets of the Enterprise shall consist of.

a) All fixed and movable property, vessels and equipment purchased, donated, or otherwise legally acquired by the Enterprise.

inside or outside Somalia, and all cash held by or on behalf of the Enterprise.

c) Any debt owed to the Enterprise by any purchaser, supplier or other persons, corporation, agency or state agency, an account of product delivered or for any other reason.

d) All stocks of products or materials held by the Enterprise.

## ARTICLE 19

### FINANCIAL PROVISIONS

1. The financial year of the Enterprise shall commence on its January and end on the 31st. December of each year.

2. The profits from the operation of the Enterprise shall be utilised by the Enterprise in accordance with decision of the Board of Directors who shall have considered the amount of funds required for future operations and for reserves.

## ARTICLE 20

### REGULATIONS

The president of the Somali Democratic Republic shall have the power to issue Regulations for the proper implementation of this law.

## ARTICLE 21

### SEPARATE FORCS

This law shall come into force on the date of its signature and shall be published in the official Bulletin.

Magor General Mohamed Siad Barre

PRESIDENT

365/bis

Xeer Wasaaradda Hiddaha iyo Tacliinta Sare L. 2 ee  
4.3.84 Abuuritaanka Kulliyadda Macallimiinta Far  
samada

GUDDOOMIYAHA GOLAHA SARE EE JUS

ISAGOO ARKAY: Dastuurka J. D. Soomaaliya;

MARKUU ARKAY: Soo jeedinta Guddiga Sare ee  
Jaamacadda.

MARKUU ARKAY: Talada Golaha Tacliinta ee Jaa  
macadda Ummadda Soomaaliyeed.

MARKUU ARKAY: Qodobka 15aad xubinta 7aad ee  
Sharciga lamb. yahay 72 ee 7 Sebtembar 1977kii.  
(Sharciga Jaamacadda).

ISAGOO TIXGELIYEY: Baahida loo qabo Macalli  
miin aqoon farsamo leh.

WUXUU SOO SAARAY XEERKA SOO SOCDA

Qodobka 1aad

Abuuritaan

Waxaa la abuuray Kulliyadda lagu magacaabo  
(Kulliyadda Macallimiinta Farsamada). Kulliyaddaas  
waxay ka mid tahay Kulliyadaha Jaamacadda Um  
madda Soomaaliyeed.

Qodobka 2aad

Barnaamijka Waxbarashada ee Kulliyadda waxaa  
lagu soo saarayaa Xeer Hoosaad uu guddoonsado Go  
laha Tacliinta ee Jaamacadda.

Qodobka 3aad

Xeerkani wuxuu dhaqan galayaa marka uu ku soo  
boxo Faafinta Rasmiga ah ee J.D. Soomaaliya.

Muqdisho, 4.3.84

GUDDOOMIYAHA GOLAHA SARE EE J.U.S.

Dr. Cabdiqaasim Salaad Xasan