

IIB MA GALO

FAAFINTA

RASMIGA AH

الرئيسية



الجريدة

JAMHUURIYADDA DIMOQRAADIGA SOOMAALIYA

جمهورية الصومال الديمقراطية

Sannadka 8aad

Muqdisho

25 Feb. 1980 — Lr. 5/R2

FAAFINTA BIL SOO BAXA

جريدة شهرية

Laanta Faafinta Rasmiga ah ee Madaxtooyada J.D.S.

QIIMAHA : waa 5 shilin Imbar walba RUKUNKA : Sanalkii waa Sh. 100 Soomaaliya gudaheeda — djbodana waa Sh. So, 300, Rukunka la weydiisto waqtiga loo gooyey wuxuu ka bilaabmaa 1 Janaayo Qiimaha qorotaanka F. R, halkii sadar iyo wàxii ka yàr wàà 2 laba Sh. — Rukunka iyo qoritaanku waxaa la weeydiistaa Laanta Maamulkà Fàafintà Rasmiga ah — Lacagta waxaa lagu bixinayaa Xafiiska Canshuurahà ee Wàsàaràddà Lâcagta.

K O O B N I I N

Q A Y B T A K O O W A A D

SHARCI

SHARCI L, 7 ee 23 Febraayo 1980, Dhismaha Mashruuca Bi.

yaxireenka Baardheere

Bogga 251

Law No 7 on 23 Feb. 1980, Bardheere Dam Project. » 258

QAYBTA LABAAD

X E E R

QAYBTA KOOWAAD

SHARCI L. 7 ee 23 Febraayo 1980, Dismaha Mashruuca Biyo-xireenka Baardheere

MADAXWEYNAHA

J. D. S.

MARKUU ARKAY : Dastuurka Jamhuuriyadda Dimoqraadi-ga Soomaaliyeed;

MARKUU ARKAY : Sharci L. 36 ee 22kii Abriil 1972;

MARKUU AQOONSADAY : Inay tahay lagama maarmaan in la abuurto dhismo Mashruuca Biyo-Xireenka Baardheere sanaga Webiga Juba;

MARKUU DHEGEYSTAY : Guddiga Dhaqaalaha ee Jamhuuriyadda Dimoqraadiga Soomaaliya;

MARKUU ARKAY : Go'aankii Guddiga Siyaasadda iyo Golaaha Wasiirada;

WUXUU SOO SAARAYAA

Sharciiga soo socda :

QODOBKA 1AAD

- 1) Waxa la abuurayaa mashruuc biyo-xireenka Baardheere oo loo aqoon doono hadda wixii ka dambeeye «MASHRUUCA BIYO-XIREENKA BAARDHEERE».
- 2) Mashruuca wuxuu hoos imaanayaa Guddiga Qorsheynta Qaranka ee Jamhuuriyadda Dimoqraadiga Soomaaliya.
- 3) Mashruuca wuxuu yeelanayaa shaqsiyad sharciyeed waxaana lagu maamulayaa shrciyada Mashruucyada Dawladda iyo Wkaaladaha Madaxa Bannaan.
- 4) Mashruuca waxaa lagu habeeyey Mashaariicda derejaha «A» Mushaharadda iyo gunnooyinka Mareeyayaashii suna waxay ku caddahay shrciga DSAC 74 oo 22.4.77 schedule «B» ee SNAI iyo sharciga 44 oo 10.7.1977 ee Mashruuca Sonkorta Jelib.

QODOBKA 2AAD

- 1) Mashruuca Biyo-Xireenka ee Baardheere waxay Mas'uuliyaddiisu tahay inuu :

- b) Abuuro quwad koronto ah oo intifaac u lahaata bar-waaqaynta beeraha, Warshadaha iyo degaanka aga-gaarka webiga Juba;
- t) Habeeyo habka ay biyuhu webiga Juba u soocdaan, si looga nabadgalo khasaarooyinka faraha badan oo soo gaara beeraha marka webiga soo butaaco;
- j) Inuu joogtaaleeyo, waraabinta beeraha wakhtiga abarta ah, si loo badbaadeeyo Mashruuca Sonkorta, mooska iyo kuwa kale ee beerood oo laga wado Faa-noole, Saakow, Jamaame State Farm, Trans-Juba, Livestock project, Qaliakoko iyo kuwa kale oo lagu hir-gelinayo agagaarka webiga Juba;

QODOBKA 3AAD

XAFIIS MADAXEEDKA

- 1) Xafiis Madaxeedka Mashruucu wuxuu ahaan doonaa Xamar, ama meesha shaqada ka socoto.
Xafiis laameedyo waxaa laga sameynayaa Baydhaba iyo meel alla meeshii kale ee looga baahdo fulinta Hawlaha Mashruuca.

QODOBKA 4AAD

- 1) Waaxaha Mashruuca waxay ka koobanaan doonaan :
 - b) Guddiga Fulinta; iyo
 - t) Maareynta Mashruuca

QODOBKA 5AAD

- 1) Guddiga Fulinta waa Waaxda dejineysa Siyaasadda iyo Himilada Mashruuca waxaanay ka kooban yihiin toddoba xubnood, (aqoonyahanno ka tirsan Wasaaradda Hawlaha guud, maaliyadda, Shaqada iyo arrimaha bulshada, Wasaaradda

- 2) Guddoomiyaha wuxuu noqonayaa Maareeyaha Guud ee Mashruuca isaga iyo xubnaha kale ee Guddiga waxaa lagu magacaabayaa Xeer Mdaxweyne (Presidential Decree).

QODOBKA GAAD

GUDDIGA FULINTA

- 1) Magaca Dawladda Socmaaliyeed ayuu Guddoomiyaha Guddiga Fulinta Guudahaan mas'uul uga yahay Mashruuca. Guddigu wuxuu kala talinayaa Guddoomiyaha hawlaha soo socda :
 - b) In la dejiyo siyaasadda guud ee mashruuca iyo la socodka fulintiisa sida ku xusan heshiiska projetooyinka, heshiiska qalabsiinta mashruuca ha noqoto dhismaha Biyo-Xireenka, dhismaha quwadda Korontada iyo wixii la mid ah;
 - t) in la isku-duwo, baraarujiyo ama fududeeyo hawlaha xiriiriya Mashruuca iyo Wakaaladaha kale;
 - j) In la hubiyo in loo fuliyey Mashruuca sida lagu xusay jaangooynta Farsamada (Technical specifications) iyo qiimaha dhameystirka loogu tala galay;
 - x) In la hubiyo oo la ogaado miisaaniyadda sannadka iyo xisaabaha kama dambeynta ah;
 - kh) in la fiiriyo oo la oggolaado Xerarka hoose ee loo dejiyey Maareynta habboon ee Mashruuca siiba kuwa la xiriira shaqaaleynta, Lacagta iyo hantidhowrista;
 - d) In dib loo fiiriyo oo la oggolaado barnaamijka tababarka ee Mashruuca;
 - r) in la siiyo bil walba warbixin qoran oo ku saabsan fulinta Mashruuca Guddiga Dhaqaalaha ee J.D.S. Wasiirka Hawlaha Guud; Wasiirka Maaliyadda iyo Guddoomiyaha Qorsheynta Qaranka;
 - S) in la magacaabo Guddiyo Hoose oo bara arrimaha la

- 2) Siduu u guto Xilka kor lagu tilmaamay Guddiga Fulinta bishiiba mar buu shirayaa, haddii ay baahi deg deg ahi jirtana Guddoomiyaha ayaa wacaya shir dheeraad ah (Extra-ordinary meeting).

QODOBKA 7AAD

AWOODDA IYO HAWSHA GUDDOOMIYAHA

- 1) Guddoomiyaha wuxuu ahaanayaa Madaxa fulinta Mashruuca.
- 2) Wuxuu matalayaa Guddoomiyana ka ahaanayaa shirkiiisa Guddiga Fulinta wuxuu kaloo:-
 - b) mas'uul ka ahaanayaa la socodka fulinta Qorsheynta iyo barnaamijyada mashruuca oo dhan;
 - t) Mas'uul ka ahaado la bayactanka heshiiska lala galayo Mashruuca.
- 3) Wuxuu la heshiinayaa shirkad (Management-Consulting Firm), maareysa hawlaha fulinta mashruuca kana mas'uul ah abaabulka iyo isku dubaridka Mashruuca sida uu tilmaamayo Heshiiskii Fulinta.
- 4) Guddoomiyaha waxaa caawinaya kooxo xirfad-yaqaanno ah oo ay madax u yihiin Maareyaha Lacagta, Maareeyaha Farsamada iyo Maareeyaha Hawlaha.
- 5) Mushaharada iyo xuquuqaha kale ee Guddoomiyaha Guddiga Fulinta iyo Maareeyayaasha waxaa lagu goynayaa Xeer Madaxweyne (Presidential Decree).

QODOBKA 8AAD

SHAQAALAHA

- 1) Mashruuca wuxuu magacaabi karaa shaqaalaha uu u baahan yahay si uu u gaaro ujeeddadiisa, waxaanu xaddidayaa lacagtooda, marka laga reebo Guddoomiyaha Fulinta iyo Xirfad-yaqaannadiisa Maareeyayaasha

QODOBKA 14AAD

XISAABAADKA

Xisaabaadka Mashruuca waxaa loo wadayaa sida ay tilmaamayaan sharciyada iyo xeerarka ay Dawladdu u dejisay maamulka Xisaabaadka.

QODOBKA 15AAD

DHOWRISTA

Xisaabaadka Mashruuca waxaa baaraya oo dhowraya Hantidhowrka Qaranka.

QODOBKA 16AAD

DHAQANGELID

- 1) Shrcigani wuxuu dhaqan gelayaa maalinta uu ku soo baxo Faafinta Rasmiga ah ee Dawladda.
- 2) Waxaana lagu faafinayaa faafinta Rasmiga ah J.D.S.

Muqdisho, 23 Febraayo 1980

MADAXWEYNAHA J. D. S.

JAALLE MAXAMED SIYAAD BARRE

LAW N. 7 on 23 Feb. 1980, Bardheere Dam Project.

HAVING SEEN : The constitution of Somali Democratic Republic;

HAVING SEEN : Law N.36 of 22nd April, 1972 (Law of Autonomous Agencies);

HAVING DEEMED : It is necessary to create and establish a dam at Bardheere on the Juba River;

HAVING HEARD : The Economic Committee of the Somali Democratic Republic;

HAVING SEEN : The approval of the Political Bureau and the Council of Ministers;

HEREBY PROMULGATES

The following law:-

ARTICLE 1

FORMATION

- 1) An Infrastructural Complex hereinafter to as the «Bardheere Dam Project » is hereby established.
- 2) The Bardheere Dam Project hereinafter referred to as «The Project» Shall function under the Supervision of the State Planning Commission of the S.D.R.
- 3) The project Shall have juridical personality and Shall be governed by the laws of the Public Enterprises and Autonomous Agencies.
- 4) The project is classed as category «A» and the General Manager Managers shall be entitled to the responsibilities and housing allowances laid under schedule «B» attached to DSAC 74 of 22/4/77 as prescribed for SNAI and by law 14 of 1977.

ARTICLE 2

Scope and Objectives

- 1) The Bardheere Dam Project shall:
 - a) Produce hydro - electric power for the needs of agricultural ,industrial development of the Juba Valley and for domestic use;
 - b) regulate the Juba River flow to avoid destructive floods and severs damage to agricultural sector of the valley;
 - c) ensure thewater availability for irrigation of perennial crops during the dry seasons, saving from drought losses of the sugar & the banana productions and the downstream schemes such as Fanole, Sakow, Jamama State Farms, Trans - Juba Livestock Project, Qaliakoko and other in study.

ARTICLE 3

Head Office

- 1) The Head Office of the Project shall be in Mogadishu or at the site. Branch Offices shall be established at Baidoa or in any other place considered necessary for the proper carrying out of Project objectives.

ARTICLE 4

- 1) The organs of the Project shall consist of the following:
 - a) Implementation Committee; and
 - b) Project Management.

ARTICLE 5

Implementation Committee

- 1) The Implementation Committee shall be the policy - making organ of the Project and shall consist of 7 members (specialists from the Ministries of Public Works,

Finance, Labour and Social Affairs, Mining and Water Resources and State Planning Commission) and one of whom shall be the Executive Chairman.

- 2) The Executive Chairman shall be the General Manager of the project and other members of the Implementation Committee shall be appointed by Presidential decree.

ARTICLE 6

FUNCTION OF THE IMPLEMENTATION COMMITTEE

- 1) On behalf of the Government of the S.D.R. the Executive Chairman, advised by the Implementation Committee, shall have overall responsibility for the Project. In particular, the Committee shall have the following advisory function in :
 - a) laying down the general policy of the Project and to follow up closely its implementation as is stipulated in the Agreements, the dam construction contract, civil works and power station contract, consultancy contracts and the directives of the Economic Committee;
 - b) coordinating, mobilizing and facilitation Project related activities of public agencies;
 - c) ensuring that the Project is implemented as per the technical specifications, and cost and completion date targets;
 - d) scrutinizing and approving the annual budget and final accounts;
 - e) examining and approving the internal rules designed for the proper management of the Project, particularly those pertaining to staff, financial and auditing;

- g) Submitting a written monthly report to the Economic Committee, and the Minister of Public Works, Finance and the Chairman of the State Planning Commission on implementation of the project;
- h) Appointing sub-committees to investigate matters related to project activities and defining the functions of such sub-Committees;
- 2) To discharge the above responsibilities the Implementation Committee shall have monthly meeting, and in case of any urgency the Executive Chairman shall call an extra-ordinary meeting.

ARTICLE 7

POWERS AND FUNCTIONS OF EXECUTIVE CHAIRMAN

- 1) The Executive Chairman shall be the executive Head of the Project.
- 2) He shall represent and preside over the deliberation of the Implementation Committee and shall:
 - a) be responsible for the following up on the implementations of all project plans and programmes;
 - b) He shall negotiate and conclude contracts for the project;
- 3) He shall appoint a General managing consultant and other specialized Consultants for the day-to-day management and the overall execution of the project as per the Development Agreement.
- 4) The Executive Chairman shall be assisted by a nucleus of staff headed by a Financial Manager, Techni-

- 5) The Emoluments of the Executive Chairman and his specialists Managers shall be established by a Presidential Decree.

ARTICLE 8

STAFF

- 1) The project may appoint the personnel needed for the attainment of its objectives and establish their emoluments, except for the Executive Chairman and his specialists managers whose nominations are subject to the provision of article 7 of this Law.

Article 9

POWERS AND FUNCTIONS OF THE PROJECT MANAGEMENT

- 1) The appointed management consulting firm shall on behalf of the Executive Chairman be responsible for:
 - a) The efficient execution of the Project in accordance with the technical specifications and the cost and completion targets;
 - b) The procurement of machinery and equipment, material and supplies which are not available in the country;
 - c) To coordinate and control all engineering and operational works and to ensure that the works are executed in accordance with the technical specifications and to authorize payments for the side works;
 - d) Any other policy directives given by the executive

ARTICLE 10

ASSETS

- a) Any contributions which may be made the Government of S.D.R., foreign donors, the State Banks and others Credit Institutions;
- b) Any revenue derived from Project activities;
- c) Any other receipts;

ARTICLE 11

BUDGET

- 1) The Chairman of the Implementation Committee shall not later than 30th September in each year prepare a Budget statement for the following financial year, showing the estimated receipts and expenditures for the project.
- 2) The Annual Budget Statement shall be submitted to the Special Committee presided by the President of State Planning Commission for approval.

ARTICLE 12

ANNUAL ACCOUNTS

- 1) The financial year of the Project commences on 1st January and shall end on 31st December each year.
- 2) The Chairman of the Implementation Committee shall on 31st March each year cause to be prepared final accounts as well as profit and loss account for the previous year and shall submit to the Ministry of Finance.

ARTICLE 13

AUTHORIZED LOANS

The Project may, for the proper discharge of its functions, obtain loans from State Banks and Credit Institutions with the prior approval of the Ministry of Finance.

ARTICLE 14

ACCOUNTS

The accounts of the Project shall be maintained in the manner prescribed by the laws and regulations issued by the Government for maintenance of accounts.

ARTICLE 15

AUDIT

The accounts of the Project shall be audited by the Magistrate of Accounts.

ARTICLE 16

COMING INTO FORCE

- 1) This law shall come into force immediately.
- 2) It shall be included in the official Compilation of Laws and Decrees of the Somali Democratic Republic and Published in the Official Bulletin.

Muqdishu, 23 Feb. 1980

**PRESIDENT OF THE SOMALI DEMOCRATIC
REPUBLIC**

MAJOR GENERAL MOHAMED SIYAD BARRE