

IIB MA GALO

FAAFINTA

RASMIGA AH

الرسمية



الجريدة

JAMHUURIYADDA DIMOQRAADIGA SOOMALIYA

الجمهورية الصومال الديمقراطية

Sannadka 10aad Muqdisho 28 Maajo 1982 L. 1R5—bis

FAAHFAAHIN BIL SOO BAXA

جريدته شهرية

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

QIIMADU waa 5 Shiln lambar waliba—RUKUNKA: Sannadii waa Shs. 100 Somaliya gudaheeda—dibaddeedana waa Shs. 300. Ruknka la weydiisto waqtiga loo gooyey wuxuu ka bilaa-bmaa 1 Janayo Qiimaha qoritaanku F.R. halkii sadar iyo waxoo ka yar waa 2 laba Sh. — Rukunka iyo qoritaanka waxaa a 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. 14 ee 5 Maajo 1982, Oggolaan-sho Heshiis lagu asaasay Macadka Bog. 411
Maamulka Shaqaalaha Gobolka Afrika oo ku hadla afka Ingiriisiga.

SHARCI L. 15 ee 13 Maajo 1982, Mashruuca Waraabka Mogaabo. » 412

LAW N. 15 on 13th May 1982, Mogambo Irrigation Project». » 418

QAYBTA LABAAD

XEER

XEER MADAXWEYNAHA JDS, L. 31 ee 5 Maajo 1982, Meelmarin Heshiiska la- » 424

SHARCI Lambar 15 taariikh 13 Maajo 1982 Mashruuca
Raraabka Mogaabo.

MADAXWEYNAHA JDS

ISAGOO ARKAY: Dastuurka Jam.Dim.Soomaaliya;

ISAGOO TIXGELIYEY: Oggolaanshaha Guddiga
Joogtada ah ee Golaha Shacbiga.

WUXUU SOO SAARAYAA

Sharciga soo socda:

Qod. 1aad

(*Dhismaha Mashruuca*)

1. Waxaa halkan lagu dhisayaa Mashruuca Waraabka MOGAAMBO oo ku yaalla daanta galbeed ee Webiga Jubba kana tirsan Degmada Jammaame. Hadda kaddibna lagu tilmaami doono «Mashruuca».

2. Mashruucu wuxuu yahay mid madax bannaan wuxuuna leeyahay awood iyo jiritaan qaanuuni ah.

3. Mashruucu wuxuu la mid yahay Mashaariicda heerkoodu yahay «A».

4. Mashruucu wuxuu hoos imaanayaa Wasaaradda Beeraha.

Qod. 2aad

(*Hawlaha iyo ujeeddooyinka Mashruuca*)

Mashruucu wuxuu ka mid noqonayaa horseedka Mashaariicda horumarinta ee Dooxada Jubba ujeedooyinkiisa waxaa ka mid ah:

1. Hirgelinta himilada isku-fillaanshaha, xagga cuntada iyo horumarinta dhaqaalaha Dalka.

2. Horumarinta Guud ee tacabka beeraha Dalka

3. Dhismaha carratuuryada fatahaadda iyo biyo qabadyo lagaga badbaado khatarta fatahaadda.

4. In lagu sameeyo Mashruuca gudahiisa dhul 200 hektar oo ay leeyihiin beeraleyda gaarka ah si loo

5. In la xaqiijiyo helitaan shaqaale aqoon leh iyo kuwo loo taba'baro shaqooyinka sare ee xasaasiga ah, si ay u noqdaan kuwa u dhigma khubarada ajnabiga ah, aakhirkana beddeli lahaa.

6. In la qiimeeyo waxtarka barnaamijka taba'barka ee sanooyinka 3aad, 4aad iyo 5aad si loo qaado tallaabooyinka sixidda ee lagama maarmaanka ah.

7. In la sameeyo qaab maamul iyo qorshe lagu sii talo galo in Mashruuca uu noqdo marka uu dhammaado Wakaaladda Madax bannaan ee Mogaabo.

Qod. 3aad

(Xarunta Mashruuca)

Xarunta Mashruuca waxay ahaan doontaa Mogaambo, oo shaqadu ka socoto, Xaafiis-laameed waxaa laga sameyn karaa Kismaayo ama meeshii kale ee ka tirsan J.D.S., oo loo aqoonsado inay lagama maarmaan u tahay in si quman loogu fuliyo Ujeeddooyinka Mashruuca.

Qod. 4aad

(A w o o d)

Mashruucu wuxuu leeyahay awood uu ku fulin karo Ujeeddooyinka ku xusan Qod. 2aad ee sharcigan.

Qod. 5aad

(Xubnaha Mashruuca)

1. Xubnaha Mashruuca waxay ka koobnaanaayan sida soo socota:-

- a) Guddiga Sare ee Mashruuca;
- b) Guddiga Maamulka;
- t) Maareeyaha Guud, iyo;
- j) Maareeyayaal.

Qod. 6aad

(Guddiga Sare ee Mashruuca)

- a) Maareeyaha Guud ee Mashruuca Gud/miye;
 - b) Agaasimaha Guud ee Wasaaradda Beeraha Xubin
 - t) Agaasimaha Guud ee Wasaaradda Qorsheynta Qaranka »
 - j) Agaasimaha Guud ee Xannaanada Xoolaha Dhirta iyo Daaqa »
 - x) Maareeyaha Guud ee Dooxada Jubba »
- Qod. 7aad

(Guddiga Maamulka)

Guddiga Maamulka wuxuu ka kooban yahay:-

- a) Maareeyaha Guud, iyo;
- b) Maareeyayaasha Mashruuca.

Qod. 8aad

(Hawlaha Guddiga Sare)

Hawlaha Guddiga Sare waxay ahaanayaan kuwa soo socda:-

- a) Dejinta Siyaasadda Guud ee Mashruuca iyo la socodka fulinteeda sida ku tilmaaman Heshiiska.
- b) Hubinta in Mashruuca loo fuliyay si waafaqsan qorshaha, farsamada, kharajka iyo taariikhda dhameystirka ee bartilmaameedyada u ah.

Qod. 9aad

(Hawlaha Guddiga Maamulka)

Guddiga Maamulka waa xubinta ka xilsaaran Mashruuca, xagga qorshaha toosinta iyo taabba gelinta hawlaha Mashruuca, wuxuuna leeyahay awood madax bannaan ee dhinaca maamulka, maaliyadda, farsamada iyo hawlaha kale ee ka dhanka ah.

Qod. 10aad

(Magacaabidda Maareeyaha Guud iyo Maareeya/sha)

Maareeyaha Guud iyo Maareeyayaasha Mashruuca waxaa lagu magacaabayaa Xeer Madaxweyne iyadoo la tixgelinaayo talada Wasiirka Wasaaradda Beeraha.

Qod. 11aad

(Awoodda Maareeyaha Guud)

1. Maareeyaha Guud waa madaxa Maamulka Mashruuca.

2. Wuxuu matilayaa, Guddoominayaana shirka Guddiga Maamulka, gaar ahaan wuxuu mas'uul ka yahay:

- a) La socodka fulinta qorshaha iyo barnaamijka Mashruuca;
- b) Qabanqaabada iyo fulinta qandaraasyada uu Mashruucu galaayo, isagoo dhawraya sharciga iyo nidaamka u degsan;
- t) Inuu heshiis la geli karo, isagoo tixgelinaaya go'aanka Guddiga Maamulka iyo oggolaanshaha Wasiirka, shirkado ama dad khubaro ah oo socodsiiya hawl maalmeedka maamulka iyo guud ahaan fulinta Mashruuca si waafaqsan heshiisyada la xiriira Mashruuca.

Qod. 12aad

(Xuquuqda Shaqaalaha)

Xuquuqda iyo waajibaadka Shaqaalaha, waxaa lagu dhaqayaa sharciga Lam. 36 ee 22dii Abriil 1972 iyo xeerka Lam. 74 ee 22dii Abriil 1972.

Qod. 13aad

(Shaqaalaha)

Mashruuca wuxuu qoran karaa shaqaalaha uu u baahan yahay iyadoo la raacayo sharciga shaqo qo-

ridda, isla markaas Mashruucu wuxuu awood u leeyahay inuu qaato khubaro Ajnabiga ah ee uu u baahan yahay isagoo raacaya sharciyada Dalka iyo oggolaanshaha Wasiirka Beeraha iyo hay'adaha maalgelinta Mashruuca.

Qod. 14aad

(Hantida)

Hantida Mashruuca waxay ka kooban tahay:-

- a) Dhulka Mashruuca loo siiyey horumarin awgeed;
- b) Amaahyada iyo Deeqaha kale ee Mashruucu uu galo gudaha ama dibeddaba;
- t) Wixii dakhli ka soo gala Mashruuca hawshiisa;
- d) Wixii kale ee dakhli soo gala.

Qod. 15aad

(Miisaaniyadda)

1. Maareeyaha Guud, marka ay tahay 30 Oktoobar, ama inta ka horreysa sannad kasta waa inuu isku dubbaridaa Miisaaniyadda sannadka soo socda isagoo faah-faahinaya kuna muujinaya lacagta dakhliga iyo kharajka Mashruuca.

2. Caddeynta Miisaaniyadda, waxaa la hordhigayaa Guddiga Sare ee Mashruuca oo uu shir-Guddoomiye u yahay Wasiirka Beeraha si loo oggolaado.

Qod. 16aad

(Xisaabaadka Sannadka)

1. Sannad-xisaabeedka Mashruuca wuxuu billaabanayaa 1da Jannaayo, wuxuuna ku dhammaanayaa 31da Dishember.

2. Maareeyaha Guud ugu dambeys 31da Maarso sannad kasta, wuxuu diyaarinayaa xisaab xirka sannadka la soo dhaafay, iyadoo la caddeynayo faa'iidada iyo khasaaraha sannadkaas, wuxuuna u gudbinayaa Wasaaradda Beeraha

Qod. 17aad

(Awoodda Ammaahashada)

Mashruucu, si uu habsami ugu guto hawlihiisa, wuxuu ka qaadan karaa amaah Bankiyada Qaranka iyo hay'adaha Amaahda, marka la helo oggolaanshada Wasiirka Beeraha iyo Wasiirka Maaliyadda.

Qod. 18aad

(Hab-Xisaabedka)

Xisaabaadka Mashruuca waxaa loo wadayaa sida ay tilmaamayaan sharciyada ay Dawladdu u dejisey maamulka xisaabaadka.

Qod. 19aad

(Hanti-Dhowrista)

Xisaabaadka Mashruuca waxaa hantidhowraya Hantidhowraha Qaranka.

Qod. 20aad

(Dhaqangelin)

Sharcigaanu wuxuu dhaqan gelayaa isla maalinta uu saxiixo Madaxweynaha waxaana lagu soo saarayaa Faafinta Rasmiga ah.

Muqdisho, 13 Maajo 1982

MADAXWEYNAHA JDS

(Maxamed Siyaad Barre)

L A W N. 15 on 13th May 1982, «Mogambo Irrigation Project».

THE PRESIDENT SDR

HAVING SEEN: The Constitution of the Somali Democratic Republic;

TAKING NOTE: Of the approval of the Standing Committee of the People's Assembly;

HEREBY PROMULGATES

The following Low:

Article 1

(Project Formation)

1. An irrigation Project situated on the West Bank of River Jubba, at Mogambo in the District of Jamame (hereinafter referred to as «Mogambo Irrigation Project») is hereby established.

2. The Mogambo Irrigation Project (hereinafter referred to as «the Project») shall have Juridical per-nality.

3. The Project shall be classed as Catagory «A» Project.

4. The Project shall function under the Ministry of Agriculture.

Article 2

(Scope and objectives of the Project)

The Project shall be one of the pioneer projects in the Jubba Valley and its objectives shall include:-

1. The attainment of self-sufficiency in food production and the economic development of the country;

2. The general development of the agricultural production in the country;

3. The construction of flood bunds and water control structures to avoid flood

4. The establishment within its confines of pilot area of 200 ha owned by individual farmers to facilitate study of comparative productivity of different farming methods;

5. Ensuring the recruitment of qualified and trainable personnel for high and sensitive position, with the assistance of the Somali Government, to act as counterparts for the expatriate personnel and ultimately to replace them;

6. The evaluation of the effectiveness of training program in the 3rd, 4th and 5th years to take the necessary corrective measures; and

7. Setting up an organisational structure and establishment plan for the future of MOGAMBO AUTONOMOUS AGENCY including the drawing up of training programmes of both on-the-job and abroad to carry out future management, and improvements of the project.

Article 3

(Head Office)

The Head Office of the Project shall be at Mogambo (the Project site). Branch Offices may be established at Kismayo or in any other place in the Somali Democratic Republic as may be considered necessary for the proper carrying out of the Project objectives.

Article 4

(P o w e r s)

The Project shall have the power to implement the objectives referred in to Article 2 of this Law.

Article 5

(The Organs of the Project)

The Organs of the Project shall consist of the following:

- a) Higher council of the Project;
- b) Implementation Board;
- c) General Manager; and
- d) Manager.

Article 6

(Higher Council of the Project)

The Higher council of the Project shall consist of the following members:-

- a) The General Manager of the Project, Ghairman;
- b) The Director General of the Ministry of Agriculture, Member;
- c) The Director General of the Ministry of National Planning, » ;
- d) The Director General of the Ministry of Livestock, Forestry & R. » ;
- e) The General Manager of Jubba Valley, » .

Article 7

(The Implementation Board)

The Implementation Board shall consist of:

- a) The General Manager, and
- b) The Managers of the Project.

Article 8

(Functions of the Higher Council)

The Higher Council shall have the following functions:-

- a) Laying down the general policy of the Project and the following-up of its implementation as is stipulated in the agreement;
- b) ensuring that Project is implemented as per the technical specifications, cost, and completion date target.

Article 9

(Functions of the Implementation Board)

The implementation Board is the organ responsible for the project with regard to planning, reviewing and carrying out of the Project activities, and has autonomy in the administrative, financial, technical and all other matters pertaining to the Project objectives.

Article 10

(Appointment of the General Manager and the Managers)

The General Manager and the Managers of the Project shall be appointed by Decree of the President having heard the advise of the Minister of Agriculture.

Article 11

(Powers of the General Manager)

1. The General Manager shall be the executive head of the Project.

2. He shall represent and preside over the deliberations of the implementation Board and shall in particular be responsible for:

- a) The following-up of the implementation of all Project plans and programmes;
- b) Negotiating and concluding of contracts for and on behalf of the Project in accordance with the applicable laws and regulations;
- c) He shall engage the services of a management firm and/or individual experts for the day to day management and the overall execution of the Project as per the relevant Agreements, having taken into consideration the decision of the Implementation Board and the approval of the Minister.

Article 12

(Enoluments of the Personnel)

The Enoluments and obligations of the personnel shall be those prescribed in Law No 36 of 22 April 1972 and PSRC Decree No. 74 of 22 April 1972.

Article 13

(The Personnel)

The Project may appoint the required personnel in accordance with the Law applicable to the employment of labour; and it is also authorised to recruit the required foreign experts in compliance with the Laws of the State and the approval of the Minister of Agriculture and the institutions financing the Project.

Article 14

(A s s e t s)

The assets of the Project shall consists of:-

- a) The concession of land granted to the Project for development purposes;
- b) Loans or grants obtained by the Project from local or foreign donors;
- c) Any revenues derived from Project activities; and
- d) Any other receipts.

Article 15

(B u d g e t)

1. The Chirman of the Board shall not later then 30th October in each year prepare a budget stament for for the following financial year, showing in detail the estimated receiyts expenditures for the Project.

2. The annual budget statement shall be submitted to the Higher Council of the Project presided over by the Minister of Agriculture for approval

Article 16

(Annual Accounts)

1. The Financial year of the Project shall commence on 1st January each year and shall end on 31st December each year.

2. The General Manager shall by 31st March each year cause to be prepared final accounts indicating the profit and loss accounts for the previous year and shall submit them to the Ministry of Agriculture.

Article 17

(Authorised Loans)

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

Article 18

(System of Accounts)

The Accounts of the Project shall be maintained in the manner prescribed by the Laws and regulation issued by the Government for maintenance of accounts.

Article 19

(Auditing)

The accounts of the Project shall be audited by the magistrate of accounts.

Article 20

(Coming into force)

This Law shall come into force upon signature by the President and shall be published in the Official Bulletin.