

# **BOLLETTINO**



# **UFFICIALE**

**DELLA REPUBBLICA DEMOCRATICA SOMALA**

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## **PARTE PRIMA**

### **ATTI LEGISLATIVI ED AMMINISTRATIVI**

#### **FIRST PART**

#### **LEGISLATIVE AND ADMINISTRATIVE ACTS**

LAW No. 60 of 8 September, 1970.

Agricultural Development Corporation Law.

THE PRESIDENT

OF THE SUPREME REVOLUTIONARY COUNCIL

TAKING NOTE of the approval of the Supreme Revolutionary Council;

HEREBY PROMULGATES

the following Law:

#### **CHAPTER I**

#### **GENERAL PROVISIONS**

##### **Article 1**

##### *Establishment*

1. The Agricultural Development Corporation, hereinafter referred to as «The Corporation», is hereby established.

It shall be an autonomous agency with juridical personality.

2. The Corporation shall be subject to the provisions of the Law governing Autonomous Agencies, Law No. 16 of 1st April 1970.

##### **Article 2**

##### *Incorporation and Succession*

1. The following autonomous agencies shall be incorporated with the Corporation:

- (a) the Agricultural Development Agency (ADA), established by Decree-Law No. 1 of 16th February 1966, converted into law by Law No. 2 of 21st March 1966;

- (b) the National Pool of Motor-vehicles and Tractors Organization (ONAT), established by Decree-Law No. 8 of 24th September 1963, converted with amendments into law by Law No. 23 of 18th November 1963, and amended by Law No. 14 of 6th July 1965;
- (c) the National Grain Marketing Organization (NGMO), established by Decree-Law No. 9 of 29th October 1968, converted with amendments into law by Law No. 31 of 28th December 1968.

2. All movable and immovable properties, which at the time of coming into force of this Law belonged to the autonomous agencies referred to in para (1) above, are hereby transferred to the Corporation.

3. All the rights and obligations of the autonomous agencies referred to in para (1) above shall vest in the Corporation.

### Article 3

#### *Supervision*

1. The Corporation shall function under the supervision of the Secretary of State for Agriculture.

2. The Secretary of State for Agriculture may give the Corporation such directives as he may consider necessary from time to time in order to ensure that it acts in accordance with the best interest of the State.

### Article 4

#### *Head Office*

The Corporation shall have its head office in Mogadishu, and may, whenever found necessary, establish branches in any other place within the Somali Democratic Republic.

### Article 5

#### *Objectives*

1. The main objective of the Corporation shall be the promotion of agricultural development and production.

2. In pursuance of the above objective, the Corporation may:

- (a) supply at reasonable prices any agricultural materials and farm implements, such as seeds, fertilizers, insecticides, weed killers, tools, irrigation and fumigation equipment water pump and threshers;

- (b) encourage agricultural cooperatives, agricultural corporations and farms:
  - (i) by helping the amalgamation of farm holdings into economic units;
  - (ii) by helping agriculture cooperatives and farmers to get credits necessary for the agricultural development;
- (c) encourage the agricultural production in general by purchasing and storing, as and when possible, any agricultural produce from cooperatives and farmers, and selling it with a view to effect a stabilization of prices;
- (d) hire farm's machinery and motor-vehicles for agricultural purposes; and provide maintenance for such machinery;
- (e) take up direct cultivation, as and when necessary, so as to raise the level of food production in the country;
- (f) promote the formation of light industries connected with the processing of agricultural produce;
- (g) perform any other function connected with agriculture, which the Ministry of Agriculture may delegate to the Corporation.

## Article 6

### *Powers*

The Corporation shall have all the powers necessary for the achievement of its objective.

## Article 7

### *Power to collect fees*

1. The Corporation may, whenever appropriate, collect special fees for services rendered in pursuance of its objective.

2. The rate of the fees referred to in the preceding para shall be established by Decree of the Secretary of State for Agriculture, on the proposal of the Board of Directors.

## CHAPTER II

### ORGANIZATION

#### Section 1. — Organs of the Corporation

##### Article 8

###### *Organs*

1. The organs of the Corporation shall be:
  - (i) the General Manager;
  - (ii) the Board of Directors, consisting of:
    - (a) the General Manager, as Chairman;
    - (b) Director of Agriculture in the Ministry of Agriculture, as member;
    - (c) Director of Planning in the Ministry of Planning and Coordination, as member;
    - (d) Director of Budget in the Ministry of Finance, as member;
    - (e) Director of Commerce in the Ministry of Industry and Commerce, as member;
    - (f) Director of the Somali Development Bank, as member;
    - (g) Director of Water Department in the Ministry of Public Works, as member;
    - (h) Three (3) representatives of farmers.

2. The three representatives of farmers referred to in para (1) above shall be appointed by decree of the Secretary of State for Agriculture for a period of two years.

##### Article 9

###### *Appointment*

The General Manager shall be appointed by decree of the President of the Supreme Revolutionary Council, on the proposal of the Secretary of State for Agriculture, having heard the Supreme Revolutionary Council and the Council of Secretaries.

##### Article 10

###### *Emoluments*

The emoluments of the General Manager shall be established by decree of the President of the Supreme Revolutionary Council, on the proposal of the Secretary of State for Agriculture, having heard the Council of Secretaries.

Article 11

*Sitting allowances to members of the Board of Directors*

The members of the Board of Directors shall be paid a sitting allowance at a rate fixed under Article 6 of the Law governing Autonomous Agencies, Law No. 16 of 1st April 1970.

**Section 2 — Functions**

Article 12

*Functions of the General Manager*

1. The General Manager shall be the executive head of the Corporation and shall represent it.

2. He shall convene and preside over the meetings of the Board of Directors and determine the agenda.

3. He shall be responsible for the implementation of the decisions of the Board of Directors.

4. He may, with the authorization of the Board of Directors, conclude operating contracts on behalf of the Corporation.

5. He shall be responsible for the funds of the Corporation and for the maintenance of the accounts of the Corporation.

6. In case of temporary absence or impediment, his functions as Chairman shall be performed by a member of the Board of Directors designated by the Secretary of State for Agriculture.

Article 13

*Functions of the Board of Directors*

1. The Board of Directors shall be responsible for policy and general directions of the Corporation.

2. At the meeting of the Board of Directors, six members shall constitute the «quorum».

**Section 3 — Staff**

Article 14

*Staff*

1. The Corporation may, for purpose of administration, have one or more heads of departments, who shall be appointed by decree of the President of the Supreme Revolutionary Council, on the proposal of the Secretary of State for Agriculture.

2. It may appoint the staff required by it except the heads of departments referred to in para 1 above.

3. The terms and conditions of service of the members of the staff referred to in para (2) above, shall, subject to any general rules governing the terms and conditions of service of the staff of Autonomous Agencies issued by Government, be established in the Regulations of the Corporation.

Article 15

*Responsibility of the General Manager, Members*

*of the Board of Directors and Staff*

The General Manager, the members of the Board of Directors and the staff of the Corporation shall, while performing their duties, be deemed to be officers of the Civil Service for the purpose of responsibility.

CHAPTER III

**FINANCIAL PROVISIONS**

Article 16

*Patriomonio (Capital Etc.)*

The patriomonio (capital etc.) of the Corporation shall consist of:

- (a) the properties referred to in Article 2 para (2) of this Law;
- (b) contributions, if any, granted by the State, international organizations or public or private bodies;
- (c) reserve funds to be set aside from the Corporation's profits;
- (d) receipts from services rendered by the Corporation;
- (e) any other receipts from public or private source.

Article 17

*Budget*

The General Manager shall, not later than 30th September in each year, prepare a statement to be called the Annual Budget Statement for the next financial year of the Corporation, showing the estimated receipts and expenditures of the Corporation. The Annual Budget Statement shall be submitted to the Board of Directors, who, after approval, submit it to the Ministry of Agriculture and the Ministry of Finance.

Article 18

*Annual Accounts*

1. Within 31st March in each year, the General Manager shall prepare the Annual Accounts and the Profit and Loss Statement of the Corporation and shall present them to the Board of Directors, who, after approval, submit them to the Ministry of Agriculture and the Ministry of Finance.

2. The Secretary of State for Agriculture shall, in consultation with the Secretary of State for Finance, be competent to approve the Annual Accounts and shall give instructions for their publication in the Official Bulletin at the expense of the Corporation.



Article 19

*Authorized Loans*

The Corporation may, for purposes of its activity, obtain loans from financial institutions within the Republic and abroad, with the prior approval of the Secretary of State for Agriculture.

Article 20

*Accounts*

The accounts of the Corporation shall be maintained in the manner prescribed by any general rules issued by the Government for the purpose and by its Regulations.

Article 21

*Audit*

The accounts of the Corporation shall be audited by the separate unit established in the office of the Magistrate of Accounts for the purpose of auditing Autonomous Agencies.

CHAPTER IV

**FINAL PROVISIONS**

Article 22

*Regulations of the Corporation*

The Regulations of the Corporation shall be issued by decree of the President of the Supreme Revolutionary Council, on the proposal of the Secretary of State for Agriculture, having heard the Board of Directors.

Article 23

*Repeal*

The following laws are hereby repealed:

- (a) Decree Law No. 8 of 24th September 1963, converted with amendments into law by Law No. 23 of 18th November 1963, and amended by Law No. 14 of 6th July 1965;

- (b) Decree Law No. 1 of 16th February 1966, converted into law by Law No. 2 of 21st March 1966;
- (c) Decree Law No. 9 of 29th October 1968, converted with amendments into law by Law No. 31 of 28th December 1968.

Article 24

*Entry into force*

1. This law shall come into force on the day following the date of its publication in the Official Bulletin, and included in the Official Compilation of Laws of the Republic.

2. Every one shall be required to observe it and cause others to observe it, as a Law of the Republic.

Mogadishu, 8 September, 1970.

*Major General Mohamed Siad Barre*  
PRESIDENT  
of the Supreme Revolutionary Council

*Dr. Abdurahman Mohamed Hassan*  
Secretary of State for Agriculture

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**DISPOSIZIONI, COMUNICATI, AVVISI, VARIE**

N. N.