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**PARTE PRIMA**

**ATTI LEGISLATIVI ED AMMINISTRATIVI**

**FIRST PART**

**LEGISLATIVE AND ADMINISTRATIVE ACTS**

LAW n. 58 of 31 July 1972.

Finance of Public Enterprises and Agencies.

THE PRESIDENT  
OF THE SUPREME REVOLUTIONARY COUNCIL

HAVING HEARD the Council of Secretaries;  
TAKING NOTE of the approval of the Supreme Revolutionary  
Council;

HEREBY PROMULGATES  
the following Law:

**Article 1**

*Definition of the Finances of Public Enterprises and Agencies*

1. The Finances of Public Enterprises, and Agencies, hereinafter called the enterprise, shall include the system of economic relations which govern the planned establishment and use of funds to meet the requirements of the enterprises as well as those of the State.

**Article 2**

*Functions of the Enterprise Finances*

1. The functions of the enterprise finances shall be two-fold:
  - (a) distributory, and
  - (b) supervisory.

2. The distributory function of the Enterprise Finance entails planned distribution of the social production, national income and money accumulation *into two parts which constitute respectively the Enterprise and the Government revenue.*

3. The supervisory function manifests itself in governing the Agency and distribution of the social product and national income of each enterprise.

4. Both functions shall secure the planned distribution of accumulations and mode of creation and using of funds which combines most appropriately *the interests of individual Enterprise and their workers with the interests of the State.*

### Article 3

#### *Financial Services of the Enterprises*

1. Each Enterprise shall organise its own financial service.
2. The structure of the financial service of the enterprise shall be based upon the size of the enterprise, its specific character, financial and economic relations, experience and skill of its staff.

### Article 4

#### *Primary tasks of the Financial Service*

1. The primary tasks of the financial service shall be:
  - (a) providing enterprises with funds according to their production and financial plans;
  - (b) complying with the financial commitments with regard to the personnel, the State Budget, banks and suppliers;
  - (c) reviewing periodically the Enterprise financial situation; finding drawbacks if any; and contributing to the Enterprise's profitability.
2. In particular the Financial Service is responsible for:
  - (a) preparation of Revenue and Expenditure Estimate (Financial Plan);
  - (b) calculation of the Enterprise working capital requirements (norms);
  - (c) recording of the data on the sale output of the Enterprise;
  - (d) calculation of the Enterprise funds;
  - (e) financial control over:

- (i) the economic utilization of an Enterprise's material, labour and financial resources with a view to reducing the cost of production;
- (ii) proper marketing and sale;
- (iii) optimization of labour productivity (output per worker or employee);
- (iv) safeguarding of the Enterprise working capital;
- (v) proper utilization of funds;
- (vi) timely settlement of outstanding payments.

## Article 5

### *Turnover Tax*

The percentage of turnover tax assessed on the basis of sales and services rendered by the public Enterprises and Agencies shall be fixed by the Secretary of State for Finance for each fiscal year. The quota of this payment due to the Local Municipality is determined by the Secretary of State for Finance. The provisions of Article 25 of the Body of Laws on Direct Taxation are hereby repealed in so far as they are applicable to Autonomous Agencies and Public Enterprises with State participation. The Secretary of State for Finance shall be entitled also to grant temporary exemption from it.

## Article 6

### *Distribution and use of the Enterprise Profits*

1. The procedure of distributing the enterprise's profits and transferring it to the State Budget as well as meeting the enterprises requirement for extra expansion for setting up incentive socio-cultural funds shall be provided by regulations under this Law.
2. The profit of the enterprise shall be appropriated as follows:
  - a) the planned increase of the working capital;
  - b) setting up the personnel reward (or incentive fund);
  - c) social and housing facilities fund;
  - d) financing of non-centralised capital investment.
3. The remainder profit of Public Bodies is transferred to the State Budget as share of net profit of Public Bodies. Planned profit shall be distributed according to the Financial Plan.

Article 7

*Creation of special fund*

1. Each Enterprise shall create funds with the following designations:

- a) Depreciation fund;
- b) Social facilities and housing fund;
- c) Social Insurance fund.

2. The purpose and mode of utilization of the funds mentioned under paragraph 1 of this Article as well as other matters related thereto shall be elaborately explained under financial instruction to be issued by the Secretary of State for Finance after consulting with the parent Ministry.

Article 8

*Classification of the investment of the Enterprise*

The capital investment of the enterprise shall be classified into:

- (i) planned centralized capital investments used at the expense of the Government for the establishment of new enterprises and the expansion of existing ones.
- (ii) non-centralized capital investment used for the purchase of acquisition of new machines, modernisation of equipment, improvement and mechanisation of production methods as well as the provision of recreation facilities and dwellings for the enterprise employees.

Article 9

*Centralized capital investment*

1. For the purpose of providing Government funds for the capital investment of the enterprise, each Ministry and enterprise financed under the development programme, shall open a special bank account, open entitled «Centralized Capital Investment».

2. The parent Ministry jointly with the Bank shall determine with services the enterprise shall be charged with the supervision and control of the utilisation of the funds designed for the particular purposes specified in the Development Programme.

## Article 10

### *Non-centralized capital investment*

The non-centralized capital investments shall be financed from the following funds:

- (a) the depreciation fund;
- (b) the social facilities and housing fund;
- (c) proceeds from selling written off and excessive equipment and property;
- (d) bank credit and borrowings from other enterprises;
- (e) the profit share based on the revenue and expenditure estimates.

## Article 11

### *Annual investment estimates*

1. Each enterprise shall prepare annual estimates for centralized and non-centralized investments and major repairs, estimates with the quarterly breakdown, including:

- (a) the amount invested;
- (b) the projects to be constructed;
- (c) the value of fixed assets involved;
- (d) the time of putting the fixed assets into operation;
- (e) the source of finance to be indicated in the revenue and expenditure estimates.

2. The amount of Centralized Capital Investment shall be estimated according to the development programme, approved by the Government. The amount of non-centralized capital investment shall be utilized in consultation with the Ministry of Finance.

## Article 12

### *Payments to the State Budget*

1. Each enterprise shall make the following payments to the State:

- (a) Turn-over tax assessed on the basis of sales and services rendered;
- (b) Share of profit due to the budget for public enterprises assessed according to the profit distribution mentioned under article 5 above;
- (c) Depreciation share for Development as fixed by the Ministry of Finance on the basis of the enterprise financial plan for each fiscal year.
- (d) other payments.

2. The procedure and terms of such payments shall be established under financial instructions issued by the Secretary of State for Finance after consulting the parent Ministry.

### Article 13

#### *The financial plan*

Each enterprise shall prepare an annual financial plan in the form of Revenue and expenditure estimates with a quarterly breakdown.

### Article 14

#### *Submission and review of Financial Plan*

1. The financial plan shall be prepared by the enterprise concerned after it is signed by the General Manager, Chief Accountant and Financial officer, and shall be submitted to the parent Ministry for scrutiny.

2. The draft financial plan may be reviewed, if necessary, by the Ministry of Finance.

3. Further details regarding financial plans shall be established by regulations in financial instructions issued by the Secretary of State for Finance.

### Article 15

#### *Control over the implementation of the Financial Plan*

1. The General Manager, Chief Accountant, and financial officers of enterprises shall exercise control and supervise over the revenue and expenditure of the enterprise concerned, and the parent Ministry shall ensure the successful implementation of the financial plan.

2. The Ministry of Finance may also supervise over the activities of the enterprise in order to:

- (a) to ensure payments to the Budget under the financial plan;
- (b) to mobilize the Enterprise additional reserves, to discover latent reserves;
- (c) to ensure the proper use of the State Budget allocations;
- (d) to provide the security of fixed assets and money funds.

Article 16

*Financial year*

The financial year of the Public Enterprise begins on 1st January and ends at 31st December in each year.

Article 17

*Preparation of statements, reports, balance sheets*

The preparation of Statements, reports as well as the terms of procedure of submitting Balance Sheet shall be provided under the regulations.

Article 18

*Auditing*

The Magistrate of Accounts shall be responsible for the periodic auditing of the Public Enterprise.

Article 19

*Accounting*

Each enterprise shall have a Chief Accountant appointed by the Secretary of the Parent Ministry on the recommendation of the General Manager of the Agency concerned.

The functions and responsibilities of the Chief Accountant shall be laid down in the regulations.

Article 20

*Regulations*

Regulations for the proper implementation of this law may be issued by decree of the Secretary of State for Finance.

Article 21

This law shall apply to all Autonomous Agencies except the Banks, Insurance Companies and the National University.

*Entry into force*

This law shall come into force on 1st January 1973 and shall be published in the Official Bulletin.

Mogadiscio, 31 July 1972.

*Major Gen. Mohamed Siad Barre  
PRESIDENT  
of the Supreme Revolutionary Council*

LEGGE n. 58 del 31 Luglio 1972.

Gestione finanziaria di Imprese ed Enti Pubblici.

IL PRESIDENTE  
DEL CONSIGLIO RIVOLUZIONARIO SUPREMO

SENTITO il Consiglio dei Segretari;

PRESO ATTO dell'approvazione del Consiglio Rivoluzionario Supremo;

PROMULGA

la seguente Legge:

Art. 1

*Definizione della «gestione finanziaria» di imprese ed enti pubblici*

La gestione finanziaria delle imprese e degli enti pubblici, d'ora in avanti denominati «enti», comprende l'insieme dei rapporti economici che regolano lo stanziamento e l'impiego dei fondi allo scopo di soddisfare le necessità degli enti e dello Stato.

Art. 2

*Funzioni della gestione finanziaria degli enti*

1. La gestione finanziaria degli enti ha una duplice funzione:

- (a) distributiva;
- (b) di controllo.

2. La funzione distributiva della gestione finanziaria degli enti comporta la ripartizione programmata della produzione sociale, del reddito nazionale e degli utili in due parti, che costituiscono rispettivamente le entrate degli enti e le entrate degli enti e le entrate dello Stato.

3. La funzione di controllo viene esplicata nella gestione degli enti e nella distribuzione del prodotto sociale e del reddito nazionale dei singoli enti.

4. Le due funzioni debbono permettere la distribuzione programmata del denaro accumulato nonché un sistema di creazione ed impiego dei fondi che arminizzi nel modo migliore gli interessi degli enti e dei loro dipendenti con gli interessi dello Stato.

Art. 3

*Servizi finanziari degli enti*

1. Ogni ente organizza il proprio servizio finanziario.
2. La struttura del servizio finanziario dell'ente dipende dalle sue dimensioni, dalla sua natura specifica, dai suoi rapporti finanziari ed economici e dall'esperienza ed abilità del suo personale.

Art. 4

*Principali compiti dei Servi Finanziari*

1. I compiti principali dei servizi finanziari sono:
  - (a) fornire al proprio ente fondi, in base alla produzione e ai piani finanziari;
  - (b) far fronte agli impegni finanziari relativi al personale, al bilancio dello Stato, alle banche ed ai fornitori;
  - (c) controllare periodicamente la situazione finanziaria del proprio ente, accettare gli eventuali inconvenienti e contribuzione alla redditività dell'ente.
2. In particolare, i servizi finanziari hanno il compito di:
  - (a) preparare le previsioni di entrate e di spese (Piano Finanziario);
  - (b) calcolare il capitale d'esercizio occorrente al proprio ente;
  - (c) tener nota dei dati relativi alle vendite del proprio ente;
  - (d) calcolare i fondi del proprio ente;
  - (e) esercitare il controllo finanziario su:
    - (i) l'impiego economico dei materiali, della manodopera e delle risorse finanziarie del proprio ente, al fine di ridurre il costo di produzione;
    - (ii) la bontà del sistema di vendita;
    - (iii) il miglioramento qualitativo e quantitativo del rendimento del personale (quantità di lavoro prodotto dagli operai o impiegati);
    - (iv) la salvaguardia del capitale d'esercizio dell'ente;
    - (v) il giusto impiego dei fondi;
    - (vi) la diiquidazione tempestiva dei conti insospeso.

Art.. 5

*Imposta sulle vendite*

L'ammontare dell'imposta sulla vendita di beni e servizi da parte degli enti viene stabilita annualmente dal Segretario di Stato alle Finanze. Parimenti, la quota di tale imposta spettante all'Amministrazione Municipale è stabilita dal Segretario di Stato alle Finanze. La previsione di cui all'art. 25 del Testo Unico delle Imposte Dirette è abrogato per quanto concerne gli Enti Pubblici e le agenzie speciali statali comprese imprese con partecipazioni statali. Il Segretario di Stato alle Finanze ha la facoltà di concedere l'esenzione temporanea dall'Imposta.

Art. 6

*Distribuzione ed impiego degli utili degli enti*

1. La procedura per la distribuzione degli utili degli enti e la loro destinazione al Bilancio dello Stato e agli enti a scopo di ampliamento o per la costituzione di fondi di incentivazione socio-culturale verrà stabilita dal regolamento di attuazione della presente Legge.

2. Gli utili degli enti verranno così ripartiti:

- (a) aumento programmato del capitale d'esercizio;
- (b) istituzione del fondo premi (incentivi) per il personale;
- (c) fondo alloggi e servizi sociali;
- (d) finanziamento degli investimenti di capitale non centralizzati.

3. Gli utili residui vengono versati al bilancio dello Stato quale quota degli utili netti degli enti. La destinazione degli utili programmati viene decisa al piano finanziario.

Art. 7

*Istituzioni di fondi sociali*

1. Ogni ente istituirà i seguenti fondi:

- (a) fondo di ammortamento;
- (b) fondo alloggi e servizi sociali;
- (c) fondo di previdenza sociale.

2. La finalità e l'impiego dei fondi di cui al precedente comma e ogni altra questione ad essi relativa verranno esposto particolarmente nelle istruzioni che verranno impartite dal Segretario di Stato alle Finanze in consultazione con il Ministero competente.

Art. 8

*Classificazione degli investimenti*

Gli investimenti di capitale degli enti sono classificati come segue:

- (i) investimenti di capitale programmati e centralizzati, che vengono impiegati a spese dello Stato allo scopo di istituire nuovi enti o ampliare quelli esistenti;
- (ii) investimenti di capitale non centralizzati per l'acquisto di nuove attrezzature, l'ammodernamento degli impianti esistenti, il miglioramento e la meccanizzazione dei metodi di produzione e la costruzione d'alloggi e centri ricreativi per il personale.

Art. 9

*Investimenti di capitale centralizzati*

1. Allo scopo di fornire al Governo i fondi per gli investimenti di capitale degli enti, ogni Ministero ed ente finanziario deve, nel quadro del programma di sviluppo, aprire un conto bancario specifico denominato «Conto investimenti di capitale centralizzati».

2. Il Ministero competente, in consultazione con la banca, stabilisce quali servizi dell'ente debbono essere incaricati del controllo sull'impiego dei fondi destinati agli scopi specificamente previsti dal Programma di Sviluppo.

Art. 10

*Investimenti di capitale non centralizzati*

Gli investimenti di capitale non centralizzati sono finanziati con i seguenti fondi:

- (a) fondi di ammortamento;
- (b) fondo servizi sociali e alloggi;
- (c) proventi della vendita di attrezzature e beni fuori uso e in eccedenza;
- (d) mutui contratti con banche o altri enti;
- (e) la quota di utili destinata ai singoli enti in base alle previsioni di entrate e spese.

Art. 11

*Previsioni annuali di investimento*

1. Ogni ente prepara le previsioni annuali di investimenti centralizzati e non centralizzati e le previsioni di spesa per le riparazioni importanti, ripartite per trimestri.

- (a) la somma investita;
- (b) i progetti da realizzare;
- (c) il valore degli impianti fissi;
- (d) l'epoca di inizio dell'attività degli impianti;
- (e) la fonte di finanziamento, che deve essere indicata nelle previsioni di entrate e di spese.

2. L'ammontare degli investimenti di capitale centralizzati viene calcolato in base al programma di sviluppo approvato dal Governo. L'impiego dell'ammontare dagli investimenti di capitale non centralizzati viene deciso in consultazione con il Ministero delle Finanze.

Art. 12

*Versamento al bilancio dello Stato*

1. Ogni ente versa allo Stato:

- (a) l'imposta dovuta sulla vendita di beni e servizi;
- (b) la quota di utili di cui all'Art. 5 della presente Legge;
- (c) la quota di ammortamento per lo sviluppo fissata dal Ministero delle Finanze in base al piano finanziario annuale;
- (d) altri versamenti.

2. La procedura e le modalità di detti versamenti verranno stabilite nelle istruzioni emanate in proposito dal Segretario di Stato alle Finanze, in seguito a consultazione con il Ministero competente.

Art. 13

*Piano Finanziario*

Ogni ente prepara un piano finanziario annuale, sotto forma di previsione di entrate e spese, ripartite per trimestri.

Art. 14

*Trasmissione ed esame del piano finanziario*

1. Ogni ente prepara il proprio piano finanziario e, dopo che esso è stato firmato dal Direttore Generale, dal Capo Contabile e dal funzionario addetto al servizio finanziario, lo trasmette all'esame del Ministero competente.

2. Il progetto di piano finanziario può, se necessario, essere esaminato dal Ministero delle Finanze.

3. Ulteriori dettagli in merito al piano finanziario degli enti verranno forniti nelle norme contenute nelle istruzioni che verranno emanate dal Segretario di Stato alle Finanze.

Art. 15

*Controllo sull'attuazione del piano Finanziario*

1. Il Direttore Generale, il Capo Contabile ed il funzionario addetto al servizio finanziario dei singoli enti esercitano il controllo sulle entrate e sulle spese ed il Ministero competente provvede alla regolare attuazione del piano finanziario.

2. Il Ministero delle Finanze può anche esercitare la supervisione sulle attività degli enti al fine di:

- (a) provvedere ai versamenti a favore del bilancio dello Stato;
- (b) mobilitare le eventuali ulteriori risorse degli enti, per individuare le risorse latenti;
- (c) assicurare il regolare impiego dei fondi stanziati nel bilancio dello Stato;
- (d) garantire il capitale fisso e liquido.

Art. 16

*Esercizio Finanziario*

L'esercizio finanziario degli enti inizia il 1° Gennaio e termina il 31 Dicembre di ogni anno.

Art. 17

*Preparazione di situazioni, relazioni, bilanci consuntivi ecc.*

La preparazione di situazioni finanziarie, relazioni, bilanci consuntivi e la procedura per la loro trasmissione verranno disciplinate dai regolamenti.

Art. 18

*Verifica*

Il Magistrato ai Conti è responsabile del riscontro periodico della contabilità degli enti.

Art. 19

*Contabilità*

Ogni ente ha un Capo Contabile nominato dal Segretario di Stato del Ministero competente, su designazione del Direttore Generale dell'ente interessato.

Le funzioni e le responsabilità del capo contabile saranno specificate dai regolamenti.

Art. 20

*Regolamenti*

Il Segretario di Stato alle Finanze ha la facoltà di emanare, con proprio Decreto, i regolamenti di attuazione della presente Legge.

Art. 21

La presente Legge si applica a tutti gli enti autonomi, escluse le banche, le società assicurative e l'Università Nazionale.

*Entrata in vigore*

La presente Legge entra in vigore il 1º Gennaio 1973 e sarà pubblicata sul Bollettino Ufficiale.

Mogadiscio, li 31 Luglio 1972.

IL PRESIDENTE  
del Consiglio Rivoluzionario Supremo  
*Gen. Div. Mohamed Siad Barre*

LAW n. 59 of 20 September, 1972.

The National Shipping Line.

THE PRESIDENT  
OF THE SUPREME REVOLUTIONARY COUNCIL

TAKING NOTE of the joint approval of the Supreme Revolutionary Council and the Council of Secretaries;

HEREBY PROMULGATES  
the following Law:

Chapter I.

ESTABLISHMENT, OBJECTIVE AND POWERS

Article 1

*Establishment*

1. The National Shipping Line hereinafter called «the Line», is hereby established as an autonomous body with juridical personality.

2. «The Line» shall be governed by the provisions of this Law and Regulations issued thereunder and shall also be subject to the provisions of the Law governing Autonomous Agencies (Law No. 16 of 1st April, 1970 and Law No. 36 of 22nd April, 1972) and regulations made thereunder.

3. The Head Office of the Agency shall be in Mogadishu and branches may be established in other places as and when necessary.

Article 2

*Supervision*

1. «The Line» shall function under the supervision of the Ministry of Transport (hereinafter called the Ministry).

2. The Secretary of State for Transport (hereinafter called the Secretary) may give the Line such directives as he may consider necessary from time to time in order to ensure that it acts in accordance with the provisions of this Law and Regulations issued thereunder and the general policy of the Government.

— Article 3

*Objectives*

The objectives of «the Line» shall be to provide facilities to shipping lines operating in the Somali Democratic Republic and deal with all matters related thereto. For this purpose the Line may exercise the following functions:

- a) Provision of shipping services to all ships operating in the Somali Democratic Republic;
- b) Construction, repair, fitting out, purchase, sale and charter of ships and water-borne crafts of any description, and the machinery related thereto;
- c) Undertaking and operation of any auxiliary activity connected in any way whatsoever with the shipping trade;
- d) Taking representations, undertaking construction and management on its own behalf or on behalf of the third parties of warehouses, stores, docks, means of transportation, dry docks and shipyards, leasing out of facilities which are the property of the Company, and carrying out, in general, of any other Commercial or industrial operation deemed to be of use or necessary for the conduct and development of «the Line's» activities;
- e) Hiring out its own ships and hiring ships which are the property of third parties.

Article 4

*Powers*

«The Line» shall have the powers necessary for the achievement of its objectives, and in particular to collect charges for its services.

Chapter II.

ORGANIZATION

Article 5

*Appointments*

«The Line» shall have:

- a) a General Manager who shall be appointed by decree of the President of the Supreme Revolutionary Council on the proposal of the Secretary having heard the Supreme Revolutionary Council and the Council of Secretaries;
- b) 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.

## Article 6

### *Emoluments of General Manager and Heads of Departments*

The emoluments of the General Manager and Heads of Departments shall be governed by Decree of the President of the Supreme Revolutionary Council No. 74 of 22nd April 1972.

## Article 7

### *Functions of the General Manager*

1. The General Manager shall be the executive head of «the Line» and shall regally represent it.
2. The regulations mentioned in Article 1 paragraph 2 of this Law may define certain contracts that the general manager of «the Line» should not conclude before acquiring the authorization of the Secretary.
3. He shall be responsible for the funds of «the Line» and for the proper maintenance of its accounts.
4. In case of temporary absence or impediment of the General Manager, his functions shall be performed by any officer designated by the Secretary.

## Article 8

### *Staff*

The appointment, terms and conditions of service of the staff of «the Line» shall be subject to Law No. 36 of 22nd April 1972 and D.P.R.S.C. No. 74 of 22nd April, 1972.

## Chapter III.

### FINANCIAL PROVISIONS

## Article 9

### *Patrimony*

The patrimony of «the Line» shall consist of:

- a) Contributions of So. Shs. 1.000.000 from the Somali Government;
- b) reserve funds to be set aside from the Line's profits;
- c) rentals from moveable or immoveable property of the Line;
- d) interests and other income from investments; and
- e) any other receipts, both public and private.

Article 10

*Authorized loans*

«The Line» may, for the purpose of its activities, obtain loans from financial institutions within the Republic and abroad, with the prior approval of the Secretary.

Article 11

*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, showing the estimated receipts and expenditure of the Line. This shall be submitted forthwith to the Ministry, and the Ministry of Finance.

Article 12

*Annual accounts*

1. Within 31st March in each year, the General Manager shall prepare the Annual Accounts and Profit and Loss Statement of «the Line» and shall submit them to the Ministry of Finance.

2. The Secretary 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 Line» expense.

Article 13

*Accounts*

The accounts of «the Line» shall be maintained in the manner prescribed by any general rules issued by the Government for the purpose and by its regulations.

Article 14

*Audit*

The accounts of «the Line» 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 15

*Regulations*

The President of the Supreme Revolutionary Council may, on the proposal of the Secretary, by decree issue Regulations for the proper implementation of this Law.

Article 16

*Repeal*

Any Law or provision contrary to or inconsistent with this Law is hereby repealed.

Article 17

*Entry into force*

1. This Law shall come into force immediately and shall be published in the Official Bulletin.
2. It shall be included in the official Compilation of Laws of the Somali Democratic Republic.
3. All persons shall be required to observe it, and cause others to observe it, as a Law of the Republic.

Mogadishu, 20 September, 1972.

*Jaalle Gen. Mohamed Siad Barre*

PRESIDENT

of the Supreme Revolutionary Supreme

LAW n. 60 of 21 October, 1972.

Official script for the Somali language.

THE PRESIDENT  
OF THE SUPREME REVOLUTIONARY COUNCIL

HAVING SEEN Law No. 1 of 21 October 1969;

HAVING SEEN part A para 3 and 4 of the First Charter of the Revolution which obliges the State «to constitute with appropriate and adequate measures the basic development of the writing of the Somali Language»;

RECOGNISING the urgent necessity of writing the Somali Language with a view to promoting the national culture and traditional heritage;

TAKING NOTE of the approval of the Supreme Revolutionary Council;

HEREBY PROMULGATES

the following Law:

Article 1

*Adoption of official script for the Somali Language*

With effect from 21st October 1972, «Somali» shall be the only official language of the State and the latin alphabet shall be the official script for writing the National Language.

Article 2

*Use of Somali Language as a medium of instruction in schools*

The Ministry of Education shall, within three years from the date of entry into force of this Law, introduce the Somali Language as a medium of instruction in schools. To this end, the said Ministry shall adopt the necessary measures for the printing and publication in the Somali Language of school text books and other basic educational materials.

Mogadiscio, 21st October, 1972.

*Iaalle Major Gen. Mohamed Siad Barre*  
PRESIDENT  
of the Supreme Revolutionary Council

LAW n. 61 of 28 Octobre 1972.

Nationalisation of private schools.

THE PRESIDENT  
OF THE SUPREME REVOLUTIONARY COUNCIL

HAVING SEEN the First and Second Charter of the Revolution and also law No. 1 of 21st October, 1969;

CONSIDERING it necessary to establish in the country a unified educational system with integrated curriculum consistent with the basic educational plan laid down by the Revolution;

TAKING NOTE of the approval of the Joint session of the Supreme Revolutionary Council and Council of Secretaries;

HEREBY PROMULGATES

the following Law:

Article 1

*Nationalisation of private schools*

1. With effect from 21st October, 1972 all private schools operating within the territory of the Somali Democratic Republic, are placed under the State Administration.
2. All movable and immovable property including premises, equipment etc. within the compounds of the said schools and also all other related equipment or materials of whatever nature or used for any purpose shall be nationalised.
3. The Ministry of Education shall take over the said schools and nationalised property.
4. Any person who fails to deliver or obstructs the takeover of the said property shall be guilty of an offence.

Article 2

*Prohibition of establishment of private schools*

1. Effective from the coming into force of this law, no person shall establish or operate any private school in the Republic.
2. Any person who violates the provisions of this Article shall be guilty of an offence.

Article 3

*Penalties*

1. Any person found guilty of an offence under this law shall be liable, on conviction by a competent Court to imprisonment not exceeding 12 months or a fine not exceeding 6.000 or both such fine and imprisonment.

2. Any property which is the subject of the offence shall also be liable to be forfeited to the State by the order of the Court recording the conviction.

Article 4

*Scope of the law*

This law shall not apply to any private school established or operated by a foreign Embassy accredited to the Republic; Provided that such a school is used exclusively for the education of the children of diplomatic staff of such Embassy.

Article 5

*Repeal*

Any law or provision contrary to or inconsistent with the provisions of this Law is hereby repealed.

Article 6

*Coming into force*

This law shall be deemed to have come into force on 21st October 1972 and shall be published in the Official Bulletin.

Mogadiscio, 23 October, 1972.

*Jaalle Major Gen. Mohamed Siad Barre*

PRESIDENT

of the Supreme Revolutionary Council

LAW n. 62 of 21 October, 1972:

Nationalisation of private Printing Press.

THE PRESIDENT  
OF THE SUPREME REVOLUTIONARY COUNCIL

HAVING SEEN the First and Second Charters of the Revolution and also Law No. I of 21st October 1969;

HAVING SEEN Law No. 3 of 2nd January 1971 establishing the State Press Agency;

RECOGNISING the major political role of the National Press in promoting Socialist Construction;

CONSIDERING that it is necessary, in the national interest, to take over all private Printing Press operating in the Somali Democratic Republic;

TAKING NOTE of the approval of the Supreme Revolutionary Council;

HEREBY PROMULGATES  
the following Law:

Article 1

*Nationalisation of Private Printing Press*

1. With effect from 21st October 1972 all private printing Press shall be nationalised together with all their assets (movable and immovable properties) hereinafter referred to as the nationalised property.

2. The Ministry of Information and National Guidance shall through the State Printing Agency take over the nationalised property and administer them in the best interest of the country.

Article 2

*Compensation*

The proprietors of the nationalised property shall negotiate a settlement with the Economic Committee for Nationalised Enterprises for the payment of compensation for the said nationalised property according to law.

Mogadiscio, 21 October, 1972.

*Jalle Major Gen. Mohamed Siad Barre*

PRESIDENT

of the Supreme Revolutionary Council

LAW n. 63 of 21 October, 1972.

Nationalisation of private Hospital and Dispensaries and abolition of Hospital fees.

THE PRESIDENT  
OF THE SUPREME REVOLUTIONARY COUNCIL

HAVING SEEN the First and Second Charters of the Revolution and also Law No. 1 of 21st October 1969;

CONSIDERING that it is necessary to take over private hospitals and dispensaries in order to provide better and more efficient medical services to the masses;

TAKING NOTE of the approval of the Supreme Revolutionary Council;

HEREBY PROMULGATES  
the following Law:

Article 1

*Nationalisation of Private Hospitals*

With effect from 21st October 1972, the State through the Ministry of Health shall take over all private hospitals and dispensaries operating in the Somali Democratic Republic, provided that the Secretary of Health may in exceptional cases, authorise the institution of special medical centres by foreign missions accredited to the Somali Democratic Republic.

Article 2

*Abolition of Hospital Fees*

Except as otherwise directed by the Secretary of Health, patients shall not be charged hospital fees for the period of their treatment in hospitals.

Mogadiscio, 21st October, 1972.

Jalle Major Gen. Mohamed Siad Barre  
PRESIDENT  
of the Supreme Revolutionary Council

LAW n. 64 of 21 October, 1972.

Agricultural Crash Programme Agency.

THE PRESIDENT  
OF THE SUPREME REVOLUTIONARY COUNCIL

HAVING HEARD the Council of Secretaries of State;  
TAKING NOTE of the approval of the Supreme Revolutionary Council;

HEREBY PROMULGATES  
the following Law:

Article 1

*Establishment and organisation*

1. There is hereby established the Agricultural Crash Programme Agency (hereinafter called «The Agency»).
2. It shall be an Autonomous Agency with juridical personality and shall be governed by the provisions of this Law and also subject to the provisions of:
  - (a) law governing Autonomous Agencies and Audit of Industrial and Commercial undertakings and Credit Institutions with State participation (Law No. 16 of 1st April, 1970); as subsequently amended;
  - (b) Law on Personnel of Autonomous Agencies (Law No. 36 of 22nd April, 1972);
  - (c) Staff Regulations of Autonomous Agencies (D.P.S.R.C. No. 74 of 22nd April, 1972).
3. The Organisation of the Agency shall be as set out in the schedule attached hereto which forms an integral part of this Law.

Article 2

*Supervision*

The Agency shall function under the supervision of a member of the Supreme Revolutionary Council who shall be nominated by the President of the Supreme Revolutionary Council herein-after called «The Supervisor» and who may give such directives to the Agency as he may consider necessary from time to time in order to ensure that the Agency acts in the best interest of the State.

Article 3  
*Head Office*

The Agency shall have its Head Office in Mogadiscio and may, if and when necessary, establish branches in other places in the Republic.

Article 4  
*Responsibilities and Functions*

The responsibilities and function of the Agency shall be based on the principles set out in the First and Second Charters of the Revolution and shall include:

- (a) recruitment and organisation of an Agricultural Pioneer Corps consisting of volunteers engaged in the Agricultural Crash Programme;
- (b) promotion of agricultural development;
- (c) establishment and organisation of State agricultural farms;
- (d) settlement of nomads in agricultural areas;
- (e) elimination of poverty by increasing agricultural production;
- (f) elimination of unemployment and promoting community development through work in agriculture;
- (g) inculcation of a spirit of self reliance and discipline among the volunteers in the Crash Programme.

Article 5  
*General Manager and Other Staff*

The General Manager and other staff of the Agency as set out in the Schedule hereto shall be appointed by decree of the President of the Supreme Revolutionary Council on the proposal of the Supervisor. Their terms and conditions of service including the emoluments shall be governed by the staff regulations in paragraph 2 (c) of Article 1.

Article 6  
*Agricultural Pioneer Corps*

1. The Volunteers of the Agricultural Pioneer Corps referred to in Article 4 (a), hereinafter called «The Volunteers» shall be appointed by the Supervisor.

2. They shall be given a monthly pay covering their food, accommodation and pocket money and also 10 days annual leave.

On the termination of their service they shall be entitled to one month's pay as gratuity for each year of completed service. Other terms and conditions of service of the Volunteers may be prescribed by decree of the President of the Supreme Revolutionary Council.

3. The Volunteers shall be subject to strict military discipline according to instruction issued by the Supervisor.

## Chapter II.

### FINANCIAL PROVISIONS

#### Article 7

##### *Capital*

The capital of the Agency shall consist of:

- (1) Any initial capital of Shs. 500,000/- granted by the State;
- (2) Any other contribution granted by the State, public bodies, international organisations or private persons;
- (3) Reserve funds set aside from the Agency's profits;
- (4) Any other receipts, both public and private.

#### Article 8

##### *Financial year*

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

#### Article 9

##### *Budget*

The General Manager shall, not later than 30th September each year, prepare the annual budget statement for the next financial year showing the estimate receipts and expenditure and submit the same to the Supervisor who, after approval, shall submit it to the Presidency of the Supreme Revolutionary Council.

#### Article 10

##### *Annual Accounts*

On or before, 31st March of each year, the General Manager shall prepare the Annual Accounts and the Profit and Loss Statement of the Agency for the last financial year and submit the same to the Supervisor who, after approval, shall submit it to the Presidency of the Supreme Revolutionary Council.

Article 11

*Maintenance of Accounts*

The Accounts of the Agency shall be maintained in the manner prescribed by any general rules issued for the purpose and by any regulations issued hereunder.

Article 12

*Audit*

The Accounts of the Agency shall be audited by the separate unit established in the Office of the Magistrate of Accounts for the purpose of auditing Autonomous Agencies.

Chapetr III.

FINAL PROVISIONS

Article 13

*Regulations*

The President of the Supreme Revolutionary Council may, by decree on the proposal of the Supervisor issue regulations for the proper implementation of this Law.

Article 14

*Repeal*

Any law or provision contrary to or inconsistent with the provisions of this Law is hereby repealed.

Article 15

*Coming into force*

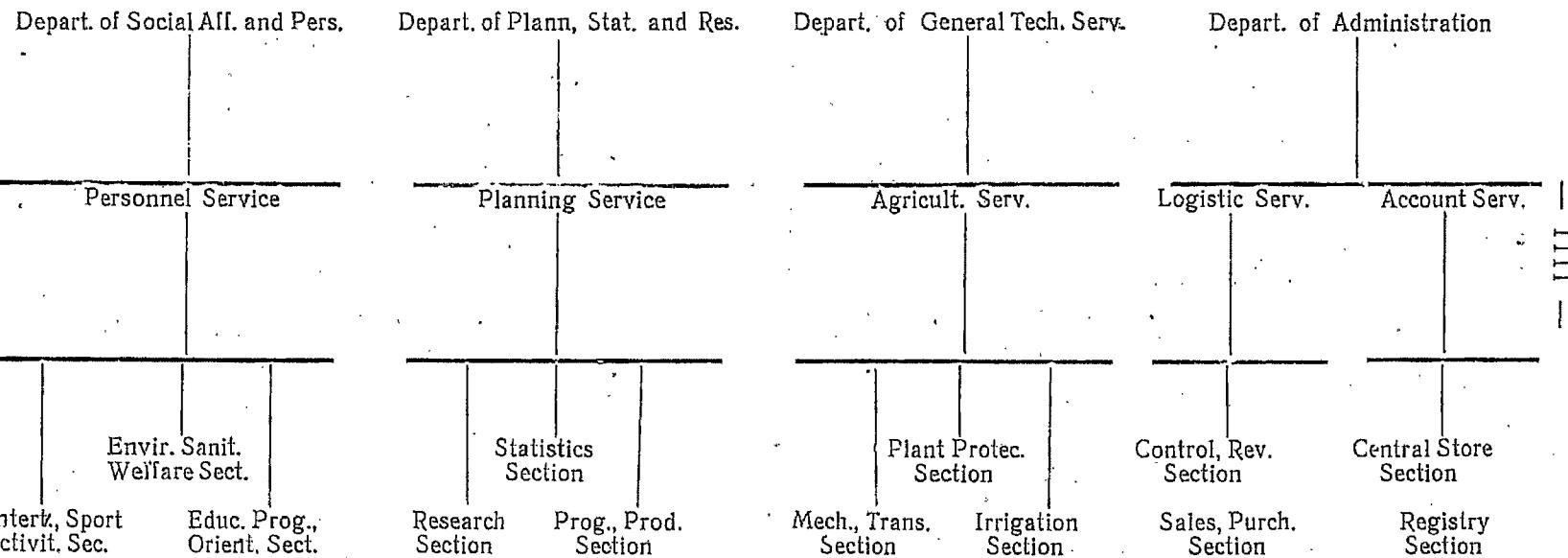
This Law shall come into force immediately and shall be published in the Official Bulletin.

Mogadiscio, 21st October, 1972.

*Jalle Major Gen. Mohamed Siad Barre*  
PRESIDENT  
of the Supreme Rvolutionary Council

*Schedule*

ORGANISATION OF AGRICULTURAL CRASH PROGRAMME AGENCY — GENERAL MANAGER



## **PARTE SECONDA**

### **DISPOSIZIONI, COMUNICATI, AVVISI, VARIE**

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