

Section

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ORDER No. 63.147

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Anno I.

Mogadiscio, 8 Ottobre 1970

Suppl. n. 3 al n. 10

DIREZIONE E REDAZIONE
presso la Presidenza del Consiglio Rivoluzionario Supremo
Pubblicazione Mensile

PREZZO: Sh. So. 5 per numero — **ABBONAMENTI:** Annuo per la Somalia Sh. So. 100, Estero Sh. So. 300 — L'abbonamento richiesto in tempo stabilito, decorre dal 1° Gennaio e l'abbonato riceverà i numeri arretrati — **INSERZIONI:** per ogni riga o spazio di riga Sh. So. 2 — Le inserzioni si ricevono presso la Direzione Bollettino. L'importo degli abbonamenti e delle inserzioni deve essere versato all'Ufficio Imposte sugli Affari

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PARTE PRIMA
ATTI LEGISLATIVI ED AMMINISTRATIVI

FIRST PART
LEGISLATIVE AND ADMINISTRATIVE ACTS

LAW No. 61 of 23 September, 1970.
Amendment to the Civil Service Law.

THE PRESIDENT
OF THE SUPREME REVOLUTIONARY COUNCIL

TAKING NOTE of the approval of the Supreme Revolutionary Council;

HEREBY PROMULGATES
the following Law:

Article 1

Substitute the following for Chapter X of the Civil Service Law (Law No. 29 of 1st April, 1970, amended by Law No. 37 of 19th July, 1970):

« CHAPTER X

D I S C I P L I N E

Article 40

Penalties and Offences

1. The disciplinary measures which may be imposed upon officials are the following:
- a) censure in writing;
 - b) fine not exceeding the amount of seven days' pay;
 - c) stoppage of pay for a period not exceeding thirty days, which period shall not be counted towards pension or gratuity;
 - d) suspension from duty without pay for a period not exceeding three months, which period shall not be counted towards pension or gratuity;

- e) retardation of promotion or increment;
- f) reduction of pay not exceeding one-third and for a period not exceeding six months;
- g) demotion;
- h) dismissal.

2. The penalties referred to in sub-paragraphs (a) to (c) of the preceding paragraph may be imposed, depending on the seriousness of the offence for:

- a) gross negligence or unsatisfactory service;
- b) wilful disobedience;
- c) failure to comply with the provisions of Articles 19 and 20;
- d) conduct causing interruption or disturbance of the work of the office;
- e) absence from duty without justification;
- f) tolerating abuses committed by subordinate officials.

3. The penalties referred to in sub-paragraphs (d) to (h) of paragraph 1 may be imposed, depending on the seriousness of the offence for:

- a) gross abuse of authority;
- b) violation of official duties causing serious damage to the State, to public bodies or local administrations or to private persons;
- c) wrongful use or misappropriation of funds administered by, or entrusted to, a civil-servant;
- d) demanding or accepting any gratification in return for acts performed or to be performed in the course of official duty;
- e) acts of gross insubordination;
- f) violation of official secrets;
- g) abuse of official position for personal gain.

4. Where there are aggravating circumstances or in case of repetition of offences, or where there are extenuating circumstances, the penalties which may be imposed may be greater or lesser than those provided for the particular offence.

Article 41

Application of disciplinary measures

1. The President of the Supreme Revolutionary Council shall have the power:

- a) to impose any penalty referred to in Article 40 paragraph (1) in respect of the personnel in the Presidency of the Supreme Revolutionary Council;
- b) to impose the penalties referred to in Article 40 paragraph (1), sub-paragraphs (g) and (h) in respect of the Directors-General in the various Ministries.

2. (a) Where any official other than a Director-General in the Presidency of the Supreme Revolutionary Council is suspended, demoted or dismissed, the President of the Supreme Revolutionary Council may appoint any official from the Presidency of the Supreme Revolutionary Council in the place of the official suspended, demoted or dismissed.

- b) Where any Director-General in the Presidency of the Supreme Revolutionary Council or the Director-General in any Ministry is demoted or dismissed, the President of the Supreme Revolutionary Council may appoint a Director-General in the said vacancy.

3. The competent Secretary of State shall have the power:

- a) to impose the penalties referred to in Article 40 paragraph (1) in respect of the personnel other than the Director-General in the Ministry concerned;
- b) to impose the penalties other than (g) and (h) referred to in Article 40 paragraph (1) in respect of the Director-General of the Ministry concerned.

4. Where in any Ministry the Director-General is suspended or where any other official is suspended, demoted or dismissed, the competent Secretary of State may appoint an official from the Ministry concerned in the place of the official suspended, demoted or dismissed, on temporary basis.

Article 42

Reprimand

An official may be reprimanded either orally or in writing by his superior, but such reprimand shall not be regarded as disciplinary proceedings. However, where the official concerned is subsequently found guilty of any disciplinary offence, the reprimand referred to above shall be considered for imposing a greater punishment under Article 40 of this Law.

Article 43

Suspension of officials

1. The competent Secretary of State, whenever the circumstances are of such serious nature as to require it, may suspend an official, without pay, even before the commencement or conclusion of the disciplinary proceedings.

2. The competent Secretary of State may suspend an official without pay, whenever criminal proceedings have been initiated against the official and a warrant of arrest has been issued against him.

3. In such cases, the dependants of the official may be granted a subsistence allowance not exceeding one-half of the officials' salary.

Article 44

Suspension of disciplinary proceedings

pending criminal proceedings

Where criminal proceedings have been instituted against an official, disciplinary proceedings for the same offence shall not be commenced until the conclusion of the said criminal proceedings. Where disciplinary proceedings have already been initiated, they shall be suspended pending the disposal of the criminal proceedings.

Article 45

Official acquitted and disciplinary proceedings

Where an official has been acquitted of a criminal charge and such acquittal has become final, he may be subject to disciplinary proceedings if facts or circumstances disclosed during the criminal proceedings warrant the initiating of disciplinary proceedings».

Article 2

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

Article 3

1. This Law shall be included in the Official Compilation of Laws of the Somali Democratic Republic and shall be published in the Official Bulletin.

2. This Law shall come into force immediately.

3. All persons shall be obliged to observe it, and cause others to observe it, as a law of the Somali Democratic Republic.

Mogadishu, 23 September, 1970.

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

DECRETO DEL PRESIDENTE DEL CONSIGLIO RIVOLUZIONARIO
SUPREMO 21 Settembre 1970, n. 212.

Sospensione cautelare dal servizio del Magistrato Scek Mohamed Scek Ali Mo-
heddin.

IL PRESIDENTE

DEL CONSIGLIO RIVOLUZIONARIO SUPREMO

VISTA la Prima Carta della Rivoluzione;

VISTA la Legge 21 Ottobre 1969, n. 1;

VISTO il Decreto Legislativo 12 Giugno 1962, n. 3, sull'Ordinamento Giudiziario;

VISTO il Decreto 25 Ottobre 1969, n. 12, sull'Ordinamento del Personale Civile dello Stato;

RITENUTA la necessità, nell'interesse del pubblico servizio, di provvedere alla sospensione cautelare dal servizio del Magistrato Scek Mohamed Scek Ali Moheddin, contro il quale è stato iniziato procedimento penale;

SU PROPOSTA del Segretario di Stato alla Giustizia, Affari Religiosi e Lavoro.

DECRETA:

Art. 1

Il Magistrato Scek Mohamed Scek Ali Moheddin è sospeso in tronco, in via cautelare, dal servizio.

Art. 2

E' sospesa, in via provvisoria, nei confronti del Magistrato predetto, la corrisponsione dello stipendio nella misura di un terzo.

Art. 3

Il presente Decreto ha efficacia immediata.

Mogadiscio, li 21 Settembre 1970.

IL PRESIDENTE
del Consiglio Rivoluzionario Supremo
Magg. Gen. Mohamed Siad Barre

IL SEGRETARIO DI STATO
alla Giustizia, Affari Religiosi e Lavoro
Prof. Abdulgani Scek Ahmed

VISTO e Registrato - Reg. n. 1, foglio n. 193.
Il Magistrato ai Conti:
MOHAMED ALI FARAH

PARTE SECONDA

DISPOSIZIONI, COMUNICATI, AVVISI, VARIE

MUCUI MA' AGRICOLA S.p.A. — MOGADISCIO

AVVISO DI CONVOCAZIONE DI ASSEMBLEA GENERALE ORDINARIA E STRAORDINARIA

Gli azionisti della Società per Azioni «Mucui Mâ Agricola S.p.A.» sono convocati in Assemblea Generale Ordinaria e Straordinaria presso la sede sociale in Mogadiscio, per il giorno 25 Ottobre 1970 alle ore 17,00 per deliberare sul seguente:

ORDINE DEL GIORNO

PARTE ORDINARIA.

- 1) — Presentazione del bilancio al 31 Dicembre 1969, Relazione dell'Amministratore Unico e del Collegio Sindacale;
- 2) — Varie ed eventuali.

PARTE STRAORDINARIA.

- 1) — Proposta di aumento di capitale sociale da Sh. So. 20.000 a Sh. So. 500.000 mediante emissione di n. 480 azioni ordinarie da Sh. So. 1.000 alla pari, riservate in opzione agli azionisti.

Possono intervenire all'Assemblea gli azionisti iscritti nel Libro dei soci almeno cinque giorni prima di quello dell'adunanza.

Qualora l'Assemblea non risultasse in numero legale per la prima convocazione, la seconda convocazione resta fissata per il giorno 4 Novembre 1970, nello stesso luogo ed ora.

Mogadiscio, 4 Ottobre 1970.

L'Amministratore Unico