

# BOLLETTINO



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ATTI LEGISLATIVI ED AMMINISTRATIVI

#### FIRST PART

LEGISLATIVE AND ADMINISTRATIVE ACTS

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PARTE PRIMA  
ATTI LEGISLATIVI ED AMMINISTRATIVI  
FIRST PART  
LEGISLATIVE AND ADMINISTRATIVE ACTS

DECREE OF THE SECRETARY OF STATE FOR INTERIOR

14th July 1973, n. 84.

Local Government conduct of business Regulations 1973.

THE SECRETARY OF STATE FOR INTERIOR

HAVING SEEN The 1st and 2nd Charter of the Revolution;

HAVING SEEN Law No. 52 of 8th June, 1972 (Local Government reform Law) as subsequently amended;

CONSIDERING The need for issuing Special Regulations concerning Conduct of Business of Local Government Councils.

HEREBY DECREES

Chapter I.

PRELIMINARY PROVISIONS

Article 1

*Definitions*

In these Regulations, unless the context requires otherwise, the following words or phrases shall have the meaning respectively assigned to them:

- (a) «Chairman» means the Chairman of a Council.
- (b) «Council» means a Regional or District Revolutionary Council.
- (c) «Government» means the Government of the Somali Democratic Republic.
- (d) «Law» means Law No. 52 of 8th June, 1972 (Local Government Reform Law) as amended by Law No. 8 of 15th January, 1973.
- (e) «Member» means a member of a Council.
- (f) «President» means the President of the Supreme Revolutionary Council.

- (g) «Meeting» means a meeting of the Council or its committees.
- (h) «Secretary» means the Regional or District Executive Secretary.
- (i) «Secretary of State» means the Secretary of State for Interior.

## Chapter II.

### ORGANIZATION AND STRUCTURE OF COUNCILS

#### Article 2

##### *Composition of the Regional Revolutionary Council*

The Regional Revolutionary Council shall be established and constituted in accordance with the Law.

#### Article 3

##### *Appointment and Tenure of Ex-Officio members of Regional Revolutionary Councils*

1. The Chairman of the Regional Revolutionary Council shall submit to the Secretary of State a list of the names of persons who head the Regional Departments which represent and carry out the activities of the respective Ministries and other State organs in the Region.

2. Where there are a number of departments for a Ministry the Secretary of State of that Ministry shall appoint a co-ordinator and the Co-ordinator shall then be included in the list.

3. The list shall not give names of persons but shall, in lieu of that, show the official designations of the proposed members.

4. On receipt of this the Secretary of State shall verify the list and then, upon verification, shall send it to the President along with his recommendations and the President may then appoint them to the Regional Revolutionary Council by decree in accordance with Article 8 (1) of the Law.

5. In the Regional Revolutionary Council, autonomous agencies shall be represented, in addition to the Ministries, in their respective Councils.

6. Ex-Officio members shall remain to be members of their respective Regional Revolutionary Council as long as they represent their respective Ministries or agencies.

#### Article 4

##### *Appointment and Tenure of Community Representatives to the Regional Revolutionary Council*

1. The District Revolutionary Council shall in their first meeting elect from among the community representative a member to represent the community representatives in the Regional Revolutionary Council.

2. The full name of the person so elected shall be sent to the Chairman of the Regional Revolutionary Council who shall include the name in the list of the proposed candidates for the Regional Revolutionary Council to the Secretary of State.

3. The person so elected shall represent the Community Representatives of the District Revolutionary Council for a term of two years. But he may be re-elected for another term.

## Article 5

### *Oath*

In their first meeting and before the transaction of any business all members, together with the Chairman of the Council shall take before the President of the Regional or District Court as the case may be the following oath:

«I swear in the name of God that I will abide loyally by the Laws of the Somali Democratic Republic and will fulfil the duties of my office with deligence and zeal in the sole interest of my country and my people».

## Article 6

### *Establishment of Committees*

Each Council shall have statutory as well as ad-hoc committees in accordance with the Law and these Regulations.

## Article 7

### *The Regional Executive Secretary*

The Regional Revolutionary Council shall have a Regional Executive Secretary who shall be appointed in the same manner as the Chairman and who shall assume to the functions assigned to him by the Law and these Regulations.

## Article 8

### *Composition of the District Revolutionary Council*

The District Revolutionary Council shall be established and constituted in accordance with the Law.

## Article 9

### *Appointment and Tenure of Ex-Officio members of District Revolutionary Council*

1. The Chairman of the District Revolutionary Council shall submit to the Chairman of the Regional Revolutionary Council a list of the

names who head the District Departments which represent and carry out the activities of the Ministries or agencies in the District.

2. Where there are a number of departments for a Ministry the Secretary of State of that Ministry shall appoint a co-ordinator and the co-ordinator shall then be included in the list.

3. The list shall not give names of persons but shall, in lieu of that, show the official designations of the proposed members.

4. On receipt of the list the Chairman of the Regional Revolutionary Council shall verify the list from the Heads of Regional Departments and then upon verification shall send it to the Secretary of State who shall then pass it to the President along with his recommendations and the President may then appoint the officials mentioned therein to the District Revolutionary Council by decree in accordance with Article 10 (1) of the Law.

5. In the District Revolutionary Councils autonomous agencies shall be represented in their respective Councils.

6. Ex-Officio members shall remain to be members of their respective District Revolutionary Councils as long as they represent their respective Ministries or agencies.

#### Article 10

##### *Appointment and Tenure of the Community Representatives to the District Revolutionary Council*

The appointment of Community Representatives for membership in the District Revolutionary Council shall be made in the following manner:

1. The Chairman of the District Revolutionary Council shall propose the names of Community representatives to be appointed to his District Revolutionary Council, in a list to be submitted to the Chairman of the Regional Revolutionary Council. When preparing the list, the Chairman of the District Revolutionary Council shall consult responsible elements like the most senior officers of the district such as the officer in-charge of the District Police, the Local head of the National Security Service, etc.

2. The list shall be annotated and shall contain a brief biographical data about each person. The name of each proposed candidate shall be full and nicknames shall be shown in parenthesis.

3. The list shall be fully representative of the different sections of the community i. e. farmers, nomads, fishers, merchants, religious shiekhs, youth, women, etc. shall be represented.

4. Whenever possible a Village which has a Village Revolutionary Council shall be represented in the District Revolutionary Council by the Chairman of the Village Revolutionary Council.

5. Employees of the State or parastatal organization shall not be eligible for appointment as community representatives.

6. The Chairman of the District Revolutionary Council shall ascertain before submitting the list that each proposed candidate passes the qualifications mentioned in the Law, or is not disqualified by the Law.

7. The list shall then be submitted under confidential cover to the Chairman of the Regional Revolutionary Council who shall then put it to the Regional Revolutionary Council for consideration.

8. The Regional Revolutionary Council in their first meeting shall consider the list and make further scrutiny upon the names. Once they have quorum the Regional Revolutionary Council do not need the presence of District Community Representatives.

9. The list, if approved by the Regional Revolutionary Council shall be submitted by the Chairman to the Secretary of State under confidential cover with recommendations for approval.

10. The Secretary of State may approve the lists on the recommendations of the Regional Revolutionary Council, under Article 10(3) (c) of the Law or he may reject the recommendations and send the list (s) back to the Regional Revolutionary Council with his observations.

11. When the Secretary of State approve the list he shall send it to the President who may appoint by decree the persons named therein as the community representatives of the District Revolutionary Council.

12. The tenure of community representatives in the Council shall be two years provided that community representatives who prove to be conscientious and responsible shall be eligible for appointment for another term of two years but they shall not be eligible for a third term.

13. Suspension or removal of community representatives in the Councils shall be by the same method of their appointment.

## Article 11

### *The District Executive Secretary*

The District Revolutionary Council shall have a District Executive Secretary who shall be appointed in accordance with the Law and shall assume the functions assigned to him by the Law and these Regulations.

## Article 12

### *Composition of the Village Revolutionary Council*

The Village Revolutionary Council shall not be more than seven persons including the Chairman, the Secretary, and the Treasurer.

Article 13

*Appointment of Members of the Village Revolutionary Council*

Members of the Village Revolutionary Council shall be selected by the permanent residents of the Village in an annual meeting and in the presence of either the Chairman of the District Revolutionary Council or the District Executive Secretary.

Article 14

*Appointment of Office Bearers for the Village  
Revolutionary Council*

The Village Revolutionary Council shall in their first meeting advise the Chairman of the District Revolutionary Council on the appointment of office bearers and the Chairman shall on their advice appoint for the Village Revolutionary Council, for a term of one year a Chairman; a Secretary, and a Treasurer.

Article 15

*Oath*

Members of the Village Revolutionary Council shall take the same oath as the members of the District Revolutionary Council before the Chairman of the District Revolutionary Council.

Chapter III.

FUNCTIONS AND POWERS OF COUNCILS

Article 16

*Functions of the Regional Revolutionary Council*

1. The Regional Revolutionary Council shall have following functions:
  - (a) to exercise supervisory authority over the District Revolutionary Councils within its territorial jurisdiction and therefore to review in its ordinary meetings the activities and achievements, of the District Revolutionary Councils;
  - (b) to formulate policies, guidelines, and programmes, within the framework of Government policy, for all the District Revolutionary Councils in the region and to advise them on the manner in which these policies are to be put into effect;
  - (c) to provide services such as advice and consultation or technical expertise or assistance to the District Revolutionary Councils;

- (d) to co-ordinate the activities of the District Revolutionary Councils and to generate among them a healthy competition for the objectives of regional plans for development;
- (e) to promote the economic, social, and political development of the entire region;
- (f) to encourage the increase of good production by the introduction of improved methods of agriculture, fishing, and livestock raising;
- (g) to cope with calamities such as draught, cyclones, devastating floods, epidemics, etc. and to ask for the assistance of the Government, whenever necessary, in these matters;
- (h) to ensure that districts are acquainted with methods of food storage and that they are actually storing surplus food for difficult times provided that hoarding shall be prevented;
- (i) to carry out in the region the function of the Ministries or agencies;
- (j) to ensure that the services and performance of the District Revolutionary Councils are of the highest standard possible;
- (k) to give special attention and assistance to the District which are economically weak with a view to raising up their standards.

#### Article 17

##### *Functions of the Chairman of the Regional Revolutionary Council*

1. The functions of the Chairman of the Regional Revolutionary Council shall be as follows:

- (a) in his capacity as the first representative of the Government, he shall explain to the Regional Revolutionary Council, the District Revolutionary Councils within his jurisdiction, and the general public, general or specific policies and programmes of the Government;
- (b) he shall co-ordinate the activities of the District Revolutionary Councils;
- (c) he shall ensure that all public servants in the entire region are executing the policies and programmes of the Government and the Regional Revolutionary Council;
- (d) he shall provide administrative guidance to the District Revolutionary Councils;
- (e) he may settle dispute on matters of jurisdiction or competence between the District Revolutionary Councils within the region;



- (f) he shall convene and preside over the meetings of the Regional Revolutionary Council, and the Social Defence and Public Security Committee;
- (g) he shall ensure the peace and tranquility of the entire region in collaboration with the Social Defence and the Public Security Committee and the Regional Revolutionary Council;
- (h) in accordance with (a) above he shall promote the economic, social, and political development of the region;
- (i) he shall execute and enforce the laws, and decrees of the Government as well as the decision of the Regional Revolutionary Council;
- (j) he shall countersign the Resolutions of the Regional Revolutionary Council;
- (k) he shall appoint from among the senior members of the District Revolutionary Council a temporary Chairman during the absence or impediment of the substantive Chairman of the District Revolutionary Council but shall inform the Secretary of State of the appointment and the reason of absence or details of incapacity or impediment of the substantive chairman;

2. In case of absence, or illness or impediment of the Chairman of the Regional Revolutionary Council his functions and powers shall be temporarily exercised by any senior member of the Regional Revolutionary Council appointed by the order of the Secretary of State. The Secretary shall inform the Secretary of State in case of incapacity or impediment of the Chairman.

## Article 18

### *Appointment of Council Committees*

1. Each Council shall appoint the following statutory committees in its first meeting;

- (a) economic development committee;
- (b) social committee;
- (c) committee for social defence and public security;
- (d) financial control committee;
- (e) mediation and conciliation committee; and
- (f) political orientation committee.

2. All committees, except the committee for Social Defence and Public Security, shall be appointed by the Council by inviting nominations.

3. The Committee for Social Defence and Public Security shall be composed of the following members:

- (a) the Chairman of the Council as chairman of the Committee;

- (b) the most senior Army Officer where there is an army unit;
- (c) the officer in-charge of the Police of the Region or District; and
- (d) the Officer in-charge of the National Security Service in the area.

4. The Council may appoint as many ad-hoc committees, under Article 21 (2) of the Law, for specific or general purposes, as are deemed necessary for the efficient discharge of its duties.

5. The Council shall have an ad-hoc committee for staff matters which shall be known as the Staff Committee.

## Article 19

### *Function of the Committees*

1. Each statutory committee shall have the functions assigned to it by the Law;

2. Ad-hoc committees which are appointed under Article 21 (2) of the law shall have the functions assigned to them in the resolutions by which they are established;

3. Apart from these and any other regulations the Financial Control Committee, as well as any other committee dealing with questions of finance, shall operate under the Financial and Stores Regulations, 1973;

4. The function of the Staff Committee shall be as the Local Government Civil Service Regulations, 1973;

5. Each committee shall follow the procedures of the Council in such matters as conduct of meeting, voting, etc.;

6. Every member shall serve on at least one statutory committee;

7. The Chairman of each committee, except that of Social Defence and Public Security, shall be elected by secret ballot by his own committee;

8. A committee may form a sub-committee for any specific or general purpose;

9. The Secretary shall designate a secretary for each committee from among the staff of the Council, except the Committee for Social Defence and Public Security of which he shall be the Secretary. The Secretary designated for a committee shall have towards his committee the function of the Council Secretary.

10. Committees may co-opt such additional non-voting members as may be necessary to provide expert or technical advice or opinion but co-opt members shall not be more than one third of the Committee and shall attend only those meetings in which questions requiring their expertise are to be discussed.

Article 20

*Functions of the Committee Chairman*

The Chairman of a Council committee shall have the functions of the Chairman of the Council in conduct of meeting.

Article 21

*Functions of the Regional Executive Secretary*

The Regional Executive Secretary shall have the following functions:

1. To be responsible to the Council for the general administration of Council affairs.

2. To be responsible for the administration of staff matters to the Council through the Staff Committee. To fulfil this responsibility the Regional Executive Secretary shall:

(a) advise the Committee, the Regional Recruitment Board, or the Chairman of the Regional Revolutionary Council on methods of recruitment, promotion, and discipline;

(b) advise the Committee, the Chairman, or the Council on staff training and staff development in order to ensure that the Council is served by a proper and competent Staff of its own;

(c) do the necessary transfers of staff as well as the grant of leave subject to the relevant provisions of the Local Government Civil Service Regulations, 1973;

(d) to ensure that the staff of the District Revolutionary Councils are properly administered and utilised and that they are properly trained for their jobs.

3. To be responsible for the financial administration of the Council and therefore:

(a) to advise the Council, its committees, or Chairman on matters of financial expenditure and control;

(b) to prepare with the assistance of the senior staff of the Council the estimates budget of the Regional Revolutionary Council and to make it ready for the Chairman to put it before a special meeting of the Council;

4. To be responsible for the maintenance and safe-keeping of all the files and records of the Council and to handle the correspondence of the Council.

5. To do the functions of Secretary to the Council under the regulations on conduct of meeting in accordance with Article 9(b) of the Law.

Article 22

*Powers of the Regional Revolutionary Council*

The powers of the Regional Revolutionary Council shall be as follow:

1. To review the decisions or the order of the District Revolutionary Council and to confirm, alter, or revoke them.
2. To make orders for the region.
3. To inspect all District Revolutionary Council services, operations, and programmes.
4. To ensure that District Revolutionary Councils in the region work in consonance with the declared aims and principles of the Revolution.
5. To act as liaison between the Government and the region. That is to interpret the policies and programmes of the Revolution to the people and to advise the Government on the needs of the people.
6. To delegate their powers to the District Revolutionary Councils in the region, if and when this is necessary.
7. To expropriate property in the public interest with the prior approval of the Secretary of State and within the limits established by Law.
8. To supervise the collection of revenue such as rates, taxes, and fees, and to see to it that they are collected in accordance with the Laws and the Financial Regulations of the State.
9. To approve its own annual budgets of the District Revolutionary Councils subject to the provisions of the Laws and Financial Regulations of the State.
10. To incur the necessary expenditure for its functions within budgetary limitations and in a manner consistent with the Financial Regulations.
11. To implement its own decisions or orders unless these are revoked or varied by the Secretary of State.

Article 23

*Powers of the Chairman of the Regional Revolutionary Council*

1. The Chairman of the Regional Revolutionary Council may exercise the following powers:
  - (a) during the meeting the Chairman shall preserve order and may exercise the disciplinary powers vested in him by the relevant provisions of these Regulations;

- (b) in case of urgent necessity whenever it is not possible to convene a meeting of the Regional Revolutionary Council or the relevant committee of the Council the Chairman may take provisional measures but such measures shall be reported to the Council in their next meeting for confirmation provided always these measures shall not be exercised in respect of approval of estimated budget and annual accounts;
- (c) the Chairman of the Regional Revolutionary Council shall supervise and control the public servants in the entire region and he may send reports on their work, conduct, revolutionary zeal, etc. to the concerned Ministry or agency;
- (d) the Chairman shall communicate to the Government through the Secretary of State about the needs and policies of the region and advise the Government accordingly;
- (e) the Chairman shall have the power to exercise ceremonial functions;
- (f) the Chairman shall also have the power to guide and advise the Regional Revolutionary Council as well as the District Revolutionary Councils within the region and to ensure their co-ordination;
- (g) to appoint an acting chairman for the District Revolutionary Council as provided by the Law and to inform the Secretary of State accordingly.

#### Article 24

##### *Powers of Committees of the Regional Revolutionary Council*

1. The Council may delegate specific powers under Article (24) of the Law except the power to impose taxation, to the committee, in resolutions which shall be passed by a majority, but the Council may revoke or amend such delegation of power or may attach conditions thereto including general or specific directions as to manner in which the power is to be exercised.

2. The Committee for Social Defence and Public Security shall have the powers given to it by the Law but exercise of these powers shall be subject to control by the Regional Revolutionary Council and their decision shall provisionally go into effect until confirmed or rejected by the Council.

#### Article 25

##### *Powers of the Committee Chairman*

1. The Chairman of a Regional Revolutionary Council committee shall have powers of discipline over his committee as these of the Chair-

man of the Council except the powers of recommendations for suspension or removal.

2. He shall have powers to report to the Chairman of the Council on the mis-conduct of a member if he finds that his disciplinary action are of no remedial value.

3. He shall represent his committee and be recognized as their sole spokesman.

## Article 26

### *Powers of Regional Executive Secretary*

The powers of the Regional Executive Secretary shall be as follows:

- (a) to exercise financial control in accordance with the Financial and Stores Regulations, or any financial law of the State;
- (b) to exercise control over the entire staff of the region in a manner consistent with the Local Government Civil Service Regulations and the Civil Service Law;
- (c) to exercise any powers delegated to him by the Chairman of the Regional Revolutionary Council or the Regional Revolutionary Council;
- (d) to inspect District Revolutionary Councils within the region;
- (e) to advise the District Revolutionary Councils on administrative matters.

## Article 27

### *Functions of the District Revolutionary Councils*

The District Revolutionary Council may, subject to the provisions of any Law, have the following functions:

1. To promote the socio-economic development of their respective districts in accordance with the plans and the programmes of the Regional Revolutionary Council and the Government.
2. To give political orientation to the population of their respective districts.
3. To maintain Law and Order with the help of the Revolutionary Youth Volunteers (Guulwadayaal) and the Police.
4. To recruit, administer, and discipline, the Revolutionary Youth Volunteers (Guulwadayaal) in their respective Districts.
5. To promote self-help and co-operatives.
6. To promote the upkeep, beautification, and cleanliness of the towns and the villages in their respective districts.
7. To help in accidents, fire, etc.
8. To assist in the provision of welfare to the needy in their respective districts.

9. To collect donations, fees, or contribution from persons in a manner consistent with self-help Law No. 39 of 11th May, 1972.
10. To settle disputes between persons or groups of persons in their respective districts by mediation and conciliation.
11. To safeguard and promote public health and hygiene.
12. To control pests.
13. To establish, regulate, and control markets and to regulate the sale of goods and livestock outside such markets.
14. To make plans and regulate the construction, alternation, and demolition of buildings.
15. Abate nuisance.
16. To cope with calamities such as drought, cyclones, floods, etc.
17. To establish and operate Koranic and Primary Schools.
18. To provide and regulate water and electricity supply and transport, or to supervise these services where they are privately owned.
19. To provide streets, roads, bridges, parks, play-grounds for children, and gardens for public entertainment, and to install sufficient lighting for them.
20. To develop and improve agriculture, soil conservation, and to preserve the fauna and flora.
21. To ensure the availability of adequate food for the populations of their respective districts and to promote and encourage the exploitation of the natural resources of the district, such as agriculture, fisheries, etc.
22. To be responsible for grazing control and to make a qualitative as well as a quantitative improvement of livestock.
23. To be responsible for the destruction of vermin.
24. To encourage and promote all sports and to provide and improve sports fields and to provide them with sufficient lighting.
25. To wage campaigns on illitracy.
26. To maintain records of population census, births, and deaths and to issue identification cards to persons residing in their respective districts.
27. To make public housing programmes.
28. To provide social welfare services and community development programmes.
29. To engage in commerce in the interest of the Public.

30. To implement the policies and programmes of the Government and the Regional Revolutionary Council and to make their own programme within the frame work of these policies.
31. District Revolutionary Councils of contiguous area may together plan and implement projects which are to their mutual benefit provided the prior approval of the Regional Revolutionary Council is obtained. However, agreement between the districts concerned indicating the manner of administering shared projects shall be fully documented and countersigned by the Chairman of the Regional Revolutionary Council after the approval of the Council.
32. To promote and preserve the good aspects of Somali Cultural and literary heritage.

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#### Article 28

##### *Function of the District Revolutionary Council Chairman*

The Chairman of the District Revolutionary Council shall:

- (a) be the first representative of the Government in the district;
- (b) be responsible to the Regional Revolutionary Council through the Chairman for the cause of good Local Government in the District;
- (c) co-operate and collaborate with the District Revolutionary Council for the promotion of the economic, social and political development of the district as well as the wellbeing of the population, in accordance with the policies and programmes of the Government and the Regional Revolutionary Council;
- (d) ensure that public servants exercise the policies and plans of the Districts Revolutionary Council, Regional Revolutionary Council, and the Government in an efficient manner.

#### Article 29

##### *Functions of the District Executive Secretary*

1. The District Executive Secretary shall:
  - (a) be responsible for the proper executive of the policies and programmes of the District Revolutionary Council except those regarding maintenance of Law and Order;
  - (b) exercise the functions of Secretary under the Regulations on conduct of meeting in accordance with Article 13 (c) of the Law;
  - (c) deal with the correspondence of the Council;



- (d) exercise any functions delegated to him by the District Revolutionary Council Chairman;
- (e) deal with staff and financial matters in accordance with the provisions of these regulations as well as the provisions of any other relevant law or regulation.

### Article 30

#### *Powers of the District Revolutionary Council*

1. The District Revolutionary Council shall have the following powers;

- (a) any power conferred upon it by the Regional Revolutionary Council;
  - (b) any power delegated to it by the Regional Revolutionary Council;
  - (c) powers of supervision and control over the Village Revolutionary Councils;
  - (d) power to incur the necessary expenditure arising from the performance of its functions;
  - (e) power to levy and collect rates, taxes, and fees as may be permitted by Law;
  - (f) power to carry out its own decisions unless these are revoked or suspended by the Regional Revolutionary Council;
  - (g) power to approve its own annual budget and submit it to the Regional Revolutionary Council;
  - (h) power to acquire property by expropriation in the public interest in a manner consistent with the relevant law;
- and (i) power to advise the Regional Revolutionary Council on any matter affecting the District.

### Article 31

#### *Powers of the District Revolutionary Council Chairman*

1. The Chairman of the District Revolutionary Council shall have the following powers:

- (a) to preserve order during the meeting and to exercise the powers vested in him by the Regulations on the conduct of meeting;
- (b) to supervise and control public servants in the entire district and to report on them to the Chairman of the Regional Revolutionary Council;

- (c) to communicate to the Chairman of the Regional Revolutionary Council about the needs of the District and any policy matter which concerns the District and to advise the Chairman of the Regional Revolutionary Council on the situation of the District;
- (d) to guide and advice the District Revolutionary Council within the framework of the *general policies and programmes* of the Government and the Regional Revolutionary Council;
- (e) to take emergency measures when the District Revolutionary Council or the appropriate Committee of the Council cannot be convened provided he shall seek from the Council the confirmation of these measures in their next meeting;
- (f) to exercise ceremonail functions;
- (g) to appoint Chairman, Secretary, and Treasurer for the Village Revolutionary Council.

#### Article 32

##### *Powers of Committees of the District Revolutionary Council*

District Revolutionary Council committees shall have the same power as the corresponding committees of the Regional Revolutionary Council.

#### Article 33

##### *Powers of Chairman of a District Revolutionary Council Committee*

The power of the Chairman of a District Revolutionary Council Committee shall, in respect to his committee, be as those of the Chairman of a Regional Revolutionary Committee.

#### Article 34

##### *Powers of the District Executive Secretary*

1. The District Executive Secretary shall have the following powers:
  - (a) to exercise financial control in accordance with the Financial and Stores Regulations, the Contract Regulations, Property Regulations, or any Financial Law;
  - (b) to exercise control over the entire staff of the District in a manner consistent with the Local Government Civil Service Regulations or the Civil Service Law as the case may be;
  - (c) to exercise any powers delgated to him by the District Revolutionary Council, or its Chairman;

- (d) to inspect Villages;
- (e) to execute the decisions of the District Revolutionary Council and to ensure that the Public Servants are properly executing the decisions of the Council.

### Article 35

#### *Functions of the Village Revolutionary Council*

1. The functions of the Village Revolutionary Council shall be:
  - (a) to promote the economic, social, and political development of the village area under the guidance and supervision of the District Revolutionary Council. To this end they shall:
    - i) implement the policies and programmes of the District Revolutionary Council under the guidance and supervision of the District Revolutionary Council Chairman;
    - ii) undertake self-help schemes under the guidance of the District Revolutionary Council Chairman and collect donations and contributions for self-help projects in a manner consistent with self-help Law No. 39 of 11th May, 1972.
  - (b) to keep the peace in the village area;
  - (c) to preserve, and encourage the improvement of the good aspects of Somali Cultural and literary heritage;
  - (d) to settle minor disputes between persons or groups of persons residing in the village area;
  - (e) to be responsible for the upkeep, beautification, and cleanliness of the Village;
  - (f) to advise the District Revolutionary Council through the District Revolutionary Council Chairman on the affairs of the Village;
  - (g) to work closely with the staff of the District Revolutionary Council who are working in the village;
  - (h) to maintain Koranic Schools and to fight illiteracy;
  - (i) may assign specific function to individual members of the Village Council.

### Article 36

#### *Function of Chairman of the Village Revolutionary Council*

1. The Chairman of the Village Revolutionary Council.
  - (a) shall convene and preside over the meetings of the Council;
  - (b) shall preserve order during meeting;

- (c) shall lead the Council in all matters such as campaigns etc. and shall be their sole spokesman;
- (d) shall act as liaison between the Village Revolutionary Council and the Chairman of the District Revolutionary Council.

#### Article 37

##### *Functions of the Secretary of Village Revolutionary Council*

- 1. The Secretary of the Village Revolutionary Council:
  - (a) shall arrange all meetings of the Village Revolutionary Council in consultation with the Chairman of the Village Revolutionary Council;
  - (b) shall preside over meetings in the absence of the Chairman;
- and (c) shall record the decisions of the Village Revolutionary Council and deal with the correspondence of the Council.

#### Article 38

##### *Functions of the Treasurer of Village Revolutionary Council*

- 1. The Treasurer of the Village Revolutionary Council:
  - (a) shall collect contributions, donations, etc. and credit them to a place and in a manner to be specified in the Financial and Stores Regulations;
- and (b) shall be responsible for the proper accounting of the Village Revolutionary Council finances.

#### Article 39

##### *Powers of the Village Revolutionary Council*

The Village Revolutionary Council shall exercise any power delegated to them by the District Revolutionary Council and any powers vested in them by the order under which they are established, provided these are consistent with the relevant laws and regulations.

#### Chapter IV.

#### M E E T I N G S

#### Article 40

##### *Classification of Meeting*

Meetings of the Council shall be classified into the following two categories:

- 1. Ordinary,
- 2. Extraordinary which shall be further classified into:
  - i) Special meeting;
  - and ii) Emergency.

Article 41

*Place and Time of Meeting*

1. Ordinary meetings of a Council shall be held as follows:
  - (a) each Regional Revolutionary Council shall hold its ordinary meetings once every three months;
  - (b) each District Revolutionary Council shall convene its ordinary meetings monthly;
  - (c) each Villages Revolutionary Council shall convene its ordinary meetings whenever necessary.
2. Special meetings may be held as often as may be required to discuss an important matter which cannot be kept in abeyance until the next ordinary meeting.
3. The budget of the Council, or Councils in the case of the Regional Revolutionary Council, shall be passed in a special meeting.
4. Emergency meetings may be held whenever there is a vitally important matter requiring the immediate attention of the Council.
5. Meetings shall be held in the Assembly Hall of the Councils, main premises unless the premises is under repair or is otherwise unsuitable, in the opinion of the Secretary, for the meeting.
6. When a meeting cannot be held in the Assembly Hall of the main premises it may be held in any other suitable Government or Council building.

Article 42

*Convening of Meeting*

Meeting shall be convened by the Chairman either on his own initiative or on the written request of not less than one third of the members.

Article 43

*Meeting to be Open to the Public*

1. A meeting shall be open to the general public except when the nature of the business requires that a closed-door meeting be held.
2. The Chairman shall decide when a meeting is to be closed from the public unless the Council directs otherwise.

Article 44

*Notification for a Meeting*

1. Every member of the Council shall be notified in advance that a meeting will be held.

2. Notification for a meeting shall be in writing, and shall indicate (a) the date, time, and place of meeting, and (b) the nature of the meeting.

3. There shall be an advance notice of at least (a) 7 days for a special or ordinary meeting and (b) twenty-four hour for an emergency meeting.

4. In addition, a copy of the notification for a meeting shall be affixed, together with a copy of the agenda, in a conspicuous place on the notice board of the main premises of the Council.

5. A copy of the agenda shall be attached to the notification; if the notification is made by telegram a copy of the agenda shall be handed to the member upon arrival, if the agenda is too long to be included in the telegram.

6. A member shall not be blamed for not attending a meeting unless he had been notified of it in writing except in the case of an emergency meeting for which a verbal notification shall be considered sufficient.

#### Article 45

##### *The Agenda*

1. The agenda for a meeting shall be prepared by the Secretary in consultation with the Chairman.

2. The Chairman shall make the order in which the items are to be placed in the agenda provided that routine matters are placed first.

3. Items for the agenda shall be brought to the Secretary in writing at least three days before the meeting and the Secretary shall place them in the agenda unless the Chairman otherwise directs.

4. The Secretary may refuse to place an item on the agenda if it is not submitted within the time required in para (3) above.

5. The agenda may be prepared in the following order:

- (a) reading the minutes of the previous meeting;
- (b) discussions of the minutes;
- (c) progress reports from the Council Chairman, Committee Chairmen, and Chairmen of District Revolutionary Councils;
- (d) all items deferred from the previous meeting;
- (e) consideration of new directives from the Government;
- (f) matters concerning development schemes;
- (g) matters placed in the agenda by the Chairman;
- (h) matters brought by members;

and (i) any other business.

Article 46

*Conduct of a Meeting*

1. The Chairman shall order the Secretary to call the roll and every member present shall answer «Present» on hearing his name.
2. The Chairman shall then determine whether quorum has been obtained and no business shall be transacted without quorum.
3. The Chairman shall then open the meeting.
4. The Chairman shall then order the Secretary to read the agenda item by item.
5. The Chairman shall allow discussions on the items in the order they appear on the agenda.
6. A member wishing to speak shall raise his hand and the Chairman shall give the floor to one member at a time.
7. The Chairman shall call the member he is giving the floor by his name.
8. The Chairman shall ensure that no speaker is interrupted unduly except the Chairman may stop a speaker if he persists in irrelevance or repetitions.
9. The Chairman may brief or ask the Secretary to brief the Council any item under discussions.
10. At the close of the business the Chairman shall declare the meeting closed.

Article 47

*Quorum*

1. Quorum for a meeting of the Council or its committees shall be more than half of the members.
2. No meeting shall be adjourned for lack of quorum until thirty minutes have elapsed from the time fixed for the commencement of the meeting.

Article 48

*Motions*

1. A motion may be tabled by a member or a number of members.
2. A motion shall be submitted in writing and brought to the Secretary or it may be communicated orally during the meeting.

3. Motion shall be brought to the Secretary at least three days before the meeting and the Secretary shall place them on the agenda provided the Chairman allows it.

4. A motion shall be seconded and after secondment, shall be considered accepted if not opposed.

5. A motion which is not seconded shall be considered as rejected.

6. A motion may be withdrawn at any time of the proceedings by the member proposing it provided the member (s) seconding it agrees.

7. If a motion was submitted in writing and placed on the agenda the Secretary or the member proposing it may read it to the Council.

## Article 49

### *Questions*

1. The Chairman shall set a reasonable time for questions and answers.

2. All questions, whether verbal or written, shall be directed to the member concerned or to the Secretary or to the Chairman or to any person who had been asked to give an expert or technical opinion to the Council.

3. Questions shall be relevant to the subject of discussion and shall be asked in a polite language.

4. The Chairman may refuse a question to be answered if it is trivial, irrelevant, or frivolous.

5. The Chairman may absolve a member from answering a question which touches on the security of the State.

6. A member may request that his question and the answer to it be recorded in the minutes and the question and the answer shall then be recorded.

## Article 50

### *Voting*

1. Voting in the Council or its committees shall be open except in the case of elections.

2. In the case of elections voting shall be conducted by secret ballot.

3. When voting is open it shall be the show hands.

4. The Chairman shall count the hands and announce the result immediately after counting, but if this is challenged by not less than six



members counting shall be done by segregating supporters from opponents.

5. In case of votes being the chairman may exercise a casting vote and if he does not exercise it the proposition shall be deemed not to have carried but may be brought in the next meeting.

6. When voting is by secret ballot the following procedure shall be followed:

- (a) each member shall be given a blank paper on which he shall write the full name or names of the member (s) he is electing, fold it, and then put it in a ballot box;
- (b) the ballot box shall be opened and turned upside down in front of the members in order to ensure that it is empty and then, having done so, it shall be locked and placed in a conspicuous place in front of the members, the keys being kept by the Chairman for the duration of the voting;
- (c) the ballot box shall have a slot on its upper side through which the ballot papers shall be inserted;
- (d) the Chairman shall ascertain that all members have voted;
- (e) he shall, having done so, open the box in front of the members and ask the Secretary to read loud the name (s) on each ballot paper and the Secretary, having done so, shall pass the ballot paper to the Chairman who shall read be repeated again for checking and this process shall have repeated for each ballot until all ballot papers have been thus read;
- (f) the member (s) with the highest votes shall be declared immediately by the Chairman as elected;
- (g) a ballot paper which does not make clear the choice either by illegibility of handwriting or by spelling error or incompleteness of name shall be considered null and void;
- (h) a ballot paper which is signed or initialled or is otherwise bearing a distinguishing mark shall also be considered null and void;
- (i) if in a ballot the name is not complete or only the nickname is written the ballot paper shall not be considered null and void if the choice is nevertheless clear;
- (k) the number of the ballot papers counted shall equal the number of the members present;
- (l) an abstaining member shall put a blank ballot in the ballot box.

Article 51  
*Resolutions*

1. The decision of the Council shall be known as «Resolutions» and shall be prepared by the Secretary in a prescribed form approved by the Secretary of State.

2. It shall be countersigned by the Chairman presiding over the meeting in which the resolution was passed, and signed by the Secretary.

3. It shall be prepared immediately after the meeting.

4. The prescribed form of the resolution shall show:

(a) the date, place and time of the meeting;

(b) the number of members present and the number of those absent;

and (c) the number of members for the resolution and the number against it.

5. The prescribed form of the resolution must provide ample space for writing the full text of the resolution.

6. The text of the resolution shall be as agreed upon by the Council.

7. The original copy shall be retained by the Council and kept in the appropriate file. Of the remaining three copies District Revolutionary Council shall send two copies to the Chairman of the Regional Revolutionary Council concerned who shall transmit one copy to the Director of Local Government in the Ministry of Interior together with his comments if necessary. The fourth copy shall be affixed in a conspicuous place of the Council's main premises. In the case of the Regional Revolutionary Council two copies of the resolution shall be sent to the Director of Local Government in the Ministry which the fourth copy shall be affixed on the notice board of the Council's main building.

Article 52

*Minutes*

1. The minutes of a meeting shall be prepared by the Secretary immediately after the meeting.

2. The minutes shall be signed by the Secretary and countersigned by the Chairman.

3. Copies of the minutes shall be kept in the appropriate files of the Council. One copy shall be sent to the Secretary of State for Interior

in the case of Regional Revolutionary Council, but in the case of District Revolutionary Council this copy shall be sent to the Chairman of the Regional Revolutionary Council. The Secretary of State may order the Chairman of the Regional Revolutionary Council to send him copy of the minutes of a District Revolutionary Council meeting in respect of an important resolution.

4. The minutes shall show the motions submitted, those accepted and those rejected, their movers, those who second them, as well as those who oppose them. Questions and answers shall be appended to the minutes.

5. The minutes shall be factual and written in the most unequivocal terms.

6. Copies of the minutes shall be distributed to the members not later than seven days after the meeting and shall, if no objection is received within ten days after circulation, be deemed to have been confirmed.

### Article 53

#### *Powers of the Chairman with respect to conduct of meeting and discipline of members*

1. The Chairman may impose discipline on an unruly member by denying him the floor and if that does not prove to be sufficient he shall ask the member to withdraw from the meeting and the member shall do so forthwith and stay out of the meeting unless recalled by the Chairman.

2. If a member's unruly conduct cannot be abated by the above measures the Chairman shall recommend his suspension to the Secretary of State giving a full report on the conduct of the member and stating clearly the grounds for suspension.

3. A member for whom suspension has been recommended by the Chairman shall attend to Council duties and meetings unless his suspension is approved.

4. If there is no change in the member's conduct within three months in spite of suspension the Chairman shall recommend to the Secretary of State his removal from the Council.

5. The Chairman may warn a member for minor offence such as an unjustified absence from a meeting but unjustified absence from three

consecutive meetings shall constitute a serious offence warranting his removal.

Article 54

*Adjournment*

1. A meeting may be adjourned:

(a) for lack of quorum;

(b) for want of time to complete or amend the agenda;

(c) when the Chairman is unable to conduct the meeting, on account of the unruly conduct of a member or members;

and (d) for an emergency the nature of which shall be disclosed to the meeting.

Article 55

*Postponment*

1. A meeting may be postponed by the Chairman:

(a) on the proposal of half of the members;

and (b) when exigency does not allow the holding of the meeting as previously scheduled.

2. When postponing a meeting the Chairman shall give ample time to the Secretary to give advance notice of the postponement to the members and the Secretary shall do so forthwith stating the ground thereof.

Article 56

*The Secretary to the Council*

1. The Regional Executive Secretary and the District Executive Secretary shall be Secretaries to their respective councils in accordance with Article 9(b) and 13(c) of the Law.

2. The Secretary shall be responsible to the Council through the Chairman.

3. The Secretary shall come under the direct supervision and control of the Chairman.

4. He shall be the head of, and be responsible for, the secretariat of the Council.

5. He shall have in his custody all files, documents, etc. which belong to the Council.

6.. The Secretary shall:

- (a) on the order of the Chairman prepare and sign the notification order for a meeting;
  - (b) prepare the agenda for a meeting in consultation with the Chairman;
  - (c) attend the meetings of the Council;
  - (d) make the necessary roll calls during the meeting;
  - (e) record and prepare the minutes of the meeting;
  - (f) sign the minutes of the meeting;
  - (g) brief, advise, or express his opinion to the Council or to a committee of the Council if he is permitted or asked by the Chairman to do so;
  - (h) prepare the Assembly Hall or another place for Council meeting;
  - (i) assign a secretary to each committee of the Council;
- and (j) perform such duty as may be assigned to him by the Chairman in connection with Council affairs.

## Chapter V.

### RESPONSIBILITIES, PRIVILEGES, AND CONDUCT OF COUNCIL MEMBERS

#### Article 57

##### *Responsibilities and conduct of members*

1. Each member shall be of a high moral character.
2. He shall place the interest of the Nation and the Council before his own.
3. He shall promote the aims and the ideals of the glorious 21st October Revolution.

4. He shall assist the Chairman in the attainment of good local government.

5. He shall attend and participate in the debates, voting, etc. of the Council, its committees, or sub-committees.

6. He shall conduct himself while in a meeting in such a manner that his speeches or actions are not offensive or injurious to any person.

7. He shall obey lawful orders of the Chairman.

8. He shall not use his office to influence matters inside or outside the Council provided these matters touch on his personal interests of the interests of a member of his family or of a personal friend or of a creditor.

9. He shall disclose to the Council his property and the property of his family and shall submit a written and signed declaration to this effect.

10. He shall avoid all corrupt practices.

11. He shall not evade taxes, fees, or rates payable by him to the Government or the Council.

12. He shall be personally responsible for the decisions of the Council, irrespective of whether these decisions are contrary to his views or not.

13. He shall not absent himself from Council meeting or the meetings of its committees or sub-committees except with the prior authorisation of the Chairman.

## Article 58

### *Privileges of Members*

1. A member shall be allowed to express his views as forcefully as he can subject to the provisions of the regulations on the conduct of members.

2. He may draw such remuneration as may be allowed by Law.

3. He may attend ceremonies and public functions of the Council.

4. He may be given the Chairman a leave of absence not exceeding six months on grounds of illness, family problem, study, or any on other reasonable grounds.

5. He may look into files and the records of the Council for information in the presence of the appropriate custodian of the records

unless they are marked «Confidential» in which case the permission of the Chairman shall be necessary.

## Chapter VI.

### MISCELLANEOUS

#### Article 59.

##### *Executive of Council Decisions*

1. The primary responsibility for the execution of the decisions of the Regional Revolutionary Council shall rest on the Chairman of the Council and he shall always ensure that they are fully implemented. The following shall, therefore, be responsible to him for the implementation of the decisions of the Council.

- (a) the Secretary in respect of matters relating to staff and finance and matters the execution of which is assigned to him by the Chairman;
- (b) head of departments in respect of matters relating to the functions of their own departments;
- (c) any statutory or ad-hoc committee charged by the Council with the execution of matters relating to the committee functions;
- (d) the police in respect of matters relating to Public Order;
- (e) the Chairman District Revolutionary Council in respect of matters concerning their respective districts.

2. The execution of the decisions of the District Revolutionary Council shall primarily rest with the District Executive Secretary except in respect of matters relating to security and public order.

#### Article 60

##### *Channels of Communication*

1. Communications to the Government or the Secretary of State shall be made through the Chairman of the Regional Revolutionary Council except in cases of emergency.

2. Communications to Somali Diplomatic Missions abroad shall be channelled through the Secretary of State who shall send them to the Ministry of Foreign Affairs.

3. Communication with a foreign government or foreign government institutions shall not take place except with prior authorization of the Secretary of State.

4. A committee shall submit their minutes of meeting to the Chairman of the Council through their respective Chairman.

5. Communication with private institution abroad shall not take place without the permission of the Secretary of State.

6. The Chairman of the Regional Revolutionary Council, the Regional Executive Secretary, or the Chairman of a committee of the Regional Executive Secretary, or the Chairman of a committee of the Regional Revolutionary Council may have direct communication with a District Revolutionary Council Chairman and the Chairman of the District Revolutionary Council may also have direct communication with them.

7. Heads of Regional Department may Communicate directly with the Chairman of the District Revolutionary Council and vice versa.

8. Heads of Departments may communicate directly with their respective Ministries only for technical matters. Likewise heads of services in the districts may communicate directly with their respective Regional Heads of Departments for technical matters only.

#### Article 61

##### *Inspections*

1. The following authorities may make inspections in the region:

(a) Supreme Revolutionary Council members;

(b) the Secretary of State;

(c) the Secretary of State of any Ministry or his director-general or directors for matters relating to the activities of their Ministries;

(d) the Director-general and the Directors of the Ministry of Interior;

and (e) Special commission appointed by the Government.

2. At the end of each inspection a report shall be submitted to the Secretary of State, or to the competent Ministry in technical matters, and a copy of the report may be given to the Chairman of the Regional Revolutionary Council concerned.

3. The following authorities may make inspections in the Districts:

(a) the Chairman of the Regional Revolutionary Council;



- (b) the Regional Executive Secretary;
  - (c) the Regional Heads of Departments in respect of matters relating to their departments;
- and (d) the committee chairman in respect of matters relating to functions of his committee.

4. At the end of each inspection a report shall be prepared for the Regional Revolutionary Council and submitted to the Chairman.

## Article 62

### *Government Supervision, Guidance, and Control*

The Government shall exercise supervision, guidance, and control over all tiers of local government in the following manner:

1. Through the Secretary of State who shall have authority:
  - (a) to formulate general policies, guidelines, and procedures, and to explain government policy to the local government councils by way of circulars etc. from time to time;
  - (b) to review the decisions of local government councils and to approve, vary, or revoke them;
  - (c) to inspect and review the work and activities of local government councils and to see whether government policy and programmes have been implemented satisfactorily;
  - (d) to examine the accounts and the revenue of each local government council in accordance with the Financial and Stores Regulation;
  - (e) to pass on the recommendation of special commissions, inspections teams, etc. to the other Ministries or to the local government councils for study and implementation;
  - (f) to ensure that local government staff are charged with revolutionary zeal and are working in the interest of the local people;
  - (g) to keep a vigilant eye on the quality of the Councillors, particularly the Community Representatives, with a view to increase their knowledge and enhance their abilities;
  - (h) to make programmes for the development of local government staff and to provide, therefore, the various kinds of training

necessary for the increase of their knowledge and abilities either in the country or abroad.

2. Through the Secretary of State for Finance in all matters of financial control, in accordance with the Financial and Stores Regulations.

3. Through other Secretaries of State in matters which concern their respective ministries.

4. The above functions may be exercised by the director-general or the directors on behalf of their respective Secretaries of State.

### Article 63

#### *Periodical Reports*

1. The Chairman of the District Revolutionary Council shall send a Monthly Progress Report to the Chairman of the Regional Revolutionary Council and to the Regional Revolutionary Council a Quarterly Progress Report to be submitted at their ordinary meeting. These reports shall be based on the appraisal of the District Revolutionary Council of its activities in its ordinary meeting.

2. The Chairman of the Regional Revolutionary Council shall likewise send such reports about the progress of the region every month to the Secretary of State.

3. Each committee, whether statutory or not, shall give a monthly report to the council Chairman on the activities of the committee and to the Council a quarterly report to be submitted at each ordinary meeting.

4. The Village Revolutionary Council need not submit any report but the Council shall be kept informed by the Chairman of the District Revolutionary Council about the activities of the Village.

5. Heads of Departments shall give a brief report to the Regional Revolutionary Council in its ordinary meeting on the activities of their respective departments throughout the region, and shall submit this report through the Chairman of the Regional Revolutionary Council. The Chairman may ask the heads of regional departments to give on oral explanation of their reports to the Council.

### Chapter VII.

#### FINAL PROVISIONS

#### Article 64

#### *Abrogation*

Any regulation or provision contrary to these regulations is hereby abrogated.

Article 65

These regulations shall come into force immediately and shall be published in the Official Bulletin.

Mogadiscio, 14th July, 1973.

*Jaalle Major Gen. Husein Kulmie Afrah*  
SECRETARY OF STATE FOR INTERIOR

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**PARTE SECONDA**

**ERRATA CORRIGE**

Al Bollettino Ufficiale Suppl. n. 3 al n. 10 Bis .Codice del Lavoro 1972» all'Art. 91 Comma 2, pagina 323:

**LEGGASI :**

«2. La lavoratrice ha diritto, dietro esibizione di certificato medico indicante la data presunta del parto, ad un congedo di maternità della durata di quattordici settimane con paga dimezzata delle quali almeno sei dopo il parto, a condizione che essa abbia prestato la sua opera alle dipendenze del datore di lavoro per un periodo non inferiore a sei mesi senza alcuna interruzione dovuta a propria iniziativa, tranne che per malattia regolarmente accertata».

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