

— 775 —

Art. 3

Il presente Decreto ha efficacia immediata.

Mogadiscio, li 21 Luglio 1970.

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

IL SEGRETARIO DI STATO
alla Giustizia, AA. RR. e Lavoro
Prof. Abdulgani Scek Ahmed

VISTO e Registrato - Reg. n. 4, foglio n. 264.

Mogadiscio, li 28 Luglio 1970.

Il Magistrato ai Conti:

MOHAMUD ISSE SALWE

DECREE OF THE PRESIDENT OF THE SUPREME REVOLUTIONARY
COUNCIL No. 170 of 27 July 1970.
Rules of procedure of the Council of Secretaries.

THE PRESIDENT

OF THE SUPREME REVOLUTIONARY COUNCIL

HAVING SEEN the First Charter of the Revolution dated 21st October, 1969, and Law No. 1 dated 21st October, 1969;

HAVING SEEN Article 4 of the Law on the Organization of the Government, Law No. 14 dated 3rd June, 1962, as amended by Decree Law No. 1 dated 7th February, 1965, converted into law by Law No. 4 dated 1st June, 1965;

HAVING SEEN D. P. R. No. 13 dated 20th March, 1965, regarding the Organization and Institution of the Permanent Organs and Offices attached to the Presidency of the Council of Ministers;

CONSIDERING that it is necessary to issue rules governing the procedure of the Council of Secretaries;

HAVING HEARD the Council of Secretaries;

DECREES:

Article 1

The Rules of Procedure of the Council of Secretaries attached to this Decree is hereby approved and shall form an integral part thereof.

— 776 —

Article 2

D. P. R. No. 242 dated 11th December, 1967, governing the Rules of Procedure of the Council of Minister is hereby repealed.

Article 3

This Decree shall come into force on the day following the date of its publication in the Official Bulletin.

Mogadishu, 27th July, 1970.

Major General Mohamed Siad Barre
PRESIDENT
of the Supreme Revolutionary Council

RULES OF PROCEDURE OF THE COUNCIL OF SECRETARIES

CHAPTER I

**ORGANS OF THE COUNCIL OF SECRETARIES
AND THEIR FUNCTIONS**

Article 1

Council of Secretaries

1. The President of the Supreme Revolutionary Council and the Secretaries of State assembled together shall constitute the Council of Secretaries.
2. Officers and experts may also be called upon to participate in the meetings of the Council of Secretaries without the right to vote.

Article 2

Organs of the Council of Secretaries

The following shall be the organs of the Council of Secretaries:

- (i) President;
- (ii) Vice-President of the Supreme Revolutionary Council;
- (iii) Secretary;
- (iv) Deputy-Secretary;
- (v) Inter-ministerial Committees.

Article 3

President

1. The President of the Supreme Revolutionary Council shall be the President of the Council of Secretaries.

2. The President of the Supreme Revolutionary Council shall:

- (a) convene and preside over the meetings of the Council and determine the agenda;
- (b) authorize officers and experts to attend the meetings of the Council, as and when deemed necessary;
- (c) authorize the publication of communiqués and press notes concerning the meetings and decisions of the Council;
- (d) perform any other function attributed to him by any Law or Regulation.

3. In case of temporary vacancy, absence or inability of the President of the Supreme Revolutionary Council, the Vice-President of the Supreme Revolutionary Council shall perform the functions of the President. In case of temporary vacancy, absence or inability of the President and Vice-President, the functions of the President shall be performed by a Secretary of State designated by the President of the Supreme Revolutionary Council.

Article 4

Vice-President of the Supreme Revolutionary Council

In case of temporary vacancy, absence or inability of the President of the Supreme Revolutionary Council, the Vice-President of the Supreme Revolutionary Council, shall perform the functions of the President.

Article 5

Secretary

The Secretary of the Council of Secretaries shall be the executive organ of the Council. In such capacity, he shall:

- (a) receive documents sent by Secretaries of State for consideration by the Council of Secretaries, and provide for their registration. He may, stating the reasons therefor in writing, return any documents sent to the Council of Secretaries by any Ministry, where such document does not fulfil the requirements prescribed by the administrative provisions in force, and shall forthwith inform the President of the Council;
- (b) convene the meetings of the Council and prepare the agenda, as directed by the President;
- (c) draw up the records of the meetings of the Council and keep the relevant documents;
- (d) communicate the decisions adopted by the Council to the various Ministries or organs concerned;
- (e) issue, as directed by the President, communiques and press notes concerning the meetings and decisions of the Council to the press, radio or other means of communication;
- (f) perform any other duty assigned to him by the President.

Article 6

Deputy Secretary

1. In the performance of his functions, the Secretary of the Council of Secretaries may be assisted by a Deputy Secretary.
2. The Deputy Secretary shall be responsible to the Secretary.
3. He shall perform the duties assigned to him by the Secretary and shall temporarily substitute the Secretary in case of the latter's absence or inability.

Article 7

Interministerial Committees

1. Inter-ministerial Committees may be set up by the Council of Secretaries for the purpose of studying, considering or solving any specific problem.
2. Inter-ministerial Committees may be permanent or temporary, depending on the specific duties attributed to them.

CHAPTER II

CALLING OF MEETINGS OF THE COUNCIL OF SECRETARIES

Article 8

Agenda

1. The agenda of the meetings of the Council of Secretaries shall be determined by the President.
2. For this purpose, the Secretary, of his substitute, shall inform the President of the documents deposited in the office of the Secretary of the Council of Secretaries.
3. A matter shall not normally be included in the agenda where the documents relating thereto have not been deposited in the office of the Secretary of the Council of Secretaries at least two days prior to the meeting to which the agenda refers.
4. Notwithstanding the above provisions, the President may authorize the inclusion of any matter in the agenda.

Article 9

Ordinary meetings

The calling of ordinary meetings of the Council of Secretaries shall be decided by the President, who shall inform the Secretary in time.

Article 10

Notice of the calling of meeting

The notice of the calling of meeting and the agenda of the meeting shall be drawn up by the Secretary or a person delegated by him, and shall indicate the date, time and place of the meeting.

Article 11

Communication of notice

1. Subject to the provisions of Article 9 of these Rules, the notice of the calling of meeting and the agenda of the meeting shall be sent to the members of the Council of Secretaries at least twenty-four hours prior to the meeting.
2. Within the same period, the notice and the agenda shall be sent to the officers and experts, whose presence has expressly requested by the President.

Article 12

Extraordinary meetings

1. Notwithstanding the provisions of the preceding article, the President may, in case of urgent necessity, or where the internal or international security so demands, convene extraordinary meetings of the Council of Secretaries.

2. In such cases, the notice of the calling of meeting shall be communicated to the members of the Council by any possible means.

CHAPTER III

MEETINGS OF THE COUNCIL OF SECRETARIES

Article 13

Place of meetings

1. The meetings of the Council of Secretaries shall normally be held in an appropriate room in the Presidency of the Council of Secretaries.

2. In cases of urgent necessity or for reasons of public order, security or secrecy, the meetings of the Council of Secretaries may be held in other places as designated from time to time by the President.

Article 14

Ordinary and extra-ordinary meetings

1. The ordinary meetings of the Council of Secretaries shall be held twice a week.

2. Extra-ordinary meetings of the Council may be convened for the reasons referred to in Article 12, paragraph 1, of these Rules as and when required.

Article 15

Quorum

The quorum for a meeting of the Council of Secretaries shall be the absolute majority of the members of the Council.

— 781 —

Article 16

Roll-Call

Before the opening of a meeting of the Council of Secretaries, the Secretary shall make a Roll-Call, and record names of those present and those absent.

Article 17

Opening of the meeting

1. After the Roll-Call, the President shall declare the meeting open and shall proceed with the agenda.
2. The President may ask the Secretary of State concerned to explain any item of the agenda under discussion with the assistance, if necessary, of officers or experts.

Article 18

Discussions

1. As a rule, the items which have not been previously included in the Agenda, shall not be discussed during an ordinary meeting of the Council.
2. The restriction referred to in the preceding paragraph shall not apply in case of extra-ordinary meetings.

Article 19

Intervention in the discussion

1. When any item of the agenda is under discussion, those who want to make observations or proposals or need clarifications, may ask the President for the floor.
2. The Secretary shall prepare a list of the members who desire to participate in the discussion, and the President shall give them the floor in the order noted in the list.

Article 20

Voting

1. When the discussion on any item of the agenda is over, the President shall, first, put to vote in the order of priority the amendments, if any, to the proposals made during the discussion and later put to vote the proposals.

2. The decisions of the Council of Secretaries shall be adopted by a simple majority of the members present and voting at the meeting.

3. Voting shall usually be by raising of hands.

4. Where there is a tie in the voting, the President shall have a casting vote.

Article 21

Modification or cancellation of decisions

Decisions of the Council of Secretaries may be modified or cancelled only if there are sufficient reasons to do so, provided that such modification or cancellation shall be adopted by a two-third majority of the members present and voting.

Article 22

Suspension and adjournment of the meeting

1. The President shall have the power to suspend or adjourn a meeting of the Council of Secretaries whenever he deems it necessary.

2. A meeting of the Council of Secretaries shall be suspended at any time when the number of the members present is less than the quorum prescribed by Article 15 of these Rules.

CHAPTER IV

CONDUCT AT MEETINGS

Article 23

Punctuality

1. The members of the Council shall be punctual in attending the meetings.

2. The above provision shall also apply to the officers and experts, who are asked to attend a meeting of the Council of Secretaries under the terms of Article 11 (2) of these Rules.

Article 24

Absence and inability

1. Where a Secretary of State is unable to attend a meeting of the Council, he shall inform the Secretary, stating the reason therefor. Such communication shall reach the Secretary at least one hour prior to the commencement of the meeting.

2. The above provision shall also apply to the officers and experts, who are asked to attend a meeting.

— 783 —

Article 25

*Members not to leave meeting of the Council
of Secretaries without permission*

When the Council of Secretaries is in session, the members shall not leave the meeting without the permission of the President.

Article 26

Discipline

The President shall maintain discipline in the meetings of the Council of Secretaries and shall have the power to take any step that he may deem fit in furtherance thereof.

CHAPTER V

RECORD OF MEETINGS OF THE COUNCIL OF SECRETARIES

Article 27

Record of meetings

Summary of speeches, proposals, recommendations and suggestions made by persons participating in a meeting of the Council of Secretaries and the decisions of the Council, shall be recorded by the Secretary.

Article 28

Register of decisions

The Secretary shall maintain an up-to-date general register of the decisions, in which all the decisions adopted by the Council of Secretaries shall be entered in chronological order and progressively numbered.

Mogadishu July, 1970.

Major General Mohamed Siad Barré
PRESIDENT
of the Supreme Revolutionary Council