

Republican resolution no. 22 of 2005 concerning the amendment of some articles of the Republican resolution no. 154 of 1995 concerning the establishment of General Authority of Water Resources

The President of the Republic,

By review of the Republic of Yemen constitution,

Law no. 35 of 1991 concerning public authorities, corporations and companies and its amendments,

Law no. 3 of 2004 concerning the Cabinet,

Republican resolution no. 154 of 1995 concerning the establishment of the General Authority of Water Resources,

Republican resolution no. 105 of 2003 concerning the formation of the government and nomination of its members,

Upon submittal of the Minister of Water and Environment and after approval of the Cabinet,

Resolved:

Article (1):

Articles (1, 2, 3, 4, 8, 9, 10, 13, 14, 15 and 18) of the Republican resolution no. 154 of 1995 establishing the General Authority of Water Resources are amended to render provisions as follows:

Article (1) In accordance to this resolution a public authority is established named the General Authority of Water Resources subject to the supervision of the Minister of Water and Environment.

Article (2) For the purposes of implementation of this resolution the following terms and expressions shall have the meanings indicated against each unless context indicates otherwise:

Minister:	Minister of Water and Environment.
Ministry:	Ministry of Water and Environment.
Authority:	The General Authority of Water Resources.
Board:	The Authority Board of Directors.
Chairman:	The Chairman of the Authority Board of Directors.

Article (3): The Authority enjoys the moral entity and shall have independent financial liability and is affiliated to the Minister.

Article (4): The headquarters of the Authority shall be in Sana'a city and upon a resolution of the Minister based on a proposal of the Board of Directors it may establish offices in the governorates of the Republic as required.

Article (8):

a- The management of the Authority is assumed by a Board of Directors formed as follows:

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|----|--|----------|
| 1- | Authority Chairman | Chairman |
| 2- | Authority Deputy | Member |
| 3- | Representative of the Ministry of Water & Environment | Member |
| 4- | Representative of the Ministry of Planning & International Cooperation | Member |
| 5- | Representative of the Ministry of Agriculture and Irrigation | Member |
| 6- | Representative of the Ministry of Local Administration | Member |
| 7- | Representative of the General Authority of Environment Protection | Member |
| 8- | Representative of the General Authority of Rural Water Projects | Member |
| 9- | A person of expertise and competence in the field of water resources elected by the Chairman after approval of Board members and appointed by a resolution of the Minister for two renewable years | Member |

b- The nomination of the above board members in items 3, 4, 5, 6, 7, 8 of paragraph (a) of this article is issued by a resolution of the Minister upon candidacy of the represented parties.

Article (9):

a- The Authority Board of Directors exercises the following tasks and competencies:

- 1- Study and approve draft policies and strategies of water.
- 2- Issue internal decisions and regulations related to financial, administrative and technical affairs of the Authority in accordance to applicable legislations.

- 3- Design bylaws related to appointment, promotion, secondment, transfer and dismissal of the Authority employees in accordance to applicable legislations.
 - 4- Study and approve periodical reports filed thereto about the Authority activity and work progress.
 - 5- Evaluate the financial position of the Authority, approve its annual plan and decide its budget draft.
 - 6- Consider issues proposed by the Minister or submitted by the Chairman of matters within the authority competence.
- b- Minutes and decisions of the Board of Directors are submitted to the Minister for approval in accordance to applicable legislations.

Article (10): The Board is convened by invitation of the Chairman once each month at least or whenever required and it may be convened by invitation of the Minister or one third of the Board members.

Article (13): The Board may invite whoever it deems attendance necessary of employees of relevant parties to the Authority activity or those of expertise and competence to attend its sessions without having any voting right in the Board deliberations.

Article (14):

- a- After agreement of the Board the Chairman may form a specialized work group composed of the Authority representatives and relevant parties to temporary carry out a specific work or mission within the scope of the Authority activity.
- b- Results concluded by the work group indicated in precedent paragraph are considered consultative tasks presented to the Board of Directors to decide thereupon.

Article (15): The Board of Directors is chaired by a full time chairman of those reputed by having experience and competency in the field of water resources management with a deputy minister grade whose appointment is issued by a republican resolution upon nomination of the Minister and submittal of the Prime Minister and shall be the executive chairman of

the Authority to assume the management of the administrative, technical and financial daily affairs and shall have particularly the right to exercise the following tasks and competencies:

- a- Represent the Authority in its relations with others and before the judiciary.
- b- Prepare and arrange for meetings of the Board of Directors and chair meetings.
- c- Communicate the resolutions of the Board of Director to relevant parties, follow up implementation and submit periodical reports about the level of implementation.
- d- Propose modifications to the Authority organizational structure to assure performance efficacy of tasks provided by this resolution and file recommendations to the Board of Directors for approval.
- e- Conclude contracts and other acts and relations related to the Authority activity in accordance to the provisions of applicable laws, bylaws and regulations.
- f- Prepare periodical reports to the Board of Directors about the Authority activity, level of performance, difficulties and obstructions that may obstruct work progress and propose solutions and remedies as well as filing mid-year similar reports to the Minister.
- g- Propose the appointment, promotion, secondment, transfer and dismissal of the Authority employees and apply disciplinary penalties thereto in accordance to applicable laws and regulations.
- h- Propose qualification and training plans and programs of the Authority employees in accordance to work requirements and needs.
- i- Propose the annual work plan and budget of the Authority, implement after approval and submit final accounts and provide the board or any other relevant party with data or information that may be requested in timely manner in consistence with the provisions of applicable laws and regulations.
- j- Take urgent measures in emergency cases and natural catastrophes events related to water resources after submittal to the Minister.
- k- Any other tasks or responsibilities related to the Authority tasks or assigned by the Board or the Minister.

Article (18): The Authority shall have a deputy reputed by experience and competence in the field of water resources management

and a republican resolution shall be issued by his appointment based on a proposal of the Authority Chairman, nomination of the Minister and approval of the Cabinet and the Authority organizational bylaw shall define his tasks and competencies.

Article (2):

Article (17) of Republican resolution no. 154 of 1995 related to the establishment of the General Authority of Water Resources is cancelled.

Article (3):

The term Prime Minister is substituted by the term Minister of Water and Environment wherever indicated in article (16) of Republican resolution no. 154 of 1995 establishing the General Authority of Water Resources.

Article (4):

These amendments are considered an integral part of Republican resolution no. 154 of 1995 establishing the General Authority of Water Resources and shall be read therewith.

Article (5):

This resolution is effected as of the date of issue and shall be published in the official gazette.

Issued at the Presidency of the Republic in Sana'a

Date: 10 Moharam 1426 A.H
Corresponding to: 19 February 2005

Dr. Mohamed Lutf Al-Iriani
Minister of Water and Environment
Signature

AbdulKader Bagamal
Prime Minister
Signature

Ali Abdullah Saleh
President of the Republic
Signature