

1992, CONSTITUTION OF THE JOINT AUTHORITY FOR THE STUDY AND DEVELOPMENT OF THE NUBIAN SANDSTONE AQUIFER WATERS, (ENGLISH TRANSLATION)

Constitution of the Joint Authority for the Study and Development of the Nubian Sandstone Aquifer Waters

“Chapter one”

Establishment, headquarters, purpose and membership

Article (1)

An authority has been established between the signed countries under the name “Joint Authority for the Study and Development of the Nubian Sandstone Aquifer Waters”

Article (2)

The Headquarters of the Authority shall be in Tripoli, Great Socialist People’s Libyan Arab Jamahiriya. The Board of Directors may establish branches or offices inside or outside the member countries.

Article (3)

The Authority shall undertake the following tasks:

- (1) Collection of all information, data, and results of studies made by relevant countries. Classifying, analysing and correlating such information, data and study results.*
- (2) Prepare and execute all complementary studies required for the determination of the complete features of this Aquifer as to quantity and quality.
- (3) Develop programmes and plans for the utilisation of water, propose a common policy for the development and utilisation of water resources, nationally and regionally, execution of the common policy for water resources, and drawing plans, programmes and the necessary frameworks for their execution.
- (4) Adopt scientific basis for water management of this Aquifer.
- (5) Establish co-operation in the field of training and habitation activities related to water resources.
- (6) Undertake to ration the consumption of Nubian Sandstone Aquifer Waters in member countries.
- (7) Study of environmental aspects of underground Aquifer development, desertification control and renewable energy use.
- (8) Organise symposiums and disseminate information on this Aquifer and to consolidate relationship with relevant regional and international organisations and institutions.*

Article (4)

Other countries may join this Authority, provided that such countries are within the Nubian Sandstone Aquifer countries.

“Chapter Two”

Authority Management

Article (5)

A board of directors consisting of three part time members for each member country shall manage the Authority. The Directors shall be appointed by the Minister of public works and water resources of Arab Republic of Egypt and the Secretary of General People's Committee for Agricultural Land Reclamation and Animal Wealth of the Great Jamahiriya and their counterparts in member countries.

Article (6)

Chairmanship of the Board of Director of this authority shall be on a rotation basis. The competent Secretary or Minister shall appoint the Chairman, for the duration of one year.

Article (7)

The Board of Directors shall hold its meetings in the main offices of the authority once every four months, to be convened by the chairman. Meetings may be held outside the main offices at the place indicated in the convention notice, and may be held on other dates at the request of a member country. The call for meeting made by the chairman shall be in writing, stating date and place of meeting and the agenda, three weeks before the date of meeting.

Article (8)

A Board meeting shall only be valid if attended at least by two thirds of members from each party. In the failure to attain such quorum, the meeting shall be deemed as valid if attended by any number of members after the second call. Resolutions of the Board of Directors shall be made by the majority of the present voting members, provided that the agreement of two thirds of the members on the following resolutions:

- (1) Resolutions in regard to Budget consideration and approval.
- (2) Resolutions with respect to proposals for establishing relationships with regional and international organisations and institutions and donor countries.
- (3) Resolutions on the opening of branches or offices in founder countries or new members countries.

Article (9)

The Chairman of the Board of Directors or his deputy may invite representatives of international organisations, and donor countries and institutions to attend the meetings of the Board of Directors as observers.

Article (10)

The Board of Directors shall undertake to carryout all works related to the management of the Authority Affairs, consider all the necessary means for the achievement of its interests, guiding its activities towards meeting its goals and in particular:

- (1) Payment of initial expenses for establishment and registering the authority making all the necessary procedures and the determination of general administration expenses or the establishment period.
- (2) Audit and approve the authority's annual draft budget.
- (3) Draw an annual report on the authority's activities at the end of each financial year, and submit it to the governments of member countries to be sent by certified mail to the concerned authorities.
- (4) Establish branches and offices for the Authority inside or outside member countries.
- (5) Appoint a general Director for the Authority and define his duties.
- (6) *Appoint Directors for branches and offices to be opened in accordance to this constitution.*
- (7) Draw plans and polices aimed to the achievement of the purposes of the Authority.
- (8) Issue By-laws and instructions for the management of administrative and financial affairs.
- (9) Approve the organisational structure and personnel cadre of the authority, to be proposed by the Executive General Director.

Article (11)

The Chairman of the Board of Directors shall represent the Authority in its relation with others and before courts. Also he shall act on behalf of the Authority in signing contracts and agreements in accordance with the recommendations of the Board of Directors.

Article (12)

The Chairman of the Board of Directors shall be paid an annual remuneration of USD (), and each board member USD ().

Article (13)

The Authority shall have an Executive General Director, appointed by a resolution of the Board of Directors, which shall also decide on his salary, with work term of three renewable full years, to exercise the following powers:

- (1) Execution of the recommendations and resolutions of the Board of Directors.
- (2) Follow-up technical studies related to the activities of the Authority.
- (3) Record meeting minutes and decisions of the Board of Directors.
- (4) Direct supervision of the technical, administrative and financial departments of the Authority.
- (5) Execute memos and letters related to the Authority operations and activities.
- (6) Any other works assigned by the Board of Directors of the Authority.

Article (14)

The Authority shall have an administrative body including a number of technical, administrative, legal personnel and others to perform jobs concerned with the achievement of the Authority's objectives, and to execute recommendations and resolutions of the Board of Directors.

The number and powers of these personnel shall be determined in accordance to the organisational structure and personnel cadre proposed by the Executive General Director of the Authority, be approved by the Board of Directors as per Paragraph nine in article ten of this constitution.

(Article 15)

The necessary personnel shall be selected to work with the Authority on transfer basis, from member countries governments. The Authority shall bear all the necessary costs. The Authority may fill certain department posts by appointment or inclusive remuneration.

“Chapter three”
Budget, Accounts and Financial Resources

Article (16)

The governments of member countries shall bear budget funds for the Authority on equal shares. Governments shall observe the payment of all financial funds required for budget, in order to enable the Authority to execute its mission.

Article (17)

The Authority shall draw an annual budget, which will include the necessary financial funds for that year. The Board of Directors shall submit the draft budget to the governments of the member countries three months before the beginning of the financial year of the Authority.

Article (18)

The fiscal year of the Authority’s budget shall commence and ends by the beginning and end of the financial year of the country in which the Authority Headquarters are located.

Article (19)

An account or more shall be opened in a transferable currencies and local currency with a bank operating in the Authority’s seat country, in which accounts the annual funds are deposited for expenditure the limits defined in the budget. Other accounts may be opened in member countries. The fiscal year of the Authority’s budget shall commence and ends by the beginning and end of the financial year of the country in which the Authority Headquarters are located

Article (20)

Expenditure shall only be approved within the limits of the funds allocated in the budget, with no funds to be used for other purposes unless approved by the Board of Directors.

Article (21)

Financial resources of the Authority shall consist of annual contributions from member countries and donations from national and international institutions and organizations and donor countries.

Article (22)

The Authority may enter into financial obligations against future annual budgets for operations extending for more than one year, provided that the value of obligations or relevant contracts shall not be in excess of total allocated costs.

Article (23)

The Executive General Director of the Authority shall prepare final accounts for the annual budget of the Authority within at maximum three months before the end of the financial year to be submitted for approval by the Board of Directors, after having been audited by a certified accountant.

“Chapter four”
General Provisions

Article (24)

The Authority- shall have a corporate body with relevant rights. The Board of Directors shall draw internal By-laws, administrative and financial regulations without being bound by the regulations current in member countries, such regulations shall be issued by resolutions of the Board of Directors.

Article (25)

Financial and administrative regulations adopted by Arab States League and its organisations shall apply until detailed financial and administrative regulations for the Authority shall be made.

Article (26)

The Board of Directors of the Authority may amend certain items in this By-laws if necessary, subject to approval of two thirds of the Board of Directors.

Article (27)

This By-Laws will all come into force as of approval date.