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Resolution No. (216)

Date : 23rd- Ragab- 1415 H.

26-12-1994 A.D.

In accordance with the provisions of Para. (A) of Article (42) of the Constitution,

The Revolutionary Command Council have decided to promulgate the following Law:

Law No. (27) of 1994

First Amendment to the Law of Cooperation No. (15) of 1992

Article - 1

Article No. (2) of the Cooperation Law No. (15) of 1992 shall be abrogated and substituted by the following:

article - 2 -

The following cooperative organizations shall be established by virtue of the provisions of this Law;

- 1- General Federation of Cooperation.
- 2- The Cooperative Committee for Supervision and Following up in the Governorate.
- 3- Cooperative Associations .
- 4- Cooperation Fund.
- 5- Institute of Cooperative Preparation and Training.

Article - 2 -

Article - 3 - of the law shall be abrogated and substituted by the following:

article - 3 -

- 1- The General Federation of Cooperation is a cooperative organization represents the cooperative movement in Iraq in its different sectors except what has been regulated by it under special law and it has a juristic personality, and Council of Ministers may supervise over the cooperative activity and the approval of the annual plan of the federation, and it may issue the required resolutions when there is a mistake or deviation in applying the plan adopted by the Council.
- 2- The General Body of the General Federation for cooperation is the higher authority therein which puts its general policy, and shall

consist of all the members of cooperative committees for supervision and following up in the Governorates.

A- The General Body shall meet once at least annually by an invitation from the administration Board of the federation, and its meetings shall be held by the Presidency of the Federation's head and the presence of the most of the number of its members, and in case of the non completion of the quorum, the meeting shall be postponed for (15) days, and the meeting shall be considered as being-held whatever the number of the attendants may be.

B- The resolution shall be taken in the general held whatever the number of the attendants votes,
and in case of equality of the votes the head of the general body shall have the casting vote.

Article - 3 -

Firstly - Item (A) of Para (1) and Para (2) of Article (4) of the Law shall be abrogated and substituted by the following:

- 1- Eight members elected by the General Body of the Federation representing all kinds of cooperative societies as members.
- 2- The membership period of members mentioned in Item (A) of Para. (1) of this Article shall be four years nonrenewable and the General Body may renew the membership of help of the number of members for other four years nonrenewable.

Article - 4 -

Article (5) of this Law shall be abrogated and substituted by the following:

article - 5 -

- 1- The administration Board of the general federation shall undertake the general supervision, planing, controlling and coordination of the activities of cooperative Societies, the fund of cooperation, Institute of cooperation and training, and the programming of the cooperation movement according to the central aims of the State

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and especially the following:-

- A- Suggesting the annual plan of the general federation of cooperation and submitting it to the Council of Ministers for discussing and approving thereof.
 - B- Discussing and unifying the plans of cooperative training and their approval and submitting same to the Council of Minister for their approval.
 - C- Writing off the funds related to the center of General Federation, cooperation fund and the institute in what not more than (25000) twenty five thousands dinars for each case and submitting the matter to the General Body in what not to exceed on that .
 - D- Following up the execution of the plans and submitting an annual report thereon to the Council of Ministers.
 - E- Discussing and approving the annual financial budgets, the final accounts, and the cadre of the personnel of the general federation, cooperation fund and the institute.
 - F- Organizing the foriegn relations of the general federation and representing it in the Arab, International circles and conferences.
 - G- Issuing the printings concerned with the cooperative movement.
 - H- The acquaintance on the minutes of the cooperative committees for supervision and following up in the governorates and the investigation of their obligation with the provisions of law, regulations and Instructions issued accordingly, and in case of disagreement between the general federation and the ceoperative committee for supervision and following up in the governorates, the matter shall be submitted to the Council of Ministers to take the decision on it.
- 2- The administration Board may authorize its chairman the competency stipulated in Item (D) of Para. (1) of this Article.

Article - 5 -

- A- The title of Chapter (4) of the Law shall be (The Cooperative Committees for supervision and following up in the governorates)

instead of the title of (The qualitative cooperative federation).

- B- Article (6) of the Law shall be abrogated and substituted by the following:

article -6 -

- 1-A- The Cooperative Committee for supervision and following up) shall be connected with the governor, and shall be consisted of five members nominated from among the members of the administrative Boards of the cooperative societies in the governorates,
 - B- The head of the committee, his deputy and the secretary shall be elected form among its members.
 - C- The period of membership in the Committee shall be four years renewable once only.
- 2- The Committee shall undertake the following:-
- A- Coordination among the activities of cooperative Societies and their Programming.
 - B- The planning for cooperative activity on the governorate level.
 - C- The supervision over the well doing of Cooperative Societies of their duties and tasks.
 - D- Following up the plans and programmes of Cooperative Societies.
 - E- Submitting of periodical reports every three months to the governor and the Diwan of **Financial Control** about the activities of cooperative Societies and it may submit the urgent reports as required and according to its estimation.
- 3- The committee's resolutions shall be binding and liable to execution by the cooperative Societies after the approval of the Governor thereon.
- 4- The governorate may supervise the application of the annual plan decided by the Council of Ministers and the promulgation of the required resolutions at the occurrence of fault or deviation in their application.

Article - 6 -

- A- The phrase (The Cooperative Committee for supervision and following up in the gover-

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norate) shall substitute the phrase (The Qualitative Cooperative Association) or (The Competent Qualitative Cooperative Association) or (The qualitative Association) wherever mentioned in Articles (8,25,40) of the Law.

- E- The phrase (The General Federation for Cooperation) shall substitute the phrase (The competent qualitative Association) mentioned in Para (1) of Article (12) of the Law.

Article - 7 -

Article (10) of the Law shall be abrogated and substituted by the following:

article - 10 -

- 1- The following shall be provided on every one accepted as a member in the Society:-
 - A- To be an Iraqi and the Arab subject residing in Iraq is permitted to join in the society.
 - B- Attained the 18 years of age.
 - C- Not to be affiliated to any other Society of Similar activity.
 - D- He must agree on the internal regulation of the society and acting on its application.
- 2- There shall be provided in any person accepted as a member in the consumer society in addition to the conditions stipulated in Para. (1) of this Article to be:-
 - A- An official in one of the State departments or the Socialist sector,
 - B- or Retired .
 - C- or from those covered by the law of social welfare No. (126) of 1980.
 - D- or from the poor or the indigents by a confirmation from the People Council or the mayor of the region or district where he lives.
- 3- It is permissible to establish other consumer cooperative societies according to the provisions of Para (1) of this Article in addition to the consumptive cooperative Associations stipulated in Para. (2-A) of this Article.

Article - 8 -

Items (B), (C) and (D) of Para. 4 of the

Article (13) of the Law shall be deleted and substituted by the following:-

- B- Decision of the discharge shall be taken by the Administration Board.
- C- The discharged has the right to object on the discharge decision before the General Federation during 30 days from the date of being notified in it and the federation shall decide in the objection within 30 days from the date of registering the objection in the incoming register, and its decision in this respect shall be final, and if it did not decide in the objection during the said period, the objection shall be considered as being accepted by virtue of the Law.

Article - 9 -

Para. (3) of Article (16) of the Law shall be deleted and substituted by the following:

- 3- Period of the membership in the administration board shall be for four years non-renewable and the General Body may renew the membership of half of the members number into another four years nonrenewable.

Article - 10 -

The beginning of Para. (1) and the two paras. (2) and (3) of Article (20) of the Law shall be deleted and substituted by the following:-

- 1- The administration Board of the Cooperative Society subjected to the provisions of this Law may delete the properties and finances related to the society according to the following bases.
- 2- The cooperative organizations of the depended bases, criteria and procedures shall be depended thereupon in the establishments of socialist sector in measuring, defining, and treating the natural loss or damaged occurred in the agricultural crops
- 3- The Resolutions taken by the councils of the cooperative societies administrations in the issues mentioned in para (1) of this Article shall be subject to the approval of the governor according

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to the recommendation of the cooperative committee in the governorate.

Article - 11 -

Article (21) of this law shall be deleted and substituted by the following.

article - 21 -

- 1- After the approval of the general Body of the Society and the Cooperative Committee for supervision on the final accounts attached therewith the report of the council and the report of the Diwan of financial Control, the net return shall be distributed on the following:-

40% for the general reserve of the society.

2% for the General Federation of Cooperation.

5% for the cooperative committee for supervision and following up.

13% for the Cooperation Fund.

5% for the social services specialized for the interests of the members according to the instructions issued by the General Federation of Cooperation.

30% for the members according to the value of their shares provided that they shall not be more than 25% from the value of the shares conscripted therein and the residual shall be paid to the cooperation fund.

4% A reward for the members of the administration council, the control committee, and the members of other committees other than members of the Administration Council and the control committee.

1% for the workers according to their advantage in the performance.

- 2- The accumulated cash surplus of the need of the general federation and the cooperative committees for supervision and following up shall be circulated to the next fiscal year.
- 3- The General Federation of Cooperation and the Cooperative Committees for supervision and following up, may invest the surplus of the receipts allocated to them in exploitation's projects that are serving the coopera-

tive organizations.

- 4- There shall be allocated for the chairman and members of Board of Directors of the General Federation for Cooperation, the Cooperative Committees for supervision and following up in the Governorate, and the Cooperative fund and other committees attached from their special resources, an annual remuneration according to instructions issued by the Federation and to be approved thereon by Council of Ministers.

Article - 12 -

Para. (1) of Article (22) of the Law shall be cancelled and substituted by the following:-

- 1- The Association shall exercise its activities according to an annual plan prepared by its Administrative Board in coordination with the competent authority and to be agreed upon by the General Body of the Association provided that it should be emanated from the requirements of the development of the national economy and within the frame of the Development plan.

Article - 13 -

Para. (24) of the Law shall be cancelled and substituted by the following:-

article - 24 -

- 1- The Association, pursuant to a decision from its General Body may amalgamate into another Association of the same activity or of activity's consummation to form a new association and it has the right to merge with number of the Associations to formulate a new association in accordance with a decision from its General Body.
- 2- The cooperative committee for supervision and following up in the governorate may on exigency of the interest of the cooperative organization after the approval of the governor, merge a cooperation committee into another from the same activity of the integrated activity or amalgamate number of the similar integral of the cooperation as-

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sociations to form one cooperation association.

- 3- The internal regulation of the Association shall define the procedures of the joining and amalgamation, the manner of transferring the rights and obligations, and the formation of the administration Boards.
- 4- The administrative board of the Association may open branches or markets or any other utility to support the activity of the Association.

Article - 14 -

Item (A) of Para. (4) and Para. (5) of Article (25) of the Law shall be deleted and substituted by the following:-

- 4- A - The cooperative committee for supervision and following up may dissolve the administration Board of the Cooperative Association after the approval of the governor, whenever is confirmed to it the occurrence of transgresses or serious deviations in the application of the Law and the internal regulation, and it has the right to dissolve the controlling committee if it does not performs its duties on the proper phase, and the Administration Board or controlling committee may object on the dissolution decision before the General Federation of the Cooperation.
- 5- If the cooperative committee for supervision and follow up decided after the approval of the Governor to dissolve the Administrative Board of the Cooperative Association or the controlling committee therein, therefore, the governor should initiate to from interim administration council or tempor-

ary controlling committee provided of which the period of each one of them shall not exceed six months which shall be done during it to call up the General Body of the Cooperative Association for electing a new administration Board or a new controlling committee according to the rules decided in the internal regulation of the Cooperative Association.

Article - 15 -

Para. (3) of Article (27) of the Law shall be deleted and substituted by the following:-

- 3- Five members to be elected by the General Body of the General Federation for Cooperation from other than of the members of its Administration Board representing the sorts of the Cooperative Associations as members.

Article - 16 -

Para. (2) of Article (32) of the Law shall be deleted and substituted by the following:-

- 2- The annual Grant which is allocated by the General Federation of the Cooperation.

Article - 17 -

The two Paras. (6) and (7) of Article (34) of the Law shall be deleted and substituted by the following:-

- 6- The cooperative activity is a voluntary act which shall not be depended on the state's aids as a mainly form and in case of the State is carried out to submit a support or selling some of the products to the private sector, therefore, the

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priority shall be given to the cooperative associations.

- 7- The commercial places and ceilings which constitute a part of the housing complexes constructed by the State shall be leased by a suitable rate to the cooperative associations to manage these complexes except the utilities allocated to the State Departments that are responsible for rendering the public services therein, and the annual net returns of these associations shall be completely as a general reserve thereof, and this shall be as an exclusion from the provisions of Article (21) of this Law.

Article - 18 -

The following shall be added to Article (35) of the Law and it shall be para. (3) thereto:

Marketing of the products of the productive cooperation associations shall be restricted with the consumptive cooperation associations stipulated in Para. (2-A) of Article (10) of this Law.

Article - 19 -

Article (43) of the law shall be deleted and substituted by the following:-

article ~~43~~ -

The General Federation for Cooperation may prepare the internal regulations for the cooperative arrangements and submitting same to Council of Ministers for the approval thereon.

Article - 20 -

The Council of Ministers may issue instructions to facilitate the execution of the provisions of this Law.

Article - 21 -

This Law shall come into force after elapsing (180) one hundred and eighty days from the date of its publication in the Official Gazette.

Saddam Hussain

Chairman of the

Revolutionary Command Council

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