

LAWS

In the Name of the People

The Revolutionary Command Council

RESOLUTION No. (176)

**Date : 10 Jumada. Al- Akhira. 1414 H.,
24.11.1993 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. (18) OF 1993

THE BODY OF ADMINISTRATION AND INVESTMENT OF AWQAF PROPERTIES

Article 1

There shall be established a body in the name of (The Body of Administration and Investment of Awqaf Properties connected with Ministry of Awqaf and Religious Affairs and to be known hereinafter as (the Body).

Article 2

The Body shall have a juristic personality and financial and administrative independence and shall enjoy the legal capacity to achieve its aims stipulated in this Law and shall be represented by the director general or whoever he is authorized.

Article 3

The Body shall charge the following:-

- A. Administrating the endowment properties according to the legal provisions and the conditions of the endowers to the legal provisions and the conditions of the endowers to secure their safe according to the modern and developed manner of administration,
- B. Investing the Awqaf properties in a way to secure their development to achieve the economical advantage.
- C. Caring of implementation of the endowers conditions as to secure the soundness of disposing in the dedicated properties on the legal way.
- D. Supervising over the seized endowment properties and dealing with them according to the Law.
- E- Practising the functions of endowment Council in whatever has a relation with the

administration of the dedicated properties and their investments stipulated in the Awqaf legislations in exclusion from the supplemented endowments directed by curators.

Article 4

A. The Body shall be managed by a council in the name of (Body's Council) and shall be consisted of the following phase:-

- Firstly : Minister of Awqaf and Religious Affairs- as Chairman.
- Secondly : Three of jurisprudents- as members.
- Thirdly : Director General of the Body- as member.
- Fourthly : An expert in the economical and financial affairs- as member.
- Fifthly : An expert in the administrative and legal affairs- as member.
- Sixthly : An expert in the agriculture affairs- member.
- Seventhly : An expert in the agriculture affairs- as member.

B. The Chairman shall choose whoever replacing him for the chairmanship of the Council on his absence.

Article 5

- A. Director General of the Body, shall be appointed by a decision from Council of Ministers.
- B. The operation of nominating the members of the Council shall be undertaken by a decision of the Council of Ministers by a nomination by the Minister.
- C. The conditions of nomination the members of the Council and the appointment of Director General of the Body and his duties shall be defined by a regulation.

Article 6

The Council shall undertake the following functions:-

- A. Putting the general policy of the plans and the programmes of administrating and investing the endowment properties.
- B. Studying the following up yearly and periodically reports presented by the formations

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of the Body and tackling the obstacles and resolving the problems being presented within the implementation of the projects related thereto.

- C. The decision of material and monetary replacement in a way of achieving the advantages of the endowment properties.
- D. Deciding the rights and obligations of long and annual lease according to the procedures being legally decided.
- E. Discussing the annual budget of the Body and the approval thereupon.
- F. Approving the final accounts of the Body and confirming same.

Article 7

The affairs connected with holding of the council and the way of running its work and the dates of the meetings shall be determined by instructions issued by the Minister.

Article 8

A- The Body shall be consisted of the following sections:-

- Firstly : The Endowment Properties Section.
- Secondly : The Economical and Financial Section.
- Thirdly : The Administrative and Legal Section.
- Fourthly - Engineering Affairs Section B the specializations and functions of the sections and their formations, shall be determined by instructions.

Article 9

- A- The Chairman of the Council may create divisions to the body's sections and determine or amend their functions or emerge any one of them or disconnect their attachment or cancelling them according to the practical requirements.
- B- The Chairman of the Council may create subdivisions for the Body in the governorates in a level of sections if the work of the Body needs to have a division in the light of size and largeness of the Endowment Properties in that governorate.

Article 10

The finance of the Body shall be consisted of :-

- A. Profits and incomings of the Endowment Properties.
- B. Substitutes of the appropriation or exchanging.
- C. Whatever returns to the Body as gifts and contributions according to the Law.

Article 11

The Body shall have an independent budget of the general budget to be financed personally and their resources and annual expenses, shall be determined according to the legal provisions and the endowers conditions to achieve its aims.

Article 12

The rules of service stipulated in the Civil Service Law No. (24) of 1960) as amended shall be applied on the Body's Staff.

Article 13

The Chairman of the Body may grant the allowances and rewards to non officials of the Council members and the committees attached to the Body as well as granting the encouragement rewards to the Body's Staff according to instructions to be issued for this purpose.

Article 14

The Body shall be exempted from all taxes and duties.

Article 15

The financial affairs of the Body shall be subject to the control and audit of Diwan of Financial Control.

Article 16

Issuing regulations and instructions shall be permissible to facilitate the implementation of the provisions of this Law.

Article 17

This Law shall be operated as from the date of its publication in the Official Gazette.

Saddam Hussain

Chairman of the

Revolutionary Command Council

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