

PROCLAMATION No. 118 OF 1977

A PROCLAMATION TO PROVIDE FOR THE
ESTABLISHMENT OF THE VALLEYS AGRICULTURAL
DEVELOPMENT AUTHORITY

"ETHIOPIA TUKDEM"

WHEREAS, the promotion of the socio-economic progress of Ethiopia in accordance with socialist principles, requires that maximum use be made of its natural resources;

WHEREAS, irrigated agricultural development in the five valleys is the potential source for food and animal production as well as for cash and industrial crops which can play a vital role in the promotion of the socio-economic development of Ethiopia;

WHEREAS, the main river valleys of Ethiopia possess the natural and potential resources which can render their integrated development possible; and

WHEREAS, these objectives can best be achieved by the establishment of Valleys Agricultural Development Authority charged with the necessary powers and responsibilities;

THEREFORE, in accordance with Article 5(6) of the Redefinition of Powers and Responsibilities of the Provisional Military Administration Council and the Council of Ministers Proclamation No. 110/1977, it is hereby proclaimed as follows:

Short Title

This Proclamation may be cited as the "Valleys Agricultural Development Authority Establishment Proclamation No 118/1977."

Definitions

In this Proclamation unless the context otherwise requires:

- 1/ "Board" shall mean the Valleys Agricultural Development Authority Board;
- 2/ "Minister" and "Ministry" shall mean the Minister and Ministry of Agriculture and Settlement respectively.
- 3/ "River" shall include any river in the valley and all the tributaries thereof and the artificial means of controlling and diverting the flow of water which may be constructed within the specified river valley.

Establishment

There is hereby created a body to be known as the Valleys Agricultural Development Authority (hereinafter referred to as the "Authority") as an autonomous entity having juridical personality which shall have the powers and responsibilities as set out in this Proclamation.

4. Principal Office

The Authority shall have its principal office in Addis Ababa and may have branch offices elsewhere in Ethiopia.

5. Area of Jurisdiction

Subject to the national policy directives issued by the Ethiopian Water Resources Authority regarding water use, the Authority shall, for the purposes specified in Article 6 hereof have jurisdiction over lands and rivers comprising river valleys.

6. Objectives

The principal objectives of the Authority shall be to coordinate, regulate and supervise the development and utilization of the land and water resources of River Valleys for agricultural development.

7. Powers and Duties of the Authority

The Authority shall have all the powers necessary for the achievement of its objectives including the power:

- 1/ to establish river valleys Agricultural Development Agencies; and to define their powers and responsibilities;
- 2/ in cooperation with the concerned offices, to study or cause the study of agricultural resources of the river valleys;
- 3/ to prepare and implement plans and programmes for the development and use of agricultural resources in river valleys;
- 4/ to arrange for the administration, conservation, environmental protection, management and utilization of all agricultural resources in the river valleys and to coordinate all the agricultural development activities carried on by different governmental agencies;

- 5/ to cause to be set up the infrastructure required for the development and utilization of the agricultural resources of the river valleys;
- 6/ to design and construct major buildings, dams or civil engineering works for the purpose of agricultural development or employ others for the same;
- 7/ to fix and collect fees and charges for the use of water its supplies for agricultural development and for other facilities and services provided by it;
- 8/ to supervise and coordinate the activities of river valley development agencies;
- 9/ to enter into contracts and agreements;
- 10/ to sue and be sued in its own name;
- 11/ to acquire, own, possess, maintain and dispose of property to the extent necessary for carrying out its activities;
- 12/ to issue directives relating to the regulated use of water, land and other facilities and to the adoption of appropriate agricultural practices;
- 13/ to carry out other pertinent activities necessary for the attainment of its objectives.

8. Composition of the Authority

The Authority shall have:

- 1/ a Board;
- 2/ a General Manager; and
- 3/ the necessary personnel.

9. Members of the Board:

The Board shall have the following members:

- 1/ The Minister of Agriculture and Settlements Chairman
- 2/ A representative of the Ministry of Mines, Energy and Water Resources Member
- 3/ A representative of the Ministry of Industry.
- 4/ A representative of the Ministry of Interior.
- 5/ A representative of the Central Planning Commission Office.
- 6/ The General Manager of the Authority.

10. Meetings of the Board:

- 1/ The Board shall meet as often as the operations of the Authority require.
- 2/ The Board shall be convened at the request of the Chairman, or in accordance with its rules of procedure.
- 3/ The quorum for any meeting of the Board shall be the presence of the majority of its members.
- 4/ Decisions of the Board shall be made by majority vote and in case of a tie the Chairman shall have a casting vote.
- 5/ The Board may adopt its own rules of procedure.

11. Powers and Duties of the Board

- 1/ Subject to the other provisions of this Proclamation, all powers and duties of the Authority shall be vested in the Board.
- 2/ The principal duties of the Board shall be:
 - a) to lay down and issue the policy guidelines of the Authority;
 - b) to supervise and coordinate the operations and activities of the river valleys development agencies;

- c/ to approve the budget of the Authority,
- d) to submit an annual report to the Government;
- e) to approve the development strategy of the river valleys;
- f) to consider and approve major management recommendations;
- g) to delegate to the General Manager the powers necessary for the operations and direction of the Authority.

12. The General Manager

- 1/ The General Manager shall be appointed by the Government upon the recommendation of the Minister.
- 2/ The General Manager shall be the chief executive officer of the Authority and shall direct and supervise its operations subject to the general directions of the Board.
- 3/ Without limiting the generality of the foregoing, the General Manager shall have the following powers and duties:
 - a) to supervise and coordinate the development of River Valleys;
 - b) to organize and administer the Authority in accordance with Civil Service Commission laws;
 - c) to represent the Authority;
 - d) to submit to the Board budgetary plans and work programmes in accordance with the relevant Government directives;
 - e) to submit to the Board quarterly reports on the activities of the Authority;
 - f) to delegate his powers to other staff of the Authority whenever he deems it necessary for the activities of the Authority;
 - g) to perform such other duties as may be entrusted to him by the Board.

The Minister shall have the following responsibilities:

- 1/ to encourage and promote the objectives of the Authority;
- 2/ to assist the Authority to obtain all necessary Government support;
- 3/ to issue to the Authority the policy guidelines of the Government and to supervise and cause their implementation:

13. Budget

The Authority shall have funds from the following sources:

- 1/ money collected from any payments, fees or charges;
- 2/ money allotted to it by the government as may be necessary;

14. Fiscal Year, Accounts and Annual Reports

- 1/ The fiscal year of the Authority shall begin on the 1st day of Hamle and end on the 30th day of Sene.
- 2/ The Authority shall maintain books of accounts with supporting documents. It shall also issue detailed financial reports.
- 3/ The Authority shall be audited at least annually by the Auditor General or by auditors to be designated by him; the report of the auditors shall be submitted to the Board.
- 4/ The Authority shall, within 4 months from the close of the fiscal year, issue an annual financial report of the last fiscal year.

16. Repeals

- 1/ The Awash Valley Authority-Charter, General Notice No. 299 of 1962 is hereby repealed.
- 2/ Any legislation, in so far as it is inconsistent with the provisions of this Proclamation shall have no force with respect to matters provided for herein.

17. Power to Issue Regulations

The Minister may, upon the recommendation of the Board, issue regulations necessary for the proper implementation of this Proclamation.

18. Effective Date

This Proclamation shall enter into force on the date of its publication in the Negarit Gazeta.

Done at Addis Ababa, this 4th day of July, 1977

**THE PROVISIONAL MILITARY
ADMINISTRATION COUNCIL**

LEGAL NOTICE No. 53 OF 1977

AWASH VALLEY DEVELOPMENT AGENCY
ESTABLISHMENT REGULATIONS

"ETHIOPIA TIKDEM"

1. *Issuing Authority*

These Regulations are issued by the Minister of Agriculture and Settlement upon the recommendation of the Board of the Valleys Agricultural Development Authority pursuant to authority vested in him under Articles 7 (1) and 17 of the Valleys Agricultural Development Authority Establishment Proclamation No. 118/1977.

2. *Short Title*

These Regulations may be cited as the "Awash Valley Development Agency Establishment Regulation No. 53/1977."

3. *Definitions*

In these Regulations, unless the context otherwise requires;

- 1/ "Authority" shall mean the Valleys Agricultural Development Authority.
- 2/ "Awash River" shall include all the tributaries thereof and all artificial means of controlling and diverting the flow of water which may be constructed within the Awash Valley.
- 3/ "Valley" shall mean the Awash Valley.

4. *Establishment*

There is hereby established an autonomous agency to be known as the Awash Valley Development Agency (hereinafter referred to as the "Agency") which shall have powers and responsibilities as set out in these Regulations.

5. *Area of Jurisdiction*

The limits of the Valley, over which the Agency shall have exclusive jurisdiction for the purposes set forth herein, shall be the area comprising the watershed of the Awash Basin, as geographically defined.

6 Purposes

The Agency shall administer and develop the land and water resources of the Valley for development purposes.

7 Powers and Duties of the Agency

The Agency shall have the following powers:-

- 1/ to co-ordinate the activities of all Government and public bodies in respect of agricultural use and development of the resources of the Valley;
- 2/ to conduct studies of agricultural resources of the Valley;
- 3/ to prepare plans and programmes for the use and development of agricultural resources in the Valley;
- 4/ to issue directives relating to the use of water for irrigation, land and other facilities, and approve and accept appropriate agricultural practices;
- 5/ in consultation with the Ethiopian Water Resources Authority, to administer all water and water rights and control the flow of water of the Awash River;
- 6/ to assign water of the Valley for irrigation and to fix and collect fees and charges for the use of such water and other facilities;
- 7/ to set up infrastructures required for the development and utilization of agricultural resources of the Valley;
- 8/ in accordance with the directives set by the Authority to design and construct major civil engineering works for the purpose of agricultural development;
- 9/ with the approval of the Authority to establish executive and advisory bodies within the Agency as may be required;

the attainment of its objectives: . .

- 11/ to enter into contract and agreements;
- 12/ to sue and be sued in its own name; and
- 13/ acquire, own and transfer property.

8. Head Office

The Agency shall have its head office at an appropriate place as may be decided by the Authority, and may have branch offices;

9 Management

- 1/ The Agency shall have a General Manager and other staff as may be necessary.
- 2/ The General Manager of the Agency shall be appointed by the Government upon the recommendation of the Minister.
- 3/ The General Manager shall be the executive officer of the Agency and shall have the following powers and duties subject to the general supervision of the Authority:
 - a) to direct the management and operation of the Agency,
 - b) to keep the Authority currently informed on matters which require the Authority's attention, and to provide the Authority, as far as possible, with such data and advice as will facilitate the formulation of decisions and policies by the Authority;
 - c) to submit to the Authority for adoption drafts of measures or resolutions which are necessary to enable the Agency to achieve its purposes;

- d) to guide and supervise the administration and operations of the Agency in accordance with the provisions hereof and with the policies of the Authority;
 - e) to employ and dismiss all personnel and fix their salaries, wages, allowances, and other remunerations in accordance with Government regulations;
 - f) to make expenditure in accordance with the budget and the programmes of the Agency.
- 4/ The General Manager shall be the representative of the Agency and shall, in this capacity:
- a) represent the Agency in all its relations with other persons and institutions;
 - b) represent either personally or through counsel the Agency in any legal proceedings to which it is a party;
 - c) sign, individually or jointly with other persons, contracts and other agreements concluded by the Agency.
- 5/ The General Manager may delegate his power under sub-article (4) of this Article 9 to other employees of the Agency.

0 Budget

- 1/ The Agency's budget shall be determined by the Authority and approved by the Government;
- 2/ Money collected from any payments, fees or charges by the Agency shall be incorporated in its budget.

11. Books of Account and Fiscal Year

- 1/ The Agency shall keep appropriate records of receipts and expenditure according to accepted accounting principles and shall render such statements as the Auditor General may require.
- 2/ The fiscal year of the Agency shall begin on the first day of Hamle (July 8) and shall end on 30th day of Sene (July 7).

12. Audits

The Books of Accounts of the Agency shall be audited at least once a year by the Auditor General or by an auditor designated by him and the result of the audit shall be presented to the Board of the Authority.

13. Reporting

The Agency shall submit to the Authority annual and periodic reports on the development of its activities.

14. Transfer of Rights & Obligations

All assets and liabilities of the former Awash Valley Authority established by General Notice No. 299 of 1962 are hereby transferred to the Agency.

~~Effective Date~~

These Regulations shall come into effect on the date of their publication in the Negarit Gazette.

Done at Addis Ababa, this 4th day of July, 197

ZEGEYE ASFAW
Minister of Agriculture and Settlement