

## RESOLUTION No. (1445)

In the Name of the People,

The Revolutionary Command Council,

In accordance with the provisions of Para (a) of Article 42 and Article 52 of the Interim Constitution,

The Revolutionary Command Council have decided in their session held on 2/11/1981 to promulgate the following Law.

## LAW No. (116) OF 1981

### IRAQI COMPANY FOR CONTRACTS OF RECLAMATION OF LANDS

#### Article 1

1. There shall be established in accordance with this law a company in the name of (Iraqi Company for Contracts of Reclamation of Lands) to be attached with Council of Ministers or whoever is authorized and thereafter be known as the Company.
2. The Company shall aim to execute projects of reclamation the lands and enter as a contractor in this field.
3. Headquarters of the Company shall be in Baghdad and it may open branches inside and outside Iraq.
4. The Company shall have a juristic personality, financial and administrative independence and full legal competence to carry out its functions inside or outside the Country.

#### Article 2

The Company for the realization of its objectives, and in accordance with the provisions of this Law and the Laws and regulations in force shall :-

1. Carry out the legal behaviours and the works of administration as taking possession, concluding contracts like sale, purchase and borrowing with guarantee or without, mortgaging, leasing, renting and insurance, and the like.
2. Establish the factories and exploit quarries to make and produce the constructive material, for the purposes of implementing its schemes.
3. Cooperate with the companies and the national Arab and foreign organizations to implement projects on the basis of partnership or by the way of which the Board of Directors of the company may decide.

#### Article 3

1. Capital of the Company shall be I.D. (25) Twenty five millions Dinar and as in a manner of a loan accredited from allotments of the National Development Plan without interest provided that, the Capital should be refunded by 20% percent of the annual profits of the Company .
2. Profits of the Company shall be exempted from income tax for a period of five years.
3. Increase of the capital of the company shall be done on necessary by a proposal from the Board of Directors and the approval of Council of Ministers or whoever shall be authorized.

#### Article 4

1. The Company shall have a Board of Directors to undertake its affairs and shall be consisted of :-
  - A. Head of the Company — Chairman.
  - B. A representative from Ministry of Agricultural and Agrarian Reform in a grade of Director General — Member
  - C. A representative from the State Organization for the Reclamation of Lands

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in a grade of Director General — Member.

- D. An expert from those having specialization in the technical matters in the scope of the company's work — Member.
- C. An expert in the economical and Financial matter — Member .

They shall be chosen from outside of the company and to be appointed by Council of Ministers or whoever will be authorized.

- E. A representative for the Officials of the company to be nominated by the Company — — Member.
- F. A representative of the workers of the Company — Member.

2. The period and jurisdictions of Board of Directors together with the administrative divisions of the Company and its specializations shall be defined by a regulation.

## Article 5

1. The Council shall hold at least once meeting a month by an invitation from Council of Ministers or whoever will be authorized or by the Head of the Company, or by a request of four of the members and the quorum shall be valid by the attendance of two thirds of the members including Head of the Council or his deputy on his absence.
2. The Council shall elect a deputy to his Head from among its members in the first session to it of every year.
3. Decisions of the Council shall be issued by the majority of votes and in case of equality of votes the Head shall have a casting vote.
4. Decisions of the Council shall be submitted to the Council of Ministers for approval.
5. In case of objection occurred upon the decisions of the Council, the Council shall re-

consider thereof and if it insisted upon there by the majority of the two thirds, the Council shall convene a special session by the chairmanship of whoever shall be authorized by Council of Ministers and the decision which shall be issued by the majority of the members present shall be final.

## Article 6

1. The Company shall be headed by a President in a special grade, his salary shall be defined by a decision from the Revolution Command Council pursuant to proposal from Council of Ministers.
2. President of the Company is the supreme head of it, all the decisions and orders shall be issued in his name and he represents the company before the courts, committees, Official departments and the juristic and Corporeal personalities and may authorize these jurisdictions to the heads of the administrative divisions of the Company, and he may have the right of delegation to whoever acts on his behalf in his absence.

## Article 7

1. The commercial account rules in the financial regulation of the Company shall be taken into consideration and shall be defined by a decision from the Council, and the company shall not be bound with the financial and account rules in force in the Government departments.
2. Properties of the company shall be considered as State domains .
3. Debts of the Company shall be considered as preference debts and shall be collected in accordance with the Law of Collection, of Government Debts No. (56) of 1977.

## Article 8

The Company shall obtain all privileges stipulated in Law No. (157) of 1973 if it is entrusted to execute any project covered with the provisions of this Law.

**Article 9**

Rules of service applied on the State Company for the Contracts of water and Sewerage Projects established in accordance with Law No. (68) of 1977 shall be valid upon the staff of the Company.

**Article 10**

Those who are working in the company may be granted remunerations from its annual profits provided that not to exceed 300% percent of the monthly salary or wage according to instructions issued by the Board of Directors in this regard.

**Article 11**

The company shall exclude in the limits of realizing its purposes from the following provisions of the Laws and its amendments :-

1. Law of Regulating the Profits of Semi Official Organizations No. (83) of 1960.
2. Law of the allowances of the State Officials and its employees No. (93) of 1967.
3. Law of Developing and Regulating the Industrial Investment No. (22) of 1973.
4. Law of Selling the State Immovable Properties No. (115) of 1974.

**Article 12**

This Law shall come into force as from the date of its publication in the Official Gazette.

**Saddam Hussain**

**Chairman of the**

**Revolutionary Command Council**

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