

LAWS OF SOUTHERN SUDAN

**THE SOUTHERN SUDAN URBAN WATER
CORPORATION ACT, 2011**

LAWS OF SOUTHERN SUDAN

THE SOUTHERN SUDAN URBAN WATER CORPORATION

ACT, 2011

ARRANGEMENT OF SECTIONS

CHAPTER I

PRELIMINARY PROVISIONS

1. Title and Commencement.
2. Repeal and Saving.
3. Authority and Application.
4. Purpose.
5. Interpretation.

CHAPTER II

THE CORPORATION

6. Establishment of the Corporation.

CHAPTER III

ADMINISTRATIVE BODY OF THE CORPORATION:

7. Supervising the Corporation.
8. Appointment of the Board.
9. Eligibility of Appointment.
10. Appointment of the General Manager.
11. Removal and Resignation of the General Manager.
12. Functions and Powers of the Chair.
13. Function and Powers of the General Manager.

CHAPTER IV

SECRETARY AND CONDITIONS OF SERVICE OF EMPLOYEES

14. Secretary of the Board.
15. Duties and Functions of Secretary of the Board.
16. Appointment of Employees and their Terms of Service.

CHAPTER V

OBJECTIVES, FUNCTIONS AND POWERS OF THE CORPORATION

17. The Objectives of the Corporation.
18. Functions, Duties and Powers of the Corporation.

CHAPTER VI

BOARD OF DIRECTORS

19. Composition of the Board.
20. Rewards of the Board Members.
21. Obligations of the Board.
22. Disclosure of General Interest.
23. Functions and powers of the Board.
24. Organisational Chart and Support Staff.

CHAPTER VII

MEETINGS OF THE BOARD AND QUORUM

25. Meetings of the Board or Quorum.

CHAPTER VIII

TENURE AND EXEMPTION FROM LIABILITY

26. Tenure of the Office of the Corporation.
27. Confidentiality.
28. Exemption from Liability.

CHAPTER IX

FINANCE, ACCOUNTS AND AUDITING

29. Operational Principle.
30. Sources of Funding.
31. Borrowing Powers.
32. Bank Accounts.
33. Surplus Funds.
34. Accounts.
35. Audit.

36. Annual and Other Reports.

CHAPTER X

LIQUIDATION AND ARBITRATION

37. Final Provisions, Liquidations of the Corporation.

CHAPTER XI

MISCELLANEOUS PROVISIONS

38. Inspections.
39. Specification of Tariffs.
40. Regulation.

LAWS OF SOUTHERN SUDAN

THE SOUTHERN SUDAN URBAN WATER CORPORATION ACT, 2011

In accordance with the provisions of Article 59 (2) (b) read together with Article 85 (1) of the Interim Constitution of Southern Sudan, 2005, the Southern Sudan Legislative Assembly, with the assent of the President of the Government of Southern Sudan hereby enacts the following-

CHAPTER I PRELIMINARY PROVISIONS

1. Title and Commencement.

This Act may be cited as the “Southern Sudan Urban Water Corporation Act, 2011” and shall come into force on the date of its signature by the President.

2. Repeal and Saving.

Any provisions of existing legislation in Southern Sudan, which are governed by this the provisions of this Act, are hereby repealed or cease to operate in Southern Sudan; *provided that*, all proceedings taken, or orders issued thereunder, shall remain in force or effect, until they are repealed or amended in accordance with the provisions of this Act.

3. Authority and Application.

This Act is drafted in accordance with the provisions of Article 146(1) of the Interim Constitution of Southern Sudan 2005, which grants the Government of Southern Sudan the authority to establish such institutions and Commissions it deems necessary to promote the welfare of its people, good governance and justice.

4. Purpose.

The purpose of this Act is to provide for the establishment and governance of the Southern Sudan Urban Water Corporation, established by the Government of Southern Sudan to control the supply of water resources economically and to ensure that the short and long-term needs for urban water demand of Southern Sudan are met.

5. Interpretation.

In this Act, unless the context otherwise requires the following words and expressions have the meaning assigned to them respectively—

"Area" means any area of the Corporation in any of the States of Southern Sudan and any other area determined by the Board of Directors;

"Assembly" means the Southern Sudan Legislative Assembly;

"Board" means the Board of Directors for the administration of the Corporation established in accordance to the provisions of section 8 below of this Act;
"Chair" means the chairperson of the Board of Directors of the Corporation;
"Corporation" means Urban Water Corporation established under section 6 below of this Act;
"Constitution" means the Interim Constitution of Southern Sudan;
"Customer" means any person or body supplied with water by the Corporation;
"Financial Year" means the twelve (12) months which commences from the first of January of every year and ends on the thirty-first of December in the same year;
"General Manager" means the General Manager of the Corporation appointed pursuant to this Act;
"Government" means the Government of Southern Sudan;
"Legal Advisor" means the legal advisor who is assigned to advise the Corporation on legal matters by the ministry responsible for Legal Affairs and Constitutional Development;
"Minister" means the minister responsible for water resources and irrigation;
"Ministry" means the ministry responsible for water resources and irrigation;
"President" means the President of the Government of Southern Sudan;
"Regulations" means the regulations under section 40 below;
"State" refers to any of the ten states established by the Constitution; and
"Tariffs" means the tariffs of delivered clean drinking water determined by the Corporation and the contribution and costs provided for in the regulations.

CHAPTER II

THE CORPORATION

6. Establishment of the Corporation.

- (1) There shall be established in accordance with regulation of the Council of Ministers No. 30/2006, an independent corporation to be known as the "Urban Water Corporation" (hereinafter referred to as the "Corporation") which shall be a corporate body having perpetual succession and a common seal. It can sue or be sued in its own name.
- (2) The headquarters of the Corporation shall be in the capital of Southern Sudan, and it may after approval of the Minister establish subsidiary offices in any State or centre or area inside or outside Southern Sudan according to the needs of establishment to run its business.
- (3) The Corporation shall be impartial in the performance of its functions and responsibilities and shall be accountable to the public through the Assembly and the President.

CHAPTER III

ADMINISTRATIVE BODY OF THE CORPORATION:

7. Supervising the Corporation.

The Minister shall supervise the Corporation and may whenever deemed necessary and appropriate issue general or specific directives to the Board regarding the business of the Corporation provided that such directives shall not be inconsistent with the provisions of this Act. The Board shall act in accordance with such directives.

8. Appointment of the Board.

- (1) The President shall appoint a Board of Directors upon recommendation of the Minister.
- (2) The Board shall be composed of—
 - (a) the Chair;
 - (b) General Manager appointed by the President on the recommendation of the Minister; and
 - (c) nine members appointed by the President on recommendation of the concerned minister with the necessary qualifications and experience.
- (3) The Minister may issue directives with the generality concerning the general policy of the Corporation to the Board.

9. Eligibility of Appointment.

Any person who is appointed to serve as the General manager or member shall meet the following requirements—

- (a) a citizen of Southern Sudan;
- (b) be of sound mind and high character;
- (c) be at least thirty years of age;
- (d) not an undischarged bankrupt or insolvent;
- (e) has never been convicted of an offence involving dishonesty or moral turpitude for which he has not been pardoned; and
- (f) possess the skills and knowledge relevant to the position.

10. Appointment of the General Manager.

The General Manager shall be appointed by the President upon the recommendation of the Minister.

11. Removal and Resignation of the General Manager.

- (1) The General Manager may be removed from office on a decision of the President and recommendation from the Minister, on the grounds of professional incompetence or misconduct. Specific for removal or mandatory resignation of the general manager may include, without being limited to the following—
 - (a) is an undercharged bankrupt or has made any arrangement with his creditors;
 - (b) is found or declared to be of unsound mind under any law in force in Southern Sudan;
 - (c) is guilty of misbehaviour;
 - (d) incompetence and inefficiency;
 - (e) gross misconduct;
 - (f) absence without permission or sufficient cause from three consecutive meetings of the Board;
 - (g) conviction of an offence involving dishonesty, fraud or moral turpitude; or
 - (h) death.
- (2) The General Manager may resign from Corporation upon the delivery of one month's notice in writing to the President through the Minister.
- (3) Where a General Manager vacates office by death, resignation or other cause, the President, upon the recommendation of the Minister shall appoint, having regard to the provisions of subsection (1), another suitable person in his or her place, and the person so appointed shall hold office for the remainder of the terms of office of the General Manager whom he succeeds.

12. Functions and Powers of the Chair.

The Chair shall have the following functions and powers—

- (a) call for meetings as he may deem proper and determine the agenda in consultation with the General Manager;
- (b) chairing the meetings of the Board and confirm the documentation of what is discussed in the meetings; and
- (c) signing contracts on behalf of the Corporation which are approved by the Board.

13. Function and Powers of the General Manager.

- (1) The General Manager shall be the chief executive of the Corporation and answerable to the Board about the administration of the Corporation in accordance with the policy of the Board and its directives.
- (2) The General Manager shall be responsible for developing the general policy of the Corporation, supervision of its work, achieving its objectives and exercising its powers.

- (3) Without prejudice to the generality of the foregoing, the General Manager shall have the following functions and powers—
- (a) preparing the programme and detailed plans for development and improvement of the urban water service in the Corporation and present it to the Board for approval;
 - (b) reporting periodically about the running of businesses of the Corporation to the Board and providing necessary data;
 - (c) developing, maintaining and operating water utilities owned by the Corporation in Southern Sudan;
 - (d) borrowing moneys or acquiring special pledges with internal loans after the consent of the Board, the Minister and the Ministry of Finance and in accordance with the appropriate law;
 - (e) examining reports which are presented about the running of the Corporation and taking the necessary decisions to estimate the performance and running of the work;
 - (f) proposing tariffs lists and its modifications and forwarding it to the Board the Minister and the Ministry of Finance for its approval;
 - (g) forming a committee or committees to assist it in performing its functions and shall determine its functions and powers;
 - (h) auditing the urban water tariffs and presenting such audits to the Board for decision and forwarding to the Ministry of Finance;
 - (i) coordinating between the different administrations and harmonizing the work;
 - (j) confirming the accuracy and improvement of work through specialized administration in the Corporation;
 - (k) implementing of policies passed by the Board;
 - (l) carrying out the development works in accordance with the approved budget therein;
 - (m) supervising specialized administrations in the Corporation;
 - (n) coordinating Corporation communication with the Minister and other concerned bodies and communication with official bodies in the country to acquire any urgent assistance for the needs of the Corporation; and
 - (o) signing contracts on behalf of the Corporation which are approved by the Board.

CHAPTER IV

SECRETARY AND CONDITIONS OF SERVICE OF EMPLOYEES

14. Secretary of the Board.

- (1) The Board shall appoint its Secretary in accordance with the regulations and it shall determine his functions, duties, and powers.
- (2) The Secretary of the Board shall be answerable about the performance of his or her duties before the Chairperson of the Board and the General Manager.

15. Duties and Functions of Secretary of the Board.

- (1) Preparing the agenda of the Board meetings and keeping the correspondence relating to the business of the Board.
- (2) Recording the minutes of the meeting, supplying the members with the same and keeping records of the meeting.
- (3) Keeping the Corporation's seal and using it in the manner specified by the regulations.
- (4) Notifying the authorities concerned of the Board's decisions and recommendations, and briefing the Board on the progress of their implementation.

16. Appointment of Employees and their Terms of Service.

- (1) The General Manager, in consultation with the Minister shall, within the limits of the financial and other resources at his or her disposal, appoint and dismiss employees in conformity with the appropriate law.
- (2) The Southern Sudanese Staff who were serving in the National Urban Water Board Corporation shall continue in the service of Corporation and shall be treated as though they were recruited in accordance with the provisions of this Act.

CHAPTER V

OBJECTIVES, FUNCTIONS AND POWERS OF THE CORPORATION

17. The Objectives of the Corporation.

The Corporation shall have the following objectives—

- (a) Utilize the available water resources economically to provide for the Southern Sudan's long and short term water demand and to realize its development in proportion to the growing needs;
- (b) benefit from international development in industry and water supply services to develop the industry and water supply services in Southern Sudan;
- (c) produce safe drinking water for Southern Sudan;
- (d) seek water investments that will enhance its efficient running of business and manufacturing of instruments;
- (e) contribute in increasing the Southern Sudan's income and improvement of it's services;
- (f) to realize annual revenues that will enable it execute its development plans at such rates that shall be fixed by the Board ;
- (g) concluding contracts with any person in accordance with the provisions of the law on procurement; and

- (h) any other objectives required by the nature of its activities or the Council of Ministers.

18. Functions, Duties and Powers of the Corporation.

- (1) In order to achieve its objectives, the Corporation shall set up and manage the Water Infrastructure in the consumption areas and carry out all assignments and decisions, according to the provisions of this Act.
- (2) Without prejudice with the generality of the provisions of subsection (1) above, the Corporation shall have the following functions, duties and powers—
 - (a) production of safe drinking water and capable distribution network and sale, to any customer according to the agreements, contracts, tariffs and the conditions of supply;
 - (b) provision of the consultancies, professional and technical services in the field of water to the private or public sectors inside or outside the Southern Sudan on commercial grounds;
 - (c) employment of competent staff in accordance with the provision of this Act to enable it carry out its functions;
 - (d) establishment of training and capacity building centers;
 - (e) render capacity building services and training, to carders from specified firms or individuals provided that the firms or individual will cover the cost expenses as prescribed by the Corporation;
 - (f) upgrade the productive capacity of the workers by the way of qualification, training inside and outside Southern Sudan and improvement of the work situation and modernization of its means and saving adequate service conditions or the helpful tools of work for plentiful product;
 - (g) purchase and possessing of land and real estate on behalf of the Government of Southern Sudan with approval of the Council of Ministers and in accordance with the Public Financial Management and Accountability law and also constructing and maintaining buildings therein to achieve its objectives;
 - (h) manufacturing and producing instruments and water equipment;
 - (i) education of the people to use water supply equipment in accordance with the Regulations;
 - (j) establishment of companies inside or outside Southern Sudan to achieve business objectives;
 - (k) encouragement of scientific research especially in the development of water supply; and
 - (l) perform any other functions and duties it may deem necessary for achieving of its objectives.

CHAPTER VI

BOARD OF DIRECTORS

19. Composition of the Board.

- (1) The composition of the Corporation shall be a representative of the different committees of the Corporation constituting the peoples of Southern Sudan and any other members of experts and policy advisors to provide technical guidance to the functions of the Corporation whenever or called upon by the Chairperson or any member of the Corporation as the case may be. The role of the representatives shall only be advisory.
- (2) The Board of Directors shall be formed as follows—
 - (a) The Minister who shall be the Chair;
 - (b) General Manager who shall be the Deputy Chair;
 - (c) Secretary General who shall be secretary to the Board;
 - (d) UnderSecretary of the Ministry who shall be a Member;
 - (e) UnderSecretary of the ministry responsible for energy and mining who shall be a Member
 - (e) UnderSecretary of the ministry responsible for finance who shall be a Member;
 - (f) Vice Chancellor of Juba University who shall be a Member;
 - (g) UnderSecretary of the ministry responsible for Legal Affairs and Constitutional Development who shall be a Member; and
 - (i) the Legal Advisor to the Corporation who shall be a Member.

20. Rewards of the Board Members.

The emoluments of the members of the Board shall be determined in accordance with Civil Service Regulations which may have regard to recommendations by the Board in determining the emoluments.

21. Obligations of the Board.

- (1) Members of the Board shall not have a special interest contrary to the interest of the Corporation.
- (2) Any member of the Board, who has direct or indirect interest in any contract concluded or intended to be concluded by the Corporation or proposal placed before the Board for decision, shall disclose to the Board the nature and the extent of interest and he or she shall not participate in the deliberations of decisions taken by the Board concerning that contract or proposal as the case may be.

22. Disclosure of General Interest.

Any member of the Board having a direct or indirect interest in any matter or proposal before the Board for consideration thereon, shall disclose to the Board the nature of the interest that connects him or her to such matter, or proposal, and shall not participate in deliberation, or decision passed by the Board concerning the same.

23. Functions and powers of the Board.

- (1) The Board shall be responsible for preparing a general policy for the Corporation, supervising its work and endeavouring to achieve its objectives.
- (2) Without prejudice to generality of subsection (1) above, the Board shall have the following functions and powers—
 - (a) approving the annual budget of the Corporation for submission by the Minister to the budget sector working group;
 - (b) making necessary decisions on project proposals and recommendations aimed at promoting the activities of the Corporation;
 - (c) approving the administrative and organizational structure of the Corporation and amend it when necessary, subject to the Public Service Act and regulations;
 - (d) subject to the appropriate law, approving contracts to perform the Corporation's projects;
 - (e) examining reports which evaluate the performance of the Corporation;
 - (f) approving annual plans and programs in accordance with the approved budget therein and approving the administrative plans and employment; and
 - (g) formatting a committee or committees for its assistance in performing of its functions and shall determine its functions and its powers.
- (3) The Board may delegate any of its powers to its General Manager or any of its members including any conditions it may impose on such delegation. Such delegation shall be revocable at will and shall be in writing.

24. Organisational Chart and Support Staff.

- (1) The General Manager shall engage such other officers and support staff with the consent of the Board on such terms as he or she may consider necessary or desirable for the efficient and effective performance of the functions and duties of the Corporation.
- (2) On an annual basis, the General Manager shall prepare a detailed organisational chart reflecting the Corporation's staffing requirements for the next Financial Year, which shall be subject to the approval of the Board.
- (3) The organisational chart shall be developed in consultation with the ministry responsible for labour and public service, and shall take into consideration the needs of the Corporation and its financial limitations.

- (4) All aspects of employment of officers and support staff of the Corporation, including but not limited to recruitment, employment, payment, promotion, and termination, shall be governed by the provisions of Civil Service laws and regulations.

CHAPTER VII

MEETINGS OF THE BOARD AND QUORUM

25. Meetings of the Board or Quorum.

- (1) The Board shall hold ordinary meetings once every month called by the Minister. In case of his or her absence, the meeting shall be called by the General Manager who may call an extra-ordinary meeting if the Minister or a simple majority of its members deem that necessary.
- (2) The Minister shall chair all meetings and in case of his absence for any reason, the UnderSecretary of the Ministry shall chair that meeting.
- (3) The lawful quorum for meetings of the Board shall be a simple majority of the members present.
- (4) In case of a tie the chair shall have a casting vote.

CHAPTER VIII

TENURE AND EXEMPTION FROM LIABILITY

26. Tenure of the Office of the Corporation.

- (1) The tenure of the office for the General Manager and the members of the Board shall be five years and shall be subject to renewal for one further five (5) year term.
- (2) The status of the General Manager, the Secretary General and the members of the Board shall be regulated in accordance with the law.

27. Confidentiality.

- (1) Any information from which an individual or body may be identified and that is acquired by the Corporation in the course of the performance of its functions or the exercise of its powers under this Act or any other applicable act shall be regarded as confidential by the Corporation, its Board and its employees.
- (2) No information of a type referred to in subsection (1) above, may be disclosed without the consent of every individual who, and everybody which, can be identified from that information, except to the extent that its disclosure is expressly authorized or required by or under this Act or any other applicable act or where it appears to the Corporation to be necessary—

- (a) to enable the Corporation to perform any of its functions and exercise any of its powers under this Act or any other applicable act;
 - (b) in the interests of the investigation, detection, prevention or prosecution of crime;
 - (c) in connection with the discharge of any international obligation to which Southern Sudan may from time to time be subject; or
 - (d) to comply with the directions of any Court.
- (3) Without prejudice to subsections (1) and (2) above, any information or findings communicated to the Corporation by a committee of the Government shall be regarded as confidential if that committee of the Government so requests, and shall be kept confidential by the Corporation and its members and employees; and no such information shall be disclosed except in compliance with the direction of any division of any Court.
- (4) A person who discloses information or who causes or permits the disclosure of information in a manner which he knows or has reasonable cause to believe is in contravention of this section shall be guilty of an offence and if convicted shall be liable in accordance with subsection (6) below.
- (5) A person shall not, for a period of two (2) years after he or she ceases to be a member of the Corporation, acquire, hold or maintain, directly or indirectly, any office, employment, consultancy arrangement or business in Southern Sudan where he or she may be liable to use or disclose information acquired by him or her in the exercise, performance and discharge of the powers, duties and functions of the Corporation, and if he or she acquires any such interests involuntarily or by way of succession or testamentary disposition, he or she shall divest himself or herself of such interest, within two months of the acquisition of such interest.

28. Exemption from Liability.

No Member of the Board, officer or employee of the Corporation, shall be liable for any act or omission committed in the exercise or performance of his or her functions and duties with the Corporation; *provided that* such acts or omissions are committed in good faith.

CHAPTER IX

FINANCE, ACCOUNTS AND AUDITING

29. Operational Principle.

The Corporation shall manage its finances in accordance with sound financial principles and practices and shall in that respect ensure that its revenues are sufficient to meet its expenditures, including payment of operational cost.

30. Sources of Funding.

- (1) To the extent possible, the Corporation shall use revenues collected from the sale of electricity in bulk and retail sales to finance all operating, administrative, commercial, and expenses related to plant maintenance. During the period when revenue collection is not sufficient to cover the cost of electric service, the Corporation shall prepare and present an annual budget to the Government to cover the supplemental cost that cannot be covered through revenue recovery. The annual budget will be reviewed and approved in accordance with the budget procedures established by the Government.
- (2) Each year, the Corporation shall prepare and submit for approval a budget, in accordance with the Government budget process, for the following financial year. Such budget shall be subject to the review, revision and approval of the Assembly.
- (3) Without prejudice to the provisions of subsection (1), above, the Corporation may obtain additional funds from the following sources—
 - (a) grants, donations and bequests from local or foreign bodies;
 - (b) financial support from international donor agencies; or
 - (c) any other source that may be approved by the President.

31. Borrowing Powers.

- (1) The Corporation may obtain loans or other credit facilities from any person, organisation or institution for the purposes of meeting its obligations.
- (2) No loan or credit facility shall be obtained by the Corporation pursuant to subsection (1), above, without the prior approval of the Ministry of Finance.
- (3) Loan and credit facilities shall be on terms and conditions which are commensurate with the sound financial practices and any regulations or policies governing borrowing by Government entities.
- (4) The provisions of this section do not relieve the Corporation or lender from obtaining any other approvals that may be required under any other applicable law.

32. Bank Accounts.

- (1) The Corporation shall open and maintain bank accounts as may be necessary for the performance of its functions and duties.
- (2) The General Manager shall ensure that any money received by or on behalf of the Corporation is safely kept and deposited in a bank account as soon as practicable.

- (3) The General Manager shall ensure that no money is withdrawn from, or paid out of, any of the bank accounts of the Corporation without proper authorisation.
- (4) The General Manager may delegate the responsibilities set forth in subsections (2) and (3) above. Such a delegation shall be—
 - (a) in writing; and
 - (b) approved by the Board.

33. Surplus Funds.

Funds belonging to the Corporation, not immediately required for any purpose provided for in this Act, may be invested in a manner which the Corporation may decide after consultation with the Ministry of Finance, subject to any rules and regulations governing the reversion of surplus funds in accordance with the provisions of the appropriate law.

34. Accounts.

- (1) The General Manager shall keep and maintain proper books of accounts and records of all funds received and spent by it during the financial year.
- (2) The General Manager shall prepare and submit a financial report to the Board, not later than three months from the end of the previous financial year. The report shall include—
 - (a) a financial statement of income and expenditure during the financial year;
 - (b) a statement of assets and liabilities of the Corporation for the financial year, prepared in accordance with generally accepted accounting principles, submitted to and audited by the Auditor-General; and
 - (c) a Financial Audit Report.

35. Audit.

- (1) The General Manager shall ensure that, for each financial year the accounts of the Corporation are audited by the Auditor-General or such other audit firm approved by the Auditor-General in writing and authorised by the Board.
- (2) The Board shall ensure that within four months from the end of the financial year, or such other period as the Government may require in writing, an audited statement of accounts, in accordance with the provisions of section 34 above, is submitted to the President and the Ministry of Finance.
- (3) The Auditor-General shall have access to all the books of accounts, vouchers and other records, and shall be entitled to any information and explanation required in relation to those and any other records of the Corporation.

36. Annual and Other Reports.

- (1) In addition to the Financial Audit Report, required by section 34 above, when required by the Ministry of Finance, the Corporation shall also prepare an Annual Report of its activities during that financial year.
- (2) The Annual Report shall, inter alia, include the following information—
 - (a) a copy of the auditor’s report;
 - (b) a statement of financial performance and of cash flows;
 - (c) the budget for the coming financial year;
 - (d) a description of the activities of the Corporation during the previous year;
 - (e) an analysis of the extent to which it has met its objectives of the previous year;
 - (f) an evaluation as to the extent to which the advice and directives of the Corporation have been complied with;
 - (g) its objectives for the coming year; and
 - (h) any recommendations on the matters governed by this Act.
- (3) The Corporation shall publish and disseminate widely the Annual Report, along with its audited accounts. In the event the Corporation fails to distribute the Annual Report, it shall be distributed by the Ministry of Finance.
- (4) The Board shall submit to the President and the Assembly such other reports on its activities or any other matter that may from time to time be required.

CHAPTER X

LIQUIDATION AND ARBITRATION

37. Final Provisions, Liquidations of the Corporation.

The Corporation shall not be liquidated unless in accordance to the law.

CHAPTER XI

MISCELLANEOUS PROVISIONS

38. Inspections.

- (1) The Corporation shall have the authority to inspect departments and other units of the Corporation and may have access to such official documents or may obtain such information from heads of those department or units or from other officers in the service of those departments or units, as may be necessary for the performance of the functions of the Corporation under this Act.

- (2) The Corporation shall adopt regulation governing the process for conducting inspections and securing official documents, which do not unduly interfere with the operations of the department or unit.

39. Specification of Tariffs.

The General Manager from time to time shall revise the water tariff and submit the same to the Board for approval on the approval of the Ministry of Finance and in accordance with the law.

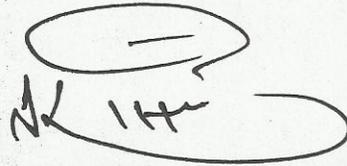
40. Regulation.

The Minister, may upon the recommendation of the Board, make such rules, regulations and procedures as may be necessary and appropriate for the effective and efficient implementation of the provisions of this Act.

Assent of the President of the Government of Southern Sudan

In accordance with the provision of Article 85 (1) of the Interim Constitution of Southern Sudan, 2005, I, Gen. Salva Kiir Mayardit, President of the Government of Southern Sudan, hereby Assent to the Southern Sudan Urban Water Corporation Act, 2011 and sign it into law.

Signed under my hands in Juba, this 7th day of the month of July
-----in the year 2011.

A handwritten signature in black ink, consisting of a large, stylized 'S' shape with a horizontal line through it, and the initials 'SK' and 'MH' written below it.

Gen. Salva Kiir Mayardit
President of the Government of Southern Sudan
GoSS/ Juba.