

PROCLAMATION No. 318-OF-1987 -

A PROCLAMATION TO PROVIDE FOR THE
ESTABLISHMENT OF THE ETHIOPIAN VALLEYS
DEVELOPMENT STUDIES AUTHORITY

WHEREAS, the promotion of the social and economic progress of Ethiopia requires that proper use be made of its natural resources;

WHEREAS, continued integrated utilization of the natural resources in the nation's valleys and, in particular, coordinated optimal allocation of water resource, indispensable for development, to irrigation and other uses calls for study and research as an urgent task;

WHEREAS, in order to accomplish the study and research, and the integrated utilization, of valleys' resources under a centralized management, it has become necessary to establish an autonomous government body with appropriate powers and duties,

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

1. *Short Title*

This Proclamation may be cited as the "Ethiopian Valleys Development Studies Authority Establishment Proclamation No. 318/1987."

2. Definitions

In this Proclamation, unless the context otherwise requires:

- 1) "Valley" means a boundary to be so designated by the Authority in accordance with Article 6(U) hereof;
- 2) "Natural Resources" include water, land, air, vegetation, animals, fisheries, as well as mineral resources that valleys possess;
- 3) "Master Plan" means a general plan which, based on studies and assessments of the physical quantity, spatial distribution, characteristics, interrelation, etc., of a valley's natural resources and indicates the priority of development programmes.

3. Establishment

- 1) There is hereby established an Ethiopian Valleys Development Authority (hereinafter the "Authority") as an autonomous public authority having its own juridical personality.
- 2) The Authority shall be accountable to the Office of the Chairman of the Council of Ministers.

4. Head Office

The Authority shall have its head office in Addis Ababa and may establish branch offices as necessary.

5. Objectives of The Authority

The objectives of the Authority shall be to:

- 1) conduct studies and research of natural resources, in particular water resource, in the valleys of the country;
- 2) prepare development master plans for valleys;
- 3) conduct studies and research for the protection of the environment;
- 4) conduct studies and research pertaining to transboundary rivers.

6. Powers and Duties of the Authority

The Authority shall have the following powers and duties:

- 1) on the basis of water flows, delimit the boundaries of the country's valleys;
- 2) conduct studies and research pertaining to the quantity and distribution of natural resources in the nation's valleys as well as collect and record data;
- 3) to assist in the preparation of the master plan referred to under sub-article 4 of this Article, request and obtain from government institutions and mass-organisations studies, data and reports pertaining to natural resources in valleys;

- 4) based on priorities to be determined by the Government and in conformity with the country's long term social and economic development plan, prepare master plans for valleys development and upon approval, ensure that valleys development projects are implemented in accordance with the master plan.
- 5) based on valleys development master plans, identify development projects as well as prepare priority thereof and submit same to the Government and, upon approval, conduct pre-feasibility and feasibility studies of irrigation projects;
- 6) upon approval of the study submitted in accordance with sub-article 5 of this Article and designation of the project owner, follow up the implementation of the project according to the study;
- 7) conduct study and initiate policy and directive pertaining to utilization of transboundary rivers and, upon approval, follow up the implementation of same;
- 8) conduct study and research with a view to devising and improving irrigation methods and techniques of water management;
- 9) conduct environmental research and studies with a view to controlling depletion or pollution of natural resources in valleys; initiate policy and devise ways and means for the protection of the environment and, upon approval, supervise the implementation of same;
- 10) prepare and submit to the Government the optimum allocation of valleys' water resource for irrigation and various other uses;
- 11) enter into contracts;
- 12) own property;
- 13) sue and be sued in its own name;
- 14) delegate part of its powers and duties to any person to the extent necessary for the efficient performance of its duties.

Organization of the Authority

The Authority shall have:

- 1) a council;
- 2) a general manager and a deputy general manager; and

8. *Members of the Council*

The Council shall have the following members:

- 1) the General Manager of the Authority Chairman
- 2) a representative of the Office of the National Committee for Central Planning member
- 3) a representative of the Ministry of Agriculture
- 4) a representative of the Ministry of State Farms Development
- 5) a representative of the Ministry of Coffee and Tea Development
- 6) a representative of the Ministry of Mines and Energy
- 7) a representative of the Ministry of Industry
- 8) a representative of the Ministry of Public Health
- 9) a representative of the Ministry of Housing and Urban Development
- 10) a representative of the Ministry of Construction
- 11) a representative of the National Water Resources Commission
- 12) a representative of the Science and Technology Commission
- 13) a representative of the Institute of Development Project Studies
- 14) a representative of the Addis Ababa University

9. *Power and Duties of the Council*

The Council shall have the following powers and duties:

- 1) deliberate and comment on general policies for valleys development studies;
- 2) examine and comment on valleys development master plans;
- 3) advise on ways and means of obtaining from field as well as from government institutions and mass organizations such data as may enable the preparation of master plans for valleys development;
- 4) deliberate and comment on environmental policy for valleys;
- 5) deliberate and comment on the Authority's short, medium and long term work programme;
- 6) deliberate and comment on other pertinent matters necessary for the attainment of the Authority's objectives.

10. *Meetings of the Council*

- 1) The Council shall meet at least once a year. It shall also meet at any time when the Chairman so requests.

- 2) There shall be quorum for any meeting of the Council when the majority of its members are present.
- 3) Decisions of the Council shall be made by majority vote of the members present; in case of a tie, the Chairman shall have a casting vote.
- 4) The Council may determine its own rules of procedure.

11. *The General Manager and Deputy General Manager*

- 1) The General Manager of the Authority shall be appointed by the Government.
- 2) The Deputy General Manager shall be appointed by the Government upon the recommendation of the General Manager.

12. *Powers and Duties of the General Manager*

- 1) The General Manager shall be the chief executive officer of the Authority and shall direct the operation of the Authority;
- 2) without prejudice to the generality of sub-article 1 of this Article, the General Manager shall:
 - a) exercise the powers and duties of the Authority provided for in this Proclamation;
 - b) employ and administer personnel following the basic principles contained in public service laws;
 - c) prepare and submit to the Government short, medium and long term work programme of the Authority and, upon approval, implement same;
 - d) prepare and submit to the Government annual budget and work programme of the Authority and, upon approval, implement same;
 - e) effect expenditure in accordance with the approved budget and work programme of the Authority;
 - f) represent the Authority in all its dealings with third parties;
 - g) prepare and submit to the Government annual a

30. The General Manager may delegate part of his powers and duties to the Deputy General Manager and to other employees of the Authority to the extent necessary for the efficient management of the activities of the Authority; provided, however, that the Deputy General Manager shall act on behalf of the General Manager in the absence of the latter.

13. *Budget*

The budget of the Authority shall be allocated by the Government.

14. *Relation With Other Laws*

No law shall, in so far as it is inconsistent with this Proclamation, have force in respect of matters provided for by this Proclamation.

15. *Effective Date*

This Proclamation shall come into force upon its publication in the Negarit Gazeta.

Done at Addis Ababa this 25th day of July, 1937.

*THE PROVISIONAL MILITARY
ADMINISTRATIVE COUNCIL*