

**Decision of the Minister of Transport number (133) for year 2009**

**On the organizing regulation of**

**Yemen Arabian Sea Ports Corporation**

**The Minister of Transport:**

Having duly reviewed:

- The Presidential Decree No. (35) of 1991 concerning the Association, Corporation, Public Companies and its amendments,
- The Presidential Decree No. (19) of 1999 concerning decree of Public Service and its Executive Regulation,
- The Presidential Decree No. (50) of 2007 concerning formation of the Government and appointment of its Member and its amendments,
- The Presidential Decree No. (427) of 2002 concerning the Organizing Regulation of Ministry of Transport and its amendments,
- The Presidential Decree No. (62) of 2007 concerning the Establishment of Yemen Arabian Sea Ports Corporation,
- And in the proposal of Corporation Executive Chairman and approval of Board of Corporation and in view of power authorized to us,,,

**//Have Determined//**

**Part One**

**The naming, definitions and objectives:**

**Chapter 1**

**The naming and definitions**

**Article (1):** This regulation called as (Organizing Regulations of Yemen Arabian Sea Ports Corporation)

**Article (2):** For the purposes of applying the provisions of these regulations, words and expressions shall have the meanings set out below for each of them; unless the context indicates otherwise:

- The Ministry: The Ministry of Transport.

- The Minister: The Minister of Transport.
- Corporation: Yemen Arabian Sea Ports Corporation.
- Ports: ports and components of the Corporation specified in the decree on the establishment of the Corporation.
- Board: Board of Corporation
- Chairman: Corporation Chairman of the Board - Executive Chairman
- Vice-Chairman: Corporation Vice-Chairman of the Board

**Article (3):** The Corporation shall have a considerable personality and financial independence and is subject to the supervision of the Minister in their activities.

## **Chapter 2**

### **Overall Strategy**

#### **Article (4): Corporation Overall Strategy**

- 1) Effective contribution in achieving the State's plans and the implementation of tasks in the creation, development and processing components and its belonging ports and its operation and upgrading of services adopting the methods of economic management and modern business, and its Overall Strategy focus on strengthen the competitive ability of Mukalla Port and other Corporation Ports through continuing of expansion plans, modernization and development so it can be capable to crate and find advance position within other Ports presence in the region.
- 2) Keep pace with the rapid and successive developments in containers handling.
- 3) Improving the financial and administration work and accommodate the mechanism and systems of modern ports.
- 4) Continue to support and encourage the private sector which is a key partner in development and creating the suitable atmosphere for investment.
- 5) Support and encourage of trend toward the establishment of industrial area to raise the level of existing activities.

## Chapter 3

### **Objectives and functions of the Corporation**

**Article (5):** The Corporation aims to contribute effectively in achieving the State's plans and the implementation of tasks in the creation, development and processing components and its belonging ports and its operation and upgrading of services adopting the methods of economic management and modern business, and within the framework of the state public policy and laws in force performing tasks and exercise the following:

- 1 – Adopting comprehensive and detailed plans for the establishment, development and processing of components and ports in all areas.
- 2 - To expand, clean up and deepen its ports and the establishment, maintenance of docking berths and breakwater and shipping lanes.
- 3 - Coordination with the relevant authorities in ensuring the security and port safety and in accordance with the rules, standards and technical requirements and international standards applicable in this area.
- 4 - Perform stevedoring operations and domestic transport within the port, either directly or by companies specializing in this area in accordance with the laws, rules and regulations that govern it.
- 5 - Management and organization of traffic, towing and guidance within ports limits relating to the entry and exit of vessels activities.
- 6 - Develop the domestic legislation in the field of port activities and the shipping movement
- 7 - The establishment, operation and maintenance of wireless telecommunications for the safety of shipping movement within the ports.
- 8 – Issuing of licensing for practicing shipping activities and various service activities within the ports and supervise them in accordance with the rules, terms and conditions determined by the Board and issued a decision by the Minister.
- 9 - The establishment, management and exploitation of stores, warehouses and yards in ports or license to others to do so in accordance with the terms and conditions approved by the Board and approved by the Minister.
- 10 - Maintenance of port facilities from the berths, warehouses, yards, buildings, docks, mooring buoy, workshops and others.

- 11 - Maintenance of marine equipments like tugs, pilot boats, mooring boats, service boats, cargo-handling equipments and installation, maintenance of navigational aids.
- 12 - The pricing of services, wages, benefits and facilities provided by the Corporation agreed by the Board and approved by the Minister.
- 13 - Operation of equipment and port facilities for the reception of ships and provide services to them.
- 14 - The establishment and maintenance of lighthouses and buoy lighting and other navigational aids that serve the shipping within the port.
- 15 - Application of a modern system of information and statistics covering all activities of the Corporation and ensure the provision of information and statistics on the movement of ships, shipping, security, safety, economic aspects, and others.
- 16 - Preparation of plans and operational programs for the training of staff and the preparation of the necessary skills to manage the organization and operation of facilities and management of its various operations.
- 17 - The conduction of contracts and agreements concerning the activities of the Corporation and in accordance with the approved plans and the provisions of laws, regulations and decisions in force.
- 18 - Request for judicial inquiries in accordance with applicable laws.
- 19 - To take legal action in the courts and arbitral tribunals, including local and international organization to guarantee the exercise of its duties in full and complete rights to third parties in coordination with the competent authorities.
- 20 - Any other tasks required by the nature of its activities; provided by laws and regulations in force.

## Part 2

### Management of the Corporation

#### Chapter 1

#### The Board

**Article (6):** The Corporation controlled by the Board which consisted as:

1 - Chairman of the Board / Executive Chairman	Chairman
2 - Vice-Chairman of the Board	Member
3 - Representative of the Ministry of Transport	Member
4 - Representative of the Ministry of Finance	Member
5 - A representative of the local authority of (Hadramout) government	Member
6 - A representative of the local authority of (Mahra) government	Member
7 - A representative of the General Authority for Maritime Affairs	Member
8 - A representative of the Coast Guard Authority	Member

#### Chapter 2

#### Functions and powers of the Board of Corporation

**Article (7):** The Board is the supreme administrative authority in the Corporation and has full powers in the supervision and guidance, policy formulation and adoption of plans and programs designed to achieve the purposes of the Corporation within the limits of the laws in force, with a particular exercise the following functions:

1 - Composing and authorizing of policies and plans of the Corporation, annual work programs and monitor it.

- 2 - To examine and approve the annual budget of the Corporation.
- 3 - To examine and approve the final account and the results of the annual inventory of the Corporation.
- 4 - To consider and decide on the research of economic and technical nature aimed at improving the management and activities of the Corporation in accordance with successful achievement process to ensure the real competition and efficient economic management.
- 5 - To examine the reports on the conduct of operations in the Corporation in all areas and take the necessary decisions to improve performance.
- 6 - Study and Adoption of financial and administrative regulations governing the activities of the Corporation in accordance with the provisions of the laws.
- 7 - Study reports prepared by the competent authorities relating to safety and security of ports and facilities and take action to improve their standards in accordance with the provisions of the International Code for the security of ships and port facilities.
- 8 - To examine and approve the annual evaluation reports for the functioning of the Corporation staff.
- 9 - To examine and approve plans for training and qualifying of Corporation employees.
- 10 - Adoption of the draft regulation on tariff wages, benefits, services and facilities for services provided by the Corporation and submitted to the Minister for approval.
- 11 - A proposal to amend the capital of the Corporation.
- 12 - Approving the expenditure of money and reserve funds for expansion.

## Chapter 3

### Board Meetings

**Article (8):** The Board conduct a regular meetings by one meeting every three months at least, the Board may hold special meetings in case of emergency that the minister or the chairman or one third of the board note the need to convene it.

**Article (9):** The board meetings consider to be valid only in the presence of a majority of members of the board and decisions shall be a majority of members present and when the votes counted equal, the part in which the Chairman vote will be the casting vote.

**Article (10):** The invitation to board members to attend meetings prior to the meeting at least three days, and may in case of emergency non-compliance with this term; the invitation include the time, date and place of the meeting, accompanied by advocacy agenda for the meeting and a copy of all documents submitted to the meeting .

**Article (11):** When necessary the Board could instruct to one or more committees to do some work or studies or specific tasks and outcomes of what is being reached for the Board.

**Article (12):** When necessary the Board could invite to attend meetings or take assist of appropriate experts and specialists in the field of corporate activity without the vote in the decisions taken by the Board.

**Article (13):** The Board shall appoint a reporter from outside its members do not have the right to vote.

**Article (14):** The Board shall meet under the chairmanship of the Minister in the following cases:

1. Proposal to amend the capital of the Corporation.

2. Propose a solution or integrate Corporation with other Corporation or established companies or the merger of these companies or break down or modify their statutes or the establishment of branches or offices of the Corporation.

3. When the Minister observe the need to preside over the meeting.



## Chapter 4

### **Chairman of the Board - Executive Chairman**

**Article (15):** Chairman of the Board is the Chief Executive of the Corporation and administered the Corporation and conduct of its affairs and has to issue directives, orders and instructions to his subordinates in the organization to implement the tasks and functions of the Corporation and the achievement of objectives in all areas. And exercise functions and in particular the following functions:

1 - Management and governance of the Corporation and conclusion of contracts and conduct of all behaviors and actions that would achieve the purposes for which the Corporation was established.

2 - Preside over the meetings of the Board and the preparation of its agenda and call for the session.

3 - Following up the implementation of all Board resolutions and the preparation of reports with the reasons and justification for the delay or non-implementation, if any.

4 - To inform the minister a copy of the meetings and resolutions of the Board within fifteen days from the date of approval of the Board.

5 - Provide periodic reports to the Board on the ongoing work and the level of implementation of the plans and blueprints.

6 - Representing the Corporation in front of courts and on all bodies and may delegate his deputy or a member of the Board to do so.

7 - The proposal to appoint heads of departments, ending of their service and the applying of disciplinary sanctions on them in accordance with the provisions of the laws, rules and regulations in force.

8 - The implementation of the tasks and responsibilities that require from him or assigned by the Minister or the Board.

9 - To provide the relevant organs of the State by required data of the Corporation.

10 - Take the necessary measures to ensure the implementation of laws and regulations in force by staff of the Corporation.

11 - Organization and development plans for activities of the Corporation, and follow-up the approval and implementation.

12 - Publications and detailed instructions to regulate the activity of the Corporation as well as the decisions, orders and directives to the directors of the departments and employees by their superiors.

13 - Proposal qualification programs and training for personnel, as required by the needs of the Corporation.

14 - Meeting employees on a regular basis to discuss plans for the Corporation and any issues relevant to the activities and functions of the Corporation.

15 - To take actions and measures necessary to ensure the fulfillment of the obligations of the Corporation for the benefit of other actors and to meet the rights of the Corporation of others.

16 - Supervision and monitoring of all ongoing and periodic reporting to the Minister on the levels of performance and problems encountered in the workflow and propose appropriate solutions.

17 - Provide financial plan, balance sheet, final accounts and any other reports will be required to submit to the Board and the competent authorities in a timely manner in accordance with the regulations in force.

18 - Any other tasks or responsibilities required by the nature of work or assigned to it by the Minister or the board or provided by laws and regulations in force.

## **Chapter 5**

### **Vice-Chairman of the Board**

**Article (16):** Vice-President of the Board is the executive vice Chairman of the Corporation, and the Vice Chairman assists Chairman of the Board in the performance of his duties and responsibilities as assigned or delegated by work and functions, as replacement in his absence in the exercise of all its functions and terms of reference.

**Part Three**  
**Organization of Corporation**  
**Chapter 1**  
**Organizational structure**

**Article (17):** The organizational structure of the Corporation Consists of as follows:

First: The Board.

Second: Chairman of Board.

Third: The Vice-Chairman of the Board.

Fourth: Consultants of Chairman of Board .

Fifth: a) Departments:

1. Department of the Office of the Executive Chairman.
2. Department of Finance.
3. Department of Planning, information and marketing.
4. Department of Legal Affairs.
5. Department of Internal inspection and Auditing.
6. Department of Procurement and stores.
7. Department of Human resources management.
8. Department of Project Management
- 9 - General Department of marine operations.
- 10 - Department of berths and yards.
- 11 - Department of Technical Affairs .

12 - Department of Nashton Port.

13 - Department of Scotara Port..

Sixth: Sub Ports:

A) Each port of the ports of the Corporation consider by level of general department.

B) The organizational structure of any belong ports to the Corporation consists of the sub-sections depending on the size and nature of the activity.

## **Chapter 2**

### **Functions and authority of the departments**

#### **Article (18): Department of the Office of the Executive Chairman**

- Responsible for the following tasks and functions:

1. Provide data and information that assist the Executive Chairman decision-making.
2. Report decisions, directives and instructions of the Executive Chairman and follow-up implementation.
3. Receive, examine and summarize the issues presented to the Executive Chairman.
4. Arrangement and organization of meetings and interviews the Executive Chairman and the preparation of daily diary dates and remind him before commencement well in advance.
5. Classification and documentation of incoming and outgoing ordinary mail and instructions to and from the Executive Chairman.
6. Follow-up departments on the topics required in accordance with the directives of the Executive Chairman.
7. Receive incoming ordinary mail addressed to the Executive Chairman and show it.
8. Implementation of all the secretarial work and archiving of the Office of the Executive Chairman.
9. Make arrangements for the reception and escort of delegations and arrange accommodation and visit programs, and processing of travel documents to delegations departure from the Corporation abroad.
10. Application of rules of safety, security and confidentiality of records, files and documents.
11. Any other acts required by the nature and function or under the laws and regulations in force, or assigned to them by the Executive Chairman.

- The department of the Executive Chairman Office followed by the following sections:

- 1 - Public Relations Section.

- 2 - General Secretariat and the archive Section.
- 3 - Follow-up Section.
- 4 - Development of a computerized system Section.
- 5 - Port security Section.

**Article (19): Department of Finance:**

- Responsible for the following tasks and functions:

- 1 - Prepare a draft annual budget in coordination with the competent departments in the Corporation.
- 2 - Study and analysis of trends in the preparation and implementation of the budget of the Corporation and to study the various plans and programs in coordination with other departments and prepare regular reports on the levels of implementation.
- 3 – Doing of financial and accounting work, registration and the preparation of financial auditing sheets and financial statements in accordance with the laws and regulations in force.
- 4 - Follow-up income of the Corporation and recorded in the books and records and financial management income and spending.
- 5 - Prepare replies to observations and queries, reports of the central board for inspection and account.
- 6 - Prepare final accounts and submit it on the dates prescribed by law.
- 7 - To inform the leadership of the Corporation of financial irregularities to take legal action on them.
- 8 - Maintaining the integrity of the assets and property of the Corporation and recorded according to the models and legal proceedings and archiving of documents and manuals for reference to ensure proper use and operation and maintenance and insurance required in accordance with the law.
- 9 - Financial assessment of the stock of the Corporation and participate in the inventory according to the regulations in force.
- 10 - The application of statistics and information on financial matters of the Corporation.

11 - Monthly payment of salaries, allowances and other entitlements for all staff of the Corporation and other expenses associated with the implementation and completion of the work and activities of the Corporation.

12 - Follow-up of Trustees of the funds and the evacuation of their reign to date.

13 - Prepare regular periodic reports on its activities and actions that have been completed and submitted to the President of the Corporation.

14 - Save and archive all documents and documents relating to financial management.

15 - Any other tasks required by the nature and function or under the laws and regulations in force or mandated by the Executive Chairman.

- The Department of Finance followed by the following sections:

1 - Section of Expenditure

2 - Section of Revenue.

3 - Section of intermediate accounts and banks.

4 - Section of Archive and save documents.

5 - Section of Budget and Final Accounts

6 - Section of the Fund.

7 - Section of costs and financial analysis.

8 - Section of Control of assets and project accounts.

**Article (20): Department of Planning, Information and Marketing:**

- Responsible for the following tasks and functions:

1 - Prepare studies and research and consulting on the process of modernization and development of ports, and proposals for expansions of existing projects and to cope with and achieve the goals of the strategy of the Corporation.

2 - Studying the draft plans and programs prepared by other departments and discussed with the officials in charge there.

3 - Follow-up and coordination with the competent authorities in the search for sources of funding and financial strengthening of investment projects.

4 - To provide other departments indicators and trends for the preparation of development plans and models for and provide technical advice to them.

5 - Participation in the preparation of draft annual budget and investment program of the Corporation.

6 - The preparation of studies and research on the process of marketing and media promotion and determine the best scientific methods and modern for their implementation and application.

7 - Design and implementation of an enterprise statistical system in coordination with various departments and other official bodies to work on statistics and renovated and provide technical support services to the Corporation.

8 - Modernization and development of information systems and databases and maintain the security, integrity and maintenance of permanent and continuous.

9 - Coordination with relevant departments of the corporation to achieve coherence and consistency between business processes and information management and flow in the Corporation.

10 - Any other acts required by the nature and function or under the laws and regulations in force or assigned to them by the Executive Chairman.

- Follows the Department of Planning, Information and Marketing the following sections:

1 - Section of Studies and Planning.

2 - Section of Marketing and Communications.

3 - Section of Statistics and Information Systems.

**Article (21): Department of internal inspection and Auditing:**

The department should exercise its authority under the supervision of Executive Chairman - Chairman of the Board and in accordance with the functions and powers contained in the Prime Minister's Decree No. (217) for the year 1999.

- Follows the Department of internal inspection and auditing the following sections:

1 - Section of Internal Audit.

2 - Section of Inspection and Control administrative, technical and performance evaluation.



**Article (22): Department of Legal Affairs:**

- Responsible for the following tasks and functions:

1. The preparation and review of draft laws and regulations and administrative decisions concerning the activities of the Corporation.
2. The preparation and review of draft contracts and agreements entered by the Corporation with others in coordination with the departments concerned.
3. A legal opinion on matters referred to it relating to the Corporation activities and follow up all legal matters.
4. Documentation of laws and regulations, resolutions and conventions on the work of the Corporation, keeping and organizing form that can easily be referenced when needed.
5. Representing the Corporation in front of the courts and arbitration in accordance with the law.
6. Preparation of studies, legal research and benefit from the experiences of legislative and applications in the area of international and regional ports for the development of the legislative structure of the functions and Corporation systems.
7. Explain the various laws and regulations for employees in the Corporation and to spread legal awareness among the workers.
8. Investigate cases referred to it and participate in committees to investigate issues relating to the activities of the Corporation.
9. Work to control the application of the legislation in force in the Corporation and reporting any irregularities to the leadership of the Corporation.
10. Systematic preparation of periodic reports on its activities and actions that are completed and submitted to the Executive Chairman of the Corporation.
11. Any other tasks required by the nature of their work or assigned to them by the Executive Chairman or under the laws and regulations in force.

- Follows the Department of Legal Affairs the following sections:

- 1 - Section of agreements and contracts.
- 2 - Section of issues and investigations.

**Article (23): the department of procurement and stores:**

- Responsible for the following tasks and functions:

- 1 - To provide the Corporation with the needs of their applications, equipment, machinery, tools , spare parts and others, whether of the domestic market or foreign, according to methods specified by governmental law of tenders , auctions and warehouses No. (23) for the year 2007 and its regulations.
- 2 - Preparation of procedures for the work of the sales and auctions according to the governmental law of tenders, auctions and warehouses No. (23) for the year 2007 and its regulations.
- 3 - Keeping all primitives related to the tender within its own archive for easy reference when required.
- 4 - Store all materials and tools that are purchased preserved and protected until the request of the various stores owned by the Corporation.
- 5 - Organize stores of the Corporation, managing and inventory it periodically according to the regulations in force.
- 6 - Make sure you do not run the necessary materials in stock for the functioning of the Corporation on a regular basis so as to avoid any disruption to the work of the Corporation as a result of a sudden the end of the stock.
- 7 - Participation in the preparation of the annual budget for procurement in coordination with concerned departments of the Corporation.
- 8 - Keeping records of the amounts of agreements on procurement of works and what has been disbursement of funds and the remainder of the value of those contracts and agreements, and make sure that they satisfy the terms of contracts and agreements for procurement and works and follow-up receipt of the guarantees and validation in accordance with the provisions of the Purchase Agreement.
- 9 - To carry out customs clearance and follow-up to the release of the goods for the Corporation.
- 10 - Preparation of general terms and conditions of the contracts concluded between the Corporation and others.
- 11 - Receipt of purchase orders and edit permissions for the supply and save them in the stores until the ad hoc request.

12 - Issue outgoing order of the materials stored and delivered to the parties requesting.

13 - The opening of private records to register and record all that you buy and supply stores.

14 - Follow-up repairing of the Corporation equipment and machinery which can not be fixed within the Corporation and requires exiting to the agency for repair.

15 - Any other work required by the nature and function or under the laws and regulations in force, or assigned to them by the Executive Chairman.

- Follows the department of procurement and stores the following sections:

1 - Procurement Section.

2 – Stores Section.

**Article (24): Department of Human resources:**

- Responsible for the following tasks and functions:

1. Prepare a draft plan for manpower and wages, according to the needs of work and development programs of the Corporation and in coordination with the specialists there.

2. Determine the essential duties of the workers and the application of systems for the administration rules.

3. Preparation of the draft budget of the Corporation functions in coordination with the specialists there.

4. Handle all personnel matters, including wages, benefits, appointment, transfer, assignment, loan, resignation and other cases of the Service.

5. Implementing the budget functions and the preparation of monthly payroll for staff and any other benefits.

6. The application of information system for Corporation workforce and the preparation of tables and various statistical data on a regular basis in accordance with the system in coordination with the competent departments.

7. Application of the annual performance evaluation of the efficiency of the Corporation staff and to take the necessary on its results in accordance with the systems in force.

8. Submission of proposals for the development of the administrative organization and working methods of Corporation.
9. Application of legislation and regulations on occupational health, safety and insurance service like retirement salary and end of service benefits and work-related injury and compensation for work-related injury and other forms of insurance.
10. Develop a plan of annual leave for staff of the Corporation and address the issues of sick, sudden, study leave and others.
11. The preparation of administrative orders for each case of service in accordance with the systems in force.
12. Keeping personnel files in an orderly manner and maintain confidentiality.
13. Identify training needs in coordination with the various departments and branches under the supervision of the Chairman of the Board - Executive Chairman and a plan of time according to priorities.
14. Preparation of contracts related to training and qualifications in coordination with the Department of Legal Affairs, and in accordance with the laws and regulations in force in the areas of human development.
15. Follow-up to the commitment of the trainees and their academic progress and help them overcome any problems, as much as possible.
16. Systematic preparation of periodic reports on activities and actions that have been completed and submitted to the Chairman of the Board.
17. Any other acts required by the nature and function or under the laws and regulations in force, or assigned to them by the Executive Chairman.

- Follows the human resources Department the following sections:

- 1 - Section of Personnel.
- 2 - Section of benefits and wages.
- 3 - Section of Training and skills development.
- 4 - Section of Archives and Records.

**Article (25): General Department of marine operations**

- Responsible for the following tasks and functions:

- 1 - Maintaining the integrity of ships and navigation in the ports of the Corporation.
- 2 - Maintaining the port basin and its buildings.
- 3 - Provision of pilotage, towing, and stevedoring service for vessels arrive to ports of the Corporation.
- 4 - To carry out rescue and fire fighting after permission from maritime affairs.
- 5 - Provide the service of control tower.
- 6 - Receive notifications of the arrival of vessels and regulate the entry and exit of vessels, commensurate with the size and type of cargo on and determine berths for the awarding of vessels including Dhows.
- 7 - Regulate the movement of assistance boats marine during the entry and exit of vessels.
- 8 - Operation of navigational aids, lighting buoy, the marine marks and supervision, ensure safety and preparedness.
- 9 - Provide services and facilities for ships in port.
- 10 - Test and evaluation of naval leaders and guides in theory and practice to issue licenses for them.
- 11 - Examination of vessels operating within the port for the issuance and renewal of licenses granted to operate in the port.
- 12 - Solution and address the problems that may arise between the ship owners, agents and their crews and other stakeholders in the port.
- 13 - Conducting investigations into maritime accidents in the port.
- 14 - Follow-up and coordination with regard to the security of the port with the relevant authorities to ensure to meet the requirements of the International Code (ISPS).
- 15 - Follow-up maintenance of naval readiness and coordination with the Technical Department on the maintenance program.
- 16 - Regulate the transfer of seafarers, passengers and spare parts, and to leave the ship and crew change vessels as adopted by the General Authority for Maritime Affairs.

17 - Meet the requirements for ships in distress as much as possible and does not affect the main port services and coordination with the General Authority for Maritime Affairs and other stakeholders, in particular that can help meet the potential distress call from ships.

18 - Exchange certificates naval crews, promotion and training, as well as the withdrawal of the certificates after the approval of the Committee on staff.

19 - Issuing regulations for pilotage, towing vessels and identification of sizes and specifications in coordination with the competent technical department and issuing bulletins, warnings and other about the work of the Maritime Department to all dealers and through the Corporation website after approval by the Chairman.

20 - To obtain confirmation of the Director of Finance on the financial position of the Shipping Agency, and taking adequate guarantee to maintain the fees and charges for port services to the ship, according to the regulations introduced prior to the provision of services of the vessel.

21 - To submit the necessary documents for Department of Finance for the purpose of calculating the fees and charges for port services to the ship, according to the regulations introduced within 24 hours after the ship leaving, with an emphasis on taking adequate financial guarantees.

22 – Issuing of port clearance of Ships and Dhows after confirming the absence of any legal obligations to prevent the ship leaving.

23 - To resolve any problems or marine problematic requested consultant by the leadership of the Corporation.

24 - Assess the performance of Pilots as stated in the Minister's decision No. (36) for year 2009.

25 - Any other acts required by the nature and function or under the laws and regulations in force, or assigned to them by the Executive Chairman.

- Follows the General Department of marine operations the following sections:

1 - Manager Assistant Marine Operations

2 - Section of the towing, pilotage and rescue.

3 - Section of the navigation, operation and security of ports.

4 - Section of follow-up maintenance of marine parts.

**Article (26): Department of Berths and Yards:**

- Responsible for the following tasks and functions:

1 - Receive ships on the Berths for the unloading and shipment of goods and receipt of shipping and discharge documents and record it in its respective records.

2 – Receive tour ships and make the necessary arrangements and coordination with security agencies and providing them all facilities for tour groups.

3 - Supervision of the loading and unloading of goods stored in warehouses or yards or direct transfer and control the migration rates of discharge of goods to and from the ship.

4 - The release of the goods after the completion of formal procedures on them.

5 - Operation of mechanisms and equipment for loading and unloading operations on the Berths and make sure of their availability on a permanent basis in coordination with the Technical Department.

6 - Supervising the operations of supply vessels.

7 - Coordinate with the Director General of Marine Operations concerning the process of converting ships from Anchorage to another.

8 - Maintaining the cleanliness of Berths, Yards, warehouses and port entrances.

9 - Reporting on the status of Berths, Yards and their need for projects and maintenance.

10 - Follow-up the implementation of the special procedures required of Dhows and Vessels and public companies in the port as per Corporation systems and regulations.

11 - Control of the security aspect and to report any breach of the manifestations of and in coordination with security agencies.

12 - Implementation of the passage of goods according to the Corporation regulations, the customs laws and security.

13 - To carry out weight of trucks loads.

14 - Make sure to complete and collect all fees and dues of the Corporation on the work of berths, yards and warehouses, shipping, unloading and handling containers and goods in transit and other fees and royalties arising from the services provided within the competence of this department.

15 - Supervision of the assurances presence of Boats and Dhows to provide it with fuel.

16 - Any other work required by the nature and function or under the laws and regulations in force or assigned by the Executive Chairman.

- Follows the Department of Berths and Yards the following sections:

1 - Section of Berths, yards and warehouses.

2 - Section of the gate, realize and the security of ports.

3 - Section of manifest.

**Article (27): Department of Technical Affairs:**

- Responsible for the following tasks and functions:

1 - Prepare the annual work program of periodic maintenance of marine vehicles with different departments responsible for the operation.

2 - Doing of diving for all works under the water for the Corporation.

3 - Preparation of statements for spare parts and materials required for the work and public store with the specifications.

4 - Maintenance of Pilot boats, towing boats, services boats and tourism yachts involving the maintenance of hulls, engines and all operational systems through docking of marine vehicles on major and minor pitfalls of, as well as maintenance of internal components of the boats including a navigation , communications and safety equipments.

5 - Implementation of periodic maintenance procedures for the main engines for Tugs and conduct periodic maintenance of equipment for Tugs and examination, maintenance of Life raft and Life Boats.

6 – Maintenance of transportation vehicles of the Corporation as well as all workshop equipment, welding, copper, machining equipment and the air pressure of various kinds.

7 - Maintenance of the Corporation's own power generators and networks in all ports and components, as well as carrying out all electrical work in the Corporation.

8 - Maintenance of fire fighting and safety equipments in all departments of the Corporation.



9 - Installing and fixing of buoys for connecting and lighting of various kinds, sizes, and maintain it.

10 - All the procedures and means to make sure that the circumstances in the Corporation workplace is safe, and provide an adequate safeguard to the health and safety of the Corporation employees.

11 – Fire fighting in all Corporation departments, and to take necessary action to prevent the occurrence or spread.

12 - Knowledge of all current Corporation operations to ensure the application of guidelines , instructions and industrial safety regulations adopted, and laws, regulations concerning industrial safety and security, and modify any deviation or errors or problems in these processes.

13 - Preparation of personal and public protection orders supplies and specify the specification and supervision of the distribution according to the regulations, in coordination with the relevant authorities.

14 - Follow-up implementation of the measures and means taken by the departments and sections of the Corporation to prevent or minimize or reduce the dangers resulting from engaging in industrial processes within the facilities of the Corporation.

15 - Preparation of reports on occupational accidents that may occur within the facilities of the Corporation, and make recommendations thereon.

16 - Control over all equipment and machinery within the Corporation campus, either belongs to it or other beneficiary, and ensure the application of safety standards.

17 - Any other work required by the nature and function or under the laws and regulations in force, or assigned to them by the Executive Chairman.

- Follows the Department of Technical Affairs the following sections:

1 - Section of marine maintenance.

2 - Section for maintenance of handling equipment and machinery.

3 - Sections of electricity and refrigerating.

4 - Section of technical workshops (Turning - Welding - carpentry).

5 - Section of Transportation.

6 - Section of operation for stevedoring equipment and handling of containers.

7 - Section of Industrial Security and Safety.

**Article (28): Department of Projects:**

- Responsible for the following tasks and functions:

1 - Maintenance of navigational aids, anchorages and supervise the implementation of maintenance programs.

2 – Raising of technical concepts and proposals for future projects and development to Corporation leaders to serve the upgrading level of development work and performance.

3 - To prepare engineering designs, bills of quantities, general specifications and the preparation of cost estimates for future projects of the Corporation.

4 - Technical supervision of the progress of implementation of projects undertaken by the Corporation.

5 - To carry out marine and land surveys, and its site projection as well as the dredging, deepening and cleansing of the navigation channels and port basins.

6 - Monitor the status of buildings and facilities of the Corporation and its departments and to make proposals for development, maintenance and preservation.

7 - The implementation of the maintenance of the facilities and departments of the Corporation.

8 - Any other work required by the nature and function or under the laws and regulations in force, or assigned to them by the Executive Chairman.

- Follow the Department of Projects the following sections:

- Section of buildings and facilities maintenance

- Section of the preparation of studies and supervision

- Section of survey, excavation, and maps.

## Chapter 3

### Ports of the Corporation

#### **Article (29): Duties and functions of ports of the Corporation:**

- The belong ports directly hold the operational processes related to their duties in accordance with the dictates of the regulations issued from the Head Office of the Corporation in this regard and shall for this purpose responsible for the following tasks:

1 – Operations management of field, technical and operational activity relating to the Corporation at the port and in accordance with the directives of the Executive Chairman of the Corporation.

2 - Application of laws, rules and regulations governing the work of the ports to ensure accuracy and professionalism to achieve high levels of performance in the port.

3 - Reporting irregularities within the scope of their work and competence for the Head Office of the Corporation immediately.

4 - Conducting initial investigations into irregularities and uploaded the results.

5 - Conduct periodic inspection of the berths and technical equipment, tools and machinery inside the port to ensure the continuation of its work efficiently.

6 - Perform stevedoring operations and inland transport within the port, either directly or by specialized companies according to the rules and regulations that govern it.

7 - Management and organization of traffic, towing and pilotage within the limits of the port within the activities related to entry and exit of vessels.

8 - Operation and maintenance of wireless telecommunications for the safety of navigation within the port.

9 - Supervise the activities of shipping agents and service activities within the port in accordance with the rules and regulations that govern it.

10 - Management and Utilization of the stores, warehouses and yards in the port.

11 - Operation of equipments and port facilities for the reception of ships and provide services to them.

12 - Implementing a system of statistics, information and communication of the Corporation and to ensure the provision of information on the movement of ships and loading and unloading in the port.

13 - Proposing training programs to achieve the professional standards and improve the efficiency of workers in the port.

14 - Proposing plans and programs for the development of components of the port and its services.

15 - Reporting monthly, quarterly, semi-annual and annual reports on the performance of the port and the statistics required for its activities in all areas of financial, technical, administrative, operational and others.

16 - Any other work required by the nature and function or under the laws and regulations in force, or assigned to them by the Executive Chairman.

**Article (30):**

Be the Director of the port administration is responsible to the Executive Chairman on the management of the port activity and the implementation of its functions and terms of reference and the heads of sections responsible to the Director of the port on the implementation of their functions and duties of different job in accordance with the provisions of the Regulations, orders and directives issued by the Executive Chairman in accordance with the rules of administrative management.

## Chapter 4

### Common tasks of the departments

**Article (31):** The following tasks are essential for all departments in the organizational structure of the Corporation:

- 1 - Develop plans and programs for the implementation of its activities.
- 2 - Develop a plan of human and financial resources required annually to implement its functions and terms of reference.
- 3 - Coordination between planning, implementation and exchange of information necessary to accomplish its tasks.
- 4 - Strict application of the information and statistics system in the Corporation.
- 5 - To contribute to the research effort and the media in the Corporation.
- 6 - The proper use of equipment and techniques in accordance with their own technical guidelines and maintain it.
- 7 - Analysis of trends in implementation of the plans, programs or legislation and proposal development.
- 8 - Coordination on issues related to the resources, commitments and expenses arising from their activities.
- 9 - To carry out orders and directives of the leadership of the Corporation and in accordance with the rules of administrative management.
- 10 - Application of the principle of reward and punishment in public office, depending on the extent to which the duties in accordance with the laws and regulations.

## Chapter 5

### **General principles of organization and performance of the tasks**

**Article (32):** For the optimal implementation of the tasks the Corporation relies on the following principles and organizational foundations:

- 1 - Applying the principles and scientific methods in the management of the activities, organization of operations and the use of rules and other scientific means as established by the plans, programs or systems and in analyzing and addressing the problems and phenomena that arise in the vicinity of the Department.
- 2 - The departments of the Corporation and its ports to prepare work programs plans of quarterly and annual reports of the implementation of its functions and terms of reference.
- 3 - The relationship with the leadership of the Corporation on the basis of cooperation and continuous coordination.
- 4 - The organizational relationships on the basis of the supervisory authority and responsibility.
- 5 – The ports belong to the Corporation directly linked to the Executive Chairman.
- 6 – The Corporation is working on relations at the internal organization level which applied the principle of delegation of authority in accordance with the development of public administration in the State and leading to the objectives of administrative reform and to achieve the objectives and functions of the Corporation.
- 7 - Defining the functions, duties and powers of each job carefully to ensure a balance between power and responsibility.
- 8 - The adoption of maps and organizational brochures explaining the stages and procedures for implementing the tasks, especially those connected to the public and used as evidence of leading services to the Corporation staff and users of their services.
- 9 - Chief Administrative virtues of their functions are responsible for training personnel with them in addition to their essential role in organizing and simplifying the business, direction and control.
- 10 - To be incumbent on the employee when dealing with the issue of what constitutes a new situation not addressed in a clear law and regulations in force may refer the matter to his immediate supervisor to take dealt with the leadership of the Corporation through the line of authority.

11 - Employment of information technology to develop the work, improve the levels of work and decision making.

12 - The inadmissibility of the communication with any other formal or informal, local or international only through the leadership of the Corporation represented by the Chairman of the Board, Executive Chairman of the Corporation.

### **Part Three**

#### **General and Final Provisions**

**Article (33):** The Corporation gives particular importance for the development of work, simplifying and improving the implementation of business by application of organization principles.

**Article (34):** The Chairman of the Board, Executive Chairman issues of all the resolutions and instructions for the implementation of these regulations and achieve its purposes.

**Article (35):** No such regulation may be amended only by a decision of the Minister on the proposal of the Board.

**Article (36):** The Chairman of the Board, Executive Chairman can re-distribute of some functions between departments if it resulted in the actual application of the need to take such action either to prevent duplication or to determine responsibility or for the purposes of compatibility with the workload, taking into account the rules of administrative management.

**Article (37):** Each Department in the Corporation responsible for secretarial work of commissions or councils, developed in the area of competence, unless otherwise provided for by the resolutions to the contrary.

**Article (38):** Issued subdivisions of departments and define their functions and terms of reference of a decision of the Chairman of the Board, Executive Chairman, after approval by the Board taking into account the rules of administrative management.

**Article (39):** This decision is applicable from the date of issuance.

**Article (40):** To be published in the Official Newspaper.

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**Corresponding to: 18/ 11 / 2009**

**Khaled Ibrahim Al-Wazir**

**The Minister of Transport**