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تصدر عن وزارة العدل

وهزارهتى داد دهرى دهكات

Legislation

No. 58

Law of the Christian, Yazidi and Sabeen-Mandaean religion Endowment Bureau

No. (58) of 2012

قانون دىوان اوقاف الديانات المسيحية واليزيدية والسابئة المندائية

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Laws

In the name of the people

Presidency of Republic

RESOLUTION NO. (59)

Based on what had been approved by the parliament in accordance with the provisions of Item (First) of Article (61) and Item (third) of Article (73) of the constitution, the president decided on October 1, 2012 issuing the following law:

NO. (58) OF 2012

**LAW OF THE CHRISTIAN, YAZIDI AND
SABEAN-MANDAEAN RELIGION
ENDOWMENT BUREAU LAW**



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CHAPTER ONE
ESTABLISHMENT, GOALS AND
MEANS
SUBSECTION ONE
ESTABLISHMENT

ARTICLE 1

A bureau called (bureau of Endowments of Christian, Yezidi, and Sabeen-Mandaean Religions) shall be established and linked to the Council of Ministers, and have legal personality and represented by its head or whomever he/ she authorizes.



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SUBSECTION TWO GOALS AND MEANS

ARTICLE 2

This Bureau shall achieve the following objectives:

- First: Strengthening religious ties with the Islamic world in particular and the world in general.
- Second: Taking care of the affairs of worship, its places, clerics, institutes and religious institutions, in a way that helps provide the best services to its members.
- Third: Supporting and caring for those in charge of the endowment for the purpose of managing and investing the endowment funds covered by the provisions of this law.
- Fourth: Encouraging and contributing to opening schools, orphanage and elderly homes and hospitals.
- Fifth: Establishing public libraries to serve as a reference for researchers.

ARTICLE 3

The Bureau may adopt all necessary means to achieve its objectives in accordance with the provisions of this law and in accordance with the provisions of other applicable laws and the regulations and instructions issued pursuant to it.



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CHAPTER TWO HEAD OF THE BUREAU

ARTICLE 4

- First: The Head of the Bureau shall be deemed its supreme Head and is responsible for implementing its policy, directing work, supervising and controlling the implementation of laws and issuing instructions, decisions and orders in everything related to the tasks of the bureau, its formations and its competences.
- Second: The Head of the Bureau shall have the rank of a minister and appointed upon a proposal by Council of Ministers after being nominated by the authorities of the three religions.
- Third: The Head of the Bureau may delegate some of his/ her powers, within the provisions of the laws, regulations and decisions in force to one of his/ her two deputies or general directors in accordance with the law.
- Fourth: The Head of the Bureau may form permanent or temporary committees to be entrusted with financial, administrative, regulatory, oversight or study tasks related to all activities and events carried out by the Bureau in accordance with the law.
- Fifth: The Head of the Bureau may seek the opinions of advisors, experts and specialists in performing some tasks related to the affairs of the Bureau or the endowments that he/ she supervises in accordance with the law.



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Sixth: Granting allowances, subsidies and rewards to the Bureau's employees and others in accordance with the law.

Seventh: The Head of the Bureau shall have a private office managed by an employee with an initial university degree with the rank of director, who assisted by a number of employees, as appropriate.

ARTICLE 5

The Bureau shall have two deputies, both of them with the rank of Deputy Minister, one for religious and cultural affairs, and the other for administrative and financial affairs, provided that the balance between the religious components in the bureau is observed.



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CHAPTER THREE

THE BOARD OF THE ENDOWMENT OF THE CHRISTIAN, YAZIDI AND SABEAN-MANDAean RELIGION BUREAU

ARTICLE 6

First: The bureau shall be supervised by a board called (Board of the Endowments of Christian, Yazidi, and Sabean-Mandaean Religions) and shall be consisted of:

- | | |
|---|----------|
| a. Head of the Bureau | Chairman |
| b. Two Deputies of the Bureau | Members |
| c. General Directors of the Bureau | Members |
| d. A representative of each religion (who shall be chosen by representatives of religions for two years renewable). | Members |

Second: The Head of the Bureau Board shall name a rapporteur for the board from among the bureau employees.

Third: One of the two deputies of the Bureau shall replace the Head of the bureau by an assignment by him/ her during his/ her absence.



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ARTICLE 7

The Council shall undertake the following:

First: Drawing the cultural, financial, administrative and organizational policies, plans and programs necessary to managing the Bureau's activity and achieve its objectives, making amendments thereto, approving them and following up on their implementation.

Second: Discussing the annual budget of the Bureau in preparation for its legislation.

Third: Studying and approving opportunities to invest the endowed funds in investment projects after realizing their economic feasibility.

Fourth: Studying and discussing the reports of the Financial Controlling Bureau, and working towards address the observations contained therein.

Fifth: Studying the issues presented to Board by the Head of the Bureau and presenting its proposals and recommendations in this regard.

ARTICLE 8

First: The affairs related to the Board's convening, the manner of conducting its work and its meetings dates shall be determined by instructions issued by the Head of the Bureau.

Second: The Board shall have a secretariat headed by an employee who obtained an initial university degree.

Third: The Board shall take its decisions by an absolute majority of its number of members.



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CHAPTER FOUR ORGANIZATIONAL CHART

ARTICLE 9

First: The Bureau formations shall be consisted of:

- a. Inspector General Bureau
- b. Christian Affair Department
- c. Yazidi Affair Department
- d. The Sabeen Mandaean Affairs Department
- e. The Administrative and Financial Department
- f. The Legal Department
- g. Engineering Department
- h. The Provincial Endowment Department
- i. Audit and Internal Control Section
- j. Research and Study Section
- k. Information Technology Section.
- l. Information and Public Relations Section.

Second: Department of Christian Affairs, Department of Yazidis Affairs and Department of Mandaean Affairs shall concern with their sects.



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ARTICLE 10

The Inspector General shall exercise his/ her duties in accordance with the law.



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CHAPTER FIVE FINANCIAL PROVISIONS

ARTICLE 11

The Court's finances shall be consisted of:

First: What is allocated to the Bureau within the Federal General Budget Law.

Second: Grants and donations received by the Bureau in accordance with the law.

Third: Proceeds of the Bureau's activities.

Fourth: The investment and operational budget allocated to the Bureau from the Federal General Budget shall be distributed fairly among the three religions.



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CHAPTER SIX GENERAL AND FINAL PROVISIONS

ARTICLE 12

Funds endowed for religions covered by the provisions of this law shall be exempted from taxes and fees stipulated by law.

ARTICLE 13

First: The Bureau's formations and terms of reference stipulated in Article (9) of this law shall be determined by a system.

Second: The divisions of the Bureau and the divisions affiliated to each of them, as well as their competencies and duties, shall be determined by instructions issued by the Head of the Bureau.

Third: The Head of the Bureau may establish new sections and divisions within departments affiliated with the bureau by instruction he/ she issues and determining their competencies and duties, modifying them, merging any of the new units with each other, dislinking them, modifying their link or repealing them in accordance with practical necessities in a way that maintains a balance between the three religions.



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ARTICLE 14

First: Each of the departments stipulated in paragraph (First) of Article (9) of this Law shall be managed by an employee entitled Director General who holds at least an initial university degree in the field of specialization and has a service of not less than (8) eight years.

Second: The formations stipulated in Items (Ninth), (Tenth), (Eleventh) and (Twelfth) shall be managed by an employee entitled Manager holding at least an initial university degree in the field of specialization and has a service of not less than (4) four years.

ARTICLE 15

The accounts of the bureau shall be subjected to the control and audit of the Federal Control Bureau.

ARTICLE 16

First: The provisions of Civil Service Laws No. (24) of 1960 and its amendments, Personnel Law No. (25) of 1960 and its amendments, State and Public Sector Employees Discipline Law No. (14) of 1991 and its amendments, Unified Retirement Law No. (27) Of 2006 and its amendments and the State and Public Sector Employee Salaries Law No. (22) Of 2008 and its amendments shall be applied to the employees of the Bureau.

Second:

- a. Teaching staff of the Endowment Bureau shall enjoy the rights and privileges stipulated in the Law of the Ministry of Education No. (22) Of 2011 and its amendments.



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- b. Members of the Endowment Bureau who meet the conditions of faculty members who hold higher degrees shall enjoy the rights and privileges stipulated in the Law of the Ministry of Higher Education and Scientific Research No. (40) of 1988 and the University Service Law No. (23) Of 2008 as amended.
- c. Workers in religious positions shall be granted the allowances provided for in Article (13) and (15) of the State and Public Sector Employee Salaries Law No. (22) of 2008.

ARTICLE 17

First: The head of the Bureau may issue instructions to facilitate the implementation of the provisions of this Law.

Second: Any provision that contradicts the provisions of this law shall not be applied.

ARTICLE 18

The Bureau of Endowments of Christian, Yazidi and Sabian Mandaean religions shall replace the Ministry of Endowments and Religious Affairs with all what regards to endowments, funds and rights related to the endowments of Christians, Yazidis and Mandaean Sabians.

ARTICLE 19

The law of the Ministry of Endowments and Religious Affairs No. (50) of 1981 shall be repealed.



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ARTICLE 20

This law shall be enter in the force as of the date of its publication in the Official Gazette.

Jalal Talabani

President of the Republic