

Water Governance Benchmarking Criteria

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B. GOVERNANCE PROCESS CHARACTERISTICS

1. **Transparency.** 90, 91, 92, 93, 94, 95, 96
2. **Participation.** 97, 98, 99, A, B
3. **Accountability and Integrity.** C, D, E, F, G, H, I, J, K, L, M
4. **Rule of law.**
5. **Coherency and Integration.**
6. **Responsiveness.** N, O

C. CROSS CUTTING CATEGORIES

1. **Water Sources**
 - 1.1 Surface water
 - 1.2 Groundwater
 - 1.3 Derivative water (reclaimed, reused, desalinated)
2. **Water Uses**
 - 2.1 Irrigation P
 - 2.2 Municipal
 - 2.3 Industrial
 - 2.4 Environmental
 - 2.5 Hydropower
 - 2.6 Fisheries, navigation, recreation
 - 2.7 Other uses (including social, esthetic, and religious uses)

Ministry of Public, Works and Water Resources
Irrigation Improvement Project

Implementation Procedures
for
The Irrigation Law No. 213 for 1994 P
and
The Ministerial Decree 14900 / 1995
Concerning

Water Users Unions and Associations
Cost Recovery and Irrigation Improvement
Revolving Fund

Purpose of the Study

Preparation of implementation procedures for the Law No. 213 of year 1994 concerning the changes of some stipulations of irrigation and drainage law and the Ministerial Decree of the Minister of Public Works and Water Resources (PWWR) No. 14900 of year 1995 concerning, implementation of Water Users Association and Unions on a private irrigation channel (Mesqa). The study will include the following: 42

- A. Procedures for organization, financial management, registration of associations and unions and required forms and documents.
- B. Cost recovery procedures.
- C. Organizational, administrative and financial procedures for Irrigation Improvement revolving fund.
- D. Procedures for Organization, Financial Management, Registration of Associations and Unions, Required Forms and Documents.

Procedures for Organization, Financial Management, Registration of Associations and Unions and Required Forms and Documents

Stipulation of the Law

The law stipulates participation of farmers in irrigation water management according to a system to be identified by a Ministerial Decree of the Minister of PWWR that determines method of management and use of improved irrigation methods in new and old lands on the following basis:

1. Establishment of Water Users Unions (WUU) having a legal entity for beneficiaries of private water source (Mesqas - Wells-Pipelines) in new lands. 1
2. Determination of management method and use of farmers of improved irrigation methods in old lands in which Irrigation Improvement takes place. The law did not give legal entity to the Water Users Association (WUA) as that of WUU. The legal entity could not organization except by a clear clause in the law. 67

Rules Stipulated by the Ministerial Decree

1. New Land

The decree stipulates establishment of Water Users Union for beneficiaries of each private Mesqa, private water source whether it is a well, pipeline or booster using Irrigation Improvement method. The

decree determined the minimum number of beneficiaries forming a union. Beneficiaries are possessors of agricultural land that depends on its irrigation on a private Mesqa or water source. The Decree determined the objectives of establishment of the union and method by which union name is to be -chosen, method of registration, determination of the head quarters of the union , organization of general assembly, board of directors their responsibilities and their organization procedures. The decree determined responsibilities of chairman of the board of directors, treasurer and secretary, financial resources and budget of the union, the fiscal year and finally reasons for which the union is dissolute. 2, 11, 43

The Ministerial Decree stipulated that irrigation directorate is the department responsible for unions. 12

Accordingly, the main items that should be included in the charter of the unions are determined by the ministerial decree.

2. Old Land

The Ministerial Decree stipulated that Irrigation Improvement in old lands will be based on improvement of private Mesqas through some methods given as examples and stipulated procedures required for precision leveling in coordination with the Minister of Agriculture. 79

The decree stipulated that all farmers on an improved Mesqa are to establish an association for its operation and maintenance The decree d the Association duties in areas where Irrigation Improvement methods are to be implemented according to a decree issued by the Minister of PWWR. 3, 13, 80

The decree determined obligations of beneficiaries of Irrigation Improvement projects and steps to be taken in improvement regions. This includes tasks carried out by water guidance, formation of general assembly of the Water Users Association (WUA) and the association board, its obligation and responsibilities. Also responsibilities of Sheikh El Mesqa, its treasurer, secretary, head of marwas and pump operator. 14

The above mentioned items represent the main items of the charter of the association.

The Irrigation improvement directorate and water guidance are responsible for the associations. Associations are registered in the irrigation directorate. 15

Suggested Implementation Procedures

1. Union of New Land 4

- I. Preparation of a charter for WLTU that includes the stipulations of the Ministerial Decree and any other organizational procedures deemed necessary. A model of the charter of the union is prepared (Attachment no. 5).
- II. The Unit is to be created in the irrigation directorate of each governorate for the registration of the unions and supervise them as well as providing necessary help and advice required for the implementation of the procedures stipulated by the law and rules of the Ministerial Decree. Also a central unit is to be created to supervise governorates units and to help them in the collection and analysis of data of different governorates.
- III. Following are procedures to be followed for the establishment of WUU in new land:
 1. Article 71 of the Law No. 12 of 1984 of water and drainage rectified by the Law No. 213 of 1994 and the Ministerial Decree issued for implementation of the law stipulate establishment of WIJU in new land for the beneficiaries of private, water source, if they exceed five beneficiaries. The union is granted a legal entity.
 2. Concerned irrigation directorate registers unions established within its domain in a special register. One page of the register is to be dedicated for one union. Information about the union is to be completed upon receivable by the irrigation directorate of the minutes of meeting of the first Unions General Assembly U.G.A. meeting and its attachments. (Attachment 1 form of the required register.)
 3. The U.G.A. is formed from all possessors of land benefiting from the private Mesqa, well or shared water resource. Possessors are owners, tenants or beneficiaries
 4. .The first U.G.A convenes upon an invitation of the irrigation engineer or upon a request of one third of the members of the U.G.A. possessing at least 30 % of the command area of the union (Attachment 2 form of invitation of the U.G.A.). Invitations should be delivered by hand to union members or their representatives .3 days prior to the date of convention.

The invitation is to include place and date of convention. The member of union can attend the U.G.A. by himself or he may delegate another member with a written informal power of attorney. A member can not represent more than one member. The irrigation directorate is to be notified by the invitation and the agenda of the meeting at least 3 days prior to the U.G.A. convention by. The irrigation Engineer attends the convention of the U.G.A. as an observer.

5. The agenda of the first U.G.A. meeting is to include the following:
 - Ratification of the union's charter
 - Choice of unions name
 - Choice of union's headquarters
 - Election of 5 members of the board of directors (Attachment 3 the minutes of meeting of the first of U.G.A. convention.)
6. The U.G.A. convention is not valid if it is not attended by at least half of the union members whose possession should represent at least 50 % of the command area of the union. If the stipulated attendance percentage is not reached the U.G.A. meeting is postponed for another meeting during the following week. The second convention is considered valid irrespective of the number of attendee and their possession. **B**
7. The first U.G.A. convention is to be headed by the oldest member. If the irrigation engineer invites the U.G.A for convention, he is to head the convention without having the right to vote.
8. Resolution of the U.U.A. is agreed upon by a simple majority of the attendee.
9. The head of the U.G.A. prepares minutes of meeting for the convention. The minutes of meeting is to include date and place of the convention, names of the union members, names of the attendees and absentee, the possession of each and number of votes for each resolution. (Attachment 4 is a prototype of minutes of meeting of the first U.G.A. convention.

A copy of minutes of meeting is to be delivered to the concerned irrigation directorate within at most 1 week form the convention date.

The following are to be attached with the minutes of meeting of the first convention of U.G.A.:

- a) List of beneficiaries
- b) The charter of the union ratified by all members

10. The board of directors elects among its members:

- a) Chairman of the board of directors
- b) Treasurer
- c) Secretary

After the convention of the first U.G.A. meeting the charter of the union is enforced.

2. Associations of Old Lands

I. Preparation of the Charter of the WUA including all items stipulated by the law and Ministerial Decree (Attachment 5 the Charter of WUA).

The charter was prepared taking into account modification of articles of Chapter 3 from the Ministerial Decree without contradicting the specific stipulation related to associations and substituting irrigation directorate by Irrigation Improvement directorate and water guidance and taking into consideration rectification of the absence of giving the association a legal entity.

The absence of the legal entity of the association was rectified until prepared charter by specifying the following:

- Delegation of all association members of Sheikh of Mesqa, G.A., board of Mesqa in carrying out all necessary acts and deeds that fulfill the objectives of the association. The liability of these acts towards each member will be limited to his percentage of possession to the total command area of the Mesqa and within the authorities of Sheikh El Mesqa, G.A. and the Mesqa board stipulated in the charter of the association.
- Increasing role of water guidance to include the following:
 - Ratification by water guidance directorate of a balance sheet of the association after its submittal to the general assembly. 63

- Periodical audit by the water guidance directorate of administrative and financial registers of the association in signing the registers to show that audits took place and in particular auditing, contracts, agreements and collection of operational maintenance and replacement cost. D
 - Approval of the water guidance of minutes of meeting of the GA. and association board meetings.
 - Water guidance dissolve the association in case of its termination according to the rules that are decided by the directorate, after referring to the G.A
- Irrigation Improvement directorate takes the necessary measures for the precision leveling of the land after agreement with agricultural department of governorate when necessary. 16

II. The following are procedures to be followed by:

1. The water guidance engineers are their collaborators in areas where the Ministerial Decree by the minister of PWWR was issued for its development, are to meet with farmers on private Mesqas to inform them of the Ministerial Decree concerning the Irrigation Improvement of the Mesqas and objectives and methods of it as well as benefits resulting from improvement and estimated cost per feddan and cost recovery system. 40
2. The guidance engineer is to invite all beneficiaries of the Mesqa that are included in the Irrigation Improvement plan for a meeting. The date and place of the meeting is announced either at the location of Mesqa, the agricultural cooperative head quarters or the Mayor's head quarters and separate invitation is to be divided to each beneficiary (Attachment 6 model for the meeting's invitation). 97
3. Attendee of the above mentioned meeting form the G.A. of the association of the improved Mesqa .
4. The first task of attendee is to sign the charter of the association. It is not absent from charter .
5. The G.A. chooses headquarters for the association.
6. The G.A. of the association elects among its members, five members as board of Mesqa. If the number of the G.A. members is less than 10 they elect only Sheikh of Mesqa and treasurer.

7. Resolution of the G.A. is approved by the simple majority of attendees. 98
8. The head of GA. prepares minutes of meeting in which date and place of the meeting are mentioned as well as a list of attendee and absentee including their names and the possession of each and votes of each resolution. A copy of minutes of meeting is to be delivered to the Irrigation Improvement Directorate at most within I week of the date of the meeting (Attachment 7 model for minutes of meeting of the first G.A. of the association). Upon fulfillment of the above mentioned items the role of the 1st GA. is completed and states the role of the assembly board for the completion of registration procedures.
9. The board of associations elects among its 5 members head of the association called the Sheikh of Mesqa, deputy Sheikh of Mesqa ,treasurer and secretary.
10. The board chooses a name for the association (attached 8 model for minutes of meeting of the 1st meeting of the association board.)
11. The Sheikh of the Mesqa is to complete the signature of the charter of members who did not attend the first G.A. meeting.
12. The board of the Mesqa presents a request for registration of the Mesqa (Attachment 9 the request for registration of WUA to the irrigation Directorate. The irrigation directorate registers the association in the registration register and gives the association a certificate of registration including the registration number (Attachment 10 model 4 registration register).
13. The following are to be attached to the request of registration:
 - (a) List of all beneficiaries of irrigation water of the Mesqa
 - (b) A signed copy from all beneficiaries of the charter of the WEJA
 - (c) Minutes of meeting of the first G.A. of the WUA
 - (d) First minutes of meeting of the association board in which the Sheikh of Mesqa, his deputy treasurer and

secretary were elected and the name of the association was chosen.

By the completion of the above mentioned procedures the charter of the association becomes enforced.

- III. The Union's registration unit created at the irrigation directorate registers the Associations in a separate register and issue the registration certificate.
- IV. Coordination and integration between Irrigation Improvement Project directorate and Water Guidance directorate on central and local levels. Also coordination and integration between them and Irrigation Improvement revolving fund. (Necessary measures to fulfill this objective are explained in the procedures of Irrigation Improvement Project). ³⁵
- V. Coordination and integration between the water guidance directorate and different concerned entities in the governorate e.g.: agriculture development bank, agriculture cooperative society, land reclamation cooperative societies, agriculture unit, land reclamation department, majors, executive agencies popular councils, local units, broadcasting and television (local channels.)³⁶

Cost Recovery Procedures

Rules Stipulated by the Ministerial Decree

The Ministerial Decree established the rules for and collection of the of the improving cost of private Mesqas and the procedures of informing beneficiaries of the cost and procedures of objection and authorities which collect the cost and deliver it to the revolving fund for Irrigation Improvement projects in new and old lands. ⁴⁴

Proposed Implementation Procedures

The concerned Irrigation or Irrigation Improvement directorate is to prepare a final cost estimate after the completion of the Improved Irrigation projects (Attachment 12 model for total cost form) and a list of the share of each association and a list of the cost per feddan and the share of each association and a list of the cost per feddan and the share of each association member (Attachment 13). The list of the cost share of the association members is to be announced at the head quarters of agricultural, cooperative and major announcement boards of the Markaz and police station to which the association belongs and

headquarters of WUU or WUA. The announcement is to be in place for at least two weeks. Prior to this date and place, an announcement should be published in the official gazette. Concerned people can object on the cost value within the following 30 days (Attachment 15 objection form) .Otherwise cost estimate will be considered final.

Objections are to be forwarded to the concerned general directorate. A committee headed by the general director of the concerned directorate or his deputy and representatives of agricultural department, survey department, agricultural cooperative, irrigation engineer and WUA or WUA, examines the objections. The decision of the committee is final and to be implemented.

Irrigation directorate or Irrigation Improvement directorate are to present a list containing areas covered by improved irrigation networks that were executed by the ministry and amounts to be collected per feddan. The list is to be given to the authorities responsible for the collection of land taxes. Collections of these amounts are to be collected with land taxes and transferred to the account of the revolving fund for Irrigation Improvement. ⁴⁵

Determination of the relationship of authorities responsible for estimation and collection for both old and new land and the Irrigation Improvement revolving fund which is described in the organizational procedures of the fund.

Organizational, Administrative and Financial Procedures of Irrigation Improvement Revolving Fund

Stipulations of the Law

The law stipulates the establishment of Irrigation Improvement revolving fund to avail finance required for Irrigation Improvement project, maintenance of improved Mesqas and the supervision of implementation of the mentioned projects and increase awareness in the area of water usage. Financial resources of the fund are secured from amounts allocated to it from the general budget of the government, loans, grants and payments made by beneficiaries of improvement projects to recover its cost and return on investments. The law stipulates that the Minister of PWWR is to issue a decree for the rules to be applicable to organize the fund, its financial affairs and formation of its board of directors. ⁴⁶

Stipulations of the Ministerial Decree

The Ministerial Decree clearly defines the object of the law as follows:

- Providing necessary finance to projects of developing and maintaining developed irrigation projects and accurate leveling. ⁴⁷
- Supervising the implementation of the mentioned projects. ^E
- Increasing awareness in the area of water usage. ⁴¹

The decree stipulates also that the fund is to provide necessary finance for maintenance of Mesqas if carried out by the irrigation directorate on behalf of beneficiaries and at their expenses. The fund is to provide finance for execution. ⁸¹

The Ministerial Decree determined members of the board of directors of the fund, its responsibilities, organizational procedures, its committees and its resources. The fund money is considered public. The Decree stipulates that the PWWR.

The fiscal year of the fund follows the fiscal year of the government. The fund is to open an account in a public sector commercial bank where its income is to be deposited. The excess funds in the account are to be transferred to the following fiscal year. The fund shall receive its rights from third parties through administrative sequestration according to the law. The fund's administrative staff shall consist of the employee of the irrigation department who are appointed by the head of the department in agreement with the fund's board of directors until the organizational structure of the fund is established.

Accordingly the Ministerial Decree has established rules for organizing the fund and its financial system which will be detailed by the charter of the fund prepared by the board of directors and approved by the Minister of PWWR. The remaining details will be explained in the following implementation procedures.

Suggested Implementation Procedures

To complete and explain the rules mentioned in the law and the ministerial decree the following procedures are suggested

- a) Appointment of a chairman and deputy chairman by the authorities after determining whether the chairman is a full timer or part timer. It is suggested that the head of the irrigation department will be

appointed as deputy chairman of the fund. This will establish executive and subjective relations between the fund and irrigation and improvement directorates, which are supervised by the irrigation department. 5

The fund will execute procedures concerned with cost estimation and follow up of improvement projects, cost recovery and activities for the improvement of the awareness of water usage through the staff of irrigation department. Decisions of the fund's board of directors will be based on periodical reports. The board of directors is to request any additional information and explanations deemed necessary to take decisions that fulfills its objectives. The head of irrigation department as deputy chairman of the board is to follow up executions of the decisions and inform the board of directors of the results.

- b) Inclusion of representatives of Ministry of Finance, Planning and International cooperation to be nominated by their respective ministers and appointment of two public figures chosen by the Minister of PWWR.
- c) Determination of responsibilities of chairman of the fund as:
 - Following up execution of decisions taken by board of directors. Taking action in urgent matters and presenting the decisions to the board of directors in the following meeting for approval.
 - The final decision of the responsibilities and authorities for both the chairman of the board of directors of the fund and his deputy will depend on whether the chairman is full timer or part-timer and if the head of the irrigation department will be deputy chairman of the fund Accordingly the relationship between the fund and the irrigation directorate and Irrigation Improvement directorates centrally and locally is determined are explained before. 17
- d) The organization chart of the fund will be prepared so that the fund director will supervise the financial and administrative affairs and prepare its account and budget as in the following procedure:
 - Opening special account for the fund in the central bank of Egypt after approval of the ministry of finance. The withdrawal from this account will be by checks signed by either the chairman or his deputy as first signature and by the representative of the Ministry of finance manager of financial affairs or his assistant as second signature. 18

- The fund director should prepare the draft budget, income and outgoing reports on the basis of data submitted to him by irrigation directorate, irrigation directorates and irrigation improvement directorates in governorates. This data will be presented in the forms prepared by the fund. It will be presented to the board of directors of the fund within a reasonable period before the fiscal year so it can be accepted and approved by the Ministry of PWWR and submitted to the Ministry of finance to be included in the proposed budget of the MIPWWR according to regulation of preparing annual budget issued by the Ministry of Finance. 19

Thus the final budget should be prepared at the end of the fiscal year and approved by the board of directors and submitted to the concerned authorities taking into consideration stipulations of Law No. 53 of 1973 of public budget of the government and its bylaws.

- A financial unit should be established for the fund in coordination with the ministry of finance or the financial department of the irrigation unit which can supervise the resources of the fund and its usage, based on the financial study which will be carried out. 6

Special ledgers for the resources and usage of the fund are to be in accordance to the fourth section for bylaw of governmental finance Law No. 127 of the year 1981, the fund will use the financial forms with the value used in the administrative departments, although it is allowed after decision of the board of directors to use other forms or books suitable to the needs of the fund. The board of directors should specify these forms and the data included in it and the way of using it and the auditing system. The board of directors should also determine what will be spent by the financial unit of the irrigation department and what will be spent by the financial unit in the irrigation directorate in the governorates. The coordination and integration between these units will achieve easy spending procedures. 20, 37

- e) Nomination of the funds' administrative staff members among the employee of the Irrigation department who are seconded by the head of the department in agreement with the funds' board of directors until the organizational chart of the fund is established.
- f) The Minister of PWWR will issue a decree to determine allowances and salaries of the chairman and members of the board

of directors of the fund and the allowances of attending the meeting of the board of directors according to the Presidential Decree No. 71 of 1965.

Any other issues will be regulated according to Law No. 53 of 1973 and its bylaw concerning the public budget of the government and the Law No. 127 of 1981 and its bylaw concerning governmental finance.

- g) Irrigation directorate and irrigation improvement directorate are to prepare annual budget for contracts and expenditures for areas to be developed by each of them, and a timetable for execution of these works. The budget and timetable are to be revised and approved by irrigation directorate prior to its presentation to the board of directors of the fund. The fund will revise it and dedicate the money for each project to be spent by irrigation directorate or irrigation improvement directorate. A monthly report will be presented to the fund indicating all the agreements, contract and expenditure. Also if there is a request of increasing allocated fund of any project. ²¹

As for the cost recovery of the funds expenditure estimation and collection will be according to the forms that are to be within the financial system prepared in coordination with the Minister of Finance and approved by board of director's of the fund in integration with what has been previously explained in the procedures of cost recovery. The land and tax department will collect cost amounts with land taxes and transfer it to the account of the Irrigation Improvement revolving fund, i.e.; to the financial unit of the fund. (Attached is a diagram showing the operation cycle of the fund). ⁴⁸

It is understood that all projects that started since the issuance of the law, its cost will be recovered. Projects that were completed prior to the application of the law will not be cost recovered. The projects that was contracted for before the application of the law and not yet completed should be given special attention. These projects are divided into the following categories.

1. Projects started execution and still under construction.
2. Projects that are contracted for and did not start execution.

For these projects that represent the transition period their cost recovery policy may be either:

- a. Consider all contracts of irrigation Improvement that were contracted for prior to the implementation of the law as pilot projects and exempt them from cost recovery.
- b. Apply cost recovery procedures to projects that are started after the implementation of law, even if the contract date was prior to the law.

It is worth noting that upon approval of the above mentioned procedures it is suggested:

1. Issuance of implementation decrees
 - Preparation of forms and registers
 - Determination of the starting date of the fund taking into account dates of preparation of plan and annual budget of the year 1996 - 1997
2. Take the necessary measures for training personnel in central and local departments, Irrigation Improvement and water guidance directorates, as well as personnel nominated for the Irrigation Improvement revolving fund. 60

ATTACHMENTS 90, F

ATTACHMENT 1

Ministry of Public Works and Water Resources
Irrigation Department.....

REGISTER OF WATER USER UNION
ON (MESQA, WELL OR PIPE LINE)

| Item | Union Name | Name of Mesqa, well, pipeline | Address | Area of Influence of Water Source | No. of Beneficiaries | Name of Boards of Directors | Profession of Members | Notes |
|-------------|-------------------|--------------------------------------|----------------|------------------------------------------|-----------------------------|------------------------------------|------------------------------|--------------|
| | | | | | | | president | |
| | | | | | | | Treasurer | |
| | | | | | | | Secretary | |
| | | | | | | | member | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

ATTACHMENT 2

**INVITATION FOR THE FIRST CONVENTION
OF THE GENERAL ASSEMBLY OF
THE WATER USERS UNION
ON (MESQA, WELL OR PIPELINE)
AT ZONE.....GOVERNORATE.....**

Mr/..... processor of an area of..... fed..... kirat..... sahm in
Zone..... Markaz..... governorate..... is the beneficiary of the
Irrigated water from (Mesqa, Well or Pipeline).....

Please be informed that the date of..... hour..... is specified for
the first convene of the general assembly of water users union on (Mesqa, Well
or Pipeline) mentioned above and located at zone.....Markaz
governorate

Attached with this invitation the agenda of the assembly.

you are kindly requested to be present at the mentioned location and at the
specified time.

Thank you

Irrigation Engineer

Date / /

ATTACHMENT 3

**WATER USERS' UNION OF
MESQA / WELL/ PIPELINE**

Village..... Governorate.....

Minutes of meeting of the first meeting of the general assembly

Agenda of the meeting:

1. Ratification of the charter of the Union.
2. Choice of a name for the Union.
3. Choice of headquarters for the Union.
4. Election of the board of directors composed of five members.

Minutes of the meeting

On ... the / / , at hr. The first convention of the general assembly of the union took place under the precedence of Mr..... eldest member and the secretary was Mr..... the youngest member and presence of the members whose names addresses and signatures are shown in the attached list.

The convention took place at.....

Mr..... and Mr..... were assigned as vote enumerators.

the convention is legal by the presence of..... member out of..... member and their possession is more than 50% of the total possession of the union.

Election of the board of directors

The following members nominated them selves for the membership of the board of directors

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

The result of the election was as follows

The votes corresponding to each member were as follows:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

Accordingly the board of directors is formed by the following members:

- 1.
- 2.
- 3.
- 4.
- 5.

The Nomination of The Union

The present members agreed to choose as the union name.

Union Location

The present members agreed to choose as the union headquarters.

Signature

Vote enumerators:

- 1-
- 2-

Secretary

President

**Water users' Union of
Mesqa / well pipeline**

Village..... Governorate.....

**List of present members of the first convention
Of the general assembly dated.....**

| Serial | Name | Possession | Signature |
|---------------|-------------|-------------------|------------------|
| | | | |
| | | | |
| | | | |
| | | | |
| Total | | | |

Secretary

President

**Water users' Union of
Mesqa / well pipeline**

Village..... Governorate.....

**List of absent members of the first convention
Of the general assembly dated.....**

| Serial | Name | Possession |
|---------------|-------------|-------------------|
| | | |
| | | |
| | | |
| | | |
| Total | | |

Secretary

President

ATTACHMENT 4
Water users' Union of
Mesqa / well pipeline

Village Governorate.....
Minutes of the first meeting of boards of directors

Agenda of the meeting:

- 1- Job distribution of members of the boards of directors.

Minutes of Meeting

On ... the / / . at hr. The boards of directors elected from the first convention of the general assembly of the union took place under the precedence of Mr..... eldest member and the secretary was Mr..... the youngest member and presence of the following members:

.....
.....
.....
.....
.....

As the meeting was legal due to the presence of member out of member, the agenda was discussed and the following decisions were made:

DECISIONS

- 1. Mr.....was elected as president
- 2. Mr.....was elected as treasurer
- 3. Mr.....was elected as secretary

As all the agenda is discussed the meeting is over on.....

Members

Secretary

President

ATTACHMENT 5

**CHAPTER
OF
WATER USERS UNION**

Village:

Governorate

CHAPTER ONE

Article 1

On the day..... dated..... of month..... for the year..... the signatories founded a WUU on a common water source under the name of..... The Union has a legal entity according to the law 213 of the year 1994.

Article 2

The purpose of the Union is to organize participation of the beneficiaries of water to manage operate and maintain water pumps, irrigation conduit, or private water common source, determine costs of irrigation and collect them from the farmers. As well as organizing operation timings and water rotation. 99

The geographic domain of the Union is.....

The address of the Union's headquarters is.....

CHAPTER TWO

Union Resources

Article 3 49

Union's financial contributions shall include the following:

1. Contributions of the Union's members according to the possession of each and in the value determined by the general assembly meeting.
2. Subscriptions collected from each member to pay the costs of irrigation, operation and maintenance of pumps, irrigation canals, springs or water pipes.
3. Interests of deposits saved in the bank.
4. Any donations or grants paid by the members or others.

Article 4

It is known to all members of the Union that costs incurred by the irrigation directorate will be collected as follows

Item 1 50

After implementing the developed irrigation network, irrigation department will prepare a statement of final costs per feddan to establish a developed irrigation network including all its contents and accessories.

The costs of implementing a developed irrigation network shall be paid either in cash or on annual installments not exceeding twenty years. The Irrigation department shall determine the number of installments and the value of each installment according to the estimated amount.

The holder, either a beneficiary or a tenant, shall pay the annual installment. While both the holder and owner shall pay It if the land is exploited under temporary sharecropping agreement (Mozaraha.)

Item 2

A list of cost shares per beneficiary shall be displayed at the agricultural cooperative headquarters, mayor office, Markaz bulletin board, police station affiliating to the land and headquarters of Water Users Union within two weeks at least. The date and place of display shall be announced in the Egyptian gazette. 90

Item 3

The concerned shall have the right to oppose the estimated costs within the 30 days following the display, otherwise it is final. The

Opposition shall be submitted to the respective general department where a decision will be taken by a committee formed of the General Director, or his deputy, as a chairman, and representatives of Ministry of Agriculture, survey department, agricultural cooperative, irrigation engineer., and Water Users Union, in case of its presence, as members. **A**

Item 4

The Ministry of Public Works and Water Resources shall deliver a statement to all respective authorities responsible of the collection of land tax, including areas and basins covered by the developed irrigation networks, implemented by the Ministry, and amounts needed per feddan. These amounts shall be paid within the dates determined to collect land tax, and shall be deposited in the account of irrigation canals development and maintenance fund. **22, 51**

Article 5

The Association's fiscal year shall start in January 1 and shall end in December 31 of each year, provided that the first fiscal year starts from the date of the Union's registration and ends in December 31 of the same year.

Article 6

Funds of the Union shall be deposited in a bank or saving fund, specified by the general assembly, under the registered name of the Union. In case of change of the bank the irrigation directorate is to be notified by the change within one week. **52**

Article 7

Disbursement of any fund of the Union should be signed by the treasurer and the chairman of the board of directors. **G**

Article 8

Funds of the Union are exclusively used for its purposes and should not be spent otherwise. **H**

Article 9

The Union should keep on its premises account ledgers showing its income and expenses **92**

CHAPTER 3

Membership

Article 10

The member of the Union is a beneficiary of irrigation water of the improved Mesqa located within the geographic domain of the Union.

Article 11 23

General assembly determines the annual subscription to be paid by each member of the Union. Subscription is to be paid one month prior to the end of fiscal year.

If a member of the Union refrains from paying subscription or from his obligations determined by the law or this charter, the chairman of the board has to take any necessary measures to preserve the rights of the Union toward the violator.

Article 12

Membership is terminated whenever a member is not anymore beneficiary of the irrigation water from the water source for which the Union is to manage.

The member whose membership conditions are changed is to notify the Union in a maximum of month from the change of his status.

Article 13

A beneficiary whose membership is terminated has no right to refund subscriptions or donations given by them to the association.

CHAPTER FOUR

General Assembly

Article 14

General Assembly shall consist of the entire possessor of land beneficiaries of the Mesqa, well or pipeline. The possessor may be owner or tenant.

Article 15

The General Assembly is to convene once a year within three months from the end of the fiscal year of the Union to discuss the balance sheet, final accounts, the annual report of the Union board of directors, election of members of Union's board of directors and any other issues proposed by the Union board of directors and listed in the agenda of the meeting. N

An outstanding meeting of the general assembly of the Union could be called to discuss modification of this charter or in case of termination of the association, dismissal of members of the Union's board of directors or any other reason.

Article 16

The General Assembly shall convene according to an invitation directed form the Chairman of the board of directors, one third of members who own not less than 30% of the Union land or upon the request of the Irrigation Engineer.

In case of the invitation of outstanding general assembly by the Irrigation engineer, a prior approval of the general director of irrigation directorate is to be obtained.

The invitation shall be delivered by hand to the Union's members or their representatives, who will sign a copy of the invitation 3 days prior to the convention of the General Assembly except in emergencies. The Union is to keep dated signatures of the members to prove the legality of the invitation.

The invitation of General Assembly as well as a list of members legible to attend the meeting shall be announced in the Union's headquarters. The invitation shall include in the agenda the place of convention and its date.

The irrigation directorate shall be notified by the meeting and the agenda three days prior to the convention of the general assembly.

The member of the Union can attend the meeting by himself or delegate another member by a written unofficial power of attorney. The member cannot represent more than one member.

The Irrigation engineer as an observer shall attend the general assembly meeting.

Article 17 |

The general meeting shall be valid by the attendance of half of the Union members at least who own 50 % of the Union land. If this quorum is not available, the general meeting shall be postponed to another meeting, which will be convened during the following week. The second convention of the general meeting shall be valid by the attendance of any number of members and any ownership percentage. The general meeting resolutions shall be issued by absolute majority of attendees.

A member of the assembly cannot vote if the discussed topic is agreement with him or a dispute between him and the Union and whenever he has a personal benefit in the discussed issue.

Article 18 24

The general assembly meeting will be headed by the Chairman of the board of directors. In case he is absent, it is to be headed by the oldest member of the Union's board of directors.

In case of invitation of the invitation of the assembly meeting by the Irrigation engineer, he heads the meeting without having the right to vote.

Article 19

The Chairman of the board of directors shall prepare the minutes, and shall record the time, place of convention, number of the Union members, names and number of attendees and absentees, the land owned by members, and number of voices voting each resolution. A copy of each minutes shall be delivered to the respective irrigation department within one week from the date of the general meeting convention. 25

CHAPTER FIVE
Boards of Directors

Article 20 7

The General Assembly in its first convention and then every two years shall directly elect five members to form an Union's board of directors. Members of the board can be re-elected.

It is forbidden to be a member of the Union's board of directors and work for a salary for the Union or with a remuneration from the Union.

The first general assembly elected the following as Union's board of directors:

- 1.
- 2.
- 3.
- 4.
- 5.

If a vacancy takes place among the Union's board of directors within the period between two successive general assembly meetings, he shall be replaced by the member of the Union having the highest votes succeeding the elected members of the board of directors in the last general assembly meeting.

His membership is to continue till the convention of the following general assembly meeting, where vacancy is replaced by direct election for the remaining period of the vacant place.

Article 21 8

The Union's board of director's elects within its member:

1. Chairman of the board
2. Treasurer
3. Secretary, who will be responsible for the administrative affairs of the union.

Article 22

The Union's board of directors manages the Union's affairs. To reach this fine he has to take any necessary measures or acts except those

requiring prior approval from the general assembly as stated in this charter.

The board of directors shall be responsible for the following: 26

1. Operation of the common water resource.
2. Placing a time table for water rotation between members of the Union. 69
3. Maintain the common water source and keeping its components in good conditions. 82
4. Maintenance of boosters and carrying out major repair and replacement. 83
5. Determine the cost of irrigation per feddan in the way agreed upon whether per hour, feddan or per crop. 87
6. Buying, selling or carrying out agreements for operation and maintenance.
7. Getting best credit facilities fulfilling the Union's objectives.
8. Solve problems arising among union's members. 70
9. Cooperation with central, local, popular and executing authorities. 38
10. Helping the general directorate in training members of committee and Mesqa heads. 61
11. Opening of account in a bank or saving deposit where the money of the union is to be deposited. 53

Article 23

The union's board of directors shall meet once per month at least according to an invitation from its chairman to carry out the responsibilities indicated in this charter. The resolution of the board of directors shall be issued by absolute majority of attendees. Any member of the board does not attend at least on half of the meetings in a year is considered as resigned. A member of the board cannot vote if the discussed topic is agreement with him or a dispute between him and the Union and whenever he has a personal benefit in the discussed issue.

Each beneficiary shall obtain a copy of the board of directors' decisions, which will be informed to the water guidance irrigation engineer and irrigation general director. 93

Article 24

The Union's decisions concerning regulation of water rotation shall be issued unanimously. If there are differences in opinion, the Irrigation engineer, according to a complaint for many of the Union members, shall regulate the rotation and his decision shall be effectual. If the Union does not respond, the issue shall be presented to the Irrigation general director whose decision is final and valid in this regard.

Article 25

The Irrigation engineer can object on any decision of the general assembly or board of Union within one week of the date of notification of the resolutions. The director of irrigation directorate has the right to object on the decisions of the Union within 2 months of the date of notification. Objection should be justifiable. Justified objection is returned to either the general assembly or the board of directors, to express their views concerning these resolutions. The new resolution is to be submitted to the director of irrigation directorate where his decision is final and indisputable.

Chapter Six
Responsibilities of the Chairman of the board,
Treasurer and Secretary 27

Article 26

The Chairman of the board shall be responsible for the following tasks:

1. Preparation of the agenda of the general assembly meetings, sending invitations for the meeting and Chairing the general assembly. He is to execute resolutions of the general assembly.
2. Supervision maintenance works, and regulates water distribution. 84
3. Supervision of administrative and financial affairs of the Union. He is considered as the link between the Union and the concerned Irrigation directorate in receiving its directive discussing it in the general assembly and executes it.
4. Prepare the annual budget of the Union, which is to include expenses expected during the year and proposed sources of finance to be approved by the board of directors and the general assembly. 54
5. Supervision the collection of tile costs of operation, maintenance and replacement and renovation, and representing the Union in signing contracts and agreements approved by the general assembly or any other matters assigned to him by the general assembly.
6. Singing checks and financial papers jointly with the treasurer.
7. Receiving remarks from Markaz Irrigation engineer regarding the cleansing and maintenance of irrigation canals and water pumps, and submitting them to tile board of directors to take necessary measures for implementation and informing Markaz Irrigation engineer to start tile implementation procedures.
8. Submitting the annual report on the Union's activities at the end of each fiscal year to the general assembly.
9. Representing tile Union before the administrative and juridical entities.

The chairman of the board of directors in emergencies shall take by himself appropriate measures to secure and maintain the irrigation canals, irrigation stations or water pumps, and shall submit the matter to the board of directors in its next meeting.

Article 30

The treasurer of the Union shall be responsible for the following

1. Collecting the Union's resources such as irrigation, administrative, subscriptions and guarding costs from members of -the Union, and presenting receipts for amounts collected.
2. Depositing finds in bank or saving passbooks, which are determined by the general assembly resolution.
3. Disbursing a permanent or temporary advance from his custody according to the general assembly resolution.
4. Signing cash receipts and checks jointly with the chairman.
5. Handling book keeping, vouchers and documents related to collection and disbursement.
6. Peppering estimated budgets and subscriptions accounts with the chairman.
7. Handling book keeping of revenues and expenses which will be supervised by the Union's general assembly meeting and respective Irrigation engineer.

Article 31

The Union's secretary shall be responsible for the following:

1. Registering the board of director's activities and decisions in private record.
2. Informing the Markaz engineer of the meetings and resolutions of the general assembly and the board of directors within one week at most.
3. Keeping data related to the Union, members and their properties.
4. Recording the minutes of the general assembly meetings and the board of directors.
5. Carrying out all administrative works related to the Union.

CHAPTER SEVEN
DISSOLUTION AND REGISTRATION

Article 32

The Association is dissolved because of one of the following reasons:

1. Modification of property so that the number of beneficiaries becomes less than six
2. Termination of the role of the Association.

The general assembly of the Association shall liquidate the Association in case of its termination according to the above mentioned reasons. The general assembly will decide the rules by which the fund of the Association is to be distributed among its members. This resolution is to be approved by the general director of irrigation improvement department

Article 33

The Association was registered in the general irrigation directorate
Under

The name of:.....

and

Registration number.....

ATTACHMENT 6

List of beneficiaries constituting the Union upon registration

| Serial | Name | Land Location | Type of Possession | Address | ID Number | Signature |
|--------|------|---------------|--------------------|---------|-----------|-----------|
| | | | | | | |
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All members signed for the approval of the establishment of the Union and its charter

**INVITATION FOR THE FIRST
CONVENTION OF THE GENERAL ASSEMBLY
OF WATER USERS ASSOCIATIONS**

ON (Mesqa.....
Village..... Markaz..... Governorate.....

Mr..... the possessor of..... fed,..... Kir,..... sah,
at village..... , Markaz..... governorate..... and who is the
beneficiary of the irrigation water from the developed Mesqa.....

Please be informed that the date of..... on..... hour..... is specified
for the first convention of the general assembly of water users associations from
the mentioned Mesqa,..... at , village..... , governorate.....

Attached with this invitation the agenda of the general assembly. Please attend
at the mentioned location and the specified date.

Thank you

Water Guidance Engineer

.....

ATTACHMENT 7

**Water users' Association of
Mesqa / well/ pipeline**

Village.....

Governorate.....

Minutes of meeting of the first convention of the general assembly

Agenda of the meeting

1. Ratification of the charter of the Association.
2. Choice of headquarters for the Association.
3. Election of the board of the Mesqa composed of five members.

Minutes of the meeting

On the / / , at hr, The first convention of the general assembly of the association took place under the precedence of Mr..... eldest member and the secretary was Mr..... the youngest member and presence of the members whose names addresses and signatures are shown in the attached list and in presence of Mr.....

the water guidance engineer.

The convention took place at.....

Mr..... and Mr..... were assigned as vote enumerators.

the convention is legal by the presence of member..... out of..... member and their possession is more than 30% of the total possession of the association.

Election of the board of the Mesqa

The following members nominated them selves for the membership of the board of the Mesqa

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

The result of the election was as follows:

The votes corresponding to each member were as follows:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

Accordingly the boards of the Mesqa are formed by the following members:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

Signature

Vote enumerators: 1-.....
2-.....

Secretary

President

**Water users' Union of
Mesqa / well pipeline**

Village..... Governorate.....

**List of present members of the first convention
Of the general assembly dated.....**

| Serial | Name | Date of Birth | Place of Birth | Possession F K S | Profession | Address | Identification Card | | |
|--------------|------|---------------|----------------|------------------|------------|---------|---------------------|------|------|
| | | | | | | | No. | Loc. | Date |
| | | | | | | | | | |
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| Total | | | | | | | | | |

Secretary

President

ATTACHMENT 8

**Water users' Association of
Mesqa / well/ pipeline**

Village.....

Governorate.....

Minutes of meeting of the first convention of the general assembly

Agenda of the meeting:

1. Election of the sheikh of Mesqa, his deputy, treasurer and the secretary.
2. Choice of a name for the association.

Minutes of Meeting

On ... the / / , at hr. The board of the Mesqa elected by the first convention of the general assembly of the association took place under the precedence of Mr.....eldest member and the secretary was Mr..... the youngest member and presence of the following members:

.....

.....

.....

.....

.....

As the meeting was legal due to the presence of..... member out ofmember, the agenda was discussed and the following decisions were made:

DECISIONS

A- The following were elected as:

1. Mr was elected as Sheikh of Mesqa
2. Mr was elected as Deputy
3. Mr was elected as treasurer
4. Mr was elected as secretary

B- The board has chosen the following name for the association

As all the agenda is discussed the meeting is over on.....

Members

Secretary

President

ATTACHMENT 9

Registration Request Water Users Associations of the Developed Mesqa

The Manager of the Irrigation Directorate Engineer.....

Governorate.....

Dear sir,

you are kindly requested to approve the registration of the water users association of Mesqa....., village..... Markaz....., governorate.....

in the records of the water users associations in the irrigation directorate.

Please find attached the following:

1. A list including all the beneficiaries of the Mesqa.
2. The charter of the association signed by all the beneficiaries.
3. Minutes of meeting of the first convention of the general assembly.
4. The first minutes of meeting of the boards of the Mesqa.

Thank you

President of the association

ATTACHMENT 10

**Ministry of Public Works and Water Resources
Irrigation Department.....**

**REGISTER OF WATER USER UNION
ON (MESQA, WELL OR PIPE LINE)**

| Union Member | Date | Union Name | Name of Mesqa, well, pipeline | Address | Area of Influence of Water Source | No. of Beneficiaries | Name of Boards of Directors | Profession of Members | Notes |
|---------------------|-------------|-------------------|--------------------------------------|----------------|------------------------------------------|-----------------------------|------------------------------------|------------------------------|--------------|
| | | | | | | | | Sheikh of Mesqa | |
| | | | | | | | | Deputy | |
| | | | | | | | | Treasurer | |
| | | | | | | | | Secretary | |
| | | | | | | | | member | |
| | | | | | | | | | |
| | | | | | | | | | |

ATTACHMENT 11

**CHAPTER
OF
WATER USERS ASSOCIATION**

Village:

Governorate

CHAPTER ONE

Article 1

On the day..... dated..... of month..... for the year.....
The signatories founded a WUA on a developed Mesqa under the name
of.....

Article 2

The purpose of the Association is to operate and maintain water pumps and irrigation canals and private irrigation equipment, determine costs of irrigation and collect them from the farmers. As well as organizing operation timings and water rotation, and determining the responsibilities of pump operator(s), guard, necessary maintenance works and other tasks related to the existence of a developed private irrigation canal. 28, 71, 85

No pump other than that of the association could be used to elevate water from the developed Mesqa.

Article 3

Beneficiaries of developed field-irrigation projects shall be committed to the plans approved by the ministry to implement the developed field-irrigation systems. This shall require identifying the courses of developed irrigation canals either it is lines buried under the farmer's land, elevated irrigation canals lined with concrete or any other developed methods. Also determining the locations of taps and openings; and identifying irrigation canals requirements (withdrawing irrigation wheels, feeding basins, pumps houses, and other works necessary for development). 64

Article 4

Members of the association delegate, Sheikh of Mesqa, its general assembly and its board to carry out works and any action fulfilling the purpose of the association. The Sheikh of Mesqa and the treasurer are delegated by the Association members to deal with banks for opening of accounts, depositing and withdrawal of money.

These works and actions shall be legally effective towards the association and its members, in the limits of the holding of every member and according to the competence of the chairman and the general assembly as specified in this chapter.

CHAPTER TWO

Association Resources

Article 5 55

Association's financial contributions shall include the following:

1. Contributions of the Association's members according to the possession of each and in the value determined by the general meeting at the incorporation of the Association.
2. Subscriptions collected from each member to pay the costs of irrigation, operation and maintenance of pumps, irrigation canals, springs or water pipes.
3. Interests of deposits saved in the bank.
4. Any donations or grants paid by the members or others.

Article 6

Members of the Association are to be notified that the costs incurred by the Irrigation Improvement department will be collected and transferred to the irrigation improvement fund according to the following

Item 1

After implementing the developed irrigation network, irrigation department will prepare a statement of final costs per feddan to establish a developed irrigation network including all its contents and accessories.

The costs of implementing a developed irrigation network shall be paid either in cash or on annual installments not exceeding twenty years. The irrigation department shall determine the number of installments and the value of each installment according to the estimated amount.

The holder, either a beneficiary or a tenant, shall pay the annual installment. While both the holder and owner shall pay it if the land is exploited under temporary sharecropping agreement (Mozaraha).

Item 2

A list of cost shares per beneficiary shall be displayed at the agricultural cooperative headquarters, mayor office, Markaz bulletin board, police station affiliating to the land and headquarters of Water Users Union within two weeks at least. The date and place of display shall be announced in the Egyptian gazette. 94

Item 3

The concerned shall have the right to oppose the estimated costs within the 30 days following the display otherwise it is final. The opposition shall be submitted to the respective general department where decision will be taken by a committee formed of the General Director his deputy, as a chairman, and representatives of Ministry Agriculture, survey department, agricultural cooperative, irrigation engineer and Water Users Union, in case of its presence, as member **B**

Item 4

The Ministry of Public Works and Water Resources shall deliver statement to all respective authorities responsible of the collection land tax, including areas and basins covered by the developed irrigation networks, implemented by the Ministry, and amounts needed per feddan. These amounts shall be paid within the dates determined to collect land tax, and shall be deposited in the account of irrigation canals development and maintenance fund. **29, 56**

Article 7

The Association's fiscal year shall start in January 1 and shall end in December 13 of each year, provided that the first fiscal year starts from the date of the Association's registry and ends in December 31 of the same year.

Article 8

Funds of the association shall be deposited in a bank or under a joint account of El Sheikh of El Mesqa and its treasurer as being delegates for the members according to Article 4 of this charter. **57**

Article 9

Disbursement of any fund of the association should be signed by the treasurer and Sheikh of Mesqa.

Article 10

Funds of the association are exclusively used for its purposes and should not be spent otherwise. **J**

Article 11 95

The association should keep on its premises account ledgers showing its income and expenses.

The water guidance is to audit administrative and financial affairs of the association and signed ledgers to insure auditing arid in particular revision of contracts, agreements payment bills and checks, and collection of operation maintenance and replacement cost. **K**

CHAPTER 3

Membership

Article 12

The member of the association is a beneficiary of irrigation water of the improved Mesqa located within the geographic domain of the association.

Those who are legible for membership of the association are to submit requests within one month from the date of fulfillment of conditions of membership.

The association board is to notify applicants fulfilling these conditions to adhere to the association.

Article 13 30

General assembly determines the annual subscription to be paid by each member of the association. Subscription is to be paid one month prior to the end of fiscal year.

If a member of the association refrains from paying subscription or from his obligations determined by the law or this charter, the Sheikh of El-Mesqa has to take any necessary measures to preserve the rights of the association toward the violator.

Article 14

Membership is terminated whenever a member is not anymore beneficiary of the irrigation water from the Mesqa for which the association is to manage.

The member whose membership conditions are changed is to notify the association in a maximum of I month from the change of his status.

Article 15

A beneficiary whose membership is terminated has no right to refund subscriptions or donations given by them to the association.

CHAPTER FOUR

General Assembly

Article 16

General Assembly shall consist of all of the processor of la b the Mesqa, well or pipeline.

Article 17

The General Assembly is to convene once a year within three months from the end of the fiscal year of the association to discuss the balance sheet, final accounts, the annual report of the association council, election of members of association councils and any other issues proposed by the association council listed in the agenda of the meeting. ○

An outstanding meeting of the general assembly of the association could be called to discuss modification of this charter or in case of termination of the association, dismissal of members of the association council or any other reason.

The General Assembly shall convene according to an invitation directed form the Sheikh of Mesqa, one third of members who own not less than 30% of the association land or upon the request of the Water Guidance Engineer.

In case of the invitation of outstanding general assembly by the water guidance engineer, a prior approval of the general director of irrigation improvement is to be obtained.

The invitation shall be delivered by hand to the association members or the representatives, who will sign a copy of the invitation 3 days prior to the convention of the General Assembly except in emergencies.

The Association is to keep dated signatures of the members to prove the legality of the invitation.

The invitation of General Assembly as well as a list of members legible to attend the meeting shall be announced in the association's

head quarters. The invitation shall include in the agenda the place of convention and date.

The irrigation guidance department shall be notified by the meeting and the agenda three days prior to the convention of the general assembly.

The member of the association can attend the meeting by himself or delegate another member by a written unofficial power of attorney.

The member cannot represent more than one member.

The Water guidance engineer as an observer shall attend the general assembly meeting.

Article 18

The general meeting shall be valid by the attendance of half of the association members at least who own 50 % of the Association land. If this quorum is not available, the general meeting shall be postponed to another meeting, which will be convened during the following week. The second convention of the general meeting shall be valid by the attendance of any number of members and any ownership percentage. The general meeting resolutions shall be issued by absolute majority of attendees. L

Article 19 31

The general assembly meeting will be headed by the Sheikh of Mesqa. In case he is absent, it is to be headed by his deputy. If the deputy is absent it is to be headed by the oldest member of the association council.

In case of invitation of the invitation of the assembly meeting by the water guidance engineer, he heads the meeting without having the right to vote.

Article 20

The Sheik shall prepare the minutes, and shall record the time, place of convention, number of the association members, names and number of attendees and absentees, the land owned by members, and number of voices voting each resolution. A copy of each minutes shall be delivered to the respective irrigation department within one week from the date of the general meeting convention. 32

CHAPTER FIVE
Boards of Directors

Article 21 ⁹

The General Assembly in its first convention and then every two years shall directly elect five members to form an association board. Members of the board can be re-elected.

It is forbidden to be a member of the association board and work for a salary for the association with remuneration from the association.

The first general assembly elected the following as Association Board:

- 1.
- 2.
- 3.
- 4.
- 5.

If a vacancy takes place among the association board members within the period between two successive general assembly meetings, he shall be replaced by the member of the association having the highest votes succeeding the elected members of the boards in the last general assembly meeting.

His membership is to continue till the convention of the following general assembly meeting, where vacancy is replaced by direct election for the remaining period of the vacant place.

Article 22 ¹⁰

The association council elects within its member:

1. Head of the association called Sheikh of the Mesqa.
2. Deputy Sheikh of Mesqa.
3. Treasurer.
4. Secretary.

If the number of the general assembly is less than ten members, only the Sheikh of the Mesqa and treasurer shall be elected.

Article 23 33

The association council manages association affairs. To reach this fine he has to take any necessary measures or acts except those requiring prior approval from the general assembly as stated in this charter.

The assembly council shall be responsible for the following

1. Electing a Sheikh, a representative, a treasurer and a secretary among the members of the assembly.
2. Cooperating with the water guiding engineer in selecting the appropriate development method for the irrigation canal, and marking the sites of taps, openings of irrigation canals, locations of pass way and locking gates; agreeing with the members on the works necessary for the developed irrigation canals and its requirements; and participating with the ministry's representatives and contractors in implementing the development works of the irrigation canals.
3. Receiving the irrigation canal after implementation, according to a special report, to operate and maintain it by the beneficiaries (the assembly's members.)
4. Distributing the responsibilities to the assembly's members regarding the operation of irrigation canals, irrigation equipment fixed to the head of the irrigation canal, and the regular maintenance of irrigation canals and pumps; and establishing the financial accounting basis and the method of managing this account for the Association.
5. Organizing the monthly regular meetings to review the programs of operation and maintenance of irrigation canal and pumps, and studying the financial position of the association budget and its account in the bank.
6. Solving any problems rose among the members concerning the developed irrigation canals and the activities of the association.
7. Distributing the association's budget, and determining its items and percentages of irrigation costs revenues, which are based on the watering of a feddan, operation per hour, irrigation of crops or the agriculture seasons per feddan according to terms agreed on with the members of the assembly's Association. 58

8. Identifying the obligations of each member of irrigation canal, particularly irrigation costs and submitting them to associations general meeting for approval, and determining the bank where accounts shall be deposited.
9. Selecting the operator of the irrigation canal, before each tap or gate, among the farmers, and assigning their responsibilities. 68
10. Placing a time table for water rotation between irrigation canals or taps connected to the irrigation canals according to the areas belonging to members, identifying the kind of crops, and reviewing these time tables on monthly basis to be amended. 72
11. Following up the implantation of water rotation time tables, and verifying that each member receives his share of the irrigation water according to the time table and the fixed dates. 88
12. Cooperating with water guiding engineer and fields and irrigation canals supervisors, obtaining suitable training form him regarding the activities of the assembly's association to transfer new experiences about the developed irrigation canals and pumps, and the methods of operation and maintenance ,as well as receiving suitable training form the water guiding body concerning the maintenance of covered drainage networks, preparing the association's budget and allocating its major items for operation and maintenance processes. 62
13. Preparing the annual plan of maintaining pumps and irrigation canals, and implementing it by the assistance of the respective water guiding engineer.
14. Transferring and exchanging technical information concerning water irrigation and its prevention form pollution, and spreading health and environmental awareness by the assistance of the water guiding body. 65
15. Taking suitable resolution to settle any disputes rose among the farmers regarding any tap or irrigation canal, which were reported by the operator of the tap or irrigation canal. The decision of the assembly's Association shall be final and decisive in case of absolute voting. 73
16. Presenting an annual report of activities of the association for revision and approval.

Article 24

The Association's board of directors shall meet once per month at least according to an invitation from its chairman to carry out the responsibilities indicated in this resolution. The resolution of the board of directors shall be issued by absolute majority of attendees. Each beneficiary shall obtain a copy of the board of director's decisions, which will be informed to the water guidance irrigation engineer and irrigation general director.

Article 25

The Association's decisions concerning regulation of water rotation shall be issued unanimously. If there are differences in opinion, the water guidance irrigation engineer, according to a complaint for many of the Association members, shall regulate the rotation and his decision shall be effectual. If the Association does not respond, the issue shall be presented to the irrigation general director whose decision will be final and valid in this regard. 76

Article 26

The water guidance engineer can object on any decision of the general assembly or board of association within one week of the date of notification of the resolutions. The director of irrigation improvement department has the right to object on the decisions of the association within 2 months of the date of notification. Objection should be justifiable. Justified objection is returned to either the general assembly of the board of association, to express their views concerning these resolutions. The new resolution is to be submitted to the director of irrigation improvement department where his decision is final and indisputable. M

Chapter Six
Responsibilities of the Sheikh of Mesqa 34
Treasurer and Secretary

Article 27

The Sheik shall be responsible for the following tasks:

1. Chairing the assembly's association board of the irrigation canals. And determining the dates of the annual meetings.
2. Determining the dates of the annual conventions of the general meetings of the assembly (irrigation canals members), and preparing for any emergency convention for the general meeting of the assembly.
3. Cooperating with the water guiding engineer, and transferring technical information to the assembly and farmers. 66
4. Following up the implantation of monthly water rotation time tables.
5. Controlling the taps or irrigation canal operator to verify the implementation of their tasks, and assisting them in solving any problem raised regarding irrigation canals. 89
6. Representing the assembly before third parties. 77

The sheik deputy representative shall assist the Sheik in carrying out his responsibilities, and shall replace him in his absence.

Article 28 59

The treasurer of the assembly shall be responsible for the following

1. Collecting irrigation wages from the members of the assembly, and receipts showing the paid, name of the members, area needed to be irrigation, kind of crops and the data of irrigation.
2. Paying all expenses of daily operation, costs of oil, fuel and wages of operator and guard of pumps, in addition to expenses approved by the assembly's Association.
3. Handing bookkeeping or records where all revenues and daily expenses are recorded, and to be available at the members request for study.

4. Depositing the collected amounts and the remaining cash in the bank on weekly or monthly basis after revision by the assembly's Association.
5. Providing the assembly's secretary with all information of daily expenses and revenues to be registered in a special record.
6. Assisting the assembly's secretary and the Sheik in preparing the monthly budget, and the annual reports which is submitted to the general meeting.
7. Signing with the Sheik the banking checks withdrawn from the assembly's account.

Article 29

The assembly's secretary shall be responsible for the following tasks:

1. Keeping information of the irrigation canals including the number of members and total areas, and receiving all receipts from the Pumps operator and registering them in a special record, and enabling any of the members to study them. The record shall include the daily and monthly revenues and payments of operation and maintenance, and areas of the irrigated lands, kinds of crops and the time spanned in daily and monthly irrigation. **96**
2. Preparing the monthly financial position of the assembly according to the information provided by the treasure and the pumps operator including total revenues, monthly expenses and the total account at the bank. This shall be under the supervision of the respective water guiding engineer. The financial position shall be submitted to the assembly's Association in its monthly meeting.

Article 30

The irrigation canals and taps operator shall carry out the following tasks:

1. Presenting problems or requests to the Sheik. In case no agreement was reached, the issue shall be introduced to the assembly's Association in the presence of the irrigation canal or tap operator to issue the suitable decision.
2. Preparing the water rotation time tables for the t or irrigation canals in agreement with the farmers whose lands are planned to be irrigated through the allocated tap or irrigation canal. **74**

3. Agreeing with other taps or irrigation canals operators, sharing the same land, on the water rotation time tables for each tap or irrigation canal in order not to affect each other. 75
4. Preparing the maintenance program of the irrigation canal, tap or gate in coordination with the members whose lands are planned to be irrigation through the irrigation canal. 86
5. Assisting in solving any problems rose among farmers regarding the operation of the irrigation canal and seeking the assistance of the Sheik, and submitting any problems to the assembly's Association to take a decisive decision, which will be committable. 78

Article 31

The pump(s) operator shall be responsible for the following tasks

1. Operating the pumps for any members when receiving a receipt showing the payment and date of irrigation.
2. Receiving oil and fuel necessary for the operation of pump(s), or purchasing quantities needed of oil and fuel by him from the amounts given to him by the assembly's treasurer.
3. Controlling the operation of pumps, oil, fuel and cooling water, and operation hours, quantities of fuel, beneficiaries, and kinds of crops and its areas. 39

CHAPTER SEVEN
DISSOLUTION AND REGISTRATION

Article 32

The Association is dissolved because of one of the following reasons :

1. Modification of property so that the number of beneficiaries becomes less than six.
2. Termination of the role of the Association.

The general assembly of the Association shall liquidate the Association in case of its termination according to the above mentioned reasons. The general assembly will decide the rules by which the fund of the Association is to be distributed among its members. This resolution is to be approved by the general director of irrigation improvement department.

Article 33

The Association was registered in the general irrigation directorate
Under

The name of

And

Registration number.....

List of beneficiaries constituting the Association upon registration

| serial | name | land location | type of possession | address | ID number | signature |
|---------------|-------------|----------------------|---------------------------|----------------|------------------|------------------|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

All members signed for the approval of the establishment of the Association and its charter.

ATTACHMENT 12

Form (3): Irrigation Improvement

**Total Cost of
Irrigation Improvement**

Zone..... Markaz..... Governorate.....

| Item | Work Description | Cost due to be Collected | |
|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|--|
| | <ul style="list-style-type: none"> • Plantation Compensation • Other compensation • Construction cost • Publishing fees including 10% • Administration 10% | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

ATTACHMENT 13

Form (2): Irrigation Improvement

Cost of Improvement (Mesqa\ Well \ Pipeline)

I.I.P.

Zone..... Markaz..... Governorate.....

Exhibiting Period From..... To.....

Objections From..... To.....

LE Pts.

Cost per feddan

| Item | Member of Possessor or user | Description | Basin No | Area F.K.S. | Cost per user LE. Pts. |
|-------------|------------------------------------|--------------------|-----------------|--------------------|-------------------------------|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

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ATTACHMENT 14

Form (2): Irrigation Improvement

**Cost of Irrigation Improvement
Share of Each (Union \ Association)
and Cost of each feddan
Zone.....**

| Item | Village | Markaz | Governorate | Basin Name &No. | Area F.K.S. | Cost LE. Mill. |
|------|---------|--------|-------------|-----------------------|----------------|----------------------|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

1. Table were exhibited from to Dated \ \With No. of Objections
2. Total cost to be collected
3. Total area of land
4. Starting Date of collecting costs

LE. Mill.
LE. Mill.
LE Mill.
5. Cost \ Feddan

Kirat
Sahrn

Name of the Irrigation Improvement department which the (Union \ Association) belongs.
7. Number of installments.....

Value of installment/feddan.....

ATTACHMENT 15

**Form (1): Irrigation Improvement
For Objections**

ATTACHMENT 16

Ministry of Public works and Water Resources
Irrigation Directorate.....

**REGISTRATION CERTIFICATE
FOR
WATER USERS UNION
ON**

Village..... Markaz..... Governorate.....

The water users Union on the..... was registered under the name.....

The headquarters of the Union is at.....

Markaz..... Governorate.....

Registration number..... Date of registration.....

The board of directors of the Union at registration is formed as follows:

1. Chairman of the board
2. Treasurer
3. Secretary
4. Member
5. Member

Director General of Irrigation Directorate

Stamp

ATTACHMENT 17

Ministry of Public works and Water Resources
Irrigation Directorate.....

**REGISTRATION CERTIFICATE
FOR
WATER USERS ASSOCIATION
ON
MESQA.....
Village..... Markaz..... Governorate.....**

The water users Association on the Mesqa..... was registered under the name.....

The headquarters of the Association is at.....

Markaz..... Governorate.....

Registration number..... Date of registration.....

The Association council at registration is formed as follows:

1. Sheikh El- Mesqa
2. Deputy Sheikh El- Mesqa
3. Treasurer
4. Secretary
5. Member

Director General of Irrigation Directorate

Stamp