

Islamic Republic of Afghanistan

Ministry of Justice

Official Gazette

**Law on Structure and Authorities of
Ministries and Departments of Islamic
Emirate of Afghanistan**

Issue No: 797

Date: May 2, 2001

Law on structure and authorities of ministries
and departments of Emirates of Afghanistan

Chapter One

Main Goals for Organizing the Activities of the
Ministries of Islamic Emirates of Afghanistan

Article 1:

This Law is made based on the supreme goals of the emirate for the purpose of setting up the responsibilities and activities of the ministries of Islamic Emirate of Afghanistan.

Article 2:

A ministry functions as a central administration of the emirate in the Islamic Emirate of Afghanistan, and is in charge for administrating the related areas.

A ministry of Islamic Emirate of Afghanistan is in charge for providing the necessities of the country by producing products, and implementing the policies in structure and activities in the emirate and the Islamic government of Afghanistan.

Article 3:

The main responsibilities of the ministries of Islamic Emirate of Afghanistan are as follow:

- 1- Comprehensive developing the related areas, including production, marketing, commerce and the services which are provided by the organizations, departments and producers in the emirate which can be governmental or non-governmental.
 - Organizing permanent procurement to the related areas, improving long term coordination with all the non-governmental producers and governmental entrepreneurs in the sectors of agriculture, industry, commerce, constructions and services. For the mentioned purpose in the ministries and departments, departments related to the private sector's issues will be established under the administration of the first deputy minister of the ministry or the first vice president of the department.
 - Organizing the registration issues of the individuals occupied in the private sector including tradespeople and handicraft workers, and organizing the registration issues of stock and complex companies.
 - Maintaining cooperation between the communities of non-governmental entrepreneurs in the related area.
 - Issuing work's permission to non-governmental entrepreneurs related to national economy, if the economic council and ministers' council agrees about it according to the related legislative document.
 - Precisely organizing general meetings and conferences for the representatives of the related private sector, and organizing elections for the representatives of the related area's private sector, so the representatives will be able to be selected as a member of the administration office of economic council or ministers' council.

- 2- Precisely implementing of the emirate's plans in the related area.
- 3- Producing the products in a high quality, increasing the effectiveness of the products, and using the financial resources rationally.
- 4- Following the new improved technology, experiences and science, and using improved producing economic method in the related area.
- 5- Rationally using the investments and increasing their effectiveness.
- 6- A ministry having innovative staff has the responsibility for equipping the related deputy ministries and departments of the ministry, and making a suitable situation to use the knowledge and experiences of the employees better and professionally promote them.
- 7- Making a safe working circumstance.
- 8- Leading the related areas considering the development of the national economy from all aspects according to plan.
- 9- Implementing the governments decisions related to the selection of the staff and training them rightly, so they will have the moral of cooperation must be created in them, they must follow the emirate's interests and will feel more responsible about their jobs.
- 10- Guiding the related areas all over the country, it can be directly or throughout provincial administration departments.
- 11- Having effective cooperation in the part of arranging good relations with the other ministries and departments.
- 12- Protecting the emirate's property in the deputy ministries, organizations and related departments.
- 13- Following Islamic rules in the administration affairs and taking necessary actions for improving the products and eradicating of any defects in the works of deputy ministries, organizations and related departments.
- 14- Setting up the activities based on team working, with clarifying the responsibility of every recruited employee in the related area.
- 15- Proposing to establishment, renewing or cancelling the establishment of the related deputy ministries, organizations and departments to the government.
- 16- Improving and generalizing Islamic studies in the capital and provinces throughout related departments.

Article 4:

- 1- A ministry of Islamic Emirate of Afghanistan must do its affairs according to related law, rules, regulations and statutes, and must implement them precisely.
- 2- Ministries and other independent departments of Islamic Emirate of Afghanistan can do their affairs like investments, collecting the products, partnerships, giving and getting loans, water supply and other financial and economic activities only if they are not in contrary with Islam religion and Hanafi sect.
- 3- A minister is the one at the top of a ministry who is nominated according to the rules of law. A minister has one deputy minister or more than one, and the division of works between the deputy ministers is done by the minister.

Article 5:

- 1- In every ministry of Islamic Emirate of Afghanistan, there is an administration council which includes the minister as the chairman, deputy ministers and the other departments' directors.
The members of the administration council are approved by the ministers' council.
- 2- The administration council of the ministry and departments of Islamic Emirate of Afghanistan have the following responsibilities and authorities:
 - (1) Evaluating and analyzing the issues related to the fundamental activities and making decisions about them.
 - (2) Evaluating the issues related to selection, training and nomination of the staff, and making decisions about them.
 - (3) Guiding the economic effectiveness in the related area.
 - (4) Guiding about generalizing the improvements of Islamic studies, science and technology.
 - (5) Evaluating the implementation of the production plans and making decisions about them.
 - (6) Evaluating, controlling and rationally using the employees and financial assets, and making decisions about them.
 - (7) Evaluating the rational usage of the investments and taking actions for increasing their effectiveness.
 - (8) Evaluating and controlling the works in the related area.
 - (9) Getting the reports from the chairmen of the departments and organizations, and issuing necessary guidance.
 - (10) Evaluating and making decision about other responsibilities which are put on the council by the minister and the chairman of the department.
- 3- The decision in the council will be made considering the votes from the members according to Islamic rules, and the made decision will be implemented by the administration.

Article 6:

- 1- A minister is personally responsible for the implementation of the works of the ministry, and justifies the responsibilities of the deputy ministers and chairmen of the departments of the ministry in the related duties.
- 2- A minister issues directions within the limits of its scope of authorities.
Implementing the directions of the minister is obligatory to the deputy ministries, organizations and related departments.

Article 7:

- 1- A ministry of Islamic Emirate of Afghanistan holds seminars according to the predicted regulations, during the seminar, issues about developing the related area and betterment of the fulfillments of the ministry are studied.

- 2- A ministry of Islamic Emirate of Afghanistan timely evaluates the complaints and take necessary actions to eradicate the defects in the fulfillments of the ministry.

Chapter Two

Responsibilities of the ministries Islamic Emirate of Afghanistan

Article 8:

The responsibilities of Islamic Emirate of Afghanistan in the area of planning are as follow:

- 1- Observing and clarifying the necessities of national economy in the part of production of products, selling the goods and taking parts from the private sector, and taking serious actions for providing these necessities.
 - Arranging production plans of the related private sector, in coordination with the production's organizations and reflecting them in the yearly economy and societal plan.
 - Arranging plans for development of the related area, arranging plans for the issues related to attracting the private sectors' investments, and sufficiently trying to increase the productivity of the national entrepreneurs.
- 2- Arranging scientific and technologic methods in Islamic Emirate of Afghanistan, and precisely arranging the plans for societal and economic development in the related areas.
- 3- Rationally using the internal resources considering the interests of the national economy of the country and the interests of the other areas.
- 4- Providing the precise figures of the development plans and their yearly figures to the deputy ministries, organizations and the related departments.
- 5- Setting up the developments plans and yearly plans of the deputy ministries, organizations and the related departments.
- 6- Setting up the issued plans by the deputy ministries, organizations and the related departments.
- 7- Taking necessary actions for selling the goods by the deputy ministries, organizations and the related departments.
- 8- Approval or proposals about technical and economic standards, using and saving up the raw materials and heating materials standards, and electricity usage standards according to the regulations of the law.
- 9- Approval or proposals about tariff for the products and services of the emirate's organizations according to the regulations of law, and observing their implementation.
- 10- Arranging the statistics in the deputy ministries, organizations and the related departments, and getting reports about the calculations and statistics according to the regulations of law.
- 11- Designing and generalizing new types of permissible products needed to the national economy.

Article 9:

Responsibilities of the ministries of Islamic Emirate of Afghanistan in the part of science and technology are as follow:

- 1- Precisely evaluating the technical and economical level of the products in the related area and justifying effective method for getting benefits from the improvements of science and technology.
- 2- Leading the scientific and researching activities of the design companies, and paving the ground for betterment of their activities.
- 3- Taking necessary actions for changing the production's system to mechanical and automatic.
- 4- Observing the experiences from amortization and using the products, and taking actions for eradicating the defects of the products.
- 5- Arranging plans and providing proposals for purchasing licenses for the tools and effective technology according to legislative documents.
Doing necessary cooperation with the producers and entrepreneurs of the private sectors in the part of purchasing these types of licenses.

Article 10:

Responsibilities of the ministries of Islamic Emirate of Afghanistan in the part of public constructions are as follow:

- 1- Doing the constructions works in the related area, effectively using the investments, and innovatively planning for replacing the previous projects with the new constructions projects.
- 2- Setting up and issuing projects for constructions in the next years according to regulations of the law and considering the plans.
- 3- Observing and controlling the quality of the designs, and observing the quality of construction and montage works.
- 4- Sponsoring the expenses of the constructions and providing the necessary tools and materials.
- 5- Recruiting authorized panels for the purpose of effectively using the constructions and establishments which their construction works have been finished.
- 6- Setting up the general repairing works of the constructions and mending their technical and amortizing situation.

Article 11:

Responsibilities of the ministries of Islamic Emirate of Afghanistan in the area of financial and technical procurement are as follow:

- 1- Specifying the necessities of the related deputy ministries, organizations and departments to the raw materials, heating materials, tools and other materials according to the regulations of law.
- 2- Buying and distributing the necessary materials to the ministry's activities considering the regulations, and distributing the raw materials, heating materials, tools and other materials according to the predicted plans.
- 3- Procuring, protecting and rightly using of the raw materials, heating materials, tools and other materials by the related deputy ministries, organizations and departments.

- 4- Organizing biddings for the extra and unusable raw materials according to the regulations of law.
- 5- Arranging plans and taking actions for economically spending the raw materials and heating materials.
- 6- Predicting the financial sources, services sources and other necessary sources in the part of the related private sector, for arranging the yearly plan about the economical and societal developments. So the activities will be successful and will cause development in the private and complex organizations.

Article 12:

Responsibilities of the ministries of Islamic Emirate of Afghanistan in the area of economy and finance are as follow:

- 1- Taking actions for increasing the effectiveness and usefulness of the related organizations and departments.
Observing and controlling the usage of financial source in the related systems of the ministry.
- 2- Arranging financial plans, protecting private cyclic properties, settling with the employees timely and settling the budget issues.
- 3- Arranging the budget according to the financial mood of the country.
- 4- Observing and controlling the ministry's affairs, observing the properties and checking if the reports are accurate or not.
- 5- Measuring and arranging the indicators' table of contents, method of reporting and the calculations from the producing and service-providing organizations of the private sector, and providing the above to the statistics national department after the agreement of central administration and economy council.
- 6- Analyzing the production related activities of the non-governmental (private) organizations, and taking actions for providing the necessary guidance to the related organizations about this issue.
- 7- Measuring the prices for the goods and the services in the related non-governmental (private) organizations and in the part of national economy according to legislative documents, and implementing standard interest norms.
- 8- Coordinating the non-governmental (private) organizations and national entrepreneurs to get loans and other emirate's financial aids.
- 9- Emirate's investment on the non-governmental (private) organizations and introducing the representative of the emirate in the mutual administration according to the statutes of the related organizations.

Article 13:

The responsibilities of the ministries of Islamic Emirate of Afghanistan in the areas of staff, work and salary issues are as follow:

- 1- Providing professional staff and hirelings to the organizations and departments, organizing trainings for the employees, taking actions to promote the proficiency of the

employees, and cooperating the private sector's entrepreneurs to hold trainings for their staff in their organizations, universities and institutes in the country or abroad according to the legislative documents.

- 2- Organizing literacy classes to the illiterate employees of the organizations and departments, cooperating the hirelings on their education at the institutes if their age is suitable for it, and observing the rules on mandatory studies at the private institutes of the related area.
- 3- Considering their authority, arranging the staff for the emirate's organizations and departments, providing proposals, and taking approval.
- 4- Timely paying the salaries, tipping the staff for the purpose of encouragement in the related organizations, departments and the private sector's departments, and controlling the salaries' budget and tipping's budget in the emirate's organizations according to the regulations.
- 5- Observing the implementation of labor law, security rules, products' standards in the non-governmental (private) organizations and departments, issuing guidelines for preventing any type of defects, and introducing the private sector's producers and entrepreneurs whose actions are in contrary with the law and regulations to the concerned departments, only if needed and after the agreement of economy council.

Article 14:

The responsibilities of Islamic Emirate of Afghanistan in the area of stabilizing the regulations, and fighting against crimes are as follow:

- 1- Stabilizing the Islamic rules and regularity in the emirate and society, protecting the legal rights and benefits of the emirate's organization, economy organizations, societal organizations and the residents.
- 2- Developing the methods of fighting the crimes with cooperation with the other emirate's departments.
- 3- Arranging and setting up the rules, and taking actions to develop the ruling affairs according to Islam religion.
- 4- Having cooperation for developing the law and religion's knowledge and using them in the emirate.
- 5- Maintaining and saving the international relations in the law issues.
- 6- Maintaining and saving the relations between ministries and the ministers' council in the area of ruling.
- 7- Defending the legal benefits of the private sector's producers and entrepreneurs in the related area, observing the implementation of the legislative documents especially labor law and properties law by the private sector's producers and entrepreneurs in close cooperation with the department of labor and social affairs, with consideration of the regulations of the code for private home or overseas investments and the statute of economy council.

Article 15:

The responsibilities of Islamic Emirate of Afghanistan in the area of foreign politics and defending the country are as follow:

- 1- Supporting the fundamentals of the United Nations Charter, Islamic Conference, Human Rights and other accepted regulations, only if they are not in contrary with the Islamic rules and benefits of the country.
- 2- Respecting all the ethnicities of the world considering Islam religion, and condemning any types of infringement on their rights which cause threatening their freedom.
- 3- In the limitations of Islamic rules, supporting the process of collecting the weapons from the public and prohibiting the group killings.
- 4- Establishing good relations and expanding them considering the rights of each other according to Islam religion with all the countries of the world, especially those countries who supported Afghanistan while wars.
- 5- Stabilizing the independency and the borders of the country.
- 6- Supporting the Islamic risings.

Article 16:

The responsibilities of Islamic Emirate of Afghanistan in the area of education, information and culture are as follow:

- 1- Taking actions to develop the education system, eradicating illiteracy, and expanding the number of public institutes, Islamic institutes, universities and other education centers considering the Islamic rules.
- 2- Physically and mentally training the youths, so they will become prepared for their life, job, and selecting their proficiency.
- 3- Taking actions to create valuable artistic objects, and cooperating the art and culture organizations financially, and protecting the historical objects.
- 4- Arranging and implementing effective plans in order to mentally train the residents of the country from different aspects like societal, scientific, cultural and economic.
- 5- Timely spreading information from the home and overseas to the residents.
- 6- Developing the radio network in the country.
- 7- Posing and distributing the press and promoting the related services.
- 8- Setting up a good situation to make culture and art exchanging with foreign countries, in order to stabilize the understanding between the countries and building good friendship with them.

Article 17:

The responsibilities of Islamic Emirate of Afghanistan in the area of health care are as follow:

- 1- Developing the health care, in order to provide the necessities of the residents, by medical professional services available to public, and maintenance of the health of mothers and children.

- 2- Taking actions for developing the effective prevention from the diseases in health care issues of the residents, and improving the health situation in the country.
- 3- Providing the necessities of the residents and medical centers, for example procuring medicines and medical appliances.
- 4- Developing the networks of the medical centers, and improving the medical researching in the country and its effectiveness.

Article 18:

The responsibilities of Islamic Emirate of Afghanistan in the area of agriculture, water and electricity are as follow:

- 1- Creating a modern network in order to do the agriculture related works.
- 2- Having cooperation for increasing the production of agricultural products in order to provide the necessities of the country to food, establishing factories of rounds industries with the raw materials, and supplying the products for exportation.
- 3- Distributing modified seeds, chemical codes and agricultural equipment to the farmers, and cooperating them to sell their products.
- 4- Effectively using the forests, water sources and green grounds.
- 5- Doing effective advertisement in order to develop the agriculture.
- 6- Developing the irrigation system of the farmlands according to the national economy and effectively using the present irrigation establishments.
- 7- Setting up rational usage from the water sources and protecting them from pollution.
- 8- Implementing a technical method in irrigation and related works.
- 9- Providing the necessary electricity for the country and expanding it from all aspects.

Article 19:

The responsibilities of Islamic Emirate of Afghanistan in the area of radio system, transportation, civil aviation, and tourism are as follow:

- 1- Developing all types of radios in order to provide the necessities of the residents, national economy and defense affairs of the country.
- 2- Implementing a technical method, establishing and developing telecommunication tools, and using the latest science, technique and experiments in the related area.
- 3- Developing the public transportation from all aspects in order to provide the necessities related to transportation.
- 4- Maintaining a safe transportation for the passengers, and safely and timely transferring of the goods.
- 5- Implementing the latest improvements of the science in technique in aviation services.

Article 20:

The responsibilities of Islamic Emirate of Afghanistan in the area of commerce are as follow:

- 1- Developing the commerce, and guiding for production of necessity supplies to the public in order to providing the necessities of the residents.

- 2- Developing and stabilizing the financial and technical fundamentals of commerce.
- 3- Arranging general plans in order to develop the commercial relations with foreign countries.
- 4- Arranging exportation and importation plans, and trades guiding centers.
- 5- Setting up exportation and importation activities of the emirate's organizations, granting exportation and importation permission to the private sector's entrepreneurs of the related area considering the agreement of economy council, and monitoring these activities in the ministries and related departments.
- 6- Implementing a technical method in the related area.

Article 21:

The responsibilities of the ministries of Islamic Emirate of Afghanistan in the area of economic, scientific, technical and cultural communications with foreign countries are as follow:

- 1- Stabilizing the economic, scientific, technical and cultural relations with foreign countries according to the regulations, and implementing the compromises of Islamic Emirate of Afghanistan with foreign countries.
- 2- Taking actions for developing the economic, scientific and technical cooperation related to national economy with foreign countries of Islamic Emirate of Afghanistan.
- 3- Implementing the production plans of the goods which are for exportation.
- 4- Taking actions for developing the goods which for exportation, and selling them has more profit.
Arranging plans for exportation of the related goods, and importation of the goods which their importing from the foreign countries is needed.
- 5- Defending the benefits of the Afghan private sector's producers and entrepreneurs against foreign monopoly competition.

Article 22:

The responsibilities of the ministries of Islamic Emirate of Afghanistan in the area of security of the country are as follow:

- 1- Providing security, and maintenance of the borders of the country.
- 2- Maintaining the public discipline, public welfare, and fighting the crimes and preventing them in the country.
- 3- Doing other works which are predicted in the legislative documents.

Article 23:

The responsibilities of the ministries of Islamic Emirate of Afghanistan in the area of ordering the good actions and forbidding bad actions, and pilgrimage are as follow:

- 1- Ordering for doing good actions and prohibiting the bad actions according to Islamic religion and Hanafi sect.
- 2- Taking actions for preventing the happening of bad actions in the country.

- 3- Taking actions for propagating to the people in the society in order to prevent the bad actions and promoting good actions.
- 4- Securing that Islam religion is respected, obeyed and maintained.
- 5- Fighting against non-Islamic propagating.
- 6- Doing other works which are predicted in the related legislative documents.

Article 24:

The responsibilities of Islamic Emirate of Afghanistan in the area of reviewing the situation of orphans, martyrs and cripples, and arranging the issues related to returning of the passengers are as follow:

- 1- Considering, fixing and paying the salaries and rights of cripples, orphans, and martyrs.
- 2- Arranging the issues about health and curing the cripples.
- 3- Taking actions about moving of the passengers to the country.
- 4- Doing other works which are predicted in the related legislative documents.

Article 25:

The responsibilities of Islamic Emirate of Afghanistan in the area of tribes and borders are as follow:

- 1- Improving unity of the residents in the country.
- 2- Combining all the tribes for defending the borders of Islamic Emirate of Afghanistan.
- 3- Reviewing and solving the problems of the residents of country related to their tribes.
- 4- Doing other works which are predicted in the related legislative documents.

Article 26:

The responsibilities of the independent departments of Islamic Emirate of Afghanistan are as follow:

- 1- In the part of villages' development:
 - Attracting the technical and financial helps from foreign governments and international organizations throughout the related departments.
 - Giving instructions to the people of the villages on using the economical improvements and technology.
 - Arranging effective plans for developing the villages considering the certain necessities.
 - doing other works which are predicted in the related legislative documents.
- 2- In the part of survey:
 - Finishing the reports, calculating the figures and developing the areas under surveying from all aspects, and providing the necessities of the country related to survey.
 - Arranging and clarifying the visions and methods of the statistics and surveys according to the plans of Islamic Emirate of Afghanistan.
 - Generalizing the usage of computer considering the necessities of the country.
 - Doing other works which are predicted in the related legislative documents.

- 3- In the part of trainings and sports:
 - Generalizing and developing sports according to the regulations of Islam religion.
- 4- In the part of considering and mapping the surface of the earth:
 - Arranging plans in order to do the regional consideration of the earth's surface, mapping, regional maps, and designing earth's maps.

Chapter Three

Final Regulations

Article 27:

In order to set up the activities of the ministries and related departments, the ministries of Islamic Emirate of Afghanistan and other independent departments can submit their proposals on enacting regulations to the related departments.

Article 28:

The formation and budget of the ministries of Islamic Emirate of Afghanistan is enacted by the ministers' council.

Article 29:

The ministries of Islamic Emirate of Afghanistan and other independent departments have got a particular stamp, in which the logo of Islamic Emirate of Afghanistan, and the name of the ministry or department are added.

Article 30:

This law is implementable after the publication date and must be published in the official gazette. By implementing this law, the Law on structure and authorities of ministries in ministries and departments of Islamic Emirate of Afghanistan having OG No. 453, dated 31/02/1359 is cancelled with all of its amendments.