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# **LOCAL DEVELOPMENT II URBAN PROJECT**

Submitted to  
**USAID / CAIRO**

Submitted by  
**WILBUR SMITH ASSOCIATES**

in association with

**PUBLIC ADMINISTRATION SERVICE  
DEVELOPMENT CONSULTING OFFICE**

**DELOITTE AND TOUCHE  
ENGINEERING AND GEOLOGICAL  
CONSULTING OFFICE**

**REPORT TO GOVERNOR  
ON STEPS NECESSARY TO ESTABLISH  
A LAND MANAGEMENT  
OFFICE FOR QALIUBIA GOVERNORATE**

**Prepared for  
The Governor of Qaliubia  
Dr. Abdel Wahab Sayed**

**December, 1988**

# LOCAL DEVELOPMENT II URBAN PROJECT

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December 13, 1988

H.E. Dr. Abdel Wahab Sayed  
Governor of Qaliubia

Your Excellency,

Based on our meeting of December 11, 1988 and discussions with my staff, we are pleased to submit this "Report on Steps Necessary to Establish a Land Management Office for Qaliubia Governorate". As discussed, the office could be staffed with temporary individuals until more qualified persons are hired. We understand that you have space available for the recommended staffing positions and Director of this proposed office and are just awaiting furnishings.

Please find enclosed, therefore, the following report sections to aid establishing a Land Management office for Qaliubia:

- I. Proposed Implementation Activity Schedule;
- II. Legal Basis and Functions of An Office;
- III. Proposed Job Descriptions and Preferred Qualifications and Experience;
- IV. Executive Committee Functions and Membership;
- V. Example Decrees of Cairo and Ismailia Governorates;
- VI. Criteria for Demonstration Project Development Under the USAID LD-II Urban Project; and
- VII. Scoping Report Outline for Demonstration Projects;

Section I outlines the steps and proposed implementation schedule to complete activities regarding land management office formulation. Section II gives background regarding the legal basis, functions of an office, and need for an office to implement projects. Section III outlines proposed job descriptions of "Core" staff for initial operations and preferred qualifications of this staff.

Section IV outlines the functions of a Land Management Executive Committee to review office policies and priorities regarding implementation of projects and facilitate interagency cooperation. Example decrees for Land Management Agency of offices in Cairo and Ismailia are provided for your information and background only in Section V. You will probably wish to modify these decrees to respond more appropriately to Qaliubia's needs. Such needs are obviously heavily oriented to upgrading project development since very little desert land is available for large scale new lands development.

We understand and appreciate your concerns to obtain funding assistance for the upgrading projects in "Bigam" and "Menshat El Horreya District", in addition to replacement of the overhead high voltage wires in Shoubra El Kheima City.

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## WILBUR SMITH ASSOCIATES

DELOITTE HASKINS AND SELLS  
DEVELOPMENT CONSULTING GROUP

PUBLIC ADMINISTRATION SERVICE  
ENGINEERING AND GEOLOGICAL  
CONSULTING OFFICE

Section VI addresses criteria to obtain funding assistance, usually for project development start-up costs under the USAID LD-II Urban Project. However it is our understanding that you have other funding resource possibilities for these projects. A general outline is provided in Section VII for scoping out initial demonstration projects under the LD-II Urban Project and is provided for your information. My staff stand ready to help and assist your staff in pulling together and producing a scoping report for one of the above projects to be initially funded under the LD-II Urban Program.

As mentioned to you, the establishment of an operating land management office with committed staff, space, equipment and furnishings, and an appointed Executive Committee or Board of Directors would greatly expedite this process and help in other activities such as a "Data Bank" to facilitate effective decision-making in project development.

We hope that this report will serve to facilitate the implementation of appropriate decrees and legal frameworks necessary to establish a Land Management Office or Agency for Qaliubia Governorate. In addition, the enclosed information will be helpful to your staff in data assembly efforts to properly scope out an initial demonstration project for possible start-up funding under the LD-II Urban Project.

If there are any concerns or additional clarification desired, please do not hesitate to call. We are available to discuss the details of this report as necessary. Best regards.

Respectfully Submitted,

WILBUR SMITH ASSOCIATES

*Richard E. Miller*

Richard E. Miller  
Chief of Party

cc: Mr. John Gisiger, Chief  
Urban Development Section, USAID, Cairo

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## **Section I**

### **PROPOSED IMPLEMENTATION ACTIVITY SCHEDULE**

The attached implementation schedule precludes previous correspondence of October 10, 1988 and has been revised to reflect concerns and circumstances expressed by His Excellency the Governor of Qaliubia in recent meetings with the LD-II Urban Project Chief of Party on December 11, 1988.

It is hoped that this proposed schedule and outline of necessary steps is agreeable to Your Excellency, and his staff, and that any modifications desired will be appropriately communicated in writing to the TA Contractor.

**INITIAL PHASE IMPLEMENTATION SCHEDULE FOR  
ESTABLISHING OF QALIUBIA LAND MANAGEMENT OFFICE**

<u>Activity Description</u>	<u>Target Deadline</u>
<p>A. Appointment of temporary (acting) staff to fulfill Land Management Director and "core" staff positions outlined. Temporary staff should be organized in groups as follows:</p> <ul style="list-style-type: none"> <li>o <u>Establishment of Office</u> - A group would be responsible for researching "how" to effectively implement an office or agency for land management at the governorate level to be located at Benha (The group would begin search for Director and identify members of an Executive Group or Board of Directors for Your Excellency's approval).</li> <li>o <u>Project Development</u> - Another group would focus on collecting data for an initial demonstration project for possible USAID start-up funding assistance. Other objectives would be to continue assembly of information for other upgrading projects or land areas under governorate control. This would involve developing a data base of urban deficiencies, including prioritizing these deficiencies for upgrading component projects.</li> </ul>	<p>January 15, 1989</p>
<p>B. Provide sufficient space and furnishing/equipment needs to have "acting" staff fully operational. Appoint Executive Group to review project priorities, office policy, and coordinate other outside agency inputs, etc.</p>	<p>January 15, 1989</p>
<p>C. Governorate officials formalize office concept, policy group, financial legal operational basis, positions and functions of staff, culminating in a decree for signature of the Governor.</p>	<p>January 31, 1989</p>
<p>D. Governor signs decree or issues orders addressing points under item C above</p>	<p>January 31, 1989</p>
<p>E. Data assembly completed for TA Contractor to finalize Demonstration Project Scoping Report for possible USAID start-up funding assistance under LD-II Urban Project and for circulation to other organizations to obtain initial development funds</p>	<p>February 3, 1989</p>
<p>F. TA Contractor Submits Draft Demonstration Project Scoping Report for Review based on data collected by governorate staff</p>	<p>February 10, 1989</p>

<u>Activity Description</u>	<u>Target Deadline</u>
G. GOE land management staff finalizes reports on other projects for Governor approval	February 28, 1989
H. Formally appoint Director and complete hiring of "core" staff	March 17, 1989
I. TA Contractor submits proposed office operations manual for Director and "core" staff review and begins orientation meetings for detailed office operations or after Director and "core" staff are officially appointed to positions.	April 3, 1989
J. Training needs assessment survey of "core" staff completed by TA Contractor based on interviews with staff	April 14, 1989
K. Training coursework development completed by TA Contractor and submitted to TA Contractor training group for action	April 16, 1989
L. GOE "Core" Land Management staff complete Operations and Financial Plan for 1990 year activities for approval of Governor	November 10, 19889

## Section II

### LEGAL BASIS AND FUNCTIONS OF OFFICE

- A. Legal Background Summary - There have been several laws and decrees passed that provide a basis for establishing a Land Management Agency or Office to implement new lands development, or upgrading project activities at the governorate level. Laws providing the legal basis for governorate level control on land development activities and management of state owned properties include Law 43-79 and Law 50-81. More permanent regulations related to establishment of a Special Housing Fund have been outlined under Presidential Decree No. 549-76. This Decree allows governors to sell state land to certain entities or for private ownership and control with Governorate Executive Council Approval. Such entities were defined to include public sector agencies; press institutions; persons legally mandated to act in the public interest; industrial projects; and arab or foreign capital investors.

Deputy Prime Minister's Decree No. 4933-81 outlined requirements for disposal of state owned land and reclamation of agricultural lands. Local Popular Council Decrees have been issued in Cairo Governorate and other Governorates regarding the sale of public lands through auctions.

More recently, Governor's Decrees based on the above legal framework have been executed in Cairo and Ismailia Governorates establishing Land Management Agencies as projects under the Housing Fund. These Decrees are provided in other sections of this report as examples. Consideration of the Service Fund is being reviewed in other governorates to establish Land Management offices as appropriate to their situations.

- B. Office Functions and Need - Because of the often fragmented nature of existing urban and land planning departments at the governorate level which are pre-occupied with day to day activities, there is a need to increase or strengthen the capacity at the local level to implement projects. Proposed new offices or agencies could be established by complementing existing departments; promoting cost recovery of public sector resources; and focusing on strategies to obtain project development start-up funds and long-term development funding.

Typical goals of land management office functions would be oriented to giving the governorates the capacity to acquire, control, and hold vacant lands for future urban needs, to allocate such lands efficiently, to service and develop such lands in partnerships with private or informal sector participants, and to undertake the upgrading of deficient urban areas. In these efforts, office functions would emphasize the principles of efficiency, equity and cost recovery.

Unique situations in each of the urban governorates will dictate an emphasis on certain functional activities. In summary the capacities of the six governorates fall into the following distinct categories.

Cairo and Alexandria: Governorates which need additional capacity to carry out activities beyond nominal existing land management functions currently done in an "ad hoc" fashion. Considering the magnitude of the problem, these governorates are in need of new administrative structures to deal with vacant land control, development of new lands, and upgrading.

- **Port Said and Suez:** Governorates which have existing planning and land development units that carry out some land management functions and which are in need of strengthening and/or reorganization of existing units in the establishment of any new office structures.
- **Qaliubia and Giza:** Governorates which do not need a capacity to control vacant land or develop new lands, but which are almost completely lacking in ability to carry out long-term upgrading , planning and development programs and, thus, require new administrative structures to efficiently manage both day-to-day and long-term activities.

### Section III

#### PROPOSED JOB DESCRIPTIONS AND PREFERRED QUALIFICATIONS AND EXPERIENCE

This section provides detailed descriptions of the principal jobs proposed for the Land Management Agency or office in its initial phase, namely:

1. The Director,
2. Legal Advisor,
3. Urban Planner, (Head of Coordination Section)
4. Financial Analyst, (Head of Studies and Research Section)
5. Civil Engineer, (Head of Implementation Section)
6. Cost Accountant, (Head of Financial Liaison Section)
7. Survey Engineer, (Head of Cadastral Section)
8. Secretary

In addition, suggested position qualifications and preferred experience is outlined.

## POSITION QUALIFICATIONS AND PREFERRED EXPERIENCE

<u>Position</u>	<u>Qualification</u>	<u>Experience</u>
1. Director	Degree in Planning, Civil Engineering or architecture	Experience not less than 12 years in leading positions in Urban Planning. Experience in local government preferable.
2. Legal Consultant	BA in Law	Experience not less than 10 years in legal affairs related to land, housing, urban planning and local government.
3. Urban Planner or Architecture	Degree in Urban Planning	Experience not less than 10 years in urban planning. Experience in local government preferable.
4. Financial Analyst/ Economist	Degree in Accounting or Economics	Experience not less than 10 years in financial analysis. Experience in urban planning and knowledge of computers preferable.
5. Civil Engineer	Degree in Civil Engineering	Experience not less than 10 years Civil Engineering, project management, knowledge of computers and experience in local government preferable.
6. Cost Accountant	Degree in Accounting	Experience not less than 5 years in accounting in the field of urban planning and engineering projects. Knowledge of governmental accounting is preferable.
7. Cadastral Engineer	Degree in Civil Engineering	Experience not less than 5 years in site survey, good knowledge of computers and data keeping is essential. Experience in local government preferable.
8. Secretary	Appropriate Qualifications	English and Arabic typing. Knowledge of English and computer operations.

Positions 3, 4, 5, 6 and 7 will later on be Department Heads.

## JOB DESCRIPTION SHEET

DEPARTMENT: Land Management

POSTION: Director of Land Management Agency or Office

REPORTING STATUS: Reports to the Governor

NUMBER: 1

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### JOB DESCRIPTION

Supervises the work in the Land Management Agency or Office in Governorate including development of new land and upgrading existing communities. This includes planning, supervision and follow-up of work done by consultants and contractors in addition to data gathering and file keeping of all information and documents pertaining to government land and upgrading efforts. Conducts regular contact with local and international funding agencies in addition to agencies related to land management both inside and outside the governorate.

### JOB DUTIES

- o Coordinates efforts of Agency with other government agencies working in land management through the executive committee for land management or through direct contract.
- o Coordinates the work of different departments, inside the Agency.
- o Exchanges information with the GOPP and other agencies to coordinate plans and work schedules.
- o Overlooks the outlining and execution of Urban Depts, Engineering work, studies and other work conducted in the Agency.
- o Overlooks planning and implementing of data gathering and document keeping.
- o Participates in consultant's evaluation.
- o Participates in development of Terms of Reference preparation and other specification documents for consultants/contractors.
- o Participates in negotiations with funding agencies and banks.
- o Participates in devising internal rules and regulations in the Agency.
- o Follows-up on the production of periodical reports.
- o Evaluates the performance of Agency department heads.
- o Attends conferences and meetings related to land development and upgrading.

- o Contracts with local and international bodies conducting studies related to land management.
- o Gives opinion on recommendations offered by local and international bodies related to land management and upgrading.
- o Contracts or hires consultants, contractors, developers and funding agencies.

## JOB DESCRIPTION SHEET

**DEPARTMENT:** Land Management

**POSITION:** Legal Advisor

**REPORTING STATUS:** Reports to Agency Director

**NUMBER:** 1

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### JOB DESCRIPTION

Collects and keeps all laws, by-laws and decrees related to Land Management and community upgrading. Gives legal opinion on all matters related to Agency.

### JOB DUTIES

- o Collects all-laws, by laws and decrees related to Land Management of government land and community upgrading.
- o Files these laws and keeps them in a computer "data bank"
- o Develops systems and legal actions for land protection.
- o Resolves disputes over land ownership.
- o Develops systems and legal action for freeing government land currently lost to encroachment.
- o Drafts contracts between the Agency and other entities.
- o Gives legal opinion on all matters related to land development and community upgrading.
- o Assists in negotiations between the Agency and other entities.
- o Represents the Agency in court and with other entities.

## JOB DESCRIPTION SHEET

DEPARTMENT: Land Management

POSITION: Urban Planner (Director of Coordination Section)

REPORTING STATUS: Reports to Agency Director

NUMBER: 1

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### JOB DESCRIPTION

Supervises Urban Planning work for new communities and upgrading efforts for deprived communities. Keeps maps and drawings. Supervises the preparation of the Annual Land Management Plan.

### JOB DUTIES

- o Coordinates with GOPP and other agencies on land development plans and upgrading efforts including those agencies responsible for providing infrastructure services.
- o Assists studies section in supervising the preparation of urban planning studies for new land and community up-grading according to approved master plans.
- o Supervises site selection and site evaluation.
- o Assists in preparation of bid documents, and specification documents for planning and engineering jobs.
- o Participates in the evaluation of bids and studies.
- o Participates in supervising the work of consultants and contractors.
- o Follows-up on efforts to update urban planning standards and communicates the need for these standards with appropriate regional or local planning authorities

## JOB DESCRIPTION SHEET

DEPARTMENT: Land Management

POSITION: Financial Analyst (Director of Studies and Research Section)

REPORTING STATUS: Reports to Director of Coordination NUMBER: 1

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### JOB DESCRIPTION

Supervises financial, economic, social and marketing studies undertaken in the departments or through outside Consultants. Negotiates with local and international financial agencies. Supervises the preparation of the Annual Financial Plan.

### JOB DESCRIPTION

- o Supervises the preparation and evaluation of studies.
- o Supervises the development of pricing policies.
- o Supplies results of studies conducted to interested bodies.
- o Prepares bid documents and specification documents.
- o Participates in the preparation of the Annual Financial Plan.
- o Evaluates bids and bidders.
- o Identifies funding needs for studies and site servicing.

## **JOB DESCRIPTION SHEET**

**DEPARTMENT:** Land Management

**POSITION:** Civil Engineer (Director of Implementation)

**REPORTING STATUS:** Reports to Director of Coordination      **NUMBER:** 1

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### **JOB DESCRIPTION**

Supervises follow-up activities for project implementation of land development and community upgrading. Gathers and files all data related to new land and deprived communities. Prepares periodic reports.

### **JOB DUTIES**

- o Supervises contractors activities in site servicing.
- o Supervises site development by insuring adherence to designated development and land use plans.
- o Supervises the implementation of a land protection mechanism in cooperation with other government agencies.
- o Supervises implementation of land evacuation procedures.
- o Follows-up and assists developers in obtaining proper licensing and permits in coordination with Housing Directorate.

## **JOB DESCRIPTION SHEET**

**DEPARTMENT:** Land Management

**POSITION:** Cost Accountant (Head of Financial Liaison Section)

**REPORTING STATUS:** Reports to Director of Coordination                      **NUMBER:** 1

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### **JOB DESCRIPTION**

Plans and implements cost mechanisms that outline costs and revenues for every Agency project following government accounting procedures.

### **JOB DUTIES**

- o Coordinates with Housing Fund on land management and upgrading projects financed through the Housing Fund.
- o Monitors and keeps updated information on Housing Fund financial regulations, procedures, and policies.
- o Supervises separate book keeping of each project.
- o Negotiates with funding agencies.
- o Follows-up on preparation of periodic financial reports on revenues and expenditures.
- o Prepares the Annual Financial Plan.

## **JOB DESCRIPTION SHEET**

**DEPARTMENT:** Land Management

**POSITION:** Survey Engineer (Head of Cadastral Section)

**REPORTING STATUS:** Reports to Director of Coordination      **NUMBER:** 1

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### **JOB DUTIES**

- o Supervises land survey and mapping for government land and/or Housing Company land as appropriate.
- o Supervises land survey and mapping for government land currently lost to encroachment.
- o Supervises the preparation of maps of existing conditions and updating of existing maps.
- o Supervises the land data bank and assures regular updating of data with new information.
- o Keeps documents related to current land tenure, ownership status, and other details.
- o Monitors contracts and negotiates with other agency departments or with consultant/contractors to accomplish land surveys as necessary with approval of Director.

## **JOB DESCRIPTION SHEET**

**DEPARTMENT:** Land Management

**POSITION:** Secretary

**REPORTING STATUS:** Reports to Agency Director

**NUMBER:** 1

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### **JOB DESCRIPTION**

Types in arabic and english, files documents, reports and correspondence within and outside the Agency.

### **JOB DUTIES**

- o Types all correspondence and reports in Arabic and English.
- o Monitors incoming and outgoing department mail.
- o Files correspondence and reports for easy access.
- o Receives guests and makes appointments for the Director.

## Section IV

### EXECUTIVE COMMITTEE FUNCTIONS AND MEMBERSHIP

In order to facilitate effective coordination between existing departments of the Governorate and other national or local outside agencies, an executive committee or Board of Directors is suggested. The purpose and function of the committee would be to review land management office project proposals; set project priorities; obtain inputs from key organizations and agencies regarding information needed for project development; review or approve land management office annual operating and financial plans; insure that appropriate inter-government agency inputs for projects are sufficient to comply with existing regional and national master plans; and serve to promote and advocate the functions of a land management office or agency to other public or private organizations to implement projects.

As such membership on this committee is very critical and unique to each governorate. For example in those governorates with "strategic linkages" to the General Organization for Physical Planning, (GOPP), the Agency for Joint Housing Projects, Housing Companies, and other similar organizations should have these organizations represented in the committee membership. Generally all Governorates will require representative membership of utility services for water, sewerage, electrical authorities to implement either new lands development or upgrading projects. In those governorates where the Ministry of Defense or the Ministry of Awkaf control vast amounts of land under public ownership, these "outside" agencies might be considered as members to facilitate coordination of activities.

Necessary agreements to facilitate membership participation and an agreed upon schedule of meetings such as on a quarterly or monthly basis must be completed as a necessary step. It is also necessary to designate who will chair the committee (usually the Governor) or a designated representative such as the Director or Secretary General. Other key Land Management "Core" staff could serve on the committee as well as key public citizens representing citizen groups. Members of the committee should be designated either voting or non-voting members.

The following list outlines suggested responsibilities and functions for a proposed Land Management Executive Committee or Board of Directors.

**SUGGESTED RESPONSIBILITIES AND FUNCTIONS PROPOSED  
LAND MANAGEMENT  
EXECUTIVE COMMITTEE OR BOARD OF DIRECTORS**

- A. Develop the general strategies for new land development and upgrading projects.
- B. Discuss and approve land management and upgrading policies.
- C. Study and evaluate Master Schemes regarding detailed action plan proposals.
- D. Discuss plans for urban extensions and upgrading.
- E. Discuss and approve financial plans for Land Management operations.
- F. Coordinate with outside agencies and existing departments to obtain services; construction of housing; or other land management matters.
- G. Discuss and approve organizational relations between members of the committee. (Formulate necessary agreements for outside or existing department participation on committee as appropriate).
- H. Discuss and approve Director proposals on:
  - Land protection policy,
  - Title transfer policy,
  - Contractual arrangements, and
  - Land release policy.
- I. Approve internal regulations of the committee.
- J. Discuss and approve Land Management Annual Operating Plans.
- K. Review periodic reports on office and project development activities.

## **Section V**

### **EXAMPLE DECREES OF CAIRO AND ISMAILIA GOVERNORATES**

This section provides example Decrees signed by Governors in Cairo and Ismailia Governorates and can be used as a guideline to develop necessary decrees unique to the other urban governorates of Port Said, Suez, Alexandria, Giza and Qaliubia. (For example office functions unique to Giza and Qaliubia Governorates should emphasize upgrading land management projects and associated activities to implement these functions).

In addition, Regulations and Incentives for Disbursement to Personnel Working in All Production and Service Projects Within Governorate Limits (Annex To Governor Decree No. 425/1986) for Ismailia is provided for information and background as appropriate.

**CAIRO GOVERNORATE  
THE GOVERNOR'S OFFICE**

**Cairo Governor's Decree No. 238 Dated 10/8/1988  
Regarding  
The Creation of the Cairo  
Land Development Agency**

**CAIRO GOVERNOR**

- Reviewing Local Management Law No. 43, its amendments and Executive Regulations.
- Cairo Governorate Constitutional Rules of Services and Investment Projects issued by the Governor's Decree No. 179 on 27/6/1988.

**DECREE**

**Article One:** The creation of the Land Development Agency for Cairo Governorate as a Service Project Under the Economic Housing Fund to be run under Economic Housing Regulations and where net surplus profit is referred to the Housing Fund.

**Article Two:** Goals of the Land Development Agency:

- Protection and Development of Government Land.
- Resolving the Housing problem for low and middle income populations according to regulations set by the Agency and through available needed land and funding.
- Achieving the best use of governorate land, emphasizing the use of desert land for housing projects.
- Coordination between different agencies dealing in Land Management.
- Coordinating efforts of upgrading and basic services improvement for existing communities.
- Create a data bank documenting land resources to help in planning, supervision and decision making.

**Article Three:** The Agency is to coordinate with other entities inside and outside the governorate given the adherence of these entities to the general land development policy set by the Agency.

**Article Four:**

**Activities of the Land Development Agency:**

1. Conduct comprehensive surveys of Governorate owned land inside City boundaries in addition to land owned by housing companies. In this context the Agency has the right to gather all relevant information and maps that would assist it in formulating the governorate's land development strategy.
2. Prepare land development plans in accordance to the Greater Cairo Master Plan and Governorate Plans.
3. Prepare implementation programs for the approved plan of action and extension of municipal services in coordination with different municipal entities.
4. Implement the structural services for housing and infrastructure works.
5. Improve living conditions in existing residential communities.
6. Survey current encroachment on government land, its nature and legal status and taking action to protect this land, free it from encroachment, formalize it, and release it according to laws and regulations.
7. Within its legal authority and financial resources, the Agency is to undertake freeing government land from encroachment in accordance to regulations set by the Agency, in addition to encroachment on other government land owned by other legal entities upon request of such parties.
8. Follow-up on conducting social, economic, marketing and feasibility studies needed for Land Planning.
9. Negotiate and contract with funding Agencies for possible cooperation in financing land management, housing and upgrading projects.

**Article Five:**

The project will be run by a managing committee to be formed by a governor's decree in accordance with laws regulating servicing and production projects and the approved internal regulations set by the managing committee.

The Governor will also issue a decree naming the Projects General Director.

**Article Six:**

This decree will be in effect from the date it is signed. It is to be published in the official news paper.

Cairo Governor

Gen. Youssef Abu Taleb

## ISMAILIA GOVERNOR'S DECREE NO. 200 FOR THE YEAR 1981

### Ismailia Governor

After reviewing Law No. 43 for 1974 regarding Local Government regulations and its executive chart, and Law No. 47 for 1978 regarding the Government Civil Workers, and Law No. 47 for 1978 regarding the Government Civil Workers;

And pursuant to recommendation of the technical assistance efforts in Ismailia;

I hereby decree:

Article One: The Agency for Urban Planning and Land Development be created in Ismailia in coordination with the Ismailia Master Plan. The Agency would be a fully independent entity financially and administratively.

Article Two: The Agency is to be headed by a Board of Directors as follows:

1. The Secretary General - Chairman,
2. The Technical and Engineering Advisor,
3. The Legal Advisor,
4. Director of Roads Directorate,
5. Director of Planning,
6. Director of Property Department,
7. Director of Property Department "Amlak",
8. Director of Production and Financial Affairs,
9. Director of Housing, and the
10. Director of Accounts Department

Article Three: The Agency will undertake the following responsibilities:

1. Control of land owned by the Governorate and assigned for development, according to the land uses in the City Master Plan;
2. Selection of sites for projects for different land uses, may it be touristic, industrial, housing or other;
3. Prepare Urban Planning Projects in the areas of housing expansion inside and outside the governorate before they are approved by the respective local councils;
4. Propose modifications in organizational boundaries of the governorate cities in order to upgrade them;

5. Assess the provincial roadways surrounding cities;
6. Specify land uses and the conditions of their construction;
7. Prepare plans for the lands selected by the Agency, and provide them with Public Utilities, sell these lands and use the money for urban development purposes at the governorate;
8. Collect all information, statistics and research about the governorate owned lands;
9. Study the industrial projects required, their feasibility, the area required, for each project, construction conditions and stages of execution.

Article 4: The Agency will prepare the financial and administrative regulations and then submit them for approval;

Article 5: The Agency is authorized to assess and accept duties for the services they offer to respective people. These duties are considered revenues to cover the Agencies' administrative expenses. The amounts are determined after our approval; and finally,

Article 6: The Agency may receive loans for development purposes regarding mortgages.

**Regulations of Incentives  
Disbursement to Personnel Working  
in all Production and Services Project  
within Governorate Limits (Annex to  
Governor Decree No. 425/1986)**

Section (1) - Types of Projects Assessment

Article (1)

The projects following the Governorate are decided according to the volume of their investment components either the materialistic or the corporeal into two divisions:-

Type I

- 1) The projects whatever their purposes are, either productive of services, and whatever their nature are which the component of their investment exceeds LE 200,000.

Type II

- 2) The Projects whatever their purposes are, either productive of services, and whatever their nature are which the component of their investment do not exceed LE 2000,000.

Article (2)

The committee formed by our Decree issued in these regulations will enroll the current projects and the future ones under the two above mentioned types. It will also modify any project if its financial status necessitates that.

Article (5)

The employees who are not committee members are entitled to receive incentives as decided by the administrative committees, on condition that these incentives do not exceed 100% of their original monthly salaries. The administration may decide to disburse 150% of their original salaries once a year once every six months on condition that it does not exceed 15% of the added value achieved. This should be done after setting the depreciation and contingencies aside. In all cases, the monies that the employees receive as incentives should not exceed 150% of their monthly salaries in their original agencies. Those who have rare vocations approved by the project's follow-up affairs committee formed by Article 10 of this decree are exempted from this condition.

Article (6)

It is prohibited that any employee within the Governorate boundaries fill more than one position in the committees of projects management or their executive and administrative agencies.

Article (7)

If the need or the public demand necessitates that an employee fills in more than one position in the project committees or their administrative agencies, he has the right to choose the best of the benefit packages or have more than one package from more than one project on condition that they do not exceed the above mentioned limits.

Section 3 - General Rules

Article (8)

Concerning the new projects which are in their start-up stage or the future projects their employees are not entitled to receive incentives or any benefit package from any kind except when they achieve a sufficient profit.

Article (9)

The rules of these regulations should not interfere with the rights of employees delegated for casual assignments in taking their payments disbursed on a casual basis as decided by the respective project committee.

Section 4 - Some Financial & Administrative Rules

Article 10

Law No. 9/1983 concerning Bids & Auctions and their executive regulations are applied on all projects following the Governorate.

Article 11

The committee of Project Management is given the authorities of the Under - Secretary shown in the above mentioned law and its executive regulations. The Committee may delegate all or parts of its authorities to the head of the Project committee or its manager.

Article 12

The Financial regulations and instructions applied in Governmental Agencies are herein applied on condition that they do not contradict with these regulations.

Article 13

The Project Management Committee may establish a system of labor appointment in the projects following the Governorate for non-government appointments and the appointments on a loan in case of emergencies or if the project needs necessitates that. Also pension special regulations are herein applied.

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The following projects are considered among the projects included in the account of funding economic housing.

- 1) Urban Planning & Development Agencies.

Article (2)

Markaz and City Chiefs each in his field of specialty and within the limits of his boundaries are delegated to manage and organize similar projects located in their boundaries in the light of the rules implied in the previous Article except the following projects:-

- 1) A special account for land reclamation purposes.
- 2) The account of funding economic housing.

Article (10)

A committee for the follow-up of Projects Affairs should be formed with the headship of the Secretary General and the membership of the following personnel:-

- 1) The Assistant Secretary General
- 2) The Under-Secretary of Finance at Ismailia
- 3) The Governorate Director of Finance

This committee will handle all administrative and financial issue pertaining to the projects following the Governorate, as well as review of modifications of the regulations mentioned in Article 8 of this Decree.

Article (3)

The Committee responsible for the management of each of the above mentioned project should prepare at the end of each fiscal year a balance sheet showing the financial status of the project and the profits achieved. Attached should be the project plan for the new fiscal year. This budget and plan should be submitted to the respective board of directors.

## Section VI

### CRITERIA FOR DEMONSTRATION PROJECT DEVELOPMENT UNDER THE LOCAL DEVELOPMENT - II URBAN PROJECT

As numerous projects may be identified under Land Management Offices, the TA Contractor is available to assist in scoping out at least one initial demonstration project for each governorate, the initial year of operations which qualifies for funding assistance under the LD-II Urban Program. This should not preclude however the development of other projects under control of the GOE Land Management Office or Agency.

The following criteria would be used to evaluate and identify appropriate opportunities in the development of demonstration projects appropriate for funding assistance under the LD-II Urban Program:

- o Sites must be under governorate authority/control and within urban areas;
- o Use of innovative development approaches or strategies must be demonstrated;
- o Extent of private sector involvement must be maximized;
- o Use of and the extent of cost recovery methods to minimize public resource subsidies must be demonstrated;
- o Replicability of the above approaches/strategies/principles to other projects, must be emphasized; and,
- o Where housing land uses are involved targeted beneficiaries must be low and middle income users. (This would not preclude the possibility of shifting land uses or using portions of sites or other site locations to obtain revenues, (i.e. from the sale or leasing of lands targeted for higher income users or higher valued land uses), for development of low to middle income housing sites.

Funding for special projects under the LD-II Urban Program should generally fall in a cost range of between LE 500,000 to LE 1,000,000. The above criteria must also be satisfied. One demonstration project would be identified and scoped out within each of the six governorates. The principles of efficiency, equity and cost recovery would be emphasized in the scoping out of demonstration projects for new lands development or upgrading projects. Scoping reports could be used in other fund raising activities such as to solicit funds from the Ministry of International Cooperation of other international aid organizations.

## Section VII

### SUGGESTED SCOPING REPORT OUTLINE FOR UPGRADING DEMONSTRATION PROJECT DEVELOPMENT

The following suggested outline can be used in scoping out upgrading projects and collecting information to justify need for such projects. It may even be necessary to obtain input from key beneficiaries or representatives of beneficiary citizen groups benefiting from such improvements to confirm priorities regarding the order of implementing certain project upgrading project improvement components.

#### I. Justification and Need

- o Explain background and history of project area, including surrounding land uses, and need for improvements.
- o How well does project meet possible criteria of various funding agencies?
- o Outline possible cost recovery strategies and commitments from private or informal sectors.
- o Outline relationship to master plan standards and compatibility with such standards. Explain need to revise such standards if appropriate or relevant.

#### II. Identify and Outline Study Area Deficiencies

- o Provide regional and site specific maps showing study area and site statistics.
- o Describe previous upgrading projects in study area (are there any Neighborhood Urban Services (NUS) or Local Development II Projects under USAID program involved?).
- o Describe current identified upgrading project deficiencies and target beneficiaries of correcting such upgrading activities. (i.e. population/demographic data, etc.)

#### III. Quantify Development Costs for Upgrading Improvements

- o Provide unit costs used to develop costs plus quantification of project development activities;
- o Suggest phasing of total costs;
- o Cost out items for possible LD-II Urban financial assistance meeting demonstration project criteria;
- o Determine costs to be covered by Government of Egypt (GOE, versus other funding resource organizations.

**IV. Identify Cost Recovery Mechanisms to Minimize Public Resource Subsidies.**

- o Suggest strategies and confirm any commitments of private/informal sector participation.

**V. Implementation Requirements**

- o Define specific strategies, priorities, and step by step actions to implement projects.