

Article 43: The Institutional Ethics Committee shall meet in ordinary session once a year, convened by its chairperson. It may meet in extraordinary session whenever necessary, convened by its chairperson or at the request of one-third (1/3) of its members.

The secretariat of the Ethics Committee is provided by the Hospital Management.

Subsection 2: Composition

Article 44: The Institutional Ethics Committee is composed of nine (09) members chosen from among scientific figures, specialists in law, sociology and other disciplines involved, in respect of human rights, on the proposal of the Director General of the hospital.

The Director General and the Chairman of the Scientific and Technological Committee are ex officio members. However, the Ethics Committee may invite any other person due to their specific expertise.

The chairman and members of the Institutional Ethics Committee are appointed, for a renewable three (3) year term, by order of the Minister of Health.

TITLE III: GUARDIANSHIP

Article 45: The acts of administration and management defined in Articles 46, 47 and 48 below are subject to the express approval or prior authorization of the supervising minister.

Article 46: Prior authorization is required for the following acts: - subsidies,

donations and bequests subject to conditions; - loans of more than one (1) year; - the signing of an agreement or contract equal to or greater than fifty (50) million CFA francs; - the acquisition of financial participation and any intervention involving the transfer of the assets and resources of the hospital; - agreements entered into between the Director General, the members of the Board of Directors of the hospital and other partners.

Article 47: The following are subject to the express approval of the supervisory authority: -

the recruitment plan; - the annual reports of the Board of Directors; - the allocation of results; - the internal service regulations; - the internal regulations of the Board of Directors.

Article 48: Prior authorization or express approval is requested by the Director General of the hospital. The Minister of Health has fifteen (15) days from receipt of the request to notify his authorization, approval, or refusal.

After this period, the authorization or approval is considered to have been granted.

TITLE IV: FINAL PROVISIONS

Article 49: This decree repeals all previous conflicting provisions, in particular Decree No. 01-487/P-RM of May 24, 2001, establishing the organization and operating procedures of the National Center for Support in the Fight against Disease.

Article 50: The Minister of Health and Public Hygiene, the Minister of Economy and Finance, the Minister of National Education and the Minister of Innovation and Scientific Research are responsible, each in their respective capacity, for the execution of this decree, which shall be registered and published in the Official Journal.

Bamako, March 27, 2019

The President of the Republic
Ibrahim Boubacar KEITA

The Prime Minister
Soumeylou Boubèye MAIGA

The Minister of Health and
Public Hygiene,
Professor Samba Ousmane SOW

The Minister of the Economy
and Finance,
Dr. Boubou Cissé

The Minister of National
Education,
Professor Abinou TÈMÈ

The Minister of Innovation and
Scientific Research,
Professor Assétou Founè SAMAKE MIGAN

DECREE N°2019-0247/P-RM OF MARCH 27, 2019 ESTABLISHING THE ORGANIZATION AND PROCEDURES OPERATING INSTITUTE NATIONAL PUBLIC HEALTH INSTITUTION (INSP)

THE PRESIDENT OF THE REPUBLIC,

Having regard to the Constitution;

Having regard to Law No. 93-042 of August 4, 1993 establishing a Unit for the implementation of health infrastructure strengthening programs (CEPRIS);

Having regard to Law No. 96-015 of 13 February 1996 concerning the general status of public establishments of a scientific, technological or cultural nature;

Having regard to Law No. 2014-049 of 19 September 2014 establishing the fundamental principles of the creation, organization and control of public services;

Having regard to Ordinance No. 2019-011/P-RM of 27 March 2019 establishing the National Institute of Public Health;

Having regard to Decree No. 204/PGRM of 21 August 1985 determining the procedures for the management and control of public service structures;

Having regard to Decree No. 2018-0711/P-RM of 04 September 2018 appointing the Prime Minister;

Having regard to Decree No. 2018-0712/P-RM of 9 September 2018 appointing the members of the Government,

ACTING IN COUNCIL OF MINISTERS,

DECREES:

TITLE I: GENERAL PROVISIONS

Article 1: This decree establishes the organization and operating procedures of the National Institute of Public Health, abbreviated INSP.

Article 2: The headquarters of the National Institute of Public Health is located in Bamako. It may be transferred to any other location within the national territory upon a decision by the Board of Directors of the INSP.

TITLE II: ADMINISTRATIVE BODIES AND MANAGEMENT

CHAPTER I: THE BOARD OF DIRECTORS

Section 1: Composition

Article 3: The Board of Directors of the National Institute of Public Health (INSP) is composed as follows:

President: the Minister in charge of Health or his representative;

Members:

- the representative of the Ministry of Finance; - the representative of the Ministry of Scientific Research; - the representative of the Ministry of National Education; - the representative of the Ministry of Livestock; - the representative of the Ministry of Agriculture; - the representative of the Ministry of the Environment; - the representative of the Directorate General of Health and Public Hygiene; - the Chairman of the Scientific and Technical Committee of the National Institute of Public Health (INSP); - the Dean of the Faculty of Medicine and Dentistry; - the Dean of the Faculty of Pharmacy;

- one (1) representative of Consumer Associations; - one (1) representative of the Malian Federation of Traditional Therapists and Herbalists (FEMATH); - one (1) representative of the Malian Association for Biosafety and Biosecurity (AMBIOS); - two (2) staff representatives; - one (1) representative of the Health Professional Orders.

Article 4: The term of office of the members of the Board of Directors of the Institute is three (3) years renewable.

The term of office of a member of the Board of Directors ends with the loss of the qualification that justifies it.

In the event of a vacancy in a seat, the person concerned is replaced, for the remainder of the term, by the body that appointed him/her.

Section 2: How it works

Article 5: The Board of Directors of the Institute shall meet once every six months, upon convocation by its Chairman. It may meet in extraordinary session upon convocation by its Chairman or at the request of one-third (1/3) of its members.

The duration of a session cannot exceed two days.

However, it may be extended, with the express agreement of the supervisory authority, for one more day.

Article 6: The Chairman of the Board of Directors shall send the notices of meeting, the draft agenda and the working documents to the members at least fifteen days in advance.

Article 7: The INSP Board of Directors may validly deliberate if two-thirds of its members with voting rights are present. Failing this, a new meeting, convened seven days later, may validly be held without a quorum requirement.

Decisions of the Board of Directors are made by an absolute majority of the members present. In the event of a tie, the President's vote prevails. Voting is by secret ballot.

The deliberations of the Board of Directors are published in all structures and on the INSP website.

Article 8: The functions of members of the Board of Directors of INSP are not remunerated.

However, session and travel allowances may be granted to members, after a deliberation approved by the Minister of Health, within fifteen days following the holding of the session.

Article 9: The secretariat of the Board of Directors is provided by the Management of the Institute.

CHAPTER II: OF THE GENERAL MANAGEMENT

Section 1: From the Director General

Article 10: The National Institute of Public Health (INSP) is headed by a Director General appointed by decree taken in the Council of Ministers, on the proposal of the Minister in charge of Health.

In the performance of his duties, the Director General is assisted by a Deputy Director General and Heads of administrative and technical departments.

Section 2: From the Deputy Director General

Article 11: The Deputy Director General automatically replaces the Director General in the event of a vacancy, absence or incapacity.

The Deputy Director General is appointed by order of the Minister of Health, on the proposal of the Director General.

The appointment order also sets out his specific duties.

Section 3: Administrative and Technical Services

Subsection 1: Heads of Department

Article 12: The Departments of the INSP are headed by Heads of Department, appointed by order of the Minister in charge of Health, on the proposal of the Director General.

A resolution of the Board of Directors establishes the list and responsibilities of the departments.

Subsection 2: Of the Accounting Agency

Article 13: The accounting department assists the Director General in all tasks related to the management of the Institute's finances and equipment, including:

- preparation and monitoring of budget execution;
- maintenance of general accounting and inventory accounting;
- collection of revenue and payment of expenses;
- preparation of the Institute's management account.

The accounting department is headed by an accounting officer appointed by order of the minister in charge of finance.

Article 14: The Accounting Agency also has a materials accounting system, a revenue management system and an expenditure management system.

Article 15: The materials accountant is appointed by joint decree of the ministers in charge of Finance and Health.

CHAPTER III: OF THE SCIENTIFIC AND TECHNIQUE

Article 16: The Scientific and Technical Committee shall meet in ordinary session twice (2) a year upon convocation by its chairman.

It may meet in extraordinary session, whenever necessary, upon convocation by its president or at the request of one-third (1/3) of its members.

The agenda and notice of meeting are communicated to members five days before the meeting.

Adherence to the aforementioned deadline is not mandatory in cases of emergency or necessity.

The Committee may include any other person due to their particular skills.

Article 17: The president and members of the Scientific and Technical Committee shall be appointed, for a renewable period of three (3) years, by order of the Minister in charge of Health.

The secretariat of the Committee is provided by the management of the Institute.

Article 18: Decisions of the Committee are taken by an absolute majority of the members present.

In the event of a tie vote, the president's vote is decisive.

Article 19: Members of the Scientific and Technical Committee shall receive all scientific documents, studies and results from the Institute.

They can request any scientific or technical information, excluding accounting or administrative documents.

They receive a copy of the documents approved by the Institute's Board of Directors.

CHAPTER IV: THE MANAGEMENT COMMITTEE

Article 20: The Management Committee meets once a quarter, upon convocation by its chairman.

It may meet in extraordinary session whenever necessary, upon convocation by its president or at the request of one-third (1/3) of its members.

The secretariat of the Committee is provided by the Deputy Director General.

The Management Committee may call upon any resource person according to their skills.

CHAPTER V: OF THE ETHICS COMMITTEE

Article 21: The Ethics Committee shall meet, whenever necessary, primarily for the examination of protocols submitted for its approval, upon convocation by its chairman or at the request of two-thirds of its members.

The Ethics Committee may call upon any resource person according to their skills.

Article 22: The Ethics Committee elects a president from among its members.

Article 23: The members of the Ethics Committee shall be appointed, for a renewable period of three (3) years, by decision of the Minister in charge of Health.

TITLE III: MISCELLANEOUS PROVISIONS AND FINALS

Article 24: At the request of the Institute, State services and organizations under its supervision, local authorities, public establishments, public and private companies operating in the Health sector, shall provide it with the information necessary for the performance of its missions.

The Institute contributes to the implementation of epidemiological surveillance in these organizations.

Article 25: When it proves necessary to prevent or control serious risks to human health:

- any natural or legal person is required, at the request of the Institute, to communicate to it any information which it holds relating to such risks; - any medical biology laboratory or any other approved laboratory carrying out health controls is required to transmit to the Institute the strains of infectious agent or the biological material in its possession relating to such risks.

Article 26: This decree repeals all previous conflicting provisions, in particular Decree No. 04-065/P-RM of March 4, 2004 establishing the organization and operating procedures of the National Food Safety Agency (ANSSA), Decree No. 06-301/P-RM of July 21, 2006 establishing the organization and operating procedures of the National Institute of Public Health Research (INRSP) and Decree No. 07-285/P-RM of August 8, 2007 establishing the organization and operating procedures of the Research, Studies and Documentation Center for Child Survival (CREDOS).

Article 27: The Minister of Health and Public Hygiene, the Minister of Economy and Finance, the Minister of National Education and the Minister of Innovation and Scientific Research are responsible, each in their respective capacity, for the execution of this decree, which shall be registered and published in the Official Journal.

Bamako, March 27, 2019

**The President of the Republic,
Ibrahim Boubacar KEITA**

**The Prime Minister,
Soumeylou Boubèye MAIGA**

**The Minister of Health and
Public Hygiene,
Professor Samba Ousmane SOW**

**The Minister of the Economy
and Finance,
Dr. Boubou Cissé**

**The Minister of National
Education,
Professor Abinou TÈMÈ**

**The Minister of Innovation and
Scientific Research,
Professor Assétou Founè SAMAKE MIGAN**

DECREE N°2019-0248/P-RM OF MARCH 27, 2019 SETTING THE CONDITIONS FOR THE ISSUANCE OF APPROVAL OF SERVICE PROVIDERS OF CRYPTOLOGY AS WELL AS THEIR OBLIGATIONS

THE PRESIDENT OF THE REPUBLIC,

Having regard to the Constitution;

Having regard to Law No. 2013-015 of 21 May 2013, as amended, concerning the protection of personal data in the Republic of Mali;

Having regard to Law No. 2016-011 of 6 May 2016 concerning the rules applicable to the means, methods, services and systems of cryptography in Mali;

Having regard to Law No. 2016-012 of 6 May 2016 relating to electronic transactions, exchanges and services;

Having regard to Ordinance No. 2011-023/P-RM of 28 September 2011 relating to Telecommunications and Information and Communication Technologies;