www.abyssinialaw.com

TUSMADA
BAYAAN TIRSI 1183/2020
BAYAANKA HANAANKA MAAMULEED EE HAY, ADAHA DAWLADA EE JAMHUURIYADA DIMUQRAADIGA FEDERAALKA ITOOBIYA

THE SOMALI TRANSLATION OF THE FEDERAL ADMINISTRATIVE PROCEDURE PROCLAMATION NO.1183/2020

ACKNOWLEDGEMENT

The translation and publication of the Federal Administrative Procedure Proclamation was done by Ethiopian Lawyers Association in partnership with USAID's *Feteh* (Justice) Activity in Ethiopia as part of their efforts to build on the capacity of civil society organizations which are involved in governance and judicial reform efforts.

This publication was made possible through the support of the American people through the United States Agency for International Development (USAID). The content and opinions expressed in this document in no way reflect the views of the USAID.

www.abyssinialaw.com

TUSMADA
BAYAAN TIRSI 1183/2020
BAYAANKA HANAANKA MAAMULEED EE HAY, ADAHA DAWLADA EE JAMHUURIYADA DIMUQRAADIGA FEDERAALKA ITOOBIYA

THE SOMALI TRANSLATION OF THE FEDERAL ADMINISTRATIVE PROCEDURE PROCLAMATION NO.1183/2020

www.abyssinialaw.com

JAMHUURIYADA DIMUQRAADIGA FEDERAALKA ITOOBIYA

WARGAYSKA SHARCIGA EE FEDERAAL NEGAARIT GAZETA EE

JAMHUURIYADA DIMUQRAADIGA FEDERAALKA ITOOBIYA

Sanadkii 26aad Tirsi.32 Addis Ababa
7dii Abriil 2021

Tusmada

Bayaan Tirsi 1183/2020
BAYAANKA HANAANKA MAAMULEED EE HAY,ADAHA DAWLADA EE JAMHUURIYADA DIMUQRAADIGA FEDERAALKA ITOOBIYA

Boga.....12470

Wargayska Negaarit. P.O. Box 8001

www.abyssinialaw.com

GOGOL DHIG

Maadaama uu dastuurka Jamhuuriyada dimuqraadiga federaalka Itoobiya dhigayo in hanaanka maamul ee dawladu uu noqdo mid kudhisan cad cadaan, ayna tahay in masuuliyiinta dawladu ay dhabarka uritaan masuuliyada gudasho la,aanta xilkooda;

Maadaama ay lagama maar maan tahay in sharciga lagu soo dabaalo (la maamulo oo hogaanka loo hayo) hay,adaha maamulka dawlada si ay uga dheeraadaan faragalinta xuquuqaha iyo danaha dadwaynaha

Maadaama ay lagama maar maan tahay in ladamaanad qaado helitaanka hanaan maamul oo kudhisan cadaalad iyadoo la dhiiri galinayo dhaqanka cad cadaanta iyo isla xisaabtanka iyo iyadoo ladhisayo nidaam sharci oo ay hay,adaha garsoorku dib u eegis ugu samayn karaan ficilada hay,adaha maamul ee dawlada ee waxyeelada ugaysta shakhsiyaadka marka ay hay,adahani gudanayaan xilkooda xeer dajin iyo go,aan qaadasho.

Ayaa wuxuu Golaha Xildhibaanada Shacabka ee Jamhuuriyada Dimuqraadiga Fadaraalka Itoobiya, go,aamiyay isagoo waafaqaya sida uu dhigayo Qodabka 55aad Farqadiisa 1aad ee Dastuurka, meelmarinta bayaankan.

Qaybta Koowaad
Qodabo Guud

Qod 1. Cinwaan gaaban

Bayaankan Waxaa Loogu Yeedhi Doonaa :“ Bayaanka Hanaanka Maamuleed Ee Hay,Adaha Dawlada Ee Jamhuuriyada Dimuqraadiga Ee Federaalka Itoobiya Ee Bayaan Tirsi:1 183/2020”.

Qod 2. Qeexid

Bayaankan gudihiisa haddii aan si kale loogu qeexin, eryayada soo socdaa waxay yeelanayaan macnaha ku hor qoran

1. “Hay,ad maamul” Waxaa loola jeedaa laan kamida Hay,adaha fulinta Ee Jamhuuriyada Dimuqraadiga Ee Federaalka Itoobiya oo lagu aas aasay sharci, waxaana kujiri kara laamaha hay,adaha fulinta maamul magaalooyinka hoos yimaada faderaalka.
2. “Wareegto” Waxaa loola jeedaa xeerka/sharciga ay soo saarto hay,ad maamul oo kusalaysan awooda wakaaladeed ee ay ka haysato hay,ada xeer dajinta ee raadaysa xuquuqaha iyo danaha dadka. Eraygan wareegto waxaa kujiri kara waxkabadalka ama tirtirida wareegto horay usii jirtay
3. “Go,aan Maamul” Waxaa loola jeedaa go,aan ay gaadhay hay,ad maamul oo laxidhiidha xuquuqaha iyo danaha dadka
4. “Qof” Waxaa loola jeedaa qof bani aadama ama shakhsiyada qaaanuunku bixiyo.
5. " Isticmaalka Jinsiga. Qodobada bayaankan ee kahadlaya jinsiga labka waxaa sidoo kale loo isticmaalayaa dhadiga

Qod 3. Baaxada Bayaanka/Sharciga

1. Bayaankan waxaa lagu dhaqayaa dhamaan hay,adaha maamulka dawlada, marka laga reebo xeer ilaalinta iyo boolisku marka ay gudanayaan xilkooda uu maamulo Xeerka Habka Ciqaabtu iyo

www.abyssinialaw.com

milatariga iyo hay,adaha sirdoonka

2. Hase ahaatee, soo saarida wareegtooyinka iyo go,aanada laxidhiidha arimaha maamulka iyo adeeg bixinta ee hay,adahan dawlada ee lagu sheegay farqada 1aad ee qodabkan waxaa lagu dhaqayaa shuruudaha uu bayaankani dajiyay

3. Iyadoo sidiisa ahaanayo qodabka 11aad ee bayaankan, bangiga qaranka xil kama saaro inuu u hogaansamo waajibaadyada lagu sheegay qodobada kabilaabmaya 7 ilaa 10 ee bayaankan marka ay timaado arimaha laxidhiidha soo saarida wareegtooyinka khuseeya sarifka lacagaha, cadadka dulsaarka ee wadanka iyo arimaha kale ee lamidka ah ee ubaahan in sir ahaan loo dhawro

Qaybta Labaad
Wareegtooyinka maamuleed

Qayb hoosaadka 1aad
Soo saarida wareegtada

Qod 4. Soo saarida wareegtooyinka

1. / Hay,ad kasta oo maamul waxay awood uleedahay inay soo saarto wareegto sharci oo kusalaysan baaxada wakaalasho ee sharcigu siinayo

2. / Hay,ad kasta oo maamul waxay wareegtada usoo saari kartaa oo kaliya hanaan waafaqsan bayaankan

3. / marka ay timaado arimaha taabanaya xuquuqaha iyo danaha shaqsiga, qof kastaa wuxuu xaq u leeyahay inuu codsado go,aan maamul xaataa hadii ayna hay,ada maamul soo saarin wareegto

4. / soo saarid la,aanta wareegto sharci oo ay keentay gaabiska hay,ada maamul ee awooda sharci ulahayd inay soo saarto wareegtada, loogama dhigi karo sabab lagu joojiyo adeega ama gaadhida go,aan maamul

Qod 5. Dadajinta ama waqti cayiman kusoo saarida wareegtada

Ha,yad kasta oo maamul waa inay soo saartaa wareegto kudhisan sharciga hooyo ee wadanka, hadii wareegtadaasi tahay mid u hogaansanaantiisu ay tahay qasab (waajib), waa in qalinka lagu duugo mudo 3 bilood gudahooda, hadiise ay wareegtadu tahay mid uhogaansanaantiisu ayna ahayn qasab, waa in qalinka lagu duugaa wakhtiga ugu macquulsan

Qod 6. Codsiga soo saarida wareegtada

1. Qofkii doona ayaa codsi qoraala kaga codsan kara hay,ad maamul inay soo saarto wareegto, markii ay hay,adaa maamul kagaabiso soo saarida wareegto ay awood sharci ulahayd inay soo saarto

2. Hay,ada maamul ee lasoo gaadhsiiyo codsigan soo saarida wareegtada, waa inay gudo gashaa hanaanka soo saarida wareegtada ama kudiida codsigan iyadoo raacinaysa sababta diidmada,

www.abyssinialaw.com

mudo 30 cisho gudahooda

Qayb hoosaadka labad

Hanaanka sharci ee kahoreeya soo saarida wareegtada

Qod 7. Ilaalinta raad-raaca Hay,ada maamul ee wareegtooyinka

1. Marka lasoo saarayo wareegtada, waa inay hay,ada maamul reebtaa raad-raac ama diiwaan koobsanaya waxyaabahan soo socda;

   (B) Mawduuca ama arinta maanka lagu hayay markii lasoo saarayay wareegtadan iyo waqtiga loo cayimay in lala yimaado talaabooyinka waawayn ee lagu fulinayo

   (T) Xog kusaabsan Maqaamka uu yeelanayo hindise sharciyeedkii wareegtadan markii lagu gudo jiray hanaanka soo saarista

   (J) Ogaysiimihii ladaabacay ee laxidhiidha hanaankii soo saarida hindise sharciyeedkan

   (X) Mudada ay dadwaynuhu kaga talo bixin kareen hindise sharciyeedkan

   (Kh) Talooyinkii lagu helay si waafaqsan qodobada 8 & 9 ee bayaankan iyo mawqifkii laga istaagay talo bixinidaas

2. Qofkii doona ayaa kusamayn kara baadhitaan ama heli kara nuqul kusaabsan raad-raaca ama diiwaanka loo habeeyay si waafaqsan faqrada 1aad ee qodabkan iyadoo laga qaadayo kharashka kubaxa baadhitaanka ama helida nuqulka

Qod.8. Ogaysiinta

1. Hay,ada maamul waa inay ku daabacdaa xogahan soo socda jaraaidka wadanka aad looga akhristo, mareegaheeda internaytka (websites) iyo warbaahinada kale, kahor soo saarida wareegtada

   (1) Awooda sharci ee hay,adani ay wareegto kusoo saari karto iyo mawduucyada uu koobsanayo hindise sharciyeedkani

   (2) Tilmaamida inay shakhsiyaadku heli karaan nuqul ah hindise sharciyeedka iyo halka ay kaheli karaan

   (3) Meesha, goorta(waqtiga) iyo sida ay uga talo bixin karaan hindise sharciyeedka

   (4) Meesha, goorta(waqtiga) iyo sida ay ku heli karaan raad-raaca loo ilaaliyay si waafaqsan qodabka 7aad ee bayaankan

Qod.9 . Raadinta ama waydiinta talo ee hindise sharciyeedka

1. / Hay,ada maamul waa inay karaadisaa talooyin hay,adaha kale ee maamul ee mawduuca hindise sharciyeedku khuseeyo iyo bah wadaagta kale iyadoo udiraysa hindise sharciyeedka ay kubaahisay qaab waafaqsan qodabka 8aad ee bayaankan.

2. / Hay,adaha kale ee maamul iyo bah wadaagta kale ee laga yaabo inay hayaan talooyin laxidhiidha hindise sharciyeedka, waa inay kusoo gudbiyaan taladooda qaab qoraala iyo mudada ay ucayinto

www.abyssinialaw.com

hay,ada maamul. Mudada ay cayimaysaa hay,ada maamul waa inayna kayaraan 15 casho oo ah maalmo shaqo

Qod 10. Qabashada dhagaysi furan

1. /Marka uu dhamaato mudada loo xadiday soo gudbinta talooyinka qoraalka ah, hay,ada maamul waa inay qaban qaabisaa fagaare dadwayne oo ufuran cid kasta oo danaynaysa, ayna kaheshaa geshi

2./ Shakhsiyaadkii aan uhelin fursada inay kubixiyaan talo bixintooda qoraal si waafaqsan qodabka 9aad ee bayaankan, waxay kusoo gudbin karaan qoraal talo bixintooda mudada lagu gudo jiro fagaaraha dadwayne

3./ Hay,ada maamul waa inay hubisaa in waqtiga loo qoondeeyanayaa dhagaysiga talooyinku uu kufilan yahay inuu waqti siiyo aaraada kala duwan

Qod.11. Kadhaafida Hanaanka Shuruudaha

1. Hay,ad maamul waxaa laga dhaafi karaa inay latimaado hanaanka iyo shuruudaha lagu sheegay qodabada 7-10 ee bayaankan marka xaaladahan hoos kuxusan ay jiraan:;-

   (1) Marka ay jiraan xaalado dag dag ah, uuna waqtiguna saamaxayn in lala yimaado hanaanka iyo shuruudaha

   (2) Markii ogaysiiskii horay loo bixiyay uu kahor imanayo danta dadwaynaha

   (3) Marka soo saaritaanka ogaysiisku laga yaabo inuu tunturo ku noqdo fulinta wareegtada

   (4 Hay,ada maamul ee kusoo saaraysa wareegtada hab waafaqsan farqada 1aad ee qodabkan, waa inay diyaarisaa raad-raac faahfaahinaya sababaha looga dhaafay hanaanka shuruudaha

Qodab hoosaadka 3aad
Qalin kuduugida iyo kamidho Dhalinta Wareegtada

Qod 12. Mudada iyo hanaanka Qalinka loogu duugayo Wareegtada

1. Hay,ad maamul uma banaana inay soo saarto wareegto iyadoon qabanin dhagaysi furan oo lagu raadinayo talo bixin iyo raadinta helida talooyin qoraala sida ay dhigayaan qodobada 9-10 iyo inta ay kadhamaanayso mudada uu cayimay qodabkani

2. Hay,ada maamul waa inay tixgalisaa talooyinka laga dhiibto hindise sharciyeedka kahor qalin kuduugida wareegtada

3. Marka ay gudanayso xilka tixgalin siinta talooyinka ladhiibtay, hay,ada maamul waxay wax kabadal kusamayn kartaa hindise sharciyeedka si uu uwaafaqo talooyinkii ladhiibtay ama waxay qoraal kudiyaarin kartaa asbaabta ay kudiiday inay tixgaliso talooyinka ladhiibtay

4. Kahor Intaan qalinka lagu duugin, hay,ada maamul waa inay hindise sharciyeedka wareegtada udirtaa Xeer Ilaaliyaha Guud ee Federaalka si uu uga soo talo bixiyo

5. xeer Ilaaliyaha Guud waa inuu kusoo gudbiyaa talo bixintiisa mudo 15 cisho gudahooda oo ah maalmo shaqo. Marka uu Xeer Ilaaliyaha Guud kusoo gudbin waayo talo bixintiisa mudada loo qabtay, waxaa loo arkayaa sidii isaga oo aan haynin talo bixin laxidhiidha hindise sharciyeedka, kadibna hay,ada maamul waxay sii wadanaysaa qalin kuduugida wareegtada

www.abyssinialaw.com

Qod 13. Kala duwanaanshaha Hindise sharciyeedka iyo Wareegtada lasoo Saaray

1. Hay,ad maamul uma banaana inay qalinka ku duugto wareegto siwayn uga duwan hindise sharciyeedkii lagu baahiyay ogaysiinta. Hase ahaatee ha,yada maamul lagama horistaagi karo joojinta qaab socodka hindise sharciyeedka horay usocday iyo bilaabida qaab socod cusub, marka ay ha,ada maamul doonayso inay soo saarto wareegto si wayn uga duwan tii socotay

2. Nuqulka ugu danbeeya ee hindise sharciyeedka waxaa loo tixgalinayaa inuu siwayn uga duwan yahay kii labaahiyay marka;-

   (1) Baaxada hindise sharciyeedka wareegtadu siwayn isu badalay ama

   (2) Hindise sharciyeedka wareegtadu soo kordhiyo waajibaadyo cusub

Qod 14. Qoraal faahfaahsan

1. Marka ay soo saarayso wareegtada, hay,ada maamul waa inay diyaarisaa qoraal faahfaahsan oo kusaabsan wareegtada oo koobsanaya waxyaabahan soo socda;-

   (1) Ujeedada iyo aasaaska sharci ee loo cuskaday soo saarida wareegtadan

   (2) Marka ay jiraan kala duwanaanshe udhexeeya nuxurka ay kakooban yihiin hindise sharciyeedkii lagu baahiyay ogaysiinta iyo wareegtada lasoo saaray, qoraal faahfaahinaya isbadalka iyo sababta loogu baahday

   (3) Qoraal gaaban oo koobaya talooyinkii laga dhiibtay hindise sharciyeedka iyo jawaabtii laga bixiyay

Qod 15. Nuxurka iyo Nooca Wareegtada

Liistada Qaybaha wareegtada iyo qaabkeeda dhiikumenti

1) Marka laga soo tago nuxurka iyo qaybaha muhimka ah ee ay wareegtadu kakoobantahay, waxaa intaa sii dheer in hay,ada soo saartay ay wareegtada kudiyaariso luqada Ingiriiska iyo luqada Axmaariga, ayna kakoobnaato;-

   (a) Numbarka (tirada) taxanaha ah ee wareegtada
   (b) Unoqoshada sharciga khaaska ah ee loo cuskaday soo saarida wareegtada
   (c) Cinwaan yaraha wareegtada
   (d) Qeexitaano, baaxida wareegtada, qodobada waawayn ee ah nuxurka
   (e) qodab unoqonaya wareegtooyinkii wax laga badalay, latirtiray, qodobo kala guura ama lalaalay, waa hadii ay jiraan
   (f) Iyadoon loo joojinayn taariikhda lagu cayimay qodabka 18aad ee bayaankan, taariikhda dhaqan gal ee wareegtada
   (g) Wareegtada waa in lagu qoro luqad badhax tiran oo faseexa
   (h) Hay,ada maamul waxay soo qaadan kartaa, iyadoo unoqonaysa qodabo kujira shuruucdeeda, qayb ahaan ama gabi ahaanba wareegtooyin ama shuruuco anshax oo ay horay usoo saareen hay,ado kale oo maamul ama qaab dhismeedyo kale, marka arinta lasoo qaadanayo laxidhiidho awoodaheeda

www.abyssinialaw.com

(i) Hay,ada maamul waxay baahinaysaa shuruucaha iyo qodobada ay soo qaadatay iyadoo kaduulaysa faqrada 3aad ee qodabkan, waxayna ugudbinaysaa nuqulo Xeer Ilaaliyaha Guud ee Federaalka si loogu diiwaan galiyo qaab waafaqsan qodabka 16aad ee bayaankan

Qod 16. Diiwaangalinta Wareegtada

1. Marka lasoo saaro wareegtada, waa inay hay,ada maamul ee soo saartay, kahor intayna bilaabin dhaqan galintiisa, ay udirtaa Xeer Ilaaliyaha Guud nuqulo ay wehelinayaan qoraal faahfaahsan
2. Xeer Ilaaliyaha Guud waa inuu siiyaa tirsi taxana ah (serial number) uuna ka reebaa raad-raac wareegtada loo soo gudbiyo si waafaqsan faqrada 1aad ee qodabkan. Waa inuuna sida ugu dhakhsaha badan ugu wargaliyaa Hay,ada maamul xaalada iyo halka ay marayso diiwaangalinta wareegtadu
3. Xeer Ilaaliyaha Guud waa inuu kubaahiyo bulshada dhexdeeda wareegtada labuux buuxiyay iyo qoraalkeeda faahfaahsan ee wahelinayay laga bilaabo taariikhda uu baahiyay diiwaangalinta wareegtada
4. Dhamaan hay,adaha maamul waa inay diiwaangaliyaan wareegtooyinka ay soo saaraan kahor intii uuna dhaqan galin bayaankani mudo 90 cisho gudahooda oo kadanbaysa waqtiga uu dhaqn galay bayaankani iyagoo usoo diraya nuqulo Xeer Ilaaliyaha Guud

Qod 17. Heli Karida (Gaadhi karida)

1. Xeer Ilaaliyaha Guud waa inuu soo galiyaa mareegtiisa interneetka(Website) wareegtada lagu diiwaangaliyay qaab waafaqsan qodabka 16aad ee bayaankan
2. Hay,ada maamul ee soo saartay wareegtada waa inay;-

   (a) Daabacdaa oo ay kubaahisaa hay,adaha dawlada iyo bah wadaagta kale

   (b) Waa inay galisaa mareegteeda interneetka(Website)

3. Cid kasta oo danaynaysa ayaa ukuur gali karta goobta ay taalo wareegtadu ama dalban karta nuqul ah wareegtada iyadoo laga qaadayo kharashka kubxaya uhelida nuqulka

Qod 18. Shuruudaha lagu fulin karo wareegtada

1. Wareegtada aan lagu diiwaan galinin qaab waafaqsan qodabka 16aad ee bayaankan ama aan lasoo galinin mareegta interneetka (website) Hay,ada maamul ee soo saartay qaab waafaqsan qodabka 17aad faqridiisa (b) ee bayaankan lama fulin karo
2. Wareegtada buuxin wayday shuruudihii sharciga sida uu dhigayo faqrada 1aad ee qodabkan, waxaa lagu soo saari karaa iyadoo laraacayo hanaanka uu dhigayo qayb hoosaadka 2aad ee qabtan bayaanka

Qod 19. Dib u Eegista Waqtiilaha ah ee Wareegtada

1. Hay,ad maamul waa inay, markay mudo kaso wareegto, dib u eegis kusamaysaa fulinta wareegtooyinka ay soo saarto, ayna qaadaa talaabada ku haboon ee lagama maarmaanka ah

www.abyssinialaw.com

Qaybta Sadexaad

Go,aanada Maamul

Qayb Hoosaadka 1aad

Bilaabida Go,aanada Maamul

Qod 20. Bilaabida Go,aanka Maamul

1. Cid kasta oo dani ugu jirto ama wakiilkiisa ayaa codsan kara go,aan maamul
2. Hanaanka loo marayo bilaabida go,aanka maamul waxaa bilaabi kara hay,ada maamul ee awooda sharci uleh

Qod.21. Qaabka loo Codsanayo Go,aanka Maamul

1. Go,aanka maamul waa in lagu codsadaa qaab qoraala, waxaana loo soo gudbin karaa inuu soo xaadiro qofka codsanayaa, ama in lagu xareeyo codsiga boosto diiwaan gashan, ama interneetka (electronic) ayaa lagu soo codsan karaa

2. Codsiga qoraalka ah ee lagu dalbanayo go,aanka maamul waa inay kujiraan;-

   (a) Taariikhda, magaca codsadaha, ama wakiilkiisa, saxeex iyo cinwaan

   (b) Magaca Hay,ada maamul ee go,aanka laga codsaday

   (c) Xaqa iyo Maslaxada ugu jirta codsadaha

   (d) Ficilka looga Baahan yahay inay hay,ada maamul latimaado

   (e) Cadaymaha iyo xaqaaiqa laxidhiidha go,aanka

3. Hay,ada maamul waxaa laga yaabaa inay diyaariso foomamka go,aanka lagu codsanayo

Qod. 22. Raad-Raaca Codsiga

1. Marka ay qabato codsiga go,aanka maamul, hay,ada maamul waa inay si dhakhso ah ugu dhajisaa;-
2. Qoraal ay ku xaqiijinayso inuu soo gaadhay codsigu, waa inuuna kakoobnaadaa faahfaahinta dhiikumentiyada kulifaaqan codsiga ay qabatay

Qayb Hoosaadka labaad

Mabaadii,da Hagaysa Go,aan Qaadashada Maamul

Qod. 23. Go,aan Qaataha Maamul

Go,aan waxaa gaadhi kara oo kaliya madaxa Hay,ada Maamul ama masuul/Maareeye/shaqaale lasiiyay awood sharci

Qod. 24. Xushmaynta Baaxada Awooda Sharci

Qofka laga sugayaa go,aanka maamul waa inuu xushmeeyaa baaxada awooda sharci ee Hay,ada maamul uu siiyay Sharciga Lagu Aas aasay

www.abyssinialaw.com

Qod. 25. Isu Dheeli tirka Danta Guud iyo Danta Khaaska ah

Qofka laga sugayaa go,aanka Maamul waa inuu isu dheeli tiraa danta gaarka ah ee shakhsiga arimihiisa go,aan looga baaraan dagayo iyo danta guud ee ay utaagan tahay hay,ada maamul

Qod. 26. Kafogaanshaha arimaha iyo danaha aan laxidhiidhin

Qofka laga sugayaa go,aanka maamul waa inuu kafogaadaa(feejignaadaa) saamaynta xaqiiqooyinka ama danaha aan laxidhiidhin arinta laga go,aan gaadhayo

Qod. 27. U gaadhida Go,aanka qaaab xirfidaysan

Go,aanku waa inuu xurmeeyaa nidaamka anshaxa iyo asluubta, kamuuqdaa xilkasnimo iyo dadaalka looga baahan yahay shaqada ama xirfada

Qod. 28. Dhagaysiga

Qofka u gaadhaya go,aanada, qaab waafaqsan qaybaha qodabka 13aad ee bayaankan, waa inuu siiyaa waqti kufilan dhagaysiga doodaha iyo cadaymaha uu soo bandhigo qofka go,aanka dartiis loo qaadanayo ama qof 3aad oo dani kaga xidhan tahay ama danta dadwaynaha, kolba say xaaladu noqoto

Qod. 29. Daacadnimo

Qofka laga sugayaa go,aanada maamul, waxaa haboon inuu daacad kayahay arinta uu go,aanka ka gaadhayo

Qod. 30. Sababaynta Go,aanka

Qofka laga sugayaa go,aanada maamul, waxaa haboon inuu si kufilan oo macquula usababeeyo go,aanka uu gaadhay

Qod. 31. Kafogaanshaha Danaha isdiidaya

Marka qofka go,aanada laga sugayaa uu lawadaago qofka soo codsaday go,aanka, xidhiidh dhiig, xididnimo ama ehelnimo kale oo laga yaabo inay keenaan dano isdiidaya oo iska hor imanaya, waa inuu kacudur daartaa qaadashada go,aanka, cid kale oo aan looga baqayn eex ay gaadhaa go,aanka

Qod. 32. Ilaalinta Sinaanshaha Adeeg Qaatayaasha

Qofka laga sugayaa go,aanada maamul waa inuuna kukala soocin adeeg qaatayaasha haybtooda, midabkooda, qawmiyadooda, jinsigooda, luqadooda, diintooda, aragtidooda siyaasadeed, maqaamkooda bulsheed, dabaqadooda ama sabab kalaba

Qod. 33. Dag dag u go,aan qaadashada

1. Qofka laga sugayaa go,aanka maamul waa inuuna ladaahin, uguna gaadhaa sida ugu dhakhsaha badan ee ugu macquulsan, hubiyaana inayna dayacmin danaha kuxidhan go,aankan daahitaan awgeed
2. Gaabiska kadhasha go,aanka oo lagu gaadhi waayo xiligi ugu haboonaa, waxaa loo tixgalin sidii iyadoo ladiiday codsigii adeeg qaataha

www.abyssinialaw.com

Qod. 34. Odoroosi karida

Arimaha ku lug le dhacdooyinka isku midka ah, waa in qofka go,aanka laga sugayaa uga go,aan gaadhaa si isku mida

Qod. 35. Cad Cadaanta

Qofka laga sugayaa go,aanka waa inuu ugaadhaa go,aanka qaab cad cadaan laga dheehanayo

Qayb Hoosaadka sadexaad

Dhagaysiga arinta

Qod. 36. Dhagaysiga Dhacdada

1. Inta aan lagaadhin go,aanada maamul, waa in furasad lasiiyaa dhagaysiga
2. Hase ahaatee iyadoon loo joojinayn faqrada 1aad ee qodabkan, waa laqaadan karaa go,aan iyadoon dhagaysi lasamayn;-

   a) Hadii uuna muran kataagnayn jiritaanka xaqaa,iqa dhacdada

   b) Hadii arinti ay tahay mid mudnaan gaara leh ama hadii ay hay,ada maamul leedahay awood go,aan qaadasho oo badali karta

   c) Hadii arinta xaaladu tahay mid dag daga

Qod. 37. Shuruudaha Dhagaysiga

1. Dhinacyada kuleg leh kiiska go,aanka loo codsaday, waa inay shakhsiyan uga muuqdaan goobta, waxayna xaq uleeyihiin;-

   a) Inay dhiibtaan maragooda

   b) Inay keensadaan cadaymo

   c) Inay fursad helaan, baadhina karaan cadaymaha loo keenay Hay,ada maamul

2. Hay,ada maamul waxay isticmaali kartaa hab kasta oo sharci oo ay kuheli karto diikumentiyada lasoo baadhay iyo cadaymaha kale ee ay soo bandhigeen dhinacyada ka qayb qaatay dooda, markhaatiyada iyo shakhsiyaadka xirfadlayaasha ah

Qod. 38. Kacudur daarasho

1. Qofka laga sugayo go,aanka, waxaa looga cudur daari karaa inuu qayb kanoqdo hanaanka go,aan gaadhida marka ay jiraan mid kamida arimahan soo socda;-

   a) Marka uu si toosa ama si dadban uga leeyahay arinta dan gaara

   b) Marka arinta gacanta lagu hayaa ay taabanayso danaha dad uu xidhiidh gaara laleeyahay sida xidhiidh dhiig ama mid xidid, saaxiib dhaw

   c) Hadii uu wakiil ama qareen ama matalaad xirfadeed, unoqday qofka arintiisa gacanta lagu hayo

   d) Hadii uu hada kahor arinta go,aan kagaadhay isagoo awood kale isticmaalaya

2. Marka ay jiraan mid kamida shuruudaha lagu soo sheegay faqradan 1aad ee qodabkan, qofka waa

www.abyssinialaw.com

looga cudur daari karaa inuu qayb kanoqdo hanaanka go,aan gaadhista hadii uu isagu ogolaado ama hadii uu soo codsado qofkale oo arintu dantiisa taabanayso

3. Hadii lasoo codsado, qofka laga cudur daartay waa laga hakinayaa/joojinayaa inuu qayb kanoqdo hanaanka go,aan gaadhista ilaa iyo inta uu go,aan kama danbaysa ka gaadhayo madaxa hay,ada maamul
4. Madaxa ogolaaday codsiga looga cudur daarayo qofka ee uu soo dhawaystay qofka dani ugu jirto ama kuwa kale oo dani ugu jirto arinta, waa inuu go,aan uu ugu cudur daarayo ama ugu ogolaanayo inuu qayb kasii ahaado, ku gaadhaa mudo ku kooban 5 maalmood oo ah maalmo shaqo

Qayb Hoosaadka Afraad

Go,aanka Maamul

Qod. 39. Go,aan siinta Adeeg Qaataha

Hay,ada Maamul waa inay qoraal ahaan ugu wargalisaa go,aankeeda iyo sababta ay u gaadhay ciday khusayso

Qod. 40. Go,aanka Maamul

Waa in qoraal lagu sameeyaa dhamaan go,aanada maamul ee lagaadho, ayna ka koobnaadaan waxyaabahan soo socda;-

1./ Taariikhda iyo tirsiga go,aanka

2./ Magaca Hay,ada maamul

3./ Dhinacyada kiiska(arinta qaybta ka ahaa) iyo cinwaanadooda

4./ Arimaha lasheeganayay (arimaha laisku hayay)

5./ Qaabkii Cadaymaha loo ogolaaday ama loo diiday

6./ Tilmaamida/sifaynta dhacdada iyo qaanuunka (sharciga)

7./ Go,aanka

Qod. 41. Laalid

1. Dhinaca laga yaabo inay kasoo gaadho fulinta go,aanka khasaare aan laga soo waaqsan karin oo soo gaadho xaqiisa ama dantiisa, wuxuu kacodsan karaa ha,ayda maamul ee go,aanka gaadhay inay ka laasho go,aanka
2. Hay,ada maamul ee uu soo gaadho codsiga lagu sheegay farqada 1aad ee qodabkan, waxay amar ku bixin kartaa in kiiska dib u eegis lagu sameeyo ama qayb ahaan lalaalo go,aanka

Qod. 42. Qofka fulinaya go,aanada maamul

Go,aanka maamul waxaa fulinaya qofka ama hay,ada maamul eey khusayso ee gaadhay go,aanka

www.abyssinialaw.com

Qayb Hoosaadka Shanaad

Cabashada kadhanka ah Go,aanka Maamul

Qod. 43. Xaqa cabashada

Qof kasta oo laga qaatay go,aan maamul, wuxuu xaq uleeyahay inuu go,aanka uga cabto hay,ada maamul ee go,aanka gaadhay

Qod. 44. Yagleelida Qaybta Cabashooyinka

Dhamaan Hay,adaha maamul waa inay ka sameeyaan qayb cabasho ha,yadahooda dhexdooda, ayna ku wargaliyaan adeeg qaatayaasha (macaamiisha) dhisitaankeeda

Qod. 45. Joojinta Fulinta

Waa in lajoojiyaa fulinta go,aanka maamul ee laga soo cawday, ilaa iyo inta cabashadaa sharciga lawaafajinayo, go,aan kama danbaysana laga gaadhayo. Hase ahaatee madaxa hay,ada maamul wuxuu amri karaa in lafuliyo go,aanka marka daahitaanka fulintu laga yaabo inuu ku keeno danta dadwaynaha khasaare aan laga soo waaqsan karin

Qod. 46. Kabaaraan dagida Cabashada

1. Qaybta qaabilsan cabashadu waa inay si haboon ubaadho cabashada loo soo dhawaystay, ayna ugudbisaa talo bixinteeda madaxa ha,ayada maamul ama sarkaalka uu madaxu wakiishay
2. Go,aanka madaxa hay,ada maamul ama ka sarkaalka uu awooda sharci siiyay, kadib marka ay ka baaraan dagaan talo bixinta qaybta qaabilsan cabashada, waxaa loo tixgalinayaa go,aan kama danbaysa

Qod. 47. Ogaysiinta Go,aanada

Hay,ada maamul waa inay qaab qoraala ugu wargalisaa cida keensatay codsiga, go,aanka lagu gaadhay qaab waafaqsan qodabka 46aad ee bayaankan

Qaybta Afraad

Dib U eegista Hay,adaha Garsoorka ee Wareegtooyinka iyo Go,aanada Maamul

Qayb Hoosaadka Koowaad

Bilaabitaanka Dib U eegista

Qod. 48. Xaraynta Arjiga Dib U eegista

Iyadooy sideeda ahaanayaan faqrooyinka (qaybaha) qodabka 46aad ee bayaankan;-

1. Cid kasta oo danaynaysa waxay xaraysan kartaa arji ay ku codsanayso dib u eegista garsoor ee wareegto;
2. Cid walba oo ay waxyeelo kasoo gaadho maslaxadiisa (dantiisa) go,aan maamul, wuxuu xaraysan karaa arji uu ku codsanayo dib u eegis garsoor

www.abyssinialaw.com

Qod. 49. Awooda Dib U eegista

1. Arjiga lagu codsanayo dib u eegista wareegtooyin ama go,aano maamul waxaa lagaynayaa maxkamada Sare ee federaalka, go,aankeeduna wuxuu noqonayaa mid kama danbaysa
2. Hase ahaatee iyadoon loo joojinayn shuruuda lagu sheegay faqrada 1aad ee qodabkan, go,aanka maxkamada sare ee wareegtada waxaa racfaan looga qaadan karaa maxkamada Guud ee federaalka
3. Maxkamada Sare ee Federaalku waa inay yeelataa qayb ugaara ka go,aan gaadhida codsiyada dib u eegista garsoor ee ficilada maamulka

Qayb Hoosaadka Labaad

Mabaadii,da Dib U eegista

Qod. 50. Asbaabaha Dib U eegista

1./ Wareegtada waxaa kanoqon kara maxkamada;-

a) Marka lacadeeyo in wareegtadu kagaabisay inay waafaqdo hanaankii sharci oo lagu dajiyay cutubka

2aad ee bayaankan

b) Marka ayna ahayn awooda sharci ee hay,ada maamul
c) Marka ay kahor imanayso shuruuco kale oo kasareeya

2.Go,aan maamul waa laga noqon karaa hadii loo gaadhay qaab burinaya mabaadii,da lagu dajiyay cutubka 3aad ee bayaankan

Qod. 51. Codsiga Dib U eegista Go,aanada

Di u eegis garsoor waxaa loo raadin karaa oo kaliya go,aanka kama danbaysta ah ee hay,ada maamul

Qod. 52. Soo Afmeerida Xalalka Jira

1. Hadii uuna sharcigu si kaduwan udhigin, qofka codsanaya dib u eegista garsoor waxaa looga baahan yahay inuu soo afmeero dhamaan wixii xal ah ee jira ee uu kaheli karo hay,ada maamul kahor intuuna kacodsan maxkmada dib u eegis garsoor
2. Hase ahaatee iyadoon loo joojinayn qaanuunka lagu dajiyay faqrada 1aad ee qodabkan, marka ay hay,ada maamul si aan loo baahnayn ula daahdo xal uhelida codsiga, waajibaadkii saaraa qofka codsanayaa in lasoo afmeero xalalka jira laguma dhaqayo

Qayb Hoosaadka Sadexaad

Hanaanka Dib U eegista Garsoorka

Qod. 53. Mudada Codsiga Dib U eegista Garsoorka

1. Arjiga lagu codsanayo dib u eegista garsoor ee wareegto sida uu dhigayo qodabka 50 faqradiisa 1aad (a), waa in lagu soo xareeyo mudo 90 cisho gudahooda laga soo bilaabayo maalintii lameel mariyay wareegtada

www.abyssinialaw.com

2. Arjiga lagu codsanayo dib u eegista garsoor sida uu dhigayo qodabka 50 faqradiisa 1aad (b), ama (c) , xilligii ladoono ayaa lasoo xaraysan karaa
3. Arjiga lagu codsanayo dib u eegista garsoor ee go,aan maamul, waa in lagu soo xareeyo mudo 30 cisho gudahooda laga soo bilaabo markii go,aanka maamul lagu wargaliyay qofka soo codsaday

Qod. 54. Jawaab Qoraala

Marka ay maxkamadu ogaato in arjiga codsiga dib u eegista garsoor uu yahay mid buuxiyay shuruudihii looga baahnaa, waa inay maxkamadu uqabataa mudo 15 cisho ah inay qoraal kaga soo jawaabto codsiga dib u eegista garsoor ha,yadii maamul ee go,aankeeda laga soo cawday

Qod. 55. Soo gud binta Raad-Raaca

Maxkamadu waxay faraysaa hay,ada maamul ee laga soo gudbistay codsiga dib u eegista garsoor, ee ay maxkamadu ka baaraan dagayso waxay kayeeli lahayd, inay soo gudbiso raad-raacyadii laxidhiidhay wareegtada ama go,aanka maamul ee gacant lagu hayo

Qayb Hoosaadka Afraad

Go,aanka Dib U eegista Garsoor iyo Fulintiisa

Qod. 56. Xukunka Dib U eegista Garsoor

1. Maxkamadu waa inay baadhitaan kusamaysaa codsiga dib u eegista garsoor, go,aana ay kaga soo saartaa mudada ugu gaaban ee ugu dhakhsaha badan
2. Maxkamadu waxay awood uleedahay inay ku raacdo,ama inay qayb ahaan buriso ama inay dhamaantiiba buriso go,aanka maamul ama wareegtada ay dib u eegista ku samaynaysay
3. Marka ay maxkamadu soo saarto go,aan qayb ahaan ama dhamaanba burinaya go,aankii maamul ama wareegtadii, waxaa kalooy fari kartaa hay,ada maamul inay dib ugu noqoto ama ay dib usoo saarto wareegto ama ay dib uga baaraan dagto go,aankeeda maamul iyadoo saxaysa god daloolooyinkii ay maxkamadu kusoo saartay go,aankeeda

Qod. 57. Fulinta Go,aanka

1. Go,aanka Maxkamada ee ay kuraacday ama ay kuburisay wareegtada ama iyo go,aanka maamul, waa in si dhakhso ah loo fuliyo
2. Marka ay maxkamadu soo saarto go,aan faraya in dib loogu noqdo go,aan maamul ama wareegto, hay,ada maamul waa in sidii lafaray ay kusamaysaa mudada ugu haboon iyadoo tixgalin siinayasa qodobada cutubka 2aad iyo 3aad ee bayaankan
3. Xukunka Maxkamada ee dhamaan ama qayb ahaan burinaya wareegtada ama go,aanka maamul, ama amarkii dib ugu noqoshada (wax kabadalka), wuxuu gabi ahaan ama qayb ahaan sharciyada kala noqonayaa wareegtada ama go,aanka maamul
4. Hase ahaatee iyadoon loo joojinayn farqada 3aad ee qodabkan, go,aanada hay,ada maamul ee lagaadhay iyadoo laga duulayo wareegto laburiyay kahor intaan maxkamadu soo saarin go,aankeeda burinta, waxay sii ahaanayaan sharci

www.abyssinialaw.com

Qaybta Shanaad

Qodobo Kala Duwan

Qod. 58. Ku dhaqanka Habka Xeerka Madaniga

Arimaha kusaabsan hanaanka lamarayo ee aan lagu sheegin cutubka 4aad ee bayaankan, qodobada laxidhiidha ee Habka Xeerka Madinga ayaa lagu dhaqi

Qod. 59. Mag Dhaw

Qofkii uu kasoo gaadho khasaare khalad ka dhashay soo saaritaanka wareegtooyin ama go,aan maamul, wuxuu xaq uleeyahay inuu mag dhaw u waydiisto hab waafaqsan shuruucda khusaysa, hay,adii maamul ee soo saartay go,aanka maamul ama wareegtooyinka

Qod. 60. Waajibaadnimada Bixinta Xogta

Marka hay,ad maamul laga codsado inay bixiso xog laxidhiidha soo saaritaanka wareegtooyin ama gaadhitaanka go,aano maamul, ayna kacodsadaan hay,adaha sharcigu, hay,adan maamul waa inay siisaa xogta

Qod. 61. Awoodaha Soo Saarista Xeer

Golaha hawl Fulinta Federaalku wuxuu soo saari karaa Xeer-Nidaameedka lagama maarmaanka u ah dhaqangalinta qodobada bayaanka.

Qod. 62. Mudada dhaqangalka Bayaanka

Bayaankani wuxuu dhaqangalayaa marka lagu soo daabaco wargayska sharciga ee Federaal Negaarit Gazeta.

Addis Ababa, April 7adeedii sanadkii 2020

SHALEWORK ZEWDE

Madaxwaynaha Jamhuuriyada Dimuqraadiga Federaalka Itoobiya