Ku dhaqan Xafiis D.

FAAFINTA RASMIGA AH

الرسمية الجريدة

OFFICIAL BULLETIN

EE JAMHUURIYADDA SOOMAALIYA

Sanadka 8aad **FAAFIN SANADLE** **Muqdisho** **2020**

Waaxda Maamulka Faafinta Rasmiga ah
Ee Xafiiska Garyaqaanka Guud ee Dawladda

Uruurinta Sharciyada iyo Wareegtooyinta ee Jan-December 2020

Qiimaha waa $XXX Dollar, lambar waliba – **RUKUNKA**: Sanaddii waa $XXX Dollar, Soomaaliya gudaheeda – Dibaddeedana waa $XXX Dollar.
Rukunka la weydiisto waqtiga loo gooyay wuxuu ka bilaabmaa 1 Janaayo. Qiimaha Qoritaanku F.R halkii sadar iyo wixii ka yar waa $XXX Dollar – Rukunka iyo Qoritaanku waxaa la weydiistaa Laanta Maamulka Faafinta Rasmiga ah – Lacagta waxaa lagu bixiniyaa Xafiiska Canshuuraha ee Wasaaradda Maaliyadda.

KOBNIIN

BOGGA KOOWAAD

SHARCI

W.M

BOGGA LABAAD

XEER

BOGGA SEDDEXAAD

TALOOYIN, ISGAARSIIN, OGAYSIIS, IWM

SANADKA

2020

Ku dhaqan Xafiis D.

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الرسمية الجريدة
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Sanadka 7aad Muqdisho, February 2020 Lr. 1

Waaxda Maamulka Faafinta Rasmiga ah
Ee Xafiiska Garyaqaanka Guud ee Dawladda

FAAFIN BIL SOO BAXA

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KOBNIIN

BOGGA KOOWAAD

SHARCIYO KELIYA

BILAHA

Janaayo – February

2020

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SHARCI LR. 19 Taariikh: 08/02/2020

ANSIXINTA SHARCIGA BATROOLKA JF SOOMAALIYA

MADAXWAYNAHA J.F.S

MARKUU ARKAY: Qodobka 87aad, Faqradda 1aad, iyo Faqradda 2aad ee Dastuurka KMG

MARKUU ARKAY: Qodobka 90aad, Xarafka "F" ee Dastuurka KMG

MARKUU ARKAY: Warqadda Guddoomiyaha Golaha Shacabka Lr. GSH241/12/01/B-10/20 Taariikh 09/01/2020 kuna saabsan ansixinta Sharciga Batroolka Soomaaliya

MARKUU TIXGELIYAY: Baahida loo qabo in la ansixiyo lana meel-mariyo sharcigan

Waxa uu Madaxweynuhu soo saaray Sharcigan:

Qodobka 1aad

Laga billaabo marka uu Madaxweynuhu saxiixo Sharcigan, waxa si rasmi ah loo oggolaaday Sharciga Batroolka JF Soomaaliya.

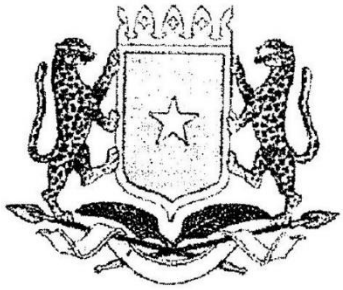
Qodobka 2aad

Marka uu Madaxweynaha JFS saxiixo Sharcigan, waxa lagu soo daabici doonaa Faafinta Rasmiga ee Jamhuuriyadda Federaalka Soomaaliya.

MUQDISHO: 08/02/2020

JAMHUURIYADDA FEDERAALKA SOOMAALIYA
XAFIISKA HANTIDHAWRKA GUUD
WAA LA DIIWAAN GELIYEY
DIIWAAN NO: HAN/047/2020
TAARIIKH 24/03/2020
SAXIIXA HANTIDHAWRKA GUUD

Madaxweynaha J.F.S
Maxamed Cabdullaahi Maxamed (Farmaajo)



Jamhuuriyadda Federaalka Soomaaliya Baarlamaanka
Federaalka Soomaaliya Golaha Shacabka

Sharciga Batroolka Jamhuuriyadda Federaalka Soomaaliya

5/16/2019

HORDHAC

Baarlamaanka Jamhuuriyadda Federaalka Soomaaliya, isaga oo tixgelinaya horumarinta dhaqaalaha iyo dhiirigelinta maalgashiga kheyraadka dalka wuxuu soo saarayaa Sharciga Batroolka Jamhuuriyadda Federaalka Soomaaliya.

CUTUBKA 1AAD
TALAAABOOYINKA AASAASIGA AH EE SHARCIGA BATROOLKA

Qodobka 1aad:
Aasaaska Sharciga Batroolka

Iyada oo la tixraacayo Qodobada 7(1), 44, 63(b), 69[(1)(a)] iyo 79[(1)(d)] ee Dastuurka KMG, Barlamaanka Federaalka Soomaaliya wuxuu soo saarayaa sharcigan oo laga hirgelin doono Jamhuuriyadda Federaalka Soomaaliya, dhammaan dhulkeeda, badda iyo berrigaba.

Qodobka 2aad:
Erey Bixin

Marka sharcigan laga hadlayo, ereyada soo socda waxay leeyihiin macnaha mid walba ku hor qoran:

1. **Ogolaansho**: waxaa loola jeedaa Ruqsad baaris, Heshiis Wax Soosaar Wadaag ah, oggolaansho isticmaalka dhulka korkiisa, ama heshiis kasta oo ay gasho Dawladda oo la xiriira oggolaanshahaas.

2. **Aagga la Oggolaaday:** waxaa loola jeedaa dhulka ama goobta ogolaanshaha xilli ka xilli lagu baxsho.
3. **Shakhsiga Ogolaanshaha la siiyay**: waxaa loola jeedaa:
   b. Qandaraaslaha Heshiiska Wax- Soo saar Wadaagga; iyo

   t. Shakhsiga Ogolaanshaha la siiyey, noocay rabto ha noqotee;

4. **Muddo Sannadeed:** waxaa loola jeedaa laba iyo toban bilood oo ka bilaabata 1da Janaayo kuna dhammaata 31da Diseembar, ee tirsiga sannadka Miilaadiga ah.
5. **Aagga Heshiiska:** waxaa loola jeedaa goobta Ogolaanshaha Heshiis Wax-Soo saar Wadaagga lagu bixiyey;\
6. **Qandraasle**: waxaa loola jeedaa shakhsiga Wasaaradda Batroolka iyo Macdanta la gashay heshiis wax-Soo-saar Wadaag;
7. **Kontrool**: waxaa loola jeedaa markii ay shakhsi ku saabsan tahay, awoodda uu uleeyahay shakhsi kale inuu ku hanto awood suurta galinaysa in shakhsiga koowaad lagu maamulo qaab waafaqsan rabitaanka ama tilmaamaha shakhsigaas kale, taasoo ku salaysan:

b) lahaanshaha saami ama awood codeed, oo la xirirta shakhsiga hore ama shakhsi kastoo kale; ama

t) awood kasta oo ay bixinayaan shuruucda unkidda, ama xeerarka kale ee nidaamiya shakhsiga hore ama shakhsi kasta oo kale;

8. **Saliid Ceyriin:** waxaa loola jeedaa macdan saliid ah oo aan la sifeyn iyo dhammaan hydrocarbon-ada dareera ama laga miiray gaaska dabiiciga.
9. **Dib u Furfurid:** waxaa loola jeedaa marka laga hadlayo aagga heshiiska ama qayb ka mid ah, hadba xaaladdu siday tahay, ka tagista, furfuridda, wareejinta, bixinta ama/iyo duduminta dhismooyinka, kaabayaasha, iyo walxaha rakiban, qalabka ama hantida kale, iyo shaqooyinka kale ee loo adeegsado hawlaha Batroolka ee aagga heshiiska, si looga nadiifiyo aaggaas, loogana dhigo mid wanaagsan oo aan khatar lahayn, loona dhawro bii'ada;
10. **Habdhaqan-wanaagga Goobta Saliidda:** Waxay leedahy macnaha lagu sheegay Qodobka 36.1;
11. **Xukuumad:** waxaa loola jeedaa hay'adda fulinta ee Jamhuuriyadda Federaalka Soomaaliya, oo ay wakiilo ka yihiin masuuliyiinta ama Wasaaradda shaqada ku leh, sida uu go'aamiyo Golaha Wasiirada.
12. **Kormeere**: wuxuu leeyahay macnaha lagu sheegay Qodobka 39.1
13. **Sharci**: waxaa loola jeedaa Sharciga Batroolka, iyo sida dib u eegis ama wax ka beddel loogu sameeyo waqti ka waqti.

14. **Wasaarad:** waxaa loola jeedaa Wasaaradda hadba mas`uul Dawladda uga ah dhaqan-gelinta Sharcigan, sida ay u dejisay Dawladdu, oo hadda ah Wasaaradda Batroolka iyo Macdanta.
15. **Wasiir:** waxaa loola jeedaa wasiirka hadba xukuumadda mas`uul uga ah dhaqan-gelinta Sharcigan, sida ay u go'aamiso Dawladda, kaas oo hadda ah wasiirka Batroolka iyo Macdanta.
16. **Gaaska Dabiiciga ah**: waxaa loola jeedaa dhammaan hydrocarbon-ada gaaska ah iyo kuwa aan falgelin, oo ay ka mid yihiin gaaska qoyan, gaaska qalalan, gaaska ka koreeya saliidda iyo midka ka hara, kadib marka hydrocarbon-ka dareera laga saaro gaaska qoyan, oo aan ahayn saliidda ceyriin.
17. **Hawl Fuliye:** waxaa loola jeedaa shakhsi idman ama shakhsi kale oo ogolaansho Heshiis Midayn ku magacaaban, oo u xilsaaran iskudubaridka iyo kormeerka Hawlaha Batroolka;
18. **Baarlamaan**: waxaa loola jeedaa Baarlamaanka Jamhuuriyadda Federaalka ee Soomaaliya.
19. **Shakhsi**: waxaa soo galaya shirkad ama hay'ad qaanuuni ah.
20. **Batrool:** waxaa loola jeedaa:
    b. hydrocarbon kasta oo iskiis u samaysmay, ha lahaado qaab gaas, dareere ama adke; ama
    t. iskujir kasta oo hydrocarbon ah oo iskiis u samaysmay, ha lahaado qaab gaas, dareere, ama adke.
21. **Hawlaha Batroolka**: waxaa loola jeedaa hawlo looga danleeyahay in:
    b. Lagu sahamiyo Batroolka;
    t. Lagu baaro, hormariyo, soo saaro, iibiyo ama lagu dhoofiyo Batroolka; iyo
    j. Lagu dhiso, lagu taago, ama lagu hawlgaliyo dhismooyin, kaabayaal iyo xarumo loo adeegsanayo horumarinta, wax-soosaarka iyo dhoofinta Batroolka, ama dib u habaynta ama kala furfurista dhismo kasta oo ka mid ah kaabayaashaas ama xarumahaas.
22. **Heshiis Wax Soo-saar Wadaag:** waxaa loola jeedaa heshiis lagu galay ama lagu bixiyay si waafaqsan qodobka 3aad, kaas oo uu

qandaraasluhu ku helayo saami ka mid ah shidaalka lagu soo saaro hawlaha Batroolka, saamigaas oo loo gu badalayo hawlihii uu qabtay.

23. **Sarkaal Dawladeed:** waxaa loola jeedaa shaqaalaha madaniga ah ee Dawladda ama shakhsi u dhigma, xubnaha Baarlamaanka, Xukuumadda, Garsoorka ama Garyaqaanada guud, ama shakhsi ka tirsan Hay'adda Batroolka Soomaaliyeed.
24. **Ogolaansho baaritaan:** waxaa loola jeedaa ogolaansho lagu bixiyay si waafaqsan Qodobka 23aad.
25. **Xeerarka**: waxaa loola jeedaa xeer-nidaamiyeyaal iyo xeer hoosaadyo ay Wasaaraddu waqti ka waqti soo saarto oo la xariira maamulka Hawlaha Batroolka, sida ku cad sharcigan.
26. **Haro Batrool**: waxaa loola jeedaa waro ama ilo ku samaysmay dhulka hoostiisa oo ay ku jiraan kayd ama kaydad kala qaybsan oo badan ee hydarokarboon dabiici ah oo ku qafilan (Saliid iyo/ama gaas) dhagax aan la mari karin iyo/ama haraynayaan biyo xireenno kuwaas oo isaga mid ah cadaadis dabiici ah oo wada kulmiya.
27. **Qandraasle Dawlad Goboleed**: waxaa loola jeedaa shakhsi ku dhex shaqaynaya sharciyada Soomaaliyeed, oo ay leedahay kontoroolkeeda, si toos ah ama dadban, dawlad ka mid ah dawlad goboleedyada Soomaaliyeed.
28. **Hay'adda Batroolka Soomaaliyed (HBS)**: waxaa loola jeedaa hay'ad awood leh oo sharciyeysan, iyada oo la tixraacayo Qodobka 19aad.
29. **Shirkadda Batroolka Qaranka Soomaaliyeed (SHBQS):** waxaa loola jeedaa shirkad awood leh oo sharciyeysan, iyada oo la tixraacayo Qodobka 20aad.
30. **Ogolaansho Isticmaal Dhulka Korkiisa:** waxaa loola jeedaa oggolaansho isticmaal dhuleed sida ku cad Qodobka 25aad.
31. **Dhulka Soomaliyeed:** wuxuu ka kooban yahay dhulka, biyaha iyo hawada oo hoos yimaada madax-bannaanida Jamhuuriyadda Federaalka Soomaaliya, waxaana ku jira xuduudaha badda iyo berriga iyo aagagga dhaqaale iyo Dhulbadeedka u cabiran Dalka Soomaaliya, oo horey loogu gudbiyey Qaramada Midoobay sida ku cad sharciyada la isku raacsan yahay ee caalamiga ah oo Jumhuuriyadda Federaalka Soomaaliya xaq u siinaya baarista, horumarinta iyo soo saarista kheyraadkeeda dabiiciga ah.

32. **Soomaaliya**: waxaa loola jeedaa Jamhuuriyadda Federaalka Soomaaliya.
33. **Ceel**: waxaa loola jeedaa qodid ama daloolin dhulka iyo badda gunteeda, looguna tala galay soo-saaris batrool.
34. **Heshiiska Lahaansha, Maamulka iyo Wadaagga Dhakhliga Khayraadka Dabiiciga ee Dalka (shidaalka iyo macdanta)**: Waxaa loola jeedaa heshiiskii Lahaanshaha, Maamulka iyo Wadaagga Dakhliga Kheyraadka Dabiiciga ee Dalka (Shidaalka iyo macdanta) ee lagu saxiixay Baydhaba 5tii Juun 2018.
35. **Madaxda fulinta:**

b. **Heer federal:** waxaa loola jeedaa Ra'iisul Wasaaraha Jamhuuriyadda Federaalka Soomaaliya.

t. **Heer dawlad goboleed:** waxaa loola jeeda madaxweynayaasha dawlad goboleedyada iyo Gudoomiyaha Gobolka Benaadir.

Qodobka 3aad:
Ujeeddo

Ujeeddooyinka sharcigan waa:

1. In uu xaqiijiyo xuquuqda madax bannaanida qaranka Soomaaliyeed uu u leeyahay inuu baaro, horumariyo, soo-saaro, ka faa'iidaysto, maareeyana kheyraadkiisa Batroolka ee ku jira badda iyo berriga.
2. In uu oggolaado dadaallada lagu xaqiijinayo baaxadda hantida Batroolka ee ku jira Soomaaliya, iyada oo loo samaynayo qaab nidaameed, heshiisyo iyo qaab xisaabeed oggolaanaya sahmin, baaris, horumarin, wax soo-saar iyo suuqgayn batrool kasta oo la helo.
3. Haddii kheyraad batrool laga helo Soomaaliya, waa inuu dalka Soomaaliya iyo dadkiisuba ka helaan manfaca ugu badan oo ka imaanaya horumarinta iyo wax soo-saarka Batroolka.
4. In uu hubiyo ilaalinta, kaydinta iyo daryeelka bii'ada inta ay socdaan hawlaha Batroolka.
5. In la dhiirrigeliyo lana taageero maalgelinta shisheeye ee dalka soo galaysa, si loo gaaro himmilooyinka kale ee sharcigan.

6. In la dhiso Hay'adda Batroolka Soomaaliyeed oo noqonaysa hay'adda u xilsaaran nidaaminta hawlaha Batroolka, iyada oo dhaqan gelinaysa mabaadi'ida sinnaanta, furfurnaanta, isla xisaabtanka, hufnaanta iyo kala soocid la'aanta.

7. In la dhiso Shirkadda Batroolka Qaranka Soomaaliyeed oo ah hay'ad kontoroolkeedu Dawladdu yeelanayso oo ka qaybqaadanaysa hawlgallada Batroolka ee ka socda gudaha Soomaaliya.

8. In loo hoggaansamo talaabooyinka dawliga ah si loo xaqiijiyo hufnaanta ku saabsan wax soo-saarka Batroolka, iyada oo la xoojinayo mamulka maaliyadeed ee guud iyo isla xisaabtanka, lana qirayo in maamulidda kheyraadka dabiiciga ah ay u dhacayso si faa'iido ugu jirto muwaadinka Soomaaliyeed, xilkeeduna saaran yahay dawladda, iyada oo u maamulaysa si waafaqsan horumarinta danaha qaranka.

9. In si siman loo sugo xaqsoorka ay yeelan karaan shakhsiyaadkii qaanuuniga ahaa ee horay u haystay xuquuq baaritaan batrool oo ay ka dhaxleen xukuumaddii Jamhuuriyadda Dimuqraadiga ee Soomaaliya, intii ka horaysay Disember 30, 1990.

Qodobka 4aad:
Lahaanshaha Batroolka

Kheyraadka Batroolka waa hanti qaran oo ay wada leeyihiin dhammaan shacabka Soomaaliyeed, oo ay wakiil uga yihiin Dawladda Federaalka Soomaaliya iyo Dawladaha xubnaha ka ah Dawladda Federaalka.

Qodobka 5aad:
Milkiyadda Kheyraadka Dabiiciga ah

Jamhuuriyadda Federaalka Soomaaliya waa milkiilaha kheyraad-keeda dabiiciga ah berriga iyo baddaba.

Qodobka 6aad:
Wadaagga Dakhliga Kheyraadka Batroolka

Dakhliga Batroolka ka soo xarooda waa wadaag, waxayna Dawladda Federaalka iyo Dawlad-Goboleedyada xubnaha ka ah u wadaagayaan si waafaqsan Heshiiska Lahaanshaha, Maamulka iyo Wadaagga Dakhliga Kheyraadka Dabiiciga ah ee Dalka (shidaalka & Macdanta) oo ku qotoma Qodobka 44 ee Dastuurka KMG.

Qodobka 7aad:
Maamulka Kheyraadka Batroolka

Maamulka kheyraadka Batroolka waxaa si wadajir ah u maamulaya Dawladda Federaalka, Dawladaha Xubnaha ka ah, kuwa ka mid noqon doona iyo gobolka Banadir, si waafaqsan Qodobka 2aad ee Heshiiska Lahaansha, Maamulka iyo Wadaagga Dakhliga Kheyraadka Dalka (shidaalka iyo macdanta).

2. Golaha kheyraadka dalka waa golaha ugu sareeya ee lagu lafa guro arrimaha kheyraadka ee u baahan in laga heshiiyo, loolana noqdo wixii lagu xallin waayo golayaasha maamul ee kale, wuxuuna ka kooban yahay madaxda fulinta ee heer federaal iyo heer dawlad goboleed.

Qodobka 8aad:
Qorsheynta Qeybinta Saamiyada Dakhliga Batroolka ee Degaannada aan Batroolka Soo Saarin

Dawladda Federaalka waxay xaqiijinaysa helidda gobollada aan soo saarin Batroolka saamiga ay ku leeyihiin dakhliga Batroolka si waafaqsan Heshiiska Lahaanshaha, Maamulka iyo Wadaagga Dakhliga Kheyraadka Dalka (Shidaalka iyo Macdanta).

Qodobka 9aad:
Shirkadaha Batroolka Horey uga Haystey Heshiis Dawladda Soomaaliya

1. Dhammaan heshiisyada la xiriira Batroolka ee lala saxiixday maamullo ka jira qaybo ka mid ah Soomaaliya, ama dawladihii kumeel-gaarka ahaa

mudada u dhexeysa Disember1990 ilaa Setember 2012, waa waxba kama jiraan.

2. Dhammaan heshiisyadii ay wada saxiixdeen shirkadaha ajnebiga iyo Dawladda Soomaaliya wixii ka horeeye 1991 waxaa loo tixgelinayaa inay yihiin heshiisyo jira.
3. Shirkadahaas heysta heshiisyadii ka horeeyay 1991 Xukuumadda Federaalka Soomaaliya waxay u cusbooneysiin doontaa si waafaqsan Qodobka 54aad.

Qodobka 10aad:
Hababka Xaqiijinta iyo Ilaalinta Batroolka
Ka dib Soo Saaristiisa

Dawladda Federaalka Soomaaliya iyadoo la kaashanaysa dawladaha xubnaha ka ah Dawladda Federaalka waxay mas'uul ka tahay ilaalinta iyo xaqiijinta ammaanka shirkadaha iyo hawlgallada Batroolka ee gobolada iyo degmooyinka kala duwan ee dalka.

Qodobka 11aad:
Ilaalinta Bii'ada.

Shirkadaha ogolaanshaha Batroolka la siiyay waa in ay ilaaliyaan bii'ada deegannada ay saamaynta ku yeelan karaan hawlgalladooda, si waafaqsan xeerarka dalka, xeerarka iyo heshiisyada caalamiga ah ee ilaalinta Bii'ada. Shirkadahaasi waa in ay dhawraan badqabka:

b) ***Bani'adamka***
t) Xoolaha la dhaqdo iyo duurjoogta .
j) Beeraha iyo daaqa
x) Badda
Kh) Webiyada
d) Haraha
r) Hawada
s) Dhulka/Ciidda
Sh) IWM.

Dawladda Federaalka Soomaaliya waa inay ku ilaaliso shirkadahaas gudashada waajibaadka ka saaran dhawrista badqabka bii'ada si waafaqsan shuruucda bii'ada ee dalka, kuwa caalamiga ah, qodobada sharcigan iyo xeer nidaamiyeyaashiisa.

Qodobka 12aad:
Magdhow Khasaare La Geystay

Hawlgal kastoo sahmin iyo qodis ah oo waxyeello u geysta bani'aadamka iyo hantida gaarka ah, waxaa waajib ah in ay shirakadaha Batroolku ka bixiyaan magdhaw u dhigma khasaaraha ka dhashay.

Qodobka 13aad:
Awoodda Bixinta ogolaanshaha Shidaalka

Shirkadaha caalamiga, shirkadaha qaran, shirkadaha wadaniga ah iyo shirkadaha isu tegay ee sameynaya sahan ama qodis batrool, waxay heshiis la geli karaan Dawladda Federaalka oo kaliya si ay hawlaha Batroolka uga fuliyaan Soomaaliya si waafaqsan Qodobada 19.14 iyo 24.1, iyo Heshiiska Lahaanshaha, Maamulka iyo Wadaagga Dakhliga Kheyraadka Dabiiciga ah ee Dalka (shidaalka & Macdanta).

CUTUBKA 2AAD
QAYBAHA GUUD
QODOBKA 14AAD:
BAXAADDA DHUL EE SHARCIGAN
SHARCIGAN WUXUU KA DHAQAN GELAYAA DALKA SOOMAALIYA.

QODOBA 15AAD:
BAAXADDA MAADDO EE SHARCIGAN

1. **Baaxadda**: Sharcigan waxaa lagu dhaqayaa hawgallada Batroolka.
2. **Macdan kale:** Jiritaanka ogolaansho lagu bixiyey aag cayiman ma reebeyso in la bixiyo ogolaansho baaritaan iyo soo saaris walxo macdaneed oo ka duwan batrool, haddii mudnaanta ay lahaanayaan hawlgallada Batroolka oo aanay hawlaha kale carqalad ku ahayn habsami u socodka halwgallada Batroolka.

Qodobka 16aad:
Xuquuqda Hanashada Batroolka

1. **Xuquuqda Batroolka**. Xuquuqda iyo hanashada Batroolka ku jira dalka Soomaaliya waa hanti qaran oo ay dadweynuhu ku aamineen

Dawladda Federaalka iyo Dawladaha xubnaha ka ah, iyaguna gacanta ku hayaan.

2. **Wareejin lahaansho dib u hanasho ka dib**. Shakhsi wuxuu yeelan karaa lahaansho batrool, keliya ka dib markii si sharci ah loo siiyo ogolaansho Heshiis Wax-Soo-saar Wadaag sida ku cad Sharcigan.

Qodobka 17aad:
Ku Dhaqanka Awoodaha, Shaqooyinka Wasaaradda iyo Ha'yadda Batroolka

1. Isticmaalka Awoodaha iyo xilalka Shaqo waxaa iska leh Wasaaradda iyo Hay'adda Batroolka Soomaaliyeed (HBS) oo ugu dhaqmaya si waafaqsan sharcigan iyo xeer nidaamiyeyaashiisa, ayna ka mid yihiin ogolaansha lagu bixiyey sharcigan, sida:

b. Xaqiijinta habsami u maaraynta kheyraadka;

t. Xaqiijinta horumarinta Batroolka iyada oo la ilaalinayo bii'ada, si loo sugo kobcinta dhaqaalaha, iyo barnaamijyada horumarinta fog ee

j. Loo fulinayo si macquulna ah; lana jaanqaadi karta Habdhaqan-Wanaagga Goobta Saliidda;

2. **Fursad soo Bandhig Cabashooyin**. Inta aanay isticmaalin awoodda shaqo, Wasaaradda iyo hay'addu waa inay siiyaan fursad shakhsiyaadka ay dhici karto in arrintu saamaysay in ay soo gudbiyaan cabashooyinkooda, kuwaas oo tixgelintooda mudan marka la soo gudbiyo hadday u muuqdaan kuwo maangal ah;

Qodobka 18aad:
Hawlaha Wasaaradda

1. Hawlaha Wasaaradda.
Wasaaraddu waxay gudanaysaa shaqooyinka soo socda;

b.Waxay go'aan ka gaaraysaa istiraatiijiyada, qorshaha iyo siyaasadda horumarinta hawlaha Batroolka.

t. Waxay soo saaraysaa xeerar ku saabsan maareynta hawlaha Batroolka, iyada oo tixgelinaysa soo jeedinta HBS, sida ku cad Sharcigan.

J. Waxay go'aan ka gaaraysaa siyaasadda iyo iskaashiga lala yeelanayo shirkadaha shisheeye, ayna ku jirto qaabka ogolaanshaho oo ay soo diyaarisay HBS.

x. Waxay maareynaysaa hannaanka loogu bedelayo Heshiis Wax-Soosaar wadaagga, xuquuqihii ogolaanshiyaha la xariiray oo ay horey u bixisay Jamhuuriyadda Dimoqraadiga Soomaaliya, ka hor Disember 30, 1990, sida lagu xusay Qodobka 54.1.

Kh. Waxay dejinaysaa siyaasadda lagu dhiirigelinayo ama lagu xakamaynayo dhoofinta Batroolka si loo ilaaliyo danaha Soomaaliyeed.

d. Inay la socoto dhaqdhaqaaqa Hawlaha Batroolka ee gudaha Soomaaliya iyo gobolada saaran xuduudaha Soomaaliya.

r. Inay la xaajooto, iyada oo kaashanaysa hay'adaha dalka ee ay khusayso, wasaaradaha, waaxyaha iyo hay'adaha u xilsaaran mas'uulkana ka ah xeerarka wadamada deriska ah ee la xariira hawlgallada Batroolka, taas oo saamayn ku yeelan karta isu gudubka xuduudeed oo ay ka mid tahay haraha iyo dhuumaha isu gudba oo ay wadaagi karaan dalalka deriska ah.

Sh. Dawladdu waxay u xilsaari kartaa Wasaaradda shaqo dheeri ah oo la xiriirta nidaaminta iyo la socodka hawlaha Batroolka iyo haddiiba ay haboonaato, u kuur galidda arrimaha ku saabsan shaqada ay wasaaraddu qabanayso hadba waqtiga la joogo.

2. **Sir Xajinta Wasaaradda**. Marka shaqaalaha Wasaaradda heer qaran iyo heer dawlad goboleed ay gudanayaan hawlahooda sharciyeysan, waxaa waajib ku ah inay dhawraan xog ogaalnimada siraha ganacsi ee shakhsiyaadka iyo shirkadaha oo ay ogaadeen, wasaaradduna ku qanacday in:

b. Bixinta xogtu u keeni karto khasaaro ama faa'iido si toos ah u taabanaysa shakhsiga ugana imaanaysa xilgudashada Wasaaradda, ama dhalin karta inay wax u dhinto shakhsiyaadka la filayo inay tartamaan, ama

t. Xogtu tahay mid maaliyadeed, ganacsi, cilmi ama farsamo oo ka mid ah sirta loo gudbiyey Wasaaradda oo mar walba loo arkaayey mid xajin ka mudan shakhsiga ay sida tooska ah u saamaynayaan hawlaha Wasaaradda, oo iyaduna

u aragto in danta shakhsiga ee ku jirta ilaalinta xogtan ay ka muhiimsan tahay danta guud ee ku jirta baahinteeda.

Qodobka 19aad:
Aasaasida iyo Hawlaha Ha'yada Batroolka Soomaaliyeed (HBS)

1. **Dhismaha HBS.** Sharcigan waxaa lagu dhisay Hay'adda nidaaminaysa hawlaha Batroolka, oo ah hay'ad loo dhan yahay laguna magacaabo Hay'adda Batroolka Soomaaliyeed oo leh shakhsiyad qaanuuni ah, oo hoos imaanaysaa Wasaaradda;

2. **Waqtiga Dhismaheeda:**

b. Waxaa la dhisayaa HBS, waxayna awood u leedahay in ay ku dhaqaaqdo gudashada xilkeeda waqtiga la dhiso.

t. Waxaa lagu dhisayaa HBS ugu badnaan muddo 6 bilood gudahood ah, laga bilaabo maalinta uu sharcigan dhaqan galo.

3. Maamulka HBS

b. Maamulka HBS wuxuu ka kala imaanayaa, laba xubnood (2) oo matalaya Dawladda Federaalka, min hal xubin oo matalaya Dawladaha Xubnaha ka ah Dawlada Federaalka, kuwa ka mid noqon doona (markay dhismaan) iyo Gobalka Banaadir.

t. Xubnaha hay'adda waa inay noqdaan xubno aqoon uleh Maamulka, Dhaqaalaha, Bii'ada, Sharciga ama Batroolka laguna soo xulay xirfad, karti iyo hufnaan.

j. Dawladaha Xubinta ka ah Dawladda Federaalka waxay Wasaaradda u soo gudbinayaan xubnaha iyaga matalaya. Wasiirka ayaa u gudbinaya golaha wasiirrada soo jeedinta xubnaha matalaya Dawladda Federaalka iyo Dawladaha Xubinta ka ah oo wada jira, si loo ansixiyo.

x. Guddigu wuxuu haynayaa maamulka muddo afar sano ah, Dawladduna waa ka qaadi kartaa xilkooda hadday galaan xadgudubyo maamul, waqti kasta. Sababaha looga qaadi karo xilka waxaa ka mid ah, hadday xadgudub u gaystaan

Qodobka 19.8, ama Qodobka 19.9. ama aanay buuxin karin shuruudaha xubinimada ee ku qeexan Qodobka 19.5.

4. **Shaqaalaha Hay'adda (HBS).** Xoghayaha Guud iyo shaqaalaha kale ee looga baahan yahay habsami u socodka hawlaha hay'adda waxaa magacaabaya guddiga maamulka ee HBS.
5. **Shuruudaha Guddiga Maamulka.** Qofka ka mid ahaanaya guddiga maamulka ee HBS lama magacaabi karo ama looma ogolaan karo xubinimo haddii aanu muwaadin Soomaali ahayn, ama uu yahay milkiile, saamile, agaasime, sarkaal, la wadaage ganacsi, iwm, oo ku dhex jira hawlaha wax soo-saarka, gaditaanka, iibinta, gudbinta, dhoofinta iyo keenista, iwm, ee la xariira arrimaha Batroolka ee wadanka ama haysta caddayn, ballanqaad la hubo oo waqtigiisu dheer yahay oo khidmad cayiman leh, ama ku lug leh cayminta shirkad ku hawlan shaqadan oo kale.
6. **Shuruudaha Shaqaalaha**. Qofka shaqaalaha ka mid noqonaya lama magaacabi karo ama looma ogolaan karo in uu sifadaas sii haysto haddii uu yahay milkiile, saamile, agaasime, sarkaal, la wadaage, iwm, oo ku dhex jira hawlaha wax soo-saarka, gaditaanka, iibinta, gudbinta, isu-gudbinta, dhoofinta, keenista, iwm, ee la xariira hawlaha Batroolka ee Soomaaliya ama haysta caddaymo, ballanqaad la hubo oo waqtigiisu dheer yahay oo khidmad cayiman leh, ama ku lug leh cayminta shirkad ku hawlan shaqadan oo kale mid la mid ah.

7. **Guddoomiyaha Hay'adda.** Soojeedinta wasiirka kadib Xukuumaddu waxay u magacaabaysaa xubin ka mid ah guddiga maamulka in uu noqdo guddoomiyaha HBS, iyada oo xubin kale oo isla guddiga ka mid ah u magacaabaysa guddoomiye ku xigeenka. Guddoomiyahu waa sarkaal madaxeedka fulinta hawlaha HBS, wuxuuna kormeer iyo hagitaan ku leeyahay shaqooyinka iyo maamulka shaqaalaha hay'adda. Haddii xubinta guddoomiyaha ahi maqan yahay ama aanu awoodi karin in uu waajibkiisa guto ama uu banneeyo jagada uu hayo, guddoomiye ku xigeenka ayaa yeelanaya dhammaan awoodaha iyo xilalka guddoomiyuhu xambaarsanaa.

8. **Waajibaadka Feejignaanta.** Xubnaha iyo shaqaalaha HBS waxay waajibaadkooda u gudanayaan si daacadnimo ku jirto, shaqadoodana waxay u qabanayaan si sharciga waafaqsan oo aan dhinac-u-xaglin ku jirin kuna dheehan tahay daacadnimo, iyaga oo aan uga faa'iideysanayn

jagooyinka ay hayaan in ay ku raadsadaan macaash aan sharciga waafaqsanayn.

9. **Sirta HBS**. Xubnaha guddiga maamulka iyo shaqaalaha HBS waxaa waajib ku ah in ay hawlahooda u qabtaan si sharciga waafaqsan, ilaaliyaanna xogta sirta ganacsi ee shakhsiyaadka iyo shirkadaha ay xog ogaal u noqdaan, markay HBS ku qanacsan tahay in:

b. Faafinta wararka loo filan karo inay keeni karto, khasaare maadi ah ama faa'iido shakhsiga ay saameeyaan hawlaha hay'adda si toos ah ama ay wax u dhinto heerka tartanka ee shakhsiga si macquul ah.

t. Nooca wararku ay yihiin kuwo ku saabsan dhinaca lacagta, ganacsiga, cilmiga ama farsamo oo loogu soo gudbiyey hay'adda xog ahaan, loona arkayey in ay sir u yihiin shakhsiga ay sida tooska ah u taabanayaan hawlaha HBS, isla markaana hay'addu u aragto in xajinta xogtaas ay ka weyn tahay danaha guud ee dhawrista mudan.

10. **Xarunta Hay'adda HBS**. Xarunta dhexe ee HBS waxay noqonaysaa magaala madaxda Jamhuuriyadda Federaalka Soomaaliya.

11. **Xafiis Goboleedka HBS**. Hay'addu waxay qiimaynaysaa hawlaha maamul ee la xiriira shakhsiyaadka hawlaha shidaal ka wada gudaha mid ka mid ah gobolada Soomaaliya:

b. Haddii ay HBS ogaato in mugga shaqadaas ay qasbayso aasaasidda xafiis goboleed ay ku yeelato HBS gobolkaas, ama in xafiis goboleedkaas loo sameeyo wax ka badan hal gobol, waa inay sidaas ugu tala bixiso wasaaradda. Wasaaradda ayaa waxay markaas bixin kartaa fasaxa aasaasidda xafiis goboleedkaas, dawladda ayaana u magacaabaysa saddex xubnood oo ka mida HBS, kuwaas oo fariisin ka dhigan doona gobolkaas.

t. Laba ka mid ah xubnaha HBS ee gobolkaas waxaa laga dooranayaa liis ka kooban ugu yaraan shan qofood oo u qalma shaqadaas kartina u leh, kuwaas oo ay dawladdu u soo gudbiso gobolkaas.

j. Qodobada sharcigan ee ku saabsan magacaabidda, waqtiga, shaqa ka fariisinta, shuruudaha shaqa siinta, ilaalinta sirta iyo arrimaha kale ee la xiriira waxay si la mid ah ugu dhaqan gelayaan xubnaha HBS ee xafiis goboleedkaas ka hawlgala.

x. Arjiyada, fasaxyada, go'aannada, tilmaamaha ama amarrada laga rabo ama ay xaq u leedahay HBS inay maamusho, lana xiriira hawlgallada shidaalka ka socda gobol hoos yimaada xafiis goboleedka HBS ee loo sameeyay inuu ka shaqeeyo, waxaa maamulaya xafiiskaas iyo xubno goboleedka HBS, kuwaas oo shaqadan u gudanaya si waafaqsan xeerarka dhaqangalka ah iyo habraacyada HBS.

Kh. Marka uu gudanayo waajibkiisa, xafiis goboleedka HBS, wuxuu ilaalinayaa mabaadi'da qaran, siyaasadda, yoolalka iyo halbeegyada, isaga oo dhawraya habraacyada HBS.

12. **Wajibaadka HBS.** Hay'adda Batroolka Soomaaliyeed waxay nidaaminaysaa Hawlaha Batroolka si waafaqsan sharcigan ama sharciyada kale ee Soomaaliya;

13. **Hawlaha HBS.** Hay'adda Batroolka Soomaaliyeed waxay qabanaysaa hawlaha soo socda:

b. Nidaaminta hawlaha Batroolka iyada oo loo marayo habka bixinta, ilaalinta, isbeddelka iyo dhaqangalinta ruqsadaha, iyo soo saarista go'aammo, amarro iyo tilmaamo iyada oo la cuskanayo sharcigan iyo xeer nidamiyeyaashiisa oo saldhig u ah hawlaha Batroolka si waafaqsan oo hoos imaanaysa qodobada isla sharcigan ku xusan.

t. Xaqiijinta kartida shakhsiyaadka ruqsadaha la siiyey, iyada oo aan cidna loo xaglinayn, lana hubinayo in shaqsiyaadkaasi ay ganacsi iyo dhaqaale ahaanba u dhisan yihiin aaminaadna galaan, leeyihiinna xirfad ay ku gutaan waajibaadkooda.

j. Hubinta shakhsiyaadka ruqsadaha la siiyey in ay fulinayaan una hoggaansamayaan sharciyada, go'aamada, amarrada ama tilmaamaha ka soo baxa HBS si waafaqsan sharcigan.

x. U kuurgalidda iyo la socodka arrimaha la xariira hawlaha Batroolka oo Wasaaraddu ka codsatay HBS in ay isha ku hayso, soona gudbiso' waqti ka waqti, warbixinno la xariira arrimahaas, talana ka soo jeediso tallaabooyinka hadba loo baahan yahay, iyada oo la eegayo danaha Qaranka ee la xariira ilaalinta iyo horumarinta ee qaybta Batroolka.

Kh. Xukuumadda, iyada oo la raacayo talo soo jeedinta Wasaaradda, waxay u xilsaari kartaa HBS xilal dheeri ah oo la xariira nidaaminta, u kuurgelidda iyo gacan ku haynta hawlaha Batroolka iyo arrimiha kale ee la xiriira hawlaha hay'adda hadba sidii dan la moodo loona arko in ay habboon tahay.

14. **Awoodaha HBS:** Marka ay hawlaheeda u gudanayso si sharciga waafaqsan HBS waxay leedahay awoodaha soo socda:

b. In ay bixiso Ruqsadaha Sahmineed si waafaqsan Qodobka 23.1.
t. In ay gasho wadaxaajoodka
j. In ay bixiso Ruqsado lagu ogolaanayo isticmaalka ku saabsan dhulka korkiisa si waafaqsan Qodobka 25.1.
x. In ay ka cafiso culaysyada ku imaan kara Heshiisyada Wax-Soosaar Wadaagga si waafaqsan Qodobka 24.1. Shaqsiga ruqsadda haysta si waafaqsan Qodobka 34.
Kh. In ay wax ka beddesho, ama la noqoto ruqsad kasta si waafaqsan sharcigan, xeerarka iyo qodobada ruqsadaha la bixiyey.
d. In ay soo saarto, meel marisana, tilmaamo lagu hubinayo ku dhaqanka ruqsadaha la bixiyay.

r. In ay waydiiso, dhagaysato, go'aanna ka gaarto dhacdo kasta oo ugu muuqata HBS in shakhsiga gudan waayo hawl, ama wuxuu farayey sharcigan, xeerarka ama Ruqsadaha, go'aannada, amarrada ama tilmaamaha la baxshay iyadoo la tixraacayo sharcigan iyo xeerarkiisa, ama lagu joojinayo meel marinta iyo sii socodsiinta shaqo kasta iyo waxyaalaha ka hor imaanaya sharcigan, xeerarkiisa ama wixii la mid ah oo ruqsad, sharci, go'aan, amar ama tilmaamo ah.
Sh. In ay amarto, ama weydiiso shakhsi kasta in uu sameeyo waqti kasta oo loo cayimo iyo si kasta oo HBS wax ugu sheegto shaqo kasta ama wax kasta oo shakhsigaas laga rabay in uu sameeyo isaga oo raacaya sharcigan, xeerarka ama sharci, go'aan, amar ama tilmaan kasta oo waafaqsan sharcigan ama xeerarka, ama lagu joojinayo meel marinta iyo sii socodsiinta shaqo kasta iyo waxyaalaha ka hor imaanaya sharcigan, xeerarkiisa ama wixii la mid ah oo ruqsad, sharci, go'aan, amar ama tilmaamo ah.

Dh. In ay uruuriso wixii xog ah iyada oo la tiigsanayo arrimaha kor ku xusan, taas oo ay ku jirto ku waajibinta shakhsi kasta oo ruqsad haysta in uu raaco amarrada dhiibista xogta.

c. In ay qiimayso ciqaabaha ka dhalan kara ku xad gudubka ruqsad, go'aan, amar ama tilmaamo ay bixisay HBS, si waafaqsan cutubka 8aad.

g. In ay la shaqayso si iskaashi leh hay'adaha shisheeye ee dhiggeeda ah, wasaaradaha ama waaxyaha mas`uulka ka ah nidaaminta hawlaha la xariira dawladaha deriska ah ee ku saabsan hawlaha Batroolka ama dhuumaha isaga gudba xuduudaha.

f. In ay samayso qawaaniin ku salaysan Qodobada 19.17 iyo 19.18.

q. In ay iskeeda ugu dhaqaaqdo baarista, dhageysiga iyo go'aaminta wax kasta oo sharcigaan iyo xeerarkiisa hoos yimaada, una baahan in la baaro go'aanna laga gaaro.

15. **Baaris**. Waxaa waajib ku ah HBS, in ay baarto ama abuurto xaaladdii lagu baari lahaa, si loo hubiyo in lagu xadgudbay qodob ama shardi muhiim u ah ruqsad la baxshay.

16. **Iskaashiga lala yeelanayo HBS.** Marka hay'addu iyo xubnaha guddigeeda maamuleed iyo shaqaaleheeduba gudanayaan waajibaadkooda sharciga ah, shakhsiyaadka iyo shirkadaha baaritaanka iyo kormeerka lagu samaynayo waa in ay gacan ku siiyaan bixiyaanna si hagar la'aan ah dokumintiyada iyo waxyaalaha laga dalbado. Shakhsiyaadkaas iyo shirkadahaas waa in aysan diidin la shaqaynta looga baahan yahay, kana hor imaanin kormeerada iyo baaritaanka, iskuna dayin in ay qariyaan dokumintiyada iyo waxyaalaha aasaasiga ah.

17. **Shuruucda Hawl Fulinta HBS**. Hay'addu waxay dejin kartaa, hadba sida ay ugu muuqato, kadib markay wasaaradda la tashato, wixii lagama maarmaan iyo lama huraanba ah ee la xariira gudashada waajibaadka iyo xilalka oo ay ku jirto soo saaris qawaaniin dalbaya ama reebaya dhaqanka ganacsi qaarkiis oo ku saabsan shakhsi ruqsad hasta, iyada oo looga jeedo in la hubiyo habsami u socodka hawlaha Batroolka ee Soomaaliya.

HBS waxaa kaliya oo ay samayn karta qawaaniintaas kadib markay la tashato shakhsiyaadka ruqsada haysta ama shirkado iyo hay'ado ula muuqda in ay wakiilo u yihiin dad laga yaabo in ay shuruucdu saamayn ku yeeshaan. Shuruucda la soo saarayo oo la xariira isla faqraddan ma yeelan karto saamayn

dib ugu laabasho ama wax ka beddelid maadi ah xagga qodobada ama shuruudaha ruqsad kasta la xiriira.

Dib ugu laabashada iyo wax ka beddelidda ruqsadaha waxay dhici karaan oo keliya sida uu qeexayo Qodobka 34aad;

18. **Xeerarka habraaca ee HBS.** Hay'addu (HBS) waxay samaynaysaa xeerar ku saabsan qaab dhismeedka hay'adda, qaabka dalbashada ruqsooyinka, wakaalashada, cabashooyinka loo soo gudbinayo HBS iyo sida loo qaadayo dacwooyinka la hor keenayo, iyo habka loo qabanayo shaqo kasta ee HBS hor timaadda, iyo guud ahaan, sida HBS ay hawlaha u fulinayso, maaraynta arrimaheeda gudaha iyo waajibaadka shaqaaleheeda. Markay samaynayso xeerarkaan, HBS waxay ku saleynaysaa mabaadi'da daahfurnaanta, hufnaanta, isla xisaabtanka iyo madax bannaanida;

19. **Warbixin sanadeedka.** Markasta oo sannadka dhammaadkiisa la gaaro, lana dhaafin muddo ka badan lix bilood, HBS waxay wasaaradda u soo gudbinaysaa warbixin la xiriirta hawl qabadkeeda sanadlaha ah.

20. **Xogta aan qarsoodiga ahayn.** Hay'adda (HBS) waxay dadweynaha u soo bandhigaysaa:

b. Qawaaniinta lagu dhisay HBS ee ku xusan faqradaha kala ah 19.17 iyo 19.18.

t. Go'aanada, amarrada iyo tilmaamaha HBS.

j. Ciqaabaha ay soo rogtay HBS.

X. Warbixinada guud ee HBS ee ku cad faqrada 19.19.

Kh. Qaababka ay yeelanayaan foomamka mid kasta oo ka mid ah ruqsadda Sahaminta, ruqsadda ka hawlgalka dhulka dushiisa iyo Heshiiska Wax-Soosaar Wadaagga.

d. Ruqsooyinka ay bixisay HBS.

21. **Doorka Wasaaraddu ku leedahay HBS.** Wasaaraddu waxay u jaangoynaysaa HBS siyaasadda guud ee hagaysa, wixii la xiriira qabashada hawlaheeda si waafaqsan sharcigan iyo xeerarka. Siyaasadda hagitaanka ee Wasaaraddu jaangoyso waxaa loo faafinayaa si la mid ah qaabka loo faafiyo shuruucda iyo arrimaha siyaasadda.

Markay HBS fulinayso hawlaheeda si waafaqsan sharcigan iyo xeerarka, hay'addu waxay tixgelinaysaa talooyinka iyo tilmaamaha ka soo fula Wasaaradda. Wasaaraddu waa in aanay faragelin ku yeelan shaqo maalmeedka caadiga ah ee ku saabsan gudashada hawlaha HBS.

22. **Racfaan.** Marka laga reebo sida ku cad faqradan, go'aan, amar ama tilmaan kasta oo ay gaartay HBS waa lagama noqdaan buuxa. Racfaan waxaa laga qaadan karaa arrin kasta oo ku saabsan go'aan, amar ama tilmaan uu horay u gaaray xafiis goboleedka HBS. Racfaanka waxaa loo qaadan karaa maxkamadda sare, marka uu ku saabsan yahay go'aan, amar ama tilmaan ay bixisay HBS kuna saabsan dhinacyada sharciga, xeerarka ama baaxadda masuuliyadeed ama gaboodfal uu ku kacay xubin ka mid ah guddiga maamulka oo ka qayb qaatay go'aan gaarista, amar bixinta ama tilmaanta iyo u hoggaansanaanta qawaaniinta habraaca hagar la'aaneed ee ku cad faqradda 19.23.

Racfaan laga ma qaadan karo go'aan kale oo ay HBS gaartay, meel kasta oo salka ku hayo. Codsiga Rafcaanka waa in la soo gudbiyaa 60 maalmood gudahood ka dib marka u soo baxo go'aanka, amarka ama tilmaanta laga qaadanayo Racfaanka.

23. **Habraac cadaalad ah.** Marka ay fulinayso hawlaheeda sida ku cad sharcigan ama xeerarka, HBS waxay:

b. Ku wargalinaysaa shakhsiyaadka danaynaya arji kasta oo la qabto ama dhageysi kasta oo ay samaysay, iyada oo la raacayo qaabka uu jideeyey sharcigaan ama ay tilmaameen xeerarkiisa.

t. Diyaarisaa dhageysiyo la xariira bixinta, ka qaadidda ama ka joojinta ruqsadaha ku yimaada xaaladaha lagu sheegay sharcigan ama xeerarka.

j. Bixin kartaa qoraallo cadaynaya sababaha keenay go'aamadeeda, amaradeeda ama tilmaamaheeda, kuwaasoo loo arkaayey in ay habboonaayeen waqtiga la soo saaray go'aanka, amarka ama tilmaanta.

x. Ku salaynaysaa go'aanadeeda ku saabsan talaabooyinka ay qaaday, ammarada ama tilmaamaha ay bixisay dhagaysi ka dib, caddaymo, dood iyo xog la soo hordhigay dhagaysiga.

24. **Canshuuro, Khidmado iyo Ganaaxyo.** Wasaaraddu, iyada oo tixgelinaysa talooyinka HBS, ugana dan leh in ay soo ceshato dhammaan ama qaar ka mid ah kharashyada la galay, hadba sida ay go'aamiso hay'addu, iyada oo cuskanaysa masuuliyadda saaran, marka loo eego sharcigaan iyo xeerarkiisa, waxay ku soo rogaysaa shirkad kasta oo ruqsad haysata, si waafaqsan sharcigaan iyo xeerarkiisa, canshuuro, khidmado iyo ganaaxyo munaasib ah, iyadoo soo gudbinaysa habka loo xisaabayo dakhliyadaas ka imaanaya shakhsiyaadka iyo shirkadaha iyo qaabka ay ku bixinayaan lacagta.

HBS, waxaa kaloo ay qeexaysaa heerka ganaaxyada dheeriga ah iyo qaab xisaabeedka loogu go'aaminayo shakhsiyaadka iyo shirkadaha inta ganaaxyada dheeriga ah ee kaga aaddan canshuuraha, khidmadaha iyo ganaaxyada aanay bixin markii laga rabay.

Qodobka 20aad:
Dhismaha Shirkadda Batroolka Qaranka Soomaaliyeed (SHBQS)

1. Shirkadda Batroolka Qaranka Soomaaliyeed waxay leedahay shakhsiyad qaanuuni oo leh qaab shirkadeed.

b. Xarunta Shirkadda Batroolka Qaranka Soomaaliyeed waxay noqonaysaa magaalo madaxda Jamhuuriyadda Federaalka Soomaaliya.

t. Shirkadda Batroolka Qaranka Soomaaliyeed waxay leedahay, marka laga eego xaggga awoodaha, dhammaan xuquuqaha, awoodaha, mudnaanta iyo karti-sharciyeedka ay leeyihiin shakhsiyaadka kale.

j. Sharcigaan waxaa lagu dhaqayaa Shirkadda Batroolka Qaranka Soomaaliyeed si la siman sida lagu dhaqayo shakhsi kasta oo ruqsad haysta, lana waafajinayo hadba duruufaha soo kordha ama xaaladaha isbedbeddala.

2. Ujeeddada Shirkadda Batroolka Qaranka Soomaaliyeed waa mid ganacsi oo ay kontroosho Dawladda, si ay u qabato hawlaha Batroolka. Shirkaddu waxay isticmaali kartaa xaqa ka qeybgalka ee ku cad Qodobka 35.1.

Shirkaddu waxay heli kartaa ruqsad toos ah, ama mid la mid ah tan shirkadaha kale si waafaqsan habraaca tartanka ay soo bandhigtay HBS.

3. **Golaha Maamulka shirkadda.** Shirkaddu waxay yeelanaysaa gole maamul oo ka kooban Maareeye guud iyo laba xubnood oo ka socda Dawladda Federaalka iyo min hal xubin oo ka socda Dawladaha Xubnaha ka ah.

b. Shir gudoonka waxaa magacaabaya dawladda wuxuuna xilka haynayaa, markuu si fiican waajibaadkiisa u gudanayo, waqti kasta oo dawladda la habboon.

t. Maareeyaha guud waxaa magacaabaya xukuumadda soo jeedinta wasaarada kadib, wuxuuna xilka haynayaa, markuu si fiican waajibaadkiisa u gudanayo, waqti kasta oo xukuumadda la habboon. Waxaana xilka looga qaadi karaa sabab jirta. maareeyaha guud mar kale waa la soo magacaabi karaa marka xilligiisu/xilligeeda dhammaado.

j. Agaasimayaasha kale waxaa soo magacaabaya xukuumadda ka dib soo jeedinta wasaaradda waxayna xilka haynayaan muddo aan ka badnayn saddex sano si loo xaqiijiyo, intii la karo, in sanadkiiba aanu xilka ka dhamaan wax ka badan kala bar oo bar agasimayaasha. Agaasime kastoo kale dib ayaa loo soo magacaabi karaa marka xilligiisu/xilligeedu dhamaado.

x. Iyada oo la tixgelinayo Qodobka 20.3.kh, ma jiro qof xaq u leh in loo magacaabo ama u hayo xilka shir-gudoonka, jagada maareeye guud, ama agaasime haddii aan qofkaasi ahayn Soomaali.

Kh. Maareeyaha Guud waa sarkaal madaxeedka fulinta hawlaha shirkadda, wuxuuna awood u leeyahay, isagoo matalaya golaha maamulka, haggidda iyo maamulka hawlaha iyo arrimaha la xiriira shirkadda, isaga oo awood shaqo u leh arimaha aan ku jirin sharcigan ama xeer-hoosaadyada kale ama go'aanada gaar-ahaaneed ee uu sameeyo golaha maamulka shirkadda ama guddigeeda fulineed.

4. **Kaalinta Golaha Maamulka SHBQS.** Goluhu wuxuu hagayaa, maamulayaana hawlaha iyo arrimaha la xiriira SHBQS isaga oo go'aanno kusoo saari kara xeer-hoosaadyo lagu nidaaminayo hawlaha iyo arrimaha la xiriira SHBQS:

b. Goluhu wuxuu, go'aanno ku soo saarayaa xeer-hoosaadyo lagu nidaaminayo hawlaha iyo arimaha la xariira SHBQS.

t. Goluhu wuxuu dhisayaa guddi fulineed, ama guddi kale oo kasta ama koox la talineed oo goluhu u arko in loo baahan yahay, wuxuuna cayimayaa inta ay ka kooban yihiin xubnahoodu, xilalkooda iyo mudada ay xilka haynayaan.

j. Goluhu wuxuu awood siin karaa, caddayn karaana xilalkooda iyo awooddooda guddiga fulinta si ay u qabtaan arrimo kasta oo aan ku jirin sharcigan ama xeer-hoosaadka ama go'aan, gaar ah, oo loogu tala galay in goluhu qaato.

x. Shir-gudoonku wuxuu ku dhaqmayaa awoodaha lagu qeexay xeer-hoosaadka shirkadda;

Kh. Maareeyaha guud waa sarkaal madaxeedka fulinta hawsha SHBQS, wuxuuna hayaa, isagoo matalaya golaha, haggidda iyo maamulka hawlaha iyo arrimaha la xiriira SHBQS, isaga oo awood shaqo u leh arrimaha aan ku jirin sharcigan ama xeer-hoosaadka kale ama go'aanada gaar ahaaneed oo loogu tala galay in uu sameeyo golaha ama guddigeeda fulineed.

d. Dawladdu waxay siin kartaa maareeyaha guud magac kasta oo ay isleedahay waa ku habboon yahay, ilaa iyo inta uu yahay sarkaal madaxeedka fulinta hawsha shirkadda.

r. Haddii Maareeyaha Guud uu maqan yahay, ama aanu xilkiisa gudan karin, ama haddii xilka xafiisku bannaanaado, goluhu wuxuu magacaabayaa sarkaal ka tirsan shirkadda in uu si ku-meel-gaar ah u qabto xilka Maareeyaha Guud muddo aan ka badnayn sagaashan (90) cisho iyadoon la haynin ogolaanshaha xukuumadda.

5. **Saraakiisha iyo Shaqaalaha Shirkadda.** Shirkaddu waxay qoran kartaa saraakiil iyo shaqaale, waxayna shaqo galin kartaa wakiilo, la-taliyayaal iyo

talo-bixiyayaal ay u aragto in ay yihiin lagama maarmaan si loo fuliyo ujeeddada sharcigan iyo habsami u socodka hawlaha, SHBQS waxay kol walba caddaynaysaa shuruudaha iyo xaaladaha shaqaalayntooda ama qaadashadooda la xariirta.

6. **Gunnooyinka Golaha Maamulka Shirkadda.** Shir-gudoonka iyo agaasime kasta, marka laga reebo maareeyaha guud iyo agaasime kale oo kasta oo ka mid ah shaqaalaha dawladda, waxay xaq u leeyihiin in shirkaddu siiso gunno ay xaddiday wasaaraddu inta ay ku hawlan yihiin shirarka golaha ama gudiyada golaha oo ay gudanayaanna waajibaadka sharcigu farayo.

7. **Kharashka Agaasimayaasha SHBQS.** Agasimayaashu waxay xaq u leeyihiin in SHBQS siiso sahay safar iyo kharash nololeedka ku baxaya marka ay gudanayaan waajibaadka shaqo uu sharcigu farayo inta ay uga maqan yihiin degaankooda shaqo rasmi ah.

8. **Gunnooyinka Saraakiisha iyo Shaqaalaha SHBQS.**
Saraakiisha, shaqaalaha, wakiilada, la taliyayaasha, iyo talo-bixiyayaasha waxay xaq u leeyihiin in SHBQS siiso gunnooyin, kharashyo, iyo manfacooyin ay SHBQS u xaddido.

9. Haddii shakhsi ruqsadle ahi go'aansado in uu iska wareejiyo kulli ama qayb ka mid ah saamiga uu ku leeyahay ruqsadda, SHBQS waxay xaq uleedahay in ay kula wareegto qiimaha suuqa.

10. **Shirkadaha Batroolka Dawlad Goboleedyada**: Waa shirkado ganacsi oo ka shaqeeya danaha dawlad goboleedyada ee ganacsi ee arrimaha shidaalka, waxayna dawlad goboleedyada u matalaan saamiga ay ku leeyihiin SHBQS, shaqadooduna noqonayso dhisidda iyo maamulidda kaabayaasha shidaalka ee heer dawlad goboleed iyo suuq gaynta cadadka shidaalka ee wadanka gudahiisa lagu isticmaalayo, iyada oo aan wax loo dhimayn mabaadi'da suuqa xorta ah.

Qodobka 21aad:
Xadidaada Xuquuqda Saraakiisha Dawladda.

1. **Xadididda iska Horimaadka Danaha Gaarka ah.**
Saraakiisha dawladdu ma heli karaan, iskumana dayi karaan in ay helaan ama haystaan:

b. Ruqsad ama ku hammin dan gaara, ha ahaato mid toos ah ama dadban, la xariirta ruqsad.

t. Saami uu ku yeesho shirkad haysata ruqsad, ama mid iyada ku laran.

2. **Waxa ka dhalan kara Xadgudubka.** Qaab kasta oo wax lagu siiyo ama loogu doodo in loogu ogolaado sarkaal dawladeed, wax dan gaar ah u muuqda, si toosan ama dadban, oo la xiriirta ruqsad, loona arki karo siismo aan sharci ahayn, waa wax kama jiraan;

3. **Ehelada.** Helitaanka ama haysashada, ruqsad, ama yeelashada dan ama saami, oo la xiriirta carruurta aan qaan gaarin ama xaasaska saraakiisha dawladdu, waxaa loo arkayaa mid uu helay ama haysto sarkaal dawladeed,

4. **Aan ka ahayn.** Saraakiisha dawladda, oo ah Agaasimayaasha, shaqaalaha ama talo-bixiyeenada Shirkadda oo dan ku leh ruqsad ay haysato shirkaddu laguma dabiqi karo faqradaha kor ku xusan ee Qodobka 21aad.

Qodobka 22aad:
Naqshadeyn.

Iyada oo la raacayo ujeedada sharcigaan, Dhulka Soomaaliyeed, ama qaybo ka mid ah, waxaa loo qaybinayaa xirmo-xirmo si waafaqsan habka iyo shuruucda caalamiga ah ee xadidaadda xirmooyinka.

CUTUBKA 3AAD
RUQSADAHA HAWLGALLADA BATROOLKA

Qodobka 23aad:
Ruqsada Sahanka Indha-Indheynta

1. **Awoodda Bixinta.** Hay'adda Batroolka Soomaaliyeed (HBS) waxay siin karta Ruqsad Sahamineed, oo la xiriirta goob cayiman, qof qaanuuni ah ama koox shirkado ah.

2. **Xuquuqaha Ruqsadda Sahminta**

b. Ruqsad Sahmineed waxay oggolaanaysaa in lagu sameeyo baaritaan ah geological, geophysical, geochemical iyo geotechnical oo ku saabsan ruqsadda aagga la baxshay.

t. Ruqsadda Sahmintu waxay faraysaa Shaqsiga ruqsadda haysta in uu soo sheego horumarka iyo natiijada baaritaanka, uuna xajiyo sirta arrintaas la xiriirta.

j. Ma jirto in ruqsad sahmineed marnaba u oggolaanaysa Shaqsiga haysta inuu ceel qodo, ama uu ugu xagliyo, kuna yeesho xuquuq uu uga mid noqon karo Heshiis Wax-soosaar Wadaag ah.

3. **Ruqsadaha Isdul-fuula.** Inta aan lagu bixin Ruqsad Sahmineed goob horay ruqsad loogu haystay, HBS waxay qoraal ogaysiin ah siinaysaa qofkii horay **u** haystay ruqsadda.

4. **Tanaasulid iyo Joojin.**

b. Shakhsiga haysta Ruqsadda Sahminta wuxuu iska celin karaa ruqsadda, markuu doono, isagoo qoraal wargalin ah siinaya HBS, waxaana shardi ah in Ruqsad haystuhu oofiyey dhammaan waajibaadkii saarnaa.

t. Haddii Ruqsad Haystuhu uusan buuxin shuruudihii ku xirnaa Ruqsadda Sahminta, HBS way ka joojin kartaa ruqsadda sahminta Shaqsiga ruqsadda haysta, kadib markay siiso waqti cayiman oo u ku saxo shardiga uu jebiyey.

Qodobka 24aad:
Heshisyada Wax Soo Saar Wadaagga

1. **Awoodda Bixinta.** Hay'adda Batroolka Soomaaliyeed (HBS) waxay la gali kartaa wada xaajood Heshiis Wax-Soosaar Wadaag oo ku saabsan goob cayiman, qof ama koox dad ah, ka dib markay cadaato in shakhsigaas ama kooxdaasi ay galeen heshiis wadashaqayn iyadoo ay oggolaatay HBS, sida ku cad Qodobka 31.1. Heshiis kasta oo Wax-Soosaar Wadaag ah waxaa saxiixaya Wasiirka, kaddib soo jeedinta HBS.

2. **Qaabka Loo Noqdo Qandaraasle.** Si uu ugu qalmo in uu galo Heshiis Wax-Soosaar Wadaag, Shaqsiga waa:

b. In uu haystaa, ama uu heli karaa, awood dhaqaale, aqoon iyo karti xirfadeed, si uu u fuliyo hawlgallada Batroolka ee aagga qandaraaska lagu bixiyey.

t. In uusan lahayn taariikh xun ee muujinaysa ku dhaqmid la'aan mabaadii'da wanaagsan ee qoysnimada ka dhaxaysa shirkadaha Batroolka. j. In ay tahay shirkad leh mas'uuliyad xaddidan ama dad sidaas oo kale u leh mas'uuliyad kooban.

x. In uu ku jiraa caymis caalami ah oo u qalma hawlgallada Batroolka ee ruqsadiisa ku cayiman.

3. **Keli-Lahaansho**

b. Iyada oo aan waxba loo dhimayn Qodobka 25, ama xaqa HBS u leedahay in ay bixiso Ruqsad Sahmineed, Heshiiska Wax-Soosaar Wadaaggu wuxuu siinayaa qandaraaslaha xaq kali-lahaansho si uu qabto hawlgallada Batroolka ee aagga qandaraaska lagu siiyey.

t. Heshiiska Wax-Soosaar Wadaagu waxuu ku kali ahaan karaa saliidda ceyriin, gaaska dabiiciga ah ama qaybaha kale ee Batroolku ka samaysan yahay.

j. Qandraaska bilawga ah ee goobta qandaraaska lagu bixiyey kuna salaysan Heshiis Wax- Soosaar Wadaag kama badnaan karo 5,000 km2.

4. **Ogeysiin Helitaan Batrool.**

b. Qandraaslahu wuxuu HBS ku siinayaa qoraal ogeysiin ah afar iyo labaatan (24) saac gudahood markasta oo batrool laga helo goobta uu ruqsadda u haystay.

t. Qandaraaslahu waa in uu gudbiyaa warbixinnada la xiriira helitaanka Batroolka oo HBS codsatay.

5. **Barnaamij Shaqo, Qorsho iyo Misaaniyadeed.** Heshiiska Wax-Soosaar Wadaaggu wuxuu ku waajibaad yeelayaa qandraaslaha inuu fuliyo, hawlgallada Batroolka si waafaqsan, kaña baxsanayn barnaamijka shaqo, qorshaha iyo miisaaniyadda ay oggolaatay HBS.

6. **Qodobada looga baahanyahay Heshiiska Wax-soosaar Wadaagga:** Heshiiska Wax-Soosaar Wadaaga waxaa ku jira shuruudo qeexaya arrimaha soo socda:

b. Waajib shaqo midka ugu yar oo la qaban karo inta lagu jiro mudada baaritaanka ee ku cad Heshiiska Wax-Soosaar Wadaagga.

t. Ka tanaasulid qaybo ka mid ah goobta qandaraaska lagu haysto inta marxaladda baaritaanka lagu jiro.

j. Qaab xisaabeedka royaltiga iyo qaybsiga Batroolka ka dhaxeeya qandaraaslaha iyo Dawladda Federaalka Soomaaliya;

x. Hadday ku haboon tahay, leedahayna, sifo maaliyadeed oo ka duwan royaltiga iyo qaybsiga Batroolka, oo ay ku jiraan xurmo (bonus) la xiriira saxiixa iyo wax soo saarka.

kh. Sharciyo degaan oo qeexaya sida loo ilaalinayo loona kaydinayo bii'ada.

d. Hadday ku haboon tahay, waajibaad dhigaya shidaal siinta suuqa gudaha Soomaaliya, gaar ahaan, marka ay jiraan xaalado degdeg ah.

r. Tababarada iyo shaqo siinta muwaadiniinta Soomaaliyeed.

s. Doorbididda isticmaalka qalabka iyo adeegyada laga heli karo Soomaaliya gudaheeda.

sh. Hadday ku habboon tahay, sugidda iyo hubinta xasiloonida maaliyadeed iyo heshiisyadaba.

dh. Dhaxdhaxaadin Caalami ah.

7. **Canshuuraha hoos taga Heshiiska Wax-soosaar Wadaagga:** Canshuuraha hoos yimaado Heshiiska Wax-soosaar Wadaagga waxaa lagu qeexayaa sharci gaar ah iyada oo la waafajinayo hanaanka maaliyadeed ee dalka.

8. **Tanaasul iyo Joojin**

b. Haystaha Heshiiska Wax-Sooaar Wadaaggu waa iska celin karaa heshiiska, waqtiga uu doono, isagoo qoraal wargalin ah siinaya HBS, iyadoo shardi looga dhigayo in Ruqsad Haystuhu fuliyey dhammaan waajibaadkii saarnaa.

t. Haddii Ruqsad Haystuhu aanu u hoggaansamin shuruudaha ku xiran Heshiiska Wax-Soosaar Wadaaga, HBS waxay awood u leedahay in ay qoraal wargelin ah kaga joojiso heshiiska, qandaraaslaha uu quseeyo, ka dib markay Ruqsad Haystaha siiso waqti macquul ah oo uu ku saxo xaaladda.

9. Shakhsiga ruqsadda la siiyay waa in uu xafiis ku lahaadaa Soomaaliya si uu ugu fuliyo hawlaha Batroolka, wuxuuna yeelanayaa wakiil u xilsaaran xafiiska oo leh awood buuxda oo uu ku hawlgeli karo, kuna geli karo asaga oo wakiil ka ah Shaqsiga ruqsadda la siiyay ballanqaadyo fulintoodu ay waajib tahay. Shakhsiga ruqsadda la siiyay waa in uu ka furtaa xisaab socota bangi ku yaal Soomaaliya.

Qodobka 25aad:
Ruqsadaha ka Hawlgalka Dhulka Dushiisa.

1. Awoodda Bixinta

b. HBS waxay siin kartaa qof ama koox dad ah ruqsad ku dhaqan dhuleed, oo la xariirta aag cayiman.

t. HBS ma bixin karto ruqsad ku dhaqan dhuleed oo aag ku saabsan, kaasoo ku haysta Heshiis Wax-Soosaar Wadaag ama Ruqsad Sahmineed, ilaa iyo inta la tixgelinayo dhammaan codsiyada ka yimid ruqsad haystayaasha si muujinaysa in aysan jirin faragelin xadgudub ku ah xuquuqda uu leeyahay Shaqsi kale oo ruqsad haysta.

2. Xuquuqaha la Bixiyay

b. Inta ay jirto, ruqsad ku dhaqan dhuleed oo u oggolaanaysa ruqsad haystaha inuu sameeyo mid ama ka badan arrimaha soo socda:

i. In uu dhiso, rakibo kuna shaqeeyo dhismooyin, kaabayaal iyo qalab kale.

ii. Hawlo kale qabto, sida ku cad ruqsadda goobta loo oggolaaday.

t. Ma jirto ruqsad ku dhaqan dhuleed oo oggolaanaysa in ruqsad haystuhu ceel qodi karo.

3. **Tanaasul iyo Joojin**

b. Ruqsadda ku Dhaqanka dhulku:

i. Waa ka tanaasuli karaa ruqsad haystuhu, isagoo qoraal ku wargelinaya HBS, taasoo lagu xirayo in ruqsad haystuhu fuliyo dhammaan waajibaadkii saarnaa.

ii. Way joojin kartaa HBS, waqtikastaba, iyadoo qoraal wargelin ah siinaysa ruqsad haystaha, haddii uu san buuxin shuruuduhii ku xirnaa Ruqsadda, ka dib markay ruqsad haystaha siiso waqti macquul ah oo uu ku saxo xaaladda.

t. HBS waxay u gudbinaysaa qoraal looga soo celinayo ama lagu dhamaynayo ruqsadda uu haysto qofku, kaas oo aaggiisii ka socdaan hawlo la oggolaaday in lagu fuliyo ruqsadda u oggolaanshaha dhulka korkiisa ee markaas laga hadlayo.

4. **Isku Xirka Hawgalinta**. HBS waxay tilmaan siinaysaa haystayaasha ruqsadda dhul ku dhaqanka iyo Shaqsiyaadka kale ee ruqsad haysta ee ku saabsan isku duba-ridka hawlgallada Batroolka oo ay ka wada siman yihiin.

Qodobka 26aad:
Bandhig Codsi

1. Dalabyada Ruqsadaha (Ogolaanshaha).

b. HBS waxay ku soo bandhigaysaa ogeysiis guud in loo soo qorto araaji codsi ruqsado, taasoo loo arko in ay tahay habka ugu wanaagsan oo ruqsadahaas lagu bixin karo.

t. Iyadoo aan la raacin Qodobka 26.1.b, HBS waxay door bidi kartaa in ay ruqsado ku bixiso wada hadal toos ah, iyadoo aan soo bandhigin ogeysiisyo guud, hadday ku jirto dan guud oo sidaas waajib yeelaysa, kuna fadhida tilmaanta Wasaaradda ama Dawladda.

j. Haddii ay HBS bixiso ruqsad, iyadoo aan soo bandhigin in loo soo gudbiyo dalabyo, waa in ay u gudbisaa Wasaaradda iyo Xukuumadda sababta ay sidaas u samaysay.

x. Dalabyada ama araajida waa in lagu soo gudbiyaa luqadda rasmiga ah ama luuqadda labaad ee dalka ama, hadday dhacdo in ay ku qoran tahay luqad kale, waa in ay la socotaa tarjumaad rasmi ah oo ku qoran luqadda rasmiga ah ama luuqadda labaad ee dalka, waana in lagu soo ridaa laguna soo gudbiyaa baqshad xiran.

2. Qodobada soo Bandhigga Dalabyada

b. Codsiga dalabyada la soo bandhigo waa in ay ku cadahay aagga laga hadlayo, shaqooyinka la damacsan yahay, qaabka arjiyada loo xulayo, ujuurada lala dhiibi doono arjiga, waqtiga, iyo habka araajida loo samaynayo, lagana dhigo tartan furan.

t. Haddaan codsiga dalabyada si kale u sheegin, HBS waxay dooran kartaa in aysan siin ruqsad cid kastoo soo doonata.

3. Qodobada Arjiga ku Qoran.

b. Arjiga ruqsadda waa in ay ku jirtaa soo jeedimo ku saabsan:

i. Xaqiijinta caafimaadka, nabadgelyada iyo daryeelka dadka ka shaqeeya ama kuwa ay wax ka soo gaaraan hawlgallada Batroolka.

ii. Dhawridda degaanka (Bii'ada), lagana hortago, lana yareeyo ama dib looga nadiifiyo wasakhaynta iyo dhibaatooyinka kale ee bii'ada uga imaanaya hawlgallada Batroolka.

iii. Tababaridda loo fidinayo shaqaalaha, iyadoo mudnaan gaar ah la siinayo kuwa ka shaqeeya hawlgallada Batroolka, iyo guud ahaan muwaadiniinta Soomaaliyeed.

iv. Isku taxallujinta manaafacaadsiga loo fidinayo bulshada ku dhaqan aagga ruqsadda lagu bixiyay iyo yaraynta, iyo ka hortagga saamayn kasta oo dhimaal leh oo ay hawlgallada Batroolku ku keeni karaan aagga ruqsadda.

i. Badeecooyinka iyo adeegyada loo baahan yahay, waa in laga gataa dadka degan gudaha Soomaaliya;

t. Ruqsadda la siiyey dalab keensadaha waxay ku waajibyelaysaa in uu u hoggaan samo soo jeedimada ku yaalo oo dhan sida ku cad Qodobka 26.3.b.

4. **Tixgelinta Arjiyada**. HBS ruqsad dhul ku saabsan ma bixinayso, tan iyo inta ay tixgelin ka siinayso dhammaan araajida la soo hordhigay oo jawaabta u baahan, xurmaynaysana codsiyada dalabyada loo soo wada gudbiyey.

Qodobka 27aad:
Guud ahaan Hawlgallada Batroolka

1. **la-Isticmaalka dhinac Saddexaad.** Heshiis kasta oo Wax-Soosaar Wadaag ah iyo Ruqsad ku Dhaqan dhul, waxaa shardi ah inuu ogolaado la-isticmaalka dhinac saddexaad marka loo baahdo iyadoo sababo macquul ah loo cuskanayo.
2. **Wadar iyo Keli Keli.**

b. hadii ay jiraan hal Shaqsi wax ka badan oo wada haysta hal ruqsad oo cayiman, waajibaadyada iyo qaamaha dul fuulaya Shaqsi oggolaansho ruqsadeed haysta waxay la mid yihiin kuwo saaran dhammaantood, wadar ahaan iyo keli keliba.

t. Marka laga hadlayo Heshiiska wax-Soosaar wadagga, SHBQS iyo qandaraasle kasta oo ay dawladdu leedahay, waxaa HBS ka dhaafi kartaa shuruudaha lagu soo bandhigay Qodobka 27.2.b.

3. **Waxa ka Imaanaya ku Xadgudubka Sharciyada.** Ruqsad la baxshay, waa waxba kama jiraan hor iyo horaanba, haddii lagu helay ku xadgudub sharciyada Soomaaliya, oo ay ku jiraan kuwa la xariira musuq maasuqa.

Qodobka 28aad:
Ilaalinta degaanka (Bii'ada).

1. **Waajibaadka wax ka Qabashada degaanka.** Shaqsiga ruqsadda haysta ee wada hawlgallada Batroolka waxaa laga rabaa:

b. In ay ka hortagaan wax u dhimidda Bii'ada.

t. In ay iska ilaaliyaan in khasaare loo gaysto Batroolka.

j. In ay ka hortagaan wixii dhib ah iyo khasaare oo loo gaysan karo xirmooyinka dhulka hoostiisa oo Batroolku fadhiyo.

x. In ay ka hor tagaan wasakhaynta Bii'ada iyo macno daro u isticmalka qaab dhismeedyada dhulka, ilaha iyo ceelasha biyaha nadiifta ah ku jiraan, dalagyada, xoolaha iyo nafleybadeedka.

kh. In ay ka hor tagaan inuu Batroolku ku fakado deegaanka, isagoo maraya marinno ama fogeeyayaal aan la hubin.

d. In ay la yimaadaan barnaamijyada nadiifinta deg degga ah iyo hababka loo raacayo.

r. In ay sameeyaan, waqtiyada ay ku haboon tahay, cilmibaaris deegaan oo saldhig ah inta aan la bilaabin hawlgallada Batrolka, qiimaynta iyo raadka ay deegaanka ku reebayso hawl kasta oo Batroolka la xariirta.

s. In ay isticmaalaan, habka wanaagsan ee hawlgalka ceelasha Batroolka, marka dib loo soo noolaynayo degaan, dhammaadka hawlgallada la xariira Batroolka.

sh. Inay abuuraan sanduuqa khasaaraha wasakhda si loogu nadiifiyo oo dib loogu soo nooleeyo goobta wasakhdu khasaaraha u geysatay.

2. **Xeerarka Nidaamiya degaanka.** Wasiirka waa inuu soo saaraa xeerar si cad oo buuxda u qeexaya waajibaadyada saaran shakhsiga ruqsadda haysta sida ku soo aroortay Qodobka 28.1.

3. Dacwada magdhawga ee la xiriirta khasaaraha wasakheynta waa in la horgeeyo maxkamadda awoodda u leh

Qodobka 29aad:
Soo Celin iyo Magdhaw

1. **Shuruudaha Lagu Helo Ruqsadda**. Qofna kama samayn karo hawlgal Batrool dhulka Jamhuuriyadda Soomaaliya gudihiisa, marka laga reebo ruqsad daba joogta ruqsad kale oo waafaqsan sharcigan ama xeerarkiisa.
2. **Dib u Celin.** Iyadoo aan loo eegayn wax masuuliyad dambiyadeed oo uu leeyahay shakhsiga qabta hawlo Batrool oo ka duwan habka ruqsadu ogoshahay waxaa laga doonaya:

b. In uu dib ugu soo celiyo Jamhuuriyadda Federaalka Soomaaliya lacag u dhiganta qiimaha suuqa uu ka joogo Batroolka la hormariyey, ama la soo saaray ama la dhoofiyay, iyada oo ay la socoto khidmadaha lacag bixintii u dambaysay oo heerkeeduna aan ka badnayn midka ay jidaysay Wasaaraddu.

t. In ay qiyaasto, qiimaha dhammaan dhismayaasha iyo qalabka loo isticmaalay in lagu fuliyo hawlgallada Batroolka, ama ay furfurto oo meesha ka qaado dhismayaashaas iyo qalabkaas, ama ay dhabarka u ridato bixinta kharasha ku baxaya furfuridooda iyo qaadidooda;

j. In ay nadiifiso, wasakhda ka timid hawlaha Batroolka ama ay u celiso Soomaaliya kharashka nadiifinta ku baxaya.

3. **Baaxadda Tirada.**

Qaamaha ku cad Qodobka 29.1 waxay u dabaqmaysaa si iskuduub ah; haddii kale, waxay noqonaysaa mid ay go'aamiso HBS hadba sida ay dan mooddo, iyadoo loola jeedo in Soomaaliya aysan hoos uga dhicin meeshii ay mudnaan lahayd, haddii hawlgallada Batroolka ee la guda galay loo fulin lahaa sidii la rabay, iyadoo la tixraacayo ruqsadda la bixiyey.

4. **Qaan Wadareed iyo Mid Keli Keli ah.**

Qaamaha ku cad Qodobka 29.1 oo ay wada galeen Shaqsiga hawlgallada Batroolka ku wada jira ama horay ugu wada jirey, waa qaamo loo haysto dadka ay khusayso wadar ahaan iyo keli keliba.

Qodobka 30aad:
Xaddidaadda Adeegsiga Xuquuqda

1. **Magdhow Munaasib u ah Mulkiilaha Dhulka**

b. Shaqsiga ruqsadda haysta kuma isticmaali karo, marnaba, xuquuqda la siiyey ee ku cad ruqsadda ama sharcigan hadday taabanayso:

i. Hantida guud ee ma guuraanka ah, haddii aan ogolaansho looga helin HBS.

ii. Hantida gaar ahaaneed ee ma guuraanka ah ee dalka, haddii aan ogolaansho looga helin HBS.

iii. Hantida gaar ahaaneed ee ma guuraanka ah, iyadoo aan la siin mulkiilaha magdhaw munaasib iyo macquulba ah, oo ay xaddiday HBS.

t. Mulkiilaha hantida ma guurtada ah ee ku taal goob ruqsad lagu baxshay wuu haysanayaa xuquuqdiisa isticmaalka dhulka, haddii isticmaalkaasi uusan faragelin ku sameyneynin socodsiinta hawlgallada Batroolka.

j. Ruqsadi waa xaddidi kartaa ama si la mid ah waa u kontrooli kartaa Shaqsiga ruqsadda haysta ee isticmaalaya kaabayaasha dawladda, iyo khayraadka kale ee dabiiciga ah oo ay ka mid yihiin geedaha, carrada, jayga, dhagaxa, biyaha, iwm.

x. Ruqsadi ma aha mid ridaysa waajibaadka looga raadsanayo masuuliinta xilku saaran yahay ogolaansho qoraal ah, marka laga reebo arrimaha sida gaarka ah ruqsadda loogu caddeeyey.

2. **Inaan Faragelin Lagu Samaynin Hawlaha Sharciga ah ee Badda ka Socda.** Shakhsi ruqsad haystaa uma isticmaali karo xuquuqda ku cad ruqsadda, ama sharcigan iyo xeerarkiisa, si faragalin ku ah kalluumaysiga, badmareenimada ama hawlkasta oo badda laga hayo ee sharci ah, iyadoo aan oggolaansho qoraal ah laga helin mas`uuliyiinta awoodda u leh.

3. **Magdhawga Carqaladaynta ku Saabsan.**

b. Shaqsiga ruqsadda haystaa, wuxuu mas`uul ka yahay bixinta magdhaw caadil ah oo macquul ah oo ay qeexday HBS, haddii inta ay socoto hawsha Batroolku uu:

i. Carqaladeeyo, xuquuqda Shaqsi iska leeyahay oo ku saabsan hanti maguurto ah, ama uu wax yeellayn gaysto;

ii. Ku sameeyo, si muuqata, faragalin kaluumaysiga, badmareenimada ama hawl kasta ee badda laga hayo oo sharci ah.

t. Haddii qiimaha xuquuqdu ay kordhiyaan hawlgallada Batroolka, magdhawga xuquuqdaas laga bixinayaa, waa in aanu ka badnaan qiimaha markasta la bixin lahaa haddiiba laga soo qaado in aanu qiimuhu kordhin.

4. **Magdhow ku habboon oo macquul ah.** Waxa noqon kara magdhow munaasib iyo macquulba ah, sida ku cad Qodobka 30aad, waxaa goynaya HBS, ka dib markay tixgeliso cabashooyinka dhinacyada danaynaya arrintaan.

5. **Magdhowga Carqaladeynta.** Haddii Shaqsi ruqsadda haysta uu bixin waayo magdhawga laga dalbay ayadoo la raacayo faqradda (2aad), ama uu milkiilahu ama haystahu uu ku qanci waayo qaddarka magdhawga loo soo jeediyay, milkiilaha ama haystaha wuxuu dacwo ka oogi karaa maxkamadda degaanka ee awoodda u leh go'aan ka gaarista iyo hanashada magdhawga (haddiiba uu jiro) ay u badan tahay in la bixiyo iyada oo la raacayo faqraddan, soddon (30) cisho gudahood ee ka billaabanaysa taariikhda la sameeyay dalabka magdhawga ama la soo jeediyay magdhawga.

Qodobka 31aad:

Ansixinada Hayada Batroolka Soomaliyeed

1. **Ansixinta Heshiisyada.** Heshiis wada shaqayneed, is afgrashooyinka dhoofinta iyo heshiis kasta oo la xiriira hawlgallada Batroolka, iyo sidoo kale isbedello kasta oo ku yimaada heshiisyadaas, waa in ay marka hore soo helaan ogolaanshaha HBS. Hay'adda (HBS) waa in ay ansixisaa heshiisyada noocaas oo kale ah ama isbedellada, iyada oo hubinaysa in ay la socon karaan shuruudaha ruqsadaha, sharciga iyo xeerarkiisa.

2. **Ansixinta Isbeddellada Kontroolka**

b. Dhammaan isbeddellada ku yimaada kontroolka shakhsiga ruqsadda haysta, waa in uu marka hore helaa ansixinta HBS.

t. Meesha uu ka dhaco isbedel kontrool isagoo aan marka hore haysan ansixinta HBS, hay'addu way joojinaysaa meel marinta ruqsadaas iyada ah.

j. Iyadoo la fulinayo ujeeddooyinka Qodobka 31.2.1, isbeddel Kontrol waxaa ka mid ah Shaqsi joojiyey inuu lahaado Kontroolka (ha yeesho ama yuusan yeelan kontroolka Shaqsi kale) iyo qof lahaaday kontroolkaa isaga ah (ha yeesho ama hore ha u lahaadee kontroolka qof kale).

3. **Ansixin kala wareejin.** Iyada oo aan qoraal ogolaansho laga haysanin HBS (kaasoo aan sabab la'aan la hakin karin ama la daahin karin), ama si cad ugu qeexan shuruudaha ruqsadda, ma jiri karo u xilsaarid, wareejin, gudbin, cusboonayn, iskudar, rahmid, ama macaamil kaloo la mid ah oo la xiriira ruqsadda, oo noqon karta dhaqangal ama lahaan karta raad midna. Xeerarku waa in ay qeexaan habka ay HBS u qiimaynayso ku haboonaanta oggolaanshaheeda.

Qodobka 32aad:
Heshiiska Mideynta

4. **Mideynta**

b. Haddii ama markii hara Batrool la helo oo qaarkeed ku yaal gudaha aag qandaraas lagu galay, qaar kalana ku yaal aag qandaraas kale lagu galay:

i. Hay'adda Batroolka Soomaaliyeed (HBS) waxay dalab qoraal ah ku codsan kartaa, in qandraaslayaashu la galo midba midka kale heshiis midayn ah si loo xaqiijiyo waxtarka iyo sare u qaadidda wax soosaarka Batroolka ku jira harada.

ii. Haddii aan heshiis la gaarin sided iyo toban (18) bilood gudahood, laga bilaabo, marka la helo qoraalka dalabka ah sida uu dhigayo Qodobka 32.1.b.i, HBS ayaa go'aan ka gaaraysa heshiiska midaynta.

t. Haddii ama markii kayd Batrool la helo uu qaarkiis ku yaal gudaha aag qandaraas lagu galay, qaar kalana ku yaalla aagga heshiis wax-soosaar qaybsi aan ku jirin:

i. Hay'adda Batroolka Soomaaliyeed (H.B.S) waxay codsan kartaa si qoraal ah, in qandraaslahu la galo heshiis midayn ah HBS, si loo xaqiijiyo wax tarka iyo sare u qaadidda wax-soosaarka Batroolka ku jira harada.

ii. Haddii aan heshiis la gaarin siddeed iyo toban (18) bilood gudahooda, laga bilaabo marka la helo qoraalka dalabka ah, sida ku cad Qodobka 32.1.2.1, HBS ayaa go'aan ka gaaraysa heshiiska midaynta, haddii aan si kale loogu caddayn Heshiiska Wax-Soosaar Wadaagga.

2. Heshiis Midayn. Iyadoo aan la xadidayn arrimaha la cadaynayo, heshiiska midayntu waa in uu qeexaa inta Batrool ku jirta mid walba oo ka mid ah aagagga heshiiska midayntu daboolayo, waana in uu magacaabaa hawl-fuliyaha mas'uulka ka ah soo saarista Batroolka heshiiska midayntu sheegayo.

3. U Baahnaan Ansixin. Hay'adda Batroolka Soomaaliyeed (HBS) waxay oggolaan kartaa sii wadidda horumarinta ama wax-soosaarka haro qaarkeed ka mid yahay aag qandaraas lagu bixiyay sida ku cad Qodobka 32.2, keliya marka la ansixiyo ama go'aan laga gaaro heshiiska midaynta.

4. Ansixin Isbeddello. Isbedel kasta oo lagu samaynayo heshiiska midaynta waa in uu marka hore haysto ansixinta HBS.

Qodobka 33aad:
Xallinta Khilaafaaka

1. Kaalinta HBS ee La Xariirta Khilaafaadka

b. HBS way baari kartaa go'aanna way ka gaari kartaa dhammaan khilaafyada la xariira ashakhaasta ku hawlan shaqooyinka Batroolka, ha ahaadeen kuwo:

i. Iyaga dhexdooda ah, marka heshiiskoodu uusan qeexayn habka loo xallinayo khilaafaadka.

ii. La xariira qolo saddexaad (oo aan ahayn dawladda), oo aan sidaa isla markaana ugu xirnayn, ilaa iyo inta ay qoladaas saddexaad aqbalsan yihiin xukunka HBS ee xallinta khilaafaadka.

t. **HBS** way diidi karta in ay go'aan ka gaarto khilaafaad kasta oo loo soo gudbiyo, hadday sidaas samaysana, waxay qoraal ahaan ku ogeysiinaysaa qolooyinkii khilaafaadku ka dhexeeyey.

j. **HBS**, iyadoo tixgelinaysa dhammaan xaaladaha muhiimka ah ee jira, waxay talo ku bixin kartaa tilmaan kastoo loo baahdo si go'aankeedu ugu yeesho

saamayn dacwadaha socda, sida ku cad qodabka 20aad, uuna ka mid yahay, ku amridda bixinta kharaj celin oo qolo khilaafaadka ka mid ah u celinayso qolo kastoo kale oo khilaafka iyaduna ka mid ah, hadba sidii munaasib iyo maangal noqon karta.

2. **khilaafaadka la Xariira Dib u Oggolaanshaha**

b. Haddii khilaaf dhasho, la xariira fasiraadda iyo/ama meel marinta shuruuraha ruqsadda ku qoran ee u dhexeeya qof ruqsad haysta iyo HBS, dhinacyada arrintaasi taabanayso, waa in ay isku dayaan in ay ku dhameeyaan khilaafkaas, si wada hadal ku salaysan.

t. Haddii khilaafka lagu xallin waayo, si saaxiibtinimo leh oo wada-hadal ku dhisan, labada dhinacba waxay dacwadooda u gudbin karaan dhaxdhaxaadiye caalami ah si waafaqsan xeerarka la aqoonsan yahay, oo rugtiisu tahay meel dhexdhexaad ah, ama Maxkamadda Sare, sida uu door bidayo dhinaca dacwadda soo gudbiyey.

Qodobka 34aad:
Ka-dhaafid ama Wax ka-beddelid Shuruudo

1. Hay'adda Batroolka Soomaaliyeed (HBS) waa ka dhaafi kartaa shakhsi Ruqsad haysta fulinta shuruudaha ku qoran Ruqsadiisa, waxay kaloo wax ka beddeli kartaa ama laali kartaa shuruudahaas, haddii looga maarmi waayo danta qaranka isla markaasna ay wasaaradda ogolaansho ka hesho.

2. Qodobka 34aad, kuma jirto awood ka dhaafid ama ka laalis waajibeed oo ku saabsan in la bixiyo lacag kastoo ruqsadda ka timaada.

CUTUKA 4AAD
KA QAYBGALINTA SOOMAALIYA

Qodobka 35aad:
Shirkadda Batroolka Qaranka Soomaaliyeed iyo ka Qayb Galinta Dawlad Goboleedyada

1. **Ka Qayb galinta Shirkadda iyo Dawlad Goboleedyada.** Heshiis kasta oo Wax-Soosaar Wadag ah waa in ay ku caddahay:

b. Xaqa ay SHBQS u leedahay in ay ka qayb gasho hawlaha Batroolka, ugu badnaan ka qayb gal dhan 20%.

t. Xaqa qandaraaslaha ee ka midka ah Dawlad Goboleed, taasoo ka mid ah Jamhuuriyadda Federaalka Soomaaliya oo dhulka ruqsadda lagu baxshay uu ku yaallo, si ay uga qayb gasho hawlgallada Batroolka ilaa iyo heer gaarsiisan 10% ugu badnaan marka la eego xaqa ka qaybgalka.

2. **Go'aan ka Qaybgal.** Go'aanka SHBQS ay uga qayb galayso hawlgallada Batroolka ee si cayiman ugu cad heshiis wax soo-saar wadaag ah, waxaa gaaraya Wasiirka, haddii talada ka qaybgalka ay soo jeedisay SHBQS. Go'aanka qandaraasle dawlad goboleed oo ka mid ah Jamhuuriyadda Federaalka Soomaaliya oo dhulka ruqsadda lagu baxshay uu ku yaallo, uga qaybgalayo hawlgallada Batroolka waxaa qaadanaya dawlad goboleedka uu hoos imaanayo halka dhulka ruqsadda lagu baxshay uu ku yaallo.

3. **Waqtiga ka Qaybgalka.** Xaqa ka qaybgalka ee lagu sheegay Qodobka 35.1, waxaa la hanan karaa inta lagu guda jiro marxalad kasta oo ay hawlgallada Batroolku socdaan, iyada oo la raacayo xeerarka iyo shuruudaha loo dhigay Heshiiska Wax-Soosaar Wadagga.

CUTUBKA 5AAD
FULINTA HAWLGALLADA BATROOLKA

Qodobka 36aad:
Hab-Dhaqannada Shaqo

1. **Hab-dhaqan Wanaagga Goobta Saliida.** Hawlgallada Batroolka waxaa loo qabanayaa si waafaqsan Dhaqanka Wanaagsan ee Goobta Saliida, kaasoo la waafajinayo dhaqamada iyo hababka ay isticmaalaan shirkadaha Batroolka adduunku, ayna fuliyaan hawl wadeenno taxaddar iyo xilkasnimo leh, iyaga oo dhawraya shuruudaha iyo xaaladaha la midka ah ee ay horay u soo mareen, lana xariira dhinacyada muhiimka ah hawlaha Batroolka, oo asalkeediiba loola jeeday in lagu sugo:

i. Dhawridda khayraadka Batroolka, oo loola jeedo ka faa'iidaysiga hababka iyo nidaamyada haboon, si halka ugu saraysa loo gaarsiiyo soo kabashada wax soo saarka haydrokarbooniska, si iswadis leh xag farsamo iyo xag dhaqaale, iyadoo lala beegsanayo in aanay dhicin hoos u dhac ku yimaada kaydka, lana isticmaalayo mabaa'diida wax ku oolka ah ee heerarka

wax soo-saarka iyo dhawrista degaanka, si loo yareeyo wax yeelaynta dhulka korkiisa;

ii. Falgalka nabadgalineed, oo la xariira isticmaalka hababka iyo nidaamyada horumarinaya nabadgelyada shaqada iyo ka hortagga shilalka;

iii. Dhawrista degaanka, oo waajib ka dhigaysa in la raaco hababka iyo nidaamyada yaraynaya wax u dhimidda degaanka ee ka dhalan kara hawlaha Batroolka;

2. **Xanaanaynta.** Wax-Soosaarka Batroolku wuxuu u dhici karaa:

b. Intii la kari karo oo suuragal ah, si walba, looga soo saaro Batroolka meesha uu ku jiro oo ka mid'ah kayd walba, ama kaydad isku darsan;

t. Si waafaqsan dhaqanka wanaagsan ee goobta saliidda iyo maba'diida dhaqaale ee caafimaadka leh; iyo

j. Intii la kari karo, si walba, laga fogaado khasaare ku yimaada Batroolka iyo tayada kaydka saliidda.

3. **Qiimeynta Joogtada ah.**

Qandaraaslayaashu waa in ay sameeyaan qiimeyn joogto ah ee qorshaha fog Batroolka iyo isticmaal xirfadeedka ee xal u helidda umuuraha, isla markaana waa in ay qaataan talaabooyinka loo bahanyahay, si loo gaaro arrimahaas, lana socodsiiyaan HBS isbeddel kasta oo macna leh, siduu qabo dhaqanka wanaagsan ee goobta saliidda.

Qodobka 37aad:
Dib u furfuridda Agabka Shaqo ee Batroolka
(Decommissioning)

1. **Waqtiyeynta Dib u Furfuridda.** Shaqsiga ruqsadda haystaa marka ugu dhaqsiyaha badan oo u samaynayo dib u furfuridda waa marka:

b. Uu joojinayo ruqsadda.

t. Aan looga baahnayn, mar dambe, qabashada hawlo batrool.

j. Aanay jiri karin ogolaansho qoraal ah oo laga helo HBS, waafaqsanna xaaladaha ogolaanshaha la bixiyey.

x. Aanay , si kale, ruqsaddu u sheegin

2. **Faahfaahinta Ruqsadaha iyo Xeerarka.**
Ruqsadaha waa in ay ku jirtaa qodobo ka hadlaya dib u furfuridda hawlaha Batroolka. Wasaaraddu, iyadoo raacaysa talada iyo ku talinta HBS, waxay samaynaysaa Xeerar Sharcigaan hoos yimaada oo la xariira dib u furfuriddaa hawlaha Batroolka.

3. **Sanduuqa Dhaqaalaha Furfuridda**. Shaqsiga Ruqsadda haysta waa in uu sameeyaa sanduuq dhaqaale ee furfuridda wax yar ka dib marka la oggolaado qorshaha soo saaridda iyo hawlgalka ama bixinta ruqsadda loo qaato nidaamka daabulaadda, sida ku qoran xeernidaamiyayaasha. Sanduuqa dhaqaale ee furfuridda waa in uu ahaado mid ku filan in uu daboolo kharashka furfuridda oo buuxa.

CUTUBKA 6AAD
MACLUUMAAD IYO DABAGAL

Qodobka 38aad:
Xog iyo Macluumaad

1. **Xaq-u-yeelashada ogaanshaha Macluumaadka iyo Xogta.**
Soomaaliya waxay xaq u leedahay lahaanshaha dhammaan macluumaadka iyo xogta, kuwo cusub, la soo xigtay, laga shaqeeyey, la tarjumay ama la falanqeeyey, oo la helay, lana xiriira ruqsad kasta oo la baxshay. Xilkasnimada sir xajinta haboon, waxaa loogu dhaqmayaa si la mid ah sida ku cad Qodobbada 18.2 iyo 19.9.

2. **Xog Gudbin.** Macluumaadka iyo Xogta la helo, inta lagu guda jiro hawlgallada Batroolka, waxaa si xor ah u gudbin kara Shaqsiga haysta Ruqsad, iyadoo shardi looga dhigayo in HBS ay dalabto asalka shayga, marka laga hadlayana nuxurkoodu uu yahay dhagxaan, dareerayaal ama muuqaad kaloo muuqaal leh, iyadoo Soomaaliya gudaheeda lagu haynayo qayb la isticmaali karo oo asalka shayga ah, lana xariira dhammaan macluumaadka iyo xogta oo qaab muuqaal iyo elektroonikba leh.

Qodobka 39aad:

Hanti Dhawr iyo Kormeer

1. Kormeere

b. HBS waxay u magacaabi kartaa qof in uu noqdo kormeere, marka laga hadlayo ujeeddooyinka Sharcigaan.

t. Kormeeruhu, wuxuu yeelanayaa awoodaha iyo xuquuqaha lagu siiyey Xeerarka.

2. **U Madax Banaanaanta Helista Diiwaanada iyo Xisaabaadka.** Shaqsiga Ruqsada haysta, codsi ka dib, waxuu ku soo wareejinayaa HBS diiwaanada iyo xisaabaadka lahayo si loo baaro.

Qodobka 40aad:
Dhammaadka Ruqsadda

1. Joojinta

b. Joojinta ruqsad la baxshay, sabab kasta awgeed, waa in ay noqotaa mid aan waxba u dhimayn xuquuqda iyo waajibaadka lagu caddeeyey sharcigan, xeerarka ama ruqsadda; loogana dan-leeyahay in looga samata baxo ficilka joojinta, xuquuqda iyo waajibaadka ka soo unkamaya talaabadaas iyada ah, ka hor inta aan la hirgelin in falka joojinta, iyo dhammaan qodobada ku soo arooray ruqsadda, looguna baahan yahay si caqli gal ah, oo ka dhigaysa in xuquuqda iyo waajibaadku si buuxda u noqdaan kuwo dhaqangal ah oo raali galin kara Shaqsiga , keeni karana ka gudubka wixii ku saabsan falka joojinta, intii muddo ah ee loo baahan yahay.

t. HBS waxay leedahay awoodda ay ku joojin karto ruqsadda, sida lagu caddeeyey isla ruqsadda.

2. Dad Ruqsad Wadareed Haysata

b. Haddii ay jiraan, tiro wax ka badan hal shakhsi oo ruqsad haysta, oo ku saabsan ruqsad cayiman; xaaladana dhashaan oo keenaya in HBS ay joojiso ruqsad, HBS waxay door bidaysaa in ay ruqsadda xarigga u jarto, iyadoo lagu soo koobayo oo kaliya shaqsiga ruqsadda haysta oo ficilladoodu ama gaabintoodu (markay la xariirto Shirkadaha ficilada, gaabinta ama dhacdooinkuba la soo gudboonaadeen), kuwaas oo dhaliyey xaaladaha

caynkaas oo kale, waxayna ogeysiin sidaas ah siinaysaa inta soo hartay ee Shaqsiga ruqsadda haysata.

t. Marka HBS ay joojiso ruqsadda, sida ku cad Qodobka 40.2.b, waa inay siisaa Shaqsiga ruqsadda leh ee soo haray, xaqqa mudnaantaasi ay u noqdaan kuwa ugu horeeya ee hela saamigii la joojiyey si u dhiganta saamiyada la kala leeyahay. Saami kasta oo aanay iibsan kuwa ruqsadda ku soo haray waa in uu ku soo wareegaa Jamhuuriyadda Federaalka Soomaaliya.

Qodobka 41aad:
Hufnaanta Dawladda Dhexe, Wasaaradda iyo HBS

1. **Beriyeelidda.** Shaqsi haysta ruqsada waa inuu:

b. Ka difaacaa, kana dhawraa, waxna usan ugu dhimin Dawladda, Wasaaradda iyo HBS, dacwo kasta oo ka timaada dhinac saddexaad, ha ahaato mid toos ah ama dadban, oo la xariirta hawlaha Batroolka, bixiyaanna dhammaan magdhwyada ku saabsan dacwadaha madaniga ah, ashtakooyin ismoodsiin ku dhisan ama codsiyo.

t. Ilaa iyo inta ay Wasaaraddu ku qancayso, kadib markay la tashato shakhsiga ruqsadda haysta; dembiyada la filayo ee ku cad Qodobka 41.1.1, waxaa lagu xallin karaa siyaablo kale oo ay ka mid tahay talo galin shirkad kale ama damaanad bangi ama warqadda ballanqaad ee caddaynaysa dhabar u ridashada deynka iyo caymis galin la xiriira baaxadda daymanka, kuna dhisan xisaabtan xoog leh, hadba sida Wasaaradda u rabto, waqti ka waqti.

CUTUBKA 7AAD
MACLUUMAAD SHAACSAN

Qodobka 42aad:
Faafinta Hay'adda Batroolka Soomaliya (HBS)

1. **Faafin.** HBS waxay ku shaacinaysaa faafinta rasmiga ah;

b. Wargelinta ku saabsan bixinta ruqsadaha, iyo shuruudaha kooban ee ruqsadaha caynkaas oo kale ah.

t. Soo bandhigid dalbashada codsiyada ka qaybgalka ruqsadaha sida ku qoran Qodobka 26.1.1.

j. Wargelin la xariirta sida loo joojinayo Ruqsadaha.

2. **Faafinta Dalabka Codsiyada**. HBS waa inay soo bandhigtaa dalabyada codsiyada, kuwaasoo loogu soo gudbinayo araajiyo ruqsado weydiin ah, sida ku cad Qodobka 26.1.1, kadib marka la faafiyo, si waafaqsan xeerarka.

Qodobka 43aad:
Xog Shaacsan

1. **Ka Qaybgalka Dadwaynaha**

b. HBS waa in ay la wadaagtaa dadweynaha:

i. Shuruudaha muhiimka ah ee la soo koobay, lana xiriira, dhammaan ruqsadaha iyo isbeddellada ku saabsan ee la soo bandhigay, haddii ay yihiin kuwo la joojiyey ama haddii kalaba.

ii. Faahfaahinta canshuur dhaafyada la sameeyey, ama bedellada iyo hakinnada ee la xiriira shuruudaha ruqsadda ee ku cad Qodobka 34; iyo

iii. Nuqullada dhammaan heshiisyada Midaynta.

t. HBS waa in ay dadweynaha la wadaagtaa, in ku siman waqti macquul ah gudihiisa, faah-faahin kooban, haddii la weydiisto arrintaas, oo ah:

i. Qorshaha Horumarineed ee la ansixiyey; iyo

ii. Dhammaan shaqooyinka iyo macaamilada kale oo la ogolaaday ee la xariira ruqsadaha, iyada oo loo tixgelinayo in is-aamininaada kala ganacsigu uu yahay mid ku dhisan shuruudaha ganacsiga.

2. Soo Bandhigidda Sababaha.

Toban casho, oo maalmo shaqo ah gudahood, oo la xiriira codsi la sameeyey, HBS waa in ay soo bandhigta, si kooban, sababaha ay:

b. U bixisay ruqsad, ka dib, marka ay shaacisay dalabyo la xiriira codsi, sida ay sheegayso Qodobka 26.1.1.

t. U bixisay ruqsad, iyadoo aan la shaacin dalabyo la xiriira codsi, sida ku qoran Qodobka 26.1.2.

j. U ansixisay qorshaha horumarineed ee hoos imaanaya Heshiiska Wax-Soosaar Wadaagga.

x. U bixisay canshuur dhaafka, ama u ogolaatay beddelaad iyo hakin ku saabsan shuruudaha Ruqsadda ee ku cad Qodobka 34.

Kh. U gaartay go'aan kasta ama ay u bixisay ogolaansho u baahan faafin, iyada oo la xurmaynayo Ruqsadda.

3. **U Hoggaansanaanta Warbixinada.**

b. Shirkaduhu waa in ay warbixin ka keenaan sida ay ugu hoggaansan yihiin shuruudaha la xiriira sharciga iyo ruqsadaha, si waafaqsan habka iyo faah-faahinada looga baahan yahay ruqsaddooda, sida lagu caddeeyey xeerarka.

t. HBS waa in ay u soo bandhigtaa dadweynaha warbixinadaas,marka laga reebo qayb kasta oo ka mid ah warbixinta oo shakhsiga ruqsada haysta uu codsaday in sir ahaan loogu xajiyo, taasoo hay'addu u aqoonsatay in ay ka mid tahay sir wax kala iibsiga.

4. **Ogaanshaha Dadwaynaha ee Xogta Lacagaha la Baxshay**. HBS waa in ay dadwaynaha soo hor dhigtaa warbixinada lacagaha laga helay Shaqsiyada ruqsadaha haysta, oo ku saabsan lacagaha la xiriira hawlaha Batroolka oo ay siiyeen Dawladda Soomaaliyeed
5. **Khidmada ka Qaybgalka.** macluumaadka ku xusan qodobka 43, way u furan yihiin ogaalkooda qof kasta, marka laga hadlayo, bixinta khidmadaha halkaas ku cad, sida uu qorayo xeerka.
6. **Luqadda.** macluumaadka ku qoran Qodobka 43.1.2, waa in ay ku soo baxdaa ugu yaraan hal luqo oo rasmi ah ama luqadda labaad ee dalka.

Qodobka 44aad:
Daah Furnaan

1. **Mabaadi'da daah furnaanta.** Mabaadi`ida soosocota, Waxaa lagu dhaqayaa hawlaha Batroolka, iyada oo loo marayo sharcigaan, iyo xeerarka la soo saarayee lagu fulinayo sharcigaan, iyo qawaaninta, tilmaamaha, go'aamada iyo amarrada loo dejiyey in sharcigaan lagu dabagalo:

b. Waxaa jiraya faafin joogta ah oo lagu sameeyo dhammaan lacagaha la xiriira Batroolka oo ay Shaqsi ruqsad haysta siiyaan Dawladda iyo dhammaan dakhliga maadiga ee Dawladda uga soo xarooda Shaqsiga ruqsadda haysta. Faafinnadaan waa in lagu soo bandhigaa kulammo ballaaran, ka qaybgalkoodu dhan walba u furan yahay, loona qabto si macquul ah.

Qodobka 46aad:
Tilmaamo

Ka sokow awoodda ay u leedahay bixinta tilmaamaha ee ku qeexan Qodobbada 25.4 iyo 33.1.3, HBS, waxaa kaloo ay tilmaamo siin kartaa Shaqsi ruqsad haysta, taas oo la xiriirta:

b. Arrin kasta, sida lagu cadeeyay Qodobka 45.1.

t. Arrimo si kale waajib uga dhigaya, u hoggaansanaanta sharicigaan, xeerarkiisa ama ruqsadda.

CUTUBKA 9AAD
QODOBBADA CIQAABTA

Qodobka 47aad:
Baaxadda Xududeed iyo Maaddo ee Cutubkan.

Qodobada cutubkan, waa kuwo aan waxba u dhimaynin, mas`uuliyadda ciqaabeed iyo midda madani ee ka dhalan karta sharciga guud ee dalka.

Qodobka 48aad:
Dembiyada iyo Ciqaabaha.

Dambiyada ka dhasha hawl gallada aan ruqsadaysnayn, khatarta ku imaan karta dadka, hantida iyo bii'ada, is hortaagga ku dhaqanka awoodaha kormeeraha, marin habaabinta, u-hogaansamid la'aanta xeerarka ama tilmaamaha, ciqaabaha iyo ganaaxyada ka dhalanaya waxay Wasaaraddu ku soo saaraysaa xeer gaar ah.

Qodobka 49aad:
Mas`uuliyadda dadka , Shirkadaha iyo
Hay'adaha Kale ee Qaanuuniga ah.

1. **Mas`uuliyadda Hay'adaha iyo wakiiladooda.** Shaqsiyaadka qaanuuniga ah, shirkadaha ama hay'adaha kale ee sharciga ah, oo ay ku jiraan kuwa aan shakhsiyad sharciyeed lahayn, waxaa lagu soo oogi karaa ciqaab ku wajahan xadgudubyada lagu sheegay cutubkan, markay xadgudubyadaas galaan waaxyo ama wakiillo ka tirsan, iyagoo isticmaalaya magaca ay xambaarsan yihiin iyo danaha wada jirka ah ee ka dhexeeya.

2. **Difaaca ku salaysan habraaca saxan:** Mas`uuliyad dembiyeed way ka wareegaysaa shirkadda, haddii Qofka dambiga galay uu u dhaqmo, si bareer ah, ee waafaqsan, kuna beegan amarada iyo tilmaamaha sida hagaagsan loo baxshay.

3. **Mas`uuliyadda Wakiilka.** Mas`uuliyadda hay'adaha ee lagu sheegay Qodobka 49.1, kama baxsana masuuliyada shakhsiyadeed ay kala leeyihiin wakiilada.

4. **Masuuliyad wadareed iyo midda keli'keliga ah.** Hay'adaha lagu sheegay Qodobka 49.1, waxay si wadajir ah ama kala gooni ah masuul uga yihiin, sida lagu sheegay sharciga madaniga ah, bixinta ganaax kasta ama magdhaw, ama fulinta waajibaadyada ka dhashay dhacdooyinka ama ka yimid arrimaha ujeeddada sharcigani ka hadlayo.

Qodobka 50aad:
Ganaaxyada Shaqsiyaadka, Shirkadaha iyo Hay'adaha kale ee Qaanuuniga.

1. **Ganaaxyada.** Marka laga hadlayo, xaaladaha Shaqsiyaadka sharciyeysan, shirkadaha ama hay'adaha kaloo qaanuuniga ah, oo ay ku jiraan kuwa aan haysan shakhsiyad sharciyeed, heerka ganaaxu wuxuu noqonayaa hadba sida ay maxkamaddu goyso, iyadoo la tixgelinayo xaaladda dhaqaale iyo maaliyadeed ee shakhsiga sharciyeysan, shirkadda ama hay'adaha kale ee qaanuuniga ah, lana eegayo culayska iyo waxa ka imaan kara fal dembiyeedka.

2. **Wax ku Lahaanshaha Raasumaalka.** Haddii ganaaxa lagu fuliyo hay'ad aan la hayn shakhsiyad sharciyeed, bixinta ganaaxaas waxaa dusha laga saarayaa raasumaalka Hay'adaasi; haddayse, aanu jirin raasumaalkaasi ama uu ka hooseeyo heerka koboca loo baahan yahay, waxay bixintu dushiisa tahay, wadar ahaan ama kali kali, rasumaalka mid kasta oo shirkadda ka mid ah.

Qodobka 51aad:
Kormeeridda

HBS iyo kormeeraha, sidoo kale, waaxyada ka midka ah maamulka guud oo loo wakiishay hawlaha kormeerka, sida ku cad sharciga iyo xeerarkiisa, waxay mas`uul ka yihiin in ay sugaan, sidii kormeerku ugu dhici lahaa, si waafaqsan qodobada sharcigan ama xeerarkiisa.

Qodobka 52aad:

Warqad Fulin Xukun oo ka Baxsan Hannaanka Garsoorka.

Iyada oo looga dan leeyahay soo uruurinta qasabka ah, sida sharciga guud sheegayo, caddayn ay soosaartay HBS oo la xariirta dayn jirta, ama lacag bixinteeda la joogo, taasoo ka dhalatay dhaqan galinta qodobada sharcigan ama xeerarkiisa, oo aan la bixin waqtigii ku haboonaa oo ay HBS horay u cayintay, caddayntaas oo qoraal ah aan loo ogeysiinayo shakhsiga deynta qaba, waxay noqonaysaa warqad fulin xukun ah, oo ka baxsan hannaanka garsoorka.

Qodobka 53aad:

Sharciyada Is Kaabaya

1. **Ciqaabaha iyo Sharciyada kale.** Sharciga guud ee ciqaabaha, iyo wixii la mid ah ee ku saabsan sharciyada maamulka iyo madaniga ee muhiimka ah ee Soomaaliya, waakuwo loo fulin karo qaab is dhamaystiraya, iyada oo la samaynayo iswaafajinta loo baahan yahay, si loo dabbaqo qodobada cutubkan ku xusan.

2. **Diidmo Iska horimaad.** Marka ay dhacdo in qodobada sharciyada kale Soomaaliya ay ka horyimaadaan qodobada sharcigaan ama xeerarkiisa, kuwaasi waxay noqonayaan kuwa aan waxba ka jirin, markay timaado ku dhaqankooda hawlgallada Batroolka.

CUTUBKA 10AAD
QODOBBADA GUNAANADKA AH IYO
KUWA KU-MEEL-GAARKA AH

Qodobka 54aad:

Qodobka Kala guurka ah

1. **Ruqsadihii Hore.** Wasaaraddu waxay soo saaraysaa Xeerar caddaynaya hab maamulka ay raacayaan, iyo sidoo kale waajibaadyada laga rabo, Shirkadaha ka mid ahaa ama ku jira hawlgallada Batroolka ee la xiriira qandaraasyadii hore oo muujinaya xuquuq ay bixisay Jamhuuriyaddii Dimoqraadiga ee Soomaaliya, 30kii Disember, 1990, ama ka hor, kuwaas oo loola jeedo bixinnadii hore. Xeerarkaas waa in ay ku jiraan qodobada soo socda:

b. Qandaraasle hore, wuxuu xaq u leeyahay inuu u rogo heshiiskiisii hore qaab ruqsadeedka ugu dhaw ruqsaddiisii hore. Heshiiskii hore
oo lahaa qaab ku dhaqan kaliya (Concession) oo siinayey qandaraaslihii hore inuu kaligii qabto hawlaha Batroolka waxaa loogu badalayaa heshiis leh qaab Wax-Soosaar Wadaag (PSA).

i. Qandaraasle hore oo raba inuu beddalo heshiiskiisii hore waa inuu siiyaa Wasaaradda:

- Nuqul dhab ah oo sheegaya wixii uu ka qabtay heshiiskii hore.

- Caddayn lagu qanci karo oo muujinaysa in arrinku dhacay 30kii, Disember 1990, ama ka hor sheegaysana inuu si buuxda u fuliyay waajibaadyadii ku qeexnaa bixinnaddii hore.

- Nuqulka diiwaanka hawlgalka, si waafaqsan heshiiskii hore, oo ay ku jirto ka tegista qayb uun ka mid ah goobtii heshiiska ee ruqsaddii hore.

Nuqul la xiriira dhammaan macluumaadkii iyo wararkii ku caddaa heshiiskii hore ee loo baahnaa in loo soo gudbiyo Dawladda.

- Caddaynta dhinacyada wali ku jira heshiiskii hore, iyo sida ay dhinacyadaasi u hanteen dantoodii la xiriirtay heshiiskii hore, oo ay ka dhaxleen qolooyinkii assal ahaan u haystay ruqsaddii hore.

ii. Inuu Ogolaado in waajibaadka dib u furfurista ku cad Ruqsadda cusub, ay ka mid noqotaa furfuridda shaqooyinkiisii uu horay u qabtay, iyadoo la raacayo heshiiskii hore.

iii. Ogolaado shuruudaha Ruqsadda cusub ee dhexmarta qandaraaslihii hore iyo Wasaaradda, waqti, ama ka hor, taariikh ay Wasaaraddu cayintay, kaasoo aan ka dambaynaynin taariikhda lagu sheegay Qodobka 54.2.

t. Ruqsad hoos timaada Qodobka 54.1.b.iii waa in ay la socotaa mabaadi'da Sharcigaan, Xeerarkiisa iyo qaabka Qandaraaska ay faafisay Hay'adda (HBS), lana xariirta Qodobka 19.20.kh.

2. **Dadaalka Wada Xiriirka**. Wasaaraddu waa in ay samaysaa dadaalo macquul ah si ay ula xiriirto Shaqsi kasta oo horay Qandaraas u haysatay, si ay ugu suurtagasho in ay ogaato kuwa ay yihiin, talana uga siiso xuquuqdooda ku cad Qodobka 54.1.

Ref, OPM.0.27/04/18 Date: 05/06/2018

HESHIISKA LAHAANSHAHA, MAAMULKA IYO WADAAGA DAKHLIGA KHEYRAADKA DABIICIGA AH EE DALKA (SHIDAALKA IYO MACDANTA)

Hordhac - Mabaadiidda Asaasiga ah

Dowladda Federaalka iyo Dowladaha Xubnta ka ah iyo Maamulka Gobolka Banaadir ayagoo:

1. **Kaqiijinaayo** in si isu dheelitiran oo cadaalad ah shacabka **loo gaarsiiyo** adeegyada lagama maarmaanka u ah horumarka Dalka.
2. **Garwaaqsan** muhiimada in Dakhliga khayraadka Dabiiciga ah ee dalka ka soo kareeda loogu adeegi doono shacabka Soomaaliyeed iyadoo la tix galinayo baahida qaranka iyo baahiyaha kala duwan ee ka jira gobolada laga soo saarayo khayraadkaas iyo gobolada ma soo saarayaasha ah intaba.
3. **Aaminsan in Wadaagida** khayraadka dalka **lagu saleeyo** baahiyaha dalka ee mustaqbalka, kuwa jilasha soo socda, difaaca dalka iyo midnimada qaranka, tix gaar gaar ahaaneedna la siiyo dhibaatada ugu badan ama bay'ada ee soo saaridda khayraadku ay keeni karaan.
4. **Tixgelinaaya** baahida weyn ee loo qabo ilaalinta, maareeynta iyo in si caddaalad ah looga faaideysto kheyraadka shidaalka iyo macdanta.
5. **Aqoonson** muhiimadda ay **leedahay** in Dowladda Federaalka iyo dowladaha xubnaha ka ah Dowladda Federaalku iyo kuwa kamid noqon doona ay heshiis **ka gaaraan** lahaanshaha, maamulka iyo wadaagidda dakhliga **shidaalka** iyo macdanta.
6. **Tixgelinaaya** baahida loo qabo in lihii dhaqaalaha dalka dib loo soo noqeeyo si ay dowladda ugu suurta-gasho in ay ku fillaato bixinta kharashyada sugidda amniga iyo dib-u-dhiska waddanka oo ay ugu muhiimsan yahiin dowladaha xubnaha ka ah Dowladda Federaalka iyo kuwa kamid noqon doona.
7. **Garowsaday** baahida loo qabo in si caddaalad ah oo daahfuran loo maamulo dakhliga Shidaalka iyo Macdanta.
8. **Arkay qodobbada** 44aad iyo 54aad ee Dastuurka Ku-meel Gaarka ah oo qeexaaya in Dowlada Federaalka iyo Dowladaha xubinta ka ah kawada xaajoodaan awood qaybsiga iyo lahaanshaha, Maamulka iyo wadaagidda dakhliga kheyraadka dhabiiciga ah ee Dalka.
9. Tixgelinnaya danta guud ee dalka iyo dadka Ayaan waxaan ku heshiinay qodobada soo socda:

Qodobka 1^na Lahaanshaha Khayraadka Dabiiciga (Ownership)

1.1 Kheyraadka macdanta iyo shidaalka ee ku jira dalka, bad iyo bariba, waxaa iska leh shacabka Soomaaliyeed; waxaana wakiil uga ah Dawladda Federaalka iyo dawladaha xubnaha ka ah iyo kuwa ka mid noqon doona.

Qodobka 2^na Maamulka Khayraadka (Management)

1.2 Maamulka khayraadka shidaalka iyo macdanta waxaa si wada jir ah u maamulaya Dowlada Federaalka iyo dowladdaha xubinta ka mid ah ama kamid noqon doona waxaana la dhisi doonaa hay'addo oo ka shaqayn doona amnimaha shidaalka iyo macdanta oo ay kamid yihiin

1.2.1 **Golaha Khayraadka Dalka:** Golaha Khayraadka Dalka waa golaha ugu sarreeya ee lagu lafa guro arrimaha khayraadka ee u baahan in laga heshiiyo, loolanka noqdo wixii lagu xallin waayo golayaasha maamul ee kale, wuxuuna ka koobanyahay madaxda fulinta ee heer federal iyo heer dowlad goboleed.

1.2.2 **Wasaarada Betroolka iyo Macdanta ee Federaalka:** Diyaarinta Hindise Sharciyeedyada, dejinta siyaasadda, qorshaynta iyo saxiixidda shatiyada ee la xiriira arrimaha macdanta iyo shidaalka ee heer federal waxaa ka masuul ah Wasaaradda Batroolka iyo Macdanta iyadoo wada tashi kala sarreynaysa Hay'adaha Shidaalka ee dowlad Goboleedyada.

1.2.3 **Wasaaradaha/Hay'adaha Kheyraadka Betroolka & Macdanta ee Dowlad Goboleedyada:** Diyaarinta Hindise Sharciyeedyada, Siyaasadaha iyo Qorsheynta la xiriirta arrimaha Betroolka iyo Macdanta ee heerkooda si waafaqsan Shuruucda iyo Siyaasada guud ee Dalka.

1.2.4 **Hay'adda Batroolka Soomaaliya-HBS (Somali Petroleum Authority SPA):** Hay'adda Batroolka Soomaaliyeed waa mid loo dhanyahay oo lagu dhisi doono Sharci gooni ah waxayna ka shaqeyn doontaa, Wada hadallada heshiisyada, iyo Diyaarinta shatiyada (Licensing), kormeerka, hubinta iyo hirgalinta Sharciyada Batroolka. Maamulka Hay'ada wuxuu ka koobnaanayaa Labo xubnood oo matalaaya Dawladda Federaalka iyo min hal xubin oo matalaya Dawladaha Xubinta ka ah iyo kuwa ka mid noqon doona. Xubnaha Hay'adda ka midka ah waxa ay noqon doonaan xubno aqoon, xirfad, karti iyo hufnaan lagu soo xulay.

1.2.5 **Shirkadda Shidaalka Soomaaliyeed (Somali National Oil Company-SONOC):** Waxaa la asaasi doonaa shirkad ganacsi oo ay wada yeelanayaan Dawladda Federaalka iyo Dawladaha Xubnaha ka ah ama ka mid noqon doona taas oo ye elanayso xirmooyinka (blocks) shidaalka dalka iyagoo kaligood ah ama lawadagaya shirkadaha caalamiga ah mas'uulna ka ah sahaminta (Upper Stream). Dhismaha kaaba yaasha shidaalka, sifeynta (Mid-Stream) iyo suuq geeynta wax soo saarka shidaalka. Maamulka shirkada wuxuu ka koobnaanayaa labo xubnood oo matalaaya Dawladda Federaalka iyo min hal xubin oo matalaya dawladaha xubinta ka ah iyo kuwa ka mid noqon doona. Rasmaalka iyo wadaaga Saamiyada shirkadda waxaa lagu faahfahin doonaa sharci gaar ah.

1.2.6 **Shirkadaha Shidaalka Dowlad Goboleedyada-SSDG (State Oil Companies-SOC)** Sidoo kale Dowlad Goboleedyaddu waxay yeelanayaan shirkado ganacsi oo ka shaqeeya danahooda ganacsi ee arrimaha Shidaalka waxeyna Dowlad Goboleedyada u matalaan saamiga ay ku leeyihiin Shirkada Shidaalka Somaaliyeed, shaqadeeduna waxay noqonaysaa dhismidda iyo maamulidda kaabayaasha shidaalka ee heer dowlad goboleed (Down Stream) iyo suuq geynta cadaska shidaalka ee wadanka gudahiisa lagu isticmaalayo ama isaga oo sifeysan dibadda loo ka-gaymayo.

Qodobka 3aad Waddaaga Dakhliga (Revenue Sharing)

1.3 Dakhliga ka soo xarooddo macdanta iyo shidaalka waa wadaag (sharing) waxaana si isu dheeli tiran loogu qaybinayaa Dowlada Federaalka iyo Dowladaha xubinta ka ah ama ka noqon doona

Qodobka 4aad Maamulka Maaliyadeed ee Dhakhliga Shidaalka iyo Macdanta

1.4 Keydinta iyo maamulida dakhliga kaso xarooda kheyraadka shidaalka iyo macdanta waxa lagu keeydin doonaa Xisaab (Account) gaar ah oo laga furi doono bangiga dhexe ee Soomaaliya. Waxaa xisaabta lacag loogu saari kara go'aanka golaha kheyraadka dalka iyadoo la raacayo hanaanka maaneulka maaliyadeed ee Dalka

Saxiixa Heshiiska

Dawladda Federaalka Soomaaliya:

Mudane Xasan Cali Khayre
Ra'isal Wasaaraha JFS

Madaxda Dawladaha Xubnaha ka ah Dawladda Federaalka ah iyo Gobolka Benaadir

Mudane Cabdiwali Maxamed Cali Gaas
Madaxwaynaha Puntland

Mudane Axmed Maxamed Islaam
Madaxwaynaha Jubbaland

Mudane Sharif Xasan Sheekh Adan
Madaxwaynaha Koonfur Galbeed

Mudane Axmed Ducaale Geelle
Madaxwaynaha Galmudug

Mudane Maxamed Cabdi Waare
Madaxwaynaha Hirshabeelle

Mudane Cabdiraxmaan Cumar Cusmaan
Guddoomiyaha Gobolka Benaadir

Taariikh 05 June 2018.

----------Dhamaad----------

Qodobka 6[and] Lifaaq

1. Shaxda Wadaaga Dakhliga Shidaalka

Faahfaahin	DFS	DXF (Soo-saaraha)	Degmada soo-saaraha)	DXF (ma soo-saarayaasha)	Faalo
Investment Fund					Wasaaradaha Maliyada ee FGC/FMS aya go'an ka gaaraya
Offshore	55%	25%	10%	10%	
Onshore	30%	30%	20%	20%	
Royalty	40%	40%	10%	10%	
Signing Bonus	40%	60%			
Surface Rent	30%	50%	20%		
License fee	50%	50%			
Production Bonus	30%	50%	10%	10%	
Corporate Income Tax	100%				
Export Tax	60%	40%			
Capital gains	50%	30%	20%		
Seismic Data	50%	50%			
Capacity Building	50%	50%			
Local Community development	%	30%	70%		

2. Shaxda Wadaaga Dakhliga Macdanta

MACDAMAYSIGA					
Faahfaahin	DFS	DXF (Soo-saaraha)	Degmada soo-saaraha)	DXF (ma soo-saarayaasha)	Faalo
Investment Fund					Wasaaradaha Maliyada ee FGC/FMS aya go'an ka gaarsya
Corporate income tax	100%				
Capital gains tax	65%	35%			
Mineral royalty	30%	40%	30%		
Surface rental	20%	50%	30%		
Licensing fees	50%	25%	25%		
Community development	10%	30%	60%		
Training	50%	50%			
Net profit	50%	50%			

SHARCI LR. 20 Taariikh: 05/02/2020

ANSIXINTA WAX KA BEDELKA SHARCIGA IIBKA QARANKA

MADAXWAYNAHA J.F.S

MARKUU ARKAY: Qodobka 87aad, Faqradda 1aad, iyo Faqradda 2aad ee Dastuurka KMG

MARKUU ARKAY: Qodobka 90aad, Xarafka "F" ee Dastuurka KMG

MARKUU ARKAY: Warqadda Guddoomiyaha Golaha Shacabka Lr. GSH253/12/01/B-10/20 Taariikh 16/01/2020 kuna saabsan ansixinta Sharciga Wax ka bedelka Sharciga iibka Qaranka

MARKUU TIXGELIYAY: Baahida loo qabo in la ansixiyo lana meel-mariyo sharcigan

Waxa uu Madaxweynuhu soo saaray Sharcigan:

Qodobka 1aad

Laga billaabo marka uu Madaxweynuhu saxiixo Sharcigan, waxa si rasmi ah loo oggolaaday Sharciga Iibka Qaranka.

Qodobka 2aad

Marka uu Madaxweynaha JFS saxiixo Sharcigan, waxa lagu soo daabici doonaa Faafinta Rasmiga ee Jamhuuriyadda Federaalka Soomaaliya.

MUQDISHO: 05/02/2020

JAMHUURIYADDA FEDERAALKA SOOMAALIYA
XAFIISKA HANTIDHAWRKA GUUD
WAA LA DIIWAAN GELIYEY
DIIWAAN NO: HHN/045/2020
TAARIIKH 24/03/2020
SAXIIXA HANTIDHAWRKA GUUD

Madaxweynaha J.F.S
Maxamed Cabdullaahi Maxamed (Farmaajo)

JAMHUURIYADDA FEDERAALKA SOOMAALIYA

SHARCIGA WAX-KA-BEDDELKA
SHARCIGA IIBKA & QANDARAASYADA QARANKA

Sharci Lr. _____ ee _____

WAX-KA-BEDDELKA SHARCIGA IIBKA & QANDARAASYADA QARANKA

QOD.1AAD
Magaca Sharciga

1. Magaca Sharciga Iibka & Qandaraasyada Qaranka ee **2016** waxaa loo beddelay "Sharciga Iibka ee Qaranka"

QOD.2AAD
Qeexitaannada

2. Qod.3aad ee ku saabsan Qeexid, Faqradda 1aad waxay u qormaysaa sidan: (**Sarkaalka Idman**: waxaa loola jeedaa qofka loo magacaabo Sarkaalka Madaxa Hay'adda Dowladeed ee fulineysa iibka iyo qandaraasyada.)

QOD 3AAD
Kordhin Qodob Cusub

1. Sharciga Iibka & Qandaraasyada Iibka ee **2016** waxaa lagu kordhiyay qodob cusub oo u qoran sidan:

Qod.3aad Bis
Sarkaalka Idman ee Ururada Dowliga & Shirkadaha ay Dowladdu Leedahay

1. Hay'ad kasta iyo mashruuc ama wakaalad kasta oo dowladeed waxaa loo magacaabayaa Sarkaal Idman kaas oo caadiyan ah sarkaalka mas'uulka ka ah hay'adda ama mashruuca. Sarkaal Idman waxaa ka mid ah;

   b) Agaasimaha Guud ee Xafiiska Madaxwaynaha Dawladda Federaalka ee Soomaaliya;

   t) Agaasimaha guud ee Xafiiska Raysulwasaaraha Dawladda Federaalka ah ee Soomaaliya;

j) Labada Xoghaye Guud ee Labada Aqal ee Baarlamaanka Federaalka;

x) Agaasimaaha Guud ee Maxkamadda Sare;

kh) Hanti-dhowraha Guud ee Xafiiska Federaalka Hanti-dhowraha Guud ee madaxa-bannaan;

d) Agaasimaha Maamulka iibka Dawladda Federaalka;

r) Agaasimaha Guud ee masuulka ka ah Maaliyadda ee Wasaaradda Federaalka;

s) Agaasimaha Guud ee masuulka ka ah Maaliyadda Komishinka Qaranka;

sh) Agaasimaha Guud ee masuulka ka ah Maaliyadda hay'ad dawli ah ama shirkad dowladdu leedahay ee uu ansixiyay wasiirka ay qusayso.

2. Sarkaalka idman ee Wasaaradda Federaalka ah wuxuu gudanayaa waajibaadkiisa asagoo raacaya jiheynta guud ee Wasiirka Federaalka ah ee Wasaaradda Federaalka ah, laakiin Wasiirka Federaalka lama wareegi karo awoodda Sarkaalka idman. Haddii Sarkaalka idman iyo Wasiirka Fedraalka isku waafaqi waayaan fasiraadda sharicigan, Sarkaalka idmani wuxuu jiheyn weydiisanayaa Wasaaradda.

QOD 4^AAD

Wax-Ka-Beddelka Qod.27 Faqradda 3^aad

1. Qod.27^aad Faqradda 3^aad kuna saabsan Qorshaha Qandaraaska Iibka waxaa loo beddelay sidan: (Guddiga Qandaraaska Iibka wuxuu ogolaanaya qorshaha qandaraaska iibka wuxuuna si joogta ah dusha kala soconayaa hawsha fulinteeda.

   (i) Marka iibka gaarka ah ee ku xusan qorshaha iibka uu dhaafo qiimihii la jaangooyay ee ku xusnaa Xeer nidaamiyaha, qorshaha iibka waa inuu ansixinayo Guddiga Iibka Hay'adda.

   (ii) Marka xaaladdan oo kale ay jirto, Wasiirku wuxuu xeer-nidaamiye ku caddayn karaa shuruudaha korjoogteynta dheeraadka ee ku habboon hababka iibka gaarka ah ee ka saramara qiimiha la jaangooyay.

   (iii) Shuruudaha caynkaasi ah waxaa ku jira indho-indhayn, ama dib u eegidda qoraallada iyo hababka tartanka ee Guddiga Qandaraasyada.)

QOD 5^AAD
Wax-Ka-Beddelka Qod.29^aad Faqradda 4^aad

1. Qod 29^aad Faqradda 4^aad ku saabsan Sixitaanka Qiimaha waxaa loo qoray sidan: (Kala duwanaansha kasta oo qiima ee ka badan boqolkiiba inta lagu xusay xeernidaamiyayaasha ee qiimaha heshiiska asalka waxey hoos imanaysaa si loo ansixiyo Guddiga Qandaraaska Iibka ay khuseyso.)

QOD 6^AAD
Wax-Ka-Beddelka Qod.30^aad

1. Qod 30^aad ee ku saabsan Ansixinta iyo Wax ka bedelka Heshiisyada waxaa loo qoray sidan:

Qod 30^aad
Ansixinta iyo Wax ka bedelka Heshiisyada

1. Ansixinta abaalmarinta heshiis la soo-jeediyay waxay noqon doonaan si waafaqsan Xeernidaamiyaha.
   (i) Xeer Nidaamiyayaashu waxa ay u jaangoyn karaan qaddar ama xaddi lacageed marka Madaxa Waaxda iibka, Guddiga iibka, ama cid kale oo uu wasiirku u xilsaaray ay ansixinasyo qandaraasyada lagu guulaystay.
   (ii) Si loo gaaro ujeedkaas, Wasiirku wuxuu kaloo hir galin karaa guddi qandaraas, waxaana lagu qeexi doonaa Xeer nidaamiye.
2. Wax ka baddalka qandaraaska sare u qaadaya qiimihii hore, waa in ay ogolaato Hay'adda Iibka ay ogolaadaan (approved) ka hor intaan la saxiixin, markay jiraan xaaladahan:
   (a) Marka hay'adda looga baahanyahay ansixnta qiimaha qandaraaska la beddelay, iyadoo la eegayo xaddiga qiimaha la jaangooyey ee qodobka 30aad faqradiisa 1aad ay ka duwanaato hay'addii ansixisay qandaraasyadii horey loogu soo guulaystay; ama
   (b) Marka kororka qiimaha qandaraasku uu ka badanyahay midkii xaddiga boqollayda ee lagu caddeeyay xeer nidaamiyaha.
3. Wasaaraddu waxay xeer nidaamiye ku caddayn kartaa duruufaha keenaya in wax ka baddal lagu sameeyo qandaraaska oo kordhin kara qiimiha, in ka badan boqoleeyda lagu caddeeyay xeer nidaamiyaha oo keeni karto ogolaansho.

QOD 7AAD
Wax-Ka-Beddelka Qod.31aad

1. Qod.31aad Faqradda 9aad ee ku saabsan Kaydka iyo Warbixinnada ee Qandaraaska Iibka: (Warbixinnada iyo dokumintiyada ay kaydiyaan Hay'adaha Qandaraaska Iibka si waafaqsan Sharcigan waa inay heli karaan markii ay u baahdaan Maamulka, Guddiga La Dagaalanka Musuqmaasuqa, iyo Hanti Dhowraha Guud, Guddiga Baarlammanka uga wakiilka ah iyo xafiis dowladeed kasta ee lagu aaminay mas'uulidaas marka la codsado si ay u baadhaan, kaas oo xaqiijin doona caddaaladnimada, dhex dhexaadnimada tartan la mariyay isla markaana lahaanshaha qiimo macquul ah.)

QOD 8AAD
Wax-Ka-Beddelka Qod.38aad

1. Qodobka 38aad Faqradda 1aad ee ku saabsan Xubinnimada iyo Magacaabista Guddiga waxaa loo qoray sidan: (Guddiga wuxuu ka kooban yahay sagaal (9) qof ee u magacaabayo Madaxweynaha Jamhuuriyadda Federaalka Soomaaliyeed, ka dib markey u soo Jeediyaan Golaha Wasiirada, Wasiirka Maaliyaddana waa in uu kala tashadaa soo jeedinta Guddiga Iibka ee Qaranka Dowladaha Xubnaha ka ah Dowladda Federaalka, isla markaasna xaqiijiyaa qoondada haweenka Soomaaliyeed, ka hor inta aanu horgaynin Golaha Wasiirada; si waafaqsan Qod.3aad (5) iyo Qod.51aad (5)(a) ee Dastuurka KMG ah.)
2. Waxaa lagu kordhiyay **Faqardda 1aad Bis** oo u qoran sidan: (Xubnaha Guddigu waa in ay yihiin dad lagu yaqaanno hufnaan iyo aqoon maamul.)

QOD 9AAD
Wax-Ka-Beddelka Qod.55aad

1. Qod.55aad Faqradda 1aad Faqrad hoosaadka III ee ku saabsan Xilalka Sarkaalka Idman waxaa loo qoray sidan: (Abaalguddida iyo wargelinta go'aanka abaalmarinta qandaraaska kaddib ansixinta talo bixinta cidda qandaraaska ku guleysatay ee uu soo jeediyo Hay'adda leh ogolaanshaha waa inay waafajisaa qodobka 30aad farqadiisa 1aad ee xeerkan.)

QOD 10AAD
Wax-Ka-Beddelka Qod.57aad

1. Qodobka 57aad Faqradda (b) oo cinwaankiisa oo beddelay Shaacinta Hay'ad Iibin waxaa loo qoray sidan:

(b) Ma jireyso hay'ad iib Qandaraas oo qaban karta wax hawlo iib ah ilaa uu caddeyo Maamulku in:

(i) Guddiga iibka, iyo Unuga iibka oo la soo dhisay/ la sameeyay;

(ii) Waxaana si rasmi ah loo magacaabay sarkaal idman; iyo,

(iii) Maamulku wuxuu qiimeeyay Waaxda iibka inay leedahay awooddii ay ku qaban lahayd hawlaha iibka ayadoo u hoggaansamaysa Xeerkan

(c) Maamulka ayaa go'aan ka gaaraya haddii la arko khaladaad soo noq noqday oo ay samaynayso Waaxda iibka si ay u qabato shaqooyinkeeda si waafaqsan Xeerkan,

(i) Maamulka wuxuu joojinayaa Waaxdaasi haddii aysan laheyn awooddii loo baahnaa inay shaqada iibka ku qabato sida Xeerku qabo.

(ii) Waaxda Iibku marka laga joojiyo shaqada iibka, waxa ay arrimaheeda iibka u wakiilan kartaa wakiil iib ama hay'ad kale oo iib, si waafaqsan Qodobka 64aad Faqradda 2aad.

QOD 11AAD
Wax-Ka-Beddelka Qod.59aad

1. Qod.59aad Faqradda 4aad oo ku saabsan Hawlaha Guddiga Qandaraaska Iibka waxaa loo qoray sidan: (Dib u eegista dalabka iyo qiimeynta warbixinnada soo jeedinta iyo abaalmarinta heshiis la soo jeediyay oo siinaya ansixin ama haddii kale ay awood u siyaan Waaxda Qandaraaska Iibka iney sii waddo hannaanka Qandaraaska Iibka, halka ansixinta caynkaasi ah ay tahay masuuliyadda Guddiga iibka sida ku xusan Qodobka 30aad farqadiisa 1aad).

QOD 12AAD
Wax-Ka-Beddelka Qod.68aad

1. Qod.68aad oo ku saabsan Waqtiga Qandaraaska La Galayo waxaa loo qoray sidan: (Marka laga reebo xaaladaha deg dega ah ama go'aan oggolaansho hore oo ay gaareen Guddiga Qandaraasyada Iibka Hay'adda, Hay'adaha

Iibinta ma geli karaan qandaraas iib ilaa ay ka soo wareegto afar iyo toban (14) maalmood maalintii la shaaciyey ciddii ku guuleysatey qandaraaska lagu tartamayey sida ku cad Qodobka 83aad farqadiisa 4aad.)

QOD 13AAD
Wax-Ka-Beddelka Qod.83aad

1. Qod.83aad (Faq 3aad & Faq 4aad) oo ku saabsan Abaalmarinta Qandaraaska waxaa loo qoray sida:

   (3. Isla mar ahaantaa uu qiimaha qandaraaska ka bato heerarka ku qeexan Xeer Nidaamyaha, waa in la ogeysiyaa tartamayaasha kale iyo Maamulka, iyadoo la tilmaamayo magaca iyo cinwaanka guuleystaha la soo jeediyey iyo qiimaha qandaraaska.

   4. Qandaraaska waa inaan la saxiixin ilaa ugu yaraan ay ka soo wareegtay 14 cisho gudahood, kaddib siinta ogeysiiskaas loogu oggolanaayo tartame walba oo caraysan inuu ku soo gudbiyo cabasho ama racfaan. Inta lagu jiro 14-ka maalmood ee la sugayo natiijada qandaraaska la shaaciyay qiimihiisana la jaangooyay ee ku xusan Qodobka 74aad ee Xeerkani, Maamulku wuxuu samayn kara arimahan:

   a) Dib u eegista dhammaan habraaca loo maray qandaraaska lagu guulaystay;

   b) Iclaamin kusaabsan in la kordhiyo waqtigii sugitaanka oo ahaa 14-ka maalmood, si ay waqti ugu helaan dib u eegista, haddii loo baahdo; iyo

   c) Iclaamin ku saabsan in la hakiyay ku- dhawaaqidda natiijada qandaraska haddii Maamulku u arko in Qodob ku xusan Xeerka la jebiyay.)

QOD 14AAD
Wax-Ka-Beddelka Qod.84aad

1. Qod.84aad Farqadda 2aad & 3aad oo ku saabsan Aqbalaada Qandaraaska Dhaqangalka iyo Saxiixa Qandaraaska waxaa loo qoray sidan:

2) Marka loo baahan yahay qandraaska iibka in la saxiixo:

   (a) Qandaraaska iibka waa in ay bilaabaan Waaxda iibka iyo qandraaslaha loona gudbiyaa Hanti- dhowraha guud si loo diiwaan galiyo.

   (b) Diiwaangalinta Hantidhowraha guud waxay ka dhigan tahay:

(i) Xaqiijinta in qandaraaskii uu helay Hanti-dhowraha guud si loo diwaan galiyo;

(ii)Hanti-dhowraha guud wuxuu xaqiijinayaa in qiimaha ku yaalla qandaraaska uu la jaan qaadayo ama uusan khilaafsanayn miisaaniyadda loo qoondeeyay Waaxda iibka; iyo,

(iii)) In saxiixa lagu saxiixay magaca waaxda iibka uu yahay mid munaasab ah.

(c) Hanti-dhowraha guud awood uma leh inuu dib u eegis ku sameeyo ama uu ansixiyo dhinacyada kale ee qandaraaska, ama dhinacyada la xiriira tallaabooyinka iyo hababka uu soo maro iibku.

(d) Hantidhawrka Guud waxaa u bannaan inuu meesha ka saaro shuruudaha diiwaangelinta kuna bixiyo qoraal ahaan, isagoo eegayo Wax ku oolnimada, qandaraasyada ka hooseeya xaddiga qiimaha la jaangooyey. Marka sharcigan ama dukumintiga lagu dalbanayo (solicitation document) in lasoo gudbiyo codsiyada ay qeexaan in qandaraaska ay tahay in uu ogolaado maamul kale, oo ay ku jiraan ogolaanshihii lagu xusay Qodobka 30aad, qandaraaska iibka ma noqon doono mid dhaqangala haddii aan la ogolaan.

3) Qandaraasyada iibka waxay si rasmi ah u dhaqan galayaan oo kaliya ka dib marka:

(a) Bixintiisu waafaqsan tahay qodobada sharcigan;

(b) Uu Diiwaan galiyo Hanti-dhowraha guud, hadii aan shuruudaha laga cafin sida ku xusan Qodobka 84aad faqradiisa 2aad. Faqradiisa d. iyo,

(c) Qandraaska ay saxiixaan dhincyada ay khuseyso

QOD 15^{AAD}
Wax-Ka-Beddelka Qod.86^{aad}

2. Qod.86^{aad} Faqradda 1^{aad} oo ku saabsan Tartan Ka Qaybgal Dalab Xaddidan ama Kooban waxaa loo qoray sidan:

1) Hay'adda Iibinta waxay sameyn kartaa tartan ka soo qaybgal qandaraas dalab xadidan ama kooban halkii ay ka qaban lahayd tartan ka soo qaybgal qandaraas dalab furan oo la shaaciyay waxayse ku xiran tahay ogolaanshaha Guddiga Qandaraaska iibka Hay'adda marka qiimaha ku xusan qandaraaska la filayo inuu dhaafo qaddarkii lacageed ee la jaangooyay ee lagu xusay xeer nidaamiyaha, iyo in ay Guddiga iibku ogoladaan dhammaan xaaladaha kale:

(a) Badeecadaha, hawlaha ama adeegyada laga heli karo oo keliya tiro xaddidan ee tartamayaal qandaraas ah oo la yaqaano; ama.
(b) Hay'adda Iibinta ay waajib ku tahay bixinta iney xaq u leedahay si ay uga jawaabto jiritaanka baahi iib oo deg deg ah.

QOD 16AAD
Wax-Ka-Beddelka Qod.89aad

1. Qod.89aad Faqradda 1aad oo ku saabsan Qandaraas Bixinta Tooska ah waxaa loo qoray sidan:

2) Marka oggolaansho (prior approval) hore laga haysto guddiga iibka, marka qiimaha ku xusan qandaraaska la filayo inuu dhaafo qaddarkii lacageed ee la jaangooyay ee lagu xusay xeer nidaamiyaha, iyo in ay Guddiga iibku oggoladaan dhammaan xaaladaha kale, Hay'adda Iibinta waxay u hawlgelin kartaa si toos ah ama habraaca bixin qandaraas hal il kaliya marka ay jiraan xalaadaha soo socda:

QOD 17AAD
Wax-Ka-Beddelka Qod.94aad

1. Qod.94aad Faqradda 3aad oo ku saabsan Xulashada Ku Salaysan Tayada iyo Qiimaha waxaa loo qoray sidan:

3) Hay'adda Iibinta waxay adeegsaneysaa "Codsiga Loogu Talogalay SooJeedimaha" caadiga ah oo ay ku jiraan warqadda ka qaybgalka dalabka, wargelinta talo bixiyeyaasha, shuruudaha tixraaca iyo heshiiska la soo jeediyay.
(i) Haddii qiimaha ku xusan qandaraaska iibka uu ka sara maro heerkii lacageed ee la jaangooyay ee lagu caddeeyay xeer nidaamiyaha, shuruudaha lagu muujiyay qodobka 72aad ee tartammada furan waxa uu khusaynayaa hab-raac ku salaysan xulasho ku dhisan tayo iyo qiimo.

QOD 18AAD
Wax-Ka-Beddelka Qod.176aad

1. Qod.176aad Faqradda 2aad oo cinwaankiisu yahay Qoddobo Ku Meel Gaar ah waxaa loo qoray sidan:

2) Sida lagu xusay qodobka 125aad (1) halka aragtida Maamulka ee sii wadidda wax heshiis sharcigan ah ama wax kasta oo la qabtay ama uu qof sharcigan ku xadgudbay, markaa Maamulka wuxuu qaadi karaa talaabooyinka ku habboon ee

lagu saxayo meelaha isdhaafku ka jiro ilaa laga gaarayo in la is waafajiyo si waafaqsan sharcigan.

(a) Inta laga magacaabayo Guddiga Iibka ee Qaranka iyo Agaasimaha, muddo ku siman 120 maalmood gudahood laga billaabo maalinta Madaxweynuhu saxiixo wax-ka-beddelka sharcigaan laguna soo saaro faafinta rasmiga ah, Wasaaradda ayaa sii qabanaysa awoodihii uu lahaa Guddigaas sida xeerkan ku xusan.

(b) Wasaaradda ayaa go'aan ka gaaraysa qorshaha horrumarinta ee ku habboon ee dhinaca shaqaalaysiinta xoghaynta Guddiga Qandaraaska iibka. Qorshahaasi shaqaalaysiinta waxaa ku jiri Kara, isticmaalidda shaqaalaha sii joogay ee Wasaaradda Maaliyadda si ay u buuxiyaan doorarka xoghaynta, illamaa waqtiga si madax bannaan ay Guddiga Qandaraaska ee Iibka uga shaqaalaysiinayaan shaqaale leh tayaddii looga baahnaa.

(c) Ayadoo aan la baalmarayn Qodobka 176^{aad} Faqradiisa 5^{aad}, Wasaaradda waxaa lagula xisaabtamayaa, hubinta in imkaaniyaatkii (resources) loo baahnaa ay diyaar u yihiin Maamulka iyo Guddiga Dib u eegista si ay waajibaadkooda u gutaan sida ku cad sharcigan.

2. Qod. 176^{aad} waxaa lagu kordhiyay faqrad cusub oo u qoran sidan: (Sharciga Iibka ee Qaranka wuxuu qabanayaa howlaha iibka iyo qandaraasyada heer federaal, Dowladaha Xubnaha ka ah Dowladda Federaalka waxay leeyihiin shuruuc iib oo heerkooda ah.)

SHARCI LR. 21 Taariikh: 05/02/2020

ANSIXINTA WAX KA BEDELKA SHARCIGA FURDOOYINKA

MADAXWAYNAHA J.F.S

MARKUU ARKAY: Qodobka 87aad, Faqradda 1aad, iyo Faqradda 2aad ee Dastuurka KMG

MARKUU ARKAY: Qodobka 90aad, Xarafka "F" ee Dastuurka KMG

MARKUU ARKAY: Warqadda Guddoomiyaha Golaha Shacabka Lr. GSH252/12/01/B-10/20 Taariikh 16/01/2020 kuna saabsan ansixinta Sharciga Wax ka bedelka Sharciga Furdooyinka

MARKUU TIXGELIYAY: Baahida loo qabo in la ansixiyo lana meel-mariyo sharcigan

Waxa uu Madaxweynuhu soo saaray Sharcigan:

Qodobka 1aad

Laga billaabo marka uu Madaxweynuhu saxiixo Sharcigan, waxa si rasmi ah loo oggolaaday Sharciga Wax ka bedelka Sharciga Furdooyinka.

Qodobka 2aad

Marka uu Madaxweynaha JFS saxiixo Sharcigan, waxa lagu soo daabici doonaa Faafinta Rasmiga ee Jamhuuriyadda Federaalka Soomaaliya.

MUQDISHO: 05/02/2020

JAMHUURIYADDA FEDERAALKA SOOMAALIYA
XAFIISKA HANTIDHAWRKA GUUD
WAA LA DIIWAAN GELIYEY
DIIWAAN NO: 1111/0111/2020
TAARIIKH 24/03/2020
SAXIIXA HANTIDHAWRKA GUUD

Madaxweynaha J.F.S
Maxamed Cabdullaahi Maxamed (Farmaajo)

JAMHUURIYADDA FEDERAALKA SOOMAALIYA

SHARCIGA
CANSHUURAHA FURDOOYINKA

Sharci Lr. _____ ee _____

SHARCIGA CANSHUURAHA FURDOOYINKA

QEYBTA 1^AAD
MAAMULKA FURDOOYINKA

Qodobka 1^aad
Qeexid

1. **"Shuruucda Furdada":** waxaa ka mid ah sharcigan iyo sharci kasta oo kale oo la soo saaro oo la xiriira furdooyinka iyo bayaan kasta, xeer, xeer-nidaamiye ama qaraar kasta oo lagu soo saaro awood kasta oo sharci oo la xiriira furdooyinka meel kasta oo ka mid ah Jamhuuriyadda dhexdeeda.
2. **"Canshuurta Furdooyinka"** waxaa loola jeedaa canshuur kasta oo laga qaado xuduudaha Jamhuuriyadda iyo meelaha xuduudaha u furan oo ah badda, bariga iyo cirkaba.
3. **"Alaabo"** wax kasta oo ay ka mid yihiin maacunta, waxa laga ganacsado, iyo xoolaha.
4. **"Sarkaal":** waxaa loola jeedaa sarkaal ka tirsan waaxda furdooyinka.
5. **"Sarkaalka ugu habboon":** waxaa loola jeedaa sarkaal kasta oo xaqiisa ama waajib ay ku noqon karto qabashada ama sameynta falka la xusey.
6. **"Goobta Furdada"** waxaa loola jeedaa goob kasta oo Madaxa Waaxdu u magacaabey in ay tahay goob furdo.
7. **"Jamhuuriyadda":** waxaa loola jeedaa Jamhuuriyadda Federaalka Soomaaliya waxaana ka mid ah guud ahaan dhulka Jamhuuriyadda iyo biyaha soo hoosgelaya khad khayaali ah oo barbar-socoda xeebaha ama jamallada kore ee badda Jamhuuriyadda ee ka kor muuqda biyaha hoose marka ay jiraan mowjadaha caadiga ah ee gu'ga iyo masaafo dhan lix mayl *(nautical miles)*.

Qodobka 2^aad
Canshuurta Furdooyinka Ee Ay Tahay in La Qaado

1. Canshuurta furdada waxaa laga qaadayaa badeecadaha iyo xoolaha la keeno Jamhuuriyadda ama laga dhoofiyo.

Qodobka 3aad
Waaxda Furdooyinka

1. Waa in ay jirtaa waax furdooyin oo uu xukumayo agaasime uga mas'uul ah Wasaaradda Maaliyadda.
2. Adeege dowladeed kasta oo ka shaqeeya goob furdo ah waxaa marka uu joogo furdada uu hoos tegayaa Madaxa Waaxda Furdooyinka.

Qodobka 4aad
Canshuurta Furdooyinka

1. Canshuurta furdooyinka waxay noqon kartaa mid cayiman iyo mid qiima ku salaysan waxaana lagu soo rogi karaa, lagu burrin karaa waxna looga beddeli karaa sharci canshuureed oo ay ansixiyeen labada aqal ee Baarlamaanka Federaalka Soomaaliya.

Qodobka 5aad
Waqtiga Lacagta La Bixinayo ayaa Hagaya Qiimaha (Rate) Canshuurta

1. Haddii qiimaha canshuurta la beddelo, qiimaha canshuurta laga bixinayo alaab kasta waxay noqonaysaa qiimaha dhaqangalka ah waqtiga lacagta la bixinayo.

Qodobka 6aad
Bixinta Canshuuraha iyo Lacagaha Kale

1. Waajibka lagu bixinayo canshuurta furdada waxaa ku jiraya lacagaha kale ee lagu leeyahay alaabta, uruurintoodana waxaa mas'uuliyaddeeda iska leh madaxda furdada, lacag bixintaasina waa in ay dhacdaa ka hor inta alaabta aan laga saarin furdada.

Qodobka 7aad
Mas'uuliyadda Wakiilka

1. Qof kasta oo milkiilaha alaabo mas'uul uga ah mid ka mid ah ahdaafta sharcigan waxa uu shakhsi ahaan mas'uuliyaddeeda u qaadayaa bixinta

canshuurta furdada ee ay tahay in laga bixiyo alaabta waxaana waajib ku ah in uu sameeyo, dhammaan hawlaha la xiriira alaabta ee milkiilaha uu sharcigan ku waajibinayo in uu sameeyo laakiin ma jiraan wax sharcigaan ku qoran oo milkiilaha wakiilka laga yahay ka qaadaya mas'uuliyadda wax kasta oo lagu leeyahay.

Qodobka 8aad
Mas'uuliyadda Qofka Wakiilka Laga Yahay

1. Shakhsi kasta oo qof u wakiishay in uu ku metelo wax kasta oo la xiriira wixii alaab ah si waafaqsan ujeeddooyinka sharcigan, fal kasta oo uu ku kaco wakiilku, masuuliyadeeda waxaa iska leh shakhsiga wakiishay, waxaana ka dhalan kara ganaax si la mid ah sidii oo uu qofkaasu laftiisu sameyay falkaas, laakiin laguma xukumayo xabsi ilaa uu shakshigu qirto in uu amray dembigaa, iyada oo wax kasta oo halkaan ku xusan aanay meesha ka saaraynin in wakiilka lagu soo oogi karo dembi.

Qodobka 9aad
Diyaaradaha iyo Maraakiibta Dalalka Shisheeye

1. Ka dib marka la sameeyo baarista/hubinta caadiga ah ee furdada, waxaa reebban in diyaarad ama markab ka socda dalal shisheeye la fuulo ama la baaro, haddii uusan sarkaalka ku habboon ku tuhmin in diyaaradda ama markabku ay saaran yihiin alaabo shuruucda Dalka u yaal aysan oggolayn in la soo geliyo Dalka.

Qodobka 10aad
Saacadaha Shaqada

1. Maalmaha iyo saacadaha shaqada waxaa lagu xeerinayaa xeer-nidaamiye. Sarkaalka ku habboon waxaa uu oggolaan karaa codsi uga yimaada dadweynaha oo ay ku codsanayaan in loo adeego waqtiyo ka baxsan saacadaha loogu talogaley shaqada si waafaqsan xeer-nidaamiyeyaasha iyo bixinta ujuurooyinka u dhigan.

Qodobka 11aad
Muran La Xiriira Qiimeynta ama Kala-Soocid

1. Marka uu yimaado muran la xiriira qiimeynta ama kala-soocidda la xiriirta alaabo, soodejiyaha, la wareegaha, ama dhoofiyaha ama wakiilka waa in uu dhigo lacagta canshuurta ay ka dalbatey hay'adda furdooyinka waana in lacagtaasi loo arkaa in ay tahay midda ku waajibtay, haddii aan muddo labo bilood gudahood maxkamadda awoodda u leh go'aan ka duwan ka gaarin, ka dib marka uu ka dalbadado dhigaal-bixiyaha lacagta ama wakiilkiisa.

Qodobka 12aad
Soo-dejin Ku-meelgaar ah

1. Madaxa Waaxda Furdada waxaa uu shakhsi kasta u oggolaan karaa in uu soo dejiyo alaabo nooca ay doonto ha ahaatee isaga oo aan bixin canshuur ka dib marka uu ku qanco in alaabta noocaas ah si ku-meelgaar ah loo soo dejinaayo oo aysan ahayn mid la iibinayo. Oggolaanshaha noocaas ah waa in uu waafaqsanaadaa shuruudahan soo socda:
   a. In alaabtaas dib loogu dhoofinayo muddo saddex bilood ah oo ka bilaabata taariikhda oggolaanshaha;
   b. In qofka la siinayo oggolaanshaha uu qaddarka lacagta canshuurta ku waajibi lahayd alaabta noocaas ah uu dhigaal ahaan u bixiyo ama damaanad ahaan uu u dhigo hadba sida uu faro Madaxa Waaxda.
2. Madaxa Waaxda marka uu sabab ku filan uu helo waxa uu kordhin karaa waqtiga dib-u-dhoofinta.

Qodobka 13aad
Dhoofin Ku-meel-gaar ah

1. Alaabooyin waxaa si-ku-meelgaar ah loo dhoofin karaa muddo saddex bilood gudahood ah, iyada oo Madaxa Waaxdu uu kordhin karo waqtiga marka uu helo sabab ku filan.

Qodobka 14aad
Mamnuucidda Soo-dejinta Ama Dhoofinta Waxyaabo Gaar ah

1. Wasiirka ayaa wareegto ku soo saari kara in alaabo kasta oo uu ku cayimo wareegtada aan si ku-meelgaar ah loo soo dejin Karin sida ku cad Qodobka 12aad, ama aan si ku meelgaar ah loo dhoofin Karin sida ku cad Qodobka 13aad.

Qodobka 15aad
Soo-dejinta Ku-meel-gaarka ah ee Baabuurta

1. Iyada oo aan wax loo dhimin qodobadda kale ee Sharcigan, baabuurta ayaa si ku-meelgaar ah loo soo dejin karaa si waafaqsan qodobadda ku jira heshiis kasta oo caalami ah oo ay Jamhuuriyadda qayb ka tahay.

Qodobka 16aad
Shuruudo Gaar ah oo La Xiriiro Alaabo Gaar ah

1. Hadii ay jirto alaabo la mamnuucay ama la xakameeyey waxaa loo sameyn karaa shuruudo gaar ah. U hoggaansamid la'aanta shuruudaha oggolaanshaha lagu bixiyey in si kumeelgaar ah loo soo dejiyo ama loo dhoofiyo waxaa lagu muteysanayaa ciqaab sharci.

Qodobka 17aad
Alaabta Loo Isticmaalo Si Ka Soo Horjeedda Shuruudaha Gaarka Ah

1. Haddii alaabo ay ku waajibeyso canshuur oo si sharci ah loo oggolaado in lagu soo dejiyo qiimaha canshuurtuna ka yar tahay intii caadiga ahayd, ama canshuur dhaaf loo sameeyo si loogu isticmaalo hadaf gaar ah ama si gaar ah uu u isticmaal sarkaal dowladeed, iyo haddii alaabta noocaas ah loo isticmaalo hadaf kale ama si xadgudub ku ah ogolaanshihii gaarka ahaa ama uu isticmaalo shakhsi kale, alaabta noocaas ah waa in lala wareegaa ilaa canshuurtii ku waajibtay oo buuxda la bixiyo, waxaana qof kasta oo ku lug leh isticmaalka alaabta noocaas ah lagu qaadi karaa ciqaabta uu dhigayo sharciga.
2. Alaabta noocaas ah waa la iibin karaa, la wareejin karaa ama waxaa loo isticmaali karaa ahdaaf kale haddii canshuurta la qiimeeyey in ay ku waajibtey alaabta si waafaqsan qiimaha waqtiga la iibinayo, la wareejinayo ama la isticmaalayo, waa in canshuurtaas lagu bixiyay waaxda furdada.
3. Soo-dejiyuhu alaabo kasta uu soo dejinayo sida uu dhigayo Qodobkan, waxaa marka uu ka dalbado sarkaalka furdo ku uu keenayaa ama uu cadeeynayaa alaabtaas si uu ugu qanci karo Madaxa Waaxda. Haddii uu ku guul-darreysto in uu keeno alaabta noocaas ah ama uu cadeyn kari waayo, waxaa lagu soo oogayaa ciqaabta u dhigan sharciga ee la xiriirta soo gelinta sharci darrada ah.

Qodobka 18aad

Heshiis oo lagu Saxayo Is-beddelka Qiimaha Canshuurta

1. Haddii la galo heshiis la xiriira iibinta ama geynta alaabo ay canshuuri ku waajibtey, qiimaha canshuurta ay is-beddesho ka hor inta aan alaabta la geynin, haddii aaney jirin qodob si cad u tilmaamaya taas beddelkeeda, waa in sicirka la bixinaayo saamigiisa la waafajiyaa is-beddelka ku yimid canshuurta.

Qodobka 19aad

Dembiga Soo Gelinta Sharci Darrada ah (Smuggling)

1. Qof kasta oo:

a. Isaga oo og oo **ay** gacantiisa soo gasho ama si uun ugu lug yeesha qaadista, bixinta, meel-dhigista, qarinta ama si uun ula tacaamula alaabo isaga oo hadafkiisu yahay in uu maamulka furdada ku khiyaamo canshuur kasta oo ku waajibtey, ama

b. Isaga oo og si uun ugu lug yeesha in uu si khiyaano ah ugula dhuunto canshuur ama shuruucda iyo xannibaadaha furdada ee la xiriira soo-dejinta, dejinta, bakhaardhigista, geynta, saarista, rarista iyo dhoofinta alaabo, ama

c. Uu, diyaarad, markab, gaadiid kale ama alaabadu ay noqdaan kuwa lala wareegi karo sida ay dhigayaan shuruucda furdada isaga oo si bareer ah ugu lug yeesho falka ama waajib ka soo-bixid la'aan ka dhigta mid lala wareegi karo. Waxaa lagu qaadayaa dembiga soo gelinta sharci darrada ah (smuggling) waxaana mid kasta oo ka mid ah dembiyada oo lagu helo ka dhalan kara ciqaab aan ka yareyn saddex jibaar ama wax ka badaneyn toban jibaar canshuurtii laga qaadi lahaa alaabta waxaana lala wareegayaa dhammaan alaabta dembigaa lagu galey.

2. Qof kasta oo noocaas ah waxaa soo qaban kara oo xiri kara sarkaal kasta oo boolis ah. Haddii aan damaanad lagu sii deyn, waa in muddo afartan iyo siddeed saac gudahood ah, oo aan ku jirin waqtiga safarka halka lagu xirey ilaa maxkamadda, la hor gaynayo maxkamadda awoodda u leh una qaada dacwadda si waafaqsan sharciga.

Qodobka 20aad
La-wareeggida Markab ama Diyaarad

1. Haddii markab ama diyaarad ku sugan Jamhuuriyadda dhexdeeda ama badaheeda ay u hoggaansami waydo amar kasta oo sharci ah oo uu siiyo sarkaal dowladeed iyaga oo baxsanaya la ceyrsado, ama alaabtii qaar ka tuuraan oo wax yeelo soo gaarto iyagoo diidan in la qabto ama ay burburiyaan caddeymaha waxa ay tahriibinayaan, markabkaas ama diyaaraddaas waa lala wareegayaa.

Qodobka 21aad
Soo Gelinta Sharci Darrada ah ee Ba'an/Dhibta Badan
(Aggrevated Smuggling)

1. Haddii qof ku howlan yahay in uu ku kaco dembi ka dhan ah shuruucda furdada yahay na mid ku hubeysan hub khatar ah, marka lagu helo dembi kasta oo furdo, wuxuu muteeysanayaa toban jibaar canshuurtii ku waajibtey alaab kasta oo dembiga lagu galey, waxa intaas loo raacinayaa xabsi u dhexeeya sanad ilaa seddex sano.
2. Haddii qofka noocaas ah uu adeegsado hub khatar ah isaga oo u jeedkiisu yahay in uu cid dhaawaco ama uu dhaawaco sarkaal waajibkiisa gudanaya, waxaa loogu sii darayaa in u ku muteeysto xukunka ku xusan faqradda 1aad xabsi muddadiisu aaney ka badneyn toban sano.
3. Marka dembi kasta ee ku xusan shuruucda furdada ay galaan saddex qof ama ka badan oo iska kaashanaya hadafkaas, ciqaabta dembiga noocaas ah waa in ay ahaataa mid aan ka yareyn laba-jibaarka inta ugu yar waana in qof kasta oo ka mid ah lagu qaadaa xabsi aan ka badneyn toban iyo laba bilood ama ganaax iyo xabsi u dhigma dembigaaslabada kan culus.
4. Marka qofka lagu helo dembi jebinaya sharciga furdada oo qofkaasna horey-loogu helay dembi uu horey uga galay sharciga furdada, ciqaabta uu muteysanaayo qofka noocaas ahi ee lagu qaadayo dembiga uu mar labaad galay waa in aaney ka yaraan lix jibaar canshuurtii laga qaadi lahaa alaabta dembiga lagu galey, dembi kaste oo uu galo qofkaasi dembiga labaad ka dib waxa uu muteeysanayaa in loogu daro ciqaabta xabsi aan ka badneyn laba sano.

Qodobka 22aad
Dammaanad

1. Marka qof aan loo haysan waaran lagu soo qabto ama lagu soo xiro dembi la xiriira arrimaha furdada oo aan ciqaabtiisu ahayn xabsi oo uu qofkaasu waqti kasta diyaar u yahay inta uu xiranyahay in u bixiyo damaanad, qofkaas waa lagu sii deyn karaa damaanad.
2. Ka hor inta aan qofka la hor keenin maxkamadda awoodda u leh waa in damaanadda ay siiyaan Saraakiisha Furdada ee awoodda u leh. Lacagta damaanadda ah waa in aaney ka yaraan saddex-meelood laba meel (2/3) ciqaabta ugu badan ee dembiga loo soo qabtey ama loo soo xirey.
3. Qodobkan waa in uusan saameyn ku yeelan awoodda ay maxkamad ama cid kale ku leedahay in ay cid ku sii deyso damaanad.

Qodobka 23aad
La-wareegidda Gaadiidka Lagu Qaado

1. Marka gaadiid nooca uu doono ha ahaadee loo adeegsado dembi ay tilmaameen shuruucda furdada, waa in lala wareegaa marka laga reebo haddii milkiiluhu uu maxkamadda awoodda u leh ku qanciyo in gaadiidkaas aan si gaar ah loogu adeegsanin dembigaas iyo in qiimaha alaabta ay khuseyso aaney u dhigmin qiimaha gaadiidkaas.
2. Markab kasta oo culeyskiisu ka badan yahay laba boqol iyo konton tan waxa sii deyn kara sarkaalka ku habboon ka dib marka uu ku qanco in milkiilayaasha markaas ay u hoggaansami doonaan amarrada maxkamadda awoodda u leh.

Qodobka 24aad
Xaraaashidda/ Ka-takhalusidda Waxyaabaha Lala Wareego

1. Marka alaabo ama gaadiid loola wareego si waafaqsan shuruucda furdada, alaabtaas ama gaadiidkaas waxaa ay noqonayaan hanti ay leedahay Dowladda waxaana looga takhalusayaa/xaraashayaa (dispose off) sida ay u dhigaan xeer-nidaamiyeyaal uu soo saaraayo Wasiirka Maaliyadda.

Qodobka 25aad
Baarista

1. Haddii qof uu sarkaal ku daba-joogo la qabto isaga oo faraha kula jira dembiyo uu dhigayo sharciga furdada, waxaa uu sarkaalkaas isaga oo aan haysan waaran adeegsan karaa dhammaan awoodihii uu lahaan lahaa in uu adeegsado haddii uu heli lahaa amarka uu dhigayo Qodobka 97aad ee Sharciga Maamulka Dakhliga, waase in uu warbixin ku siiyaa maxkamadda awood u u leh labaatan iyo afar saac gudahooda marka uu awooddaas adeegsado.

Qodobka 26aad
Xuquuqda Roondo-Sameynta

1. Sarkaalka, marka uu shaqada ku jiro, waxaa uu roondo ku sameyn karaa oo uuna si xor ah u dhinac mari karaa una kor mari karaa una geli karaa meel kasta oo Jamhuuriyadda ka mid ah marka laga reeebo guri ama dhismayaal kale oo la deggan yahay, sarkaalka noocaas ah ee roondada sameynaya laguma qaadi karo eed, tallaabo ama dacwad la xiriirta roondada uu sameeyey.

Qodobka 27aad
Qiimeynta Alaabta

1. Xeerarka loo adeegsanayo qiimaynta alaabta iyada oo ujeedku yahay ganaaxa ama canshuurta ku waajibtay waxaa qeexaya xeer-nidaamiyeyaal uu soo saarayo Wasiirka Maaliyadda, hadba heer xukuumadeedka u xilsaaran si waafaqsan Qod.50aad (b) ee Dastuurka KMG ah.

Qodobka 28aad
Xeer-nidaamiyeyaasha

1. Wasiirka Maaliyadda waxaa uu soo saari karaa xeer-nidaamiyeyaal lagu kobcinayo, laguna wanaajinayo oo sida ugu wanaagsan loogu hirgelinayo qodobadda ku jira sharcigan, iyada oo aanay saamaynayn qodobbada sare ee sida guud u hadlaya, oo ay ka mid yihiin:

a. Shuruudaha dhoofinta ku-meelgaarka ah iyo qiimeynta canshuurta alaabooyinka dib loo soo dejiyo;
b. Shuruudaha soo-dejinta ku-meelgaarka ah iyo qiimeynta canshuurta laga bixinaayo dib-u-dhoofinta;
c. Waajibaaddka saaran milkiilayaasha, madaxda, wakiillada iyo shakhsiyaadka kale ee la xiriira imaanshaha, soo-sheegidda, raridda, dejinta, habraaca imaanshaha iyo bixidda, koridda ama ka degidda rakaabka, baarista shakhsiyaadka, maraakiibta, diyaaradaha, baabuurta iyo dhismayaasha ama goobaha, awoodaha ay u leeyihiin in ay amarro waajib ah siiyaan, in ay shakhsiyaad ka soo qabtaan ama ka soo xiraan maraakiib, diyaarado, baabuur ama gaadiid kasta oo kale;
d. Sameynta iyo hawlgelinta bakhaarrada iyo goobaha furdooyinka, ee wax la dhigo lagana qaato alaabta iyo shuruudaha iyo habraaca ay tahay in ay ilaaliyaan shakhsiyaadka ka shaqeeya ama isticmaala bakhaarrada;
e. Ganacsiga ka dhexeeya dekadaha dalka dhexdooda;
f. Ganacsiga dalka sii mara ee dal kale ku wajahan (Ganacsiga Transitka ah);
g. Soo-dejinta iyo dhoofinta badeecooyinka;
h. Soo-dejinta iyo dhoofinta loo adeegsado boostada;
i. Awoodaha, hawlaha iyo waajibaadyada saraakiisha oo ay ka mid tahay awoodda barista shakhsiyaadka, maraakiibta, diyaaradaha, baabuurta iyo dhismayaasha ama goobaha, awoodahooda amarsiinta, qabashada ama xiridda shakhsiyaadka ama alaabta;
j. La-wareegidda alaabo, maraakiib, diyaarado ama gaadiid lala xiiriiyo dembiyada ama ka baxsashada shuruucda furdada;
k. Dukumentiyada ay tahay in ay uruuriyaan iyo ujuurooyinka ay tahay in ay bixiyaan shakhsiyaadka ee la xiriira hawlgallada furdada;
l. Dibaajiyada (bonds) iyo damaanadaha kale, shuruudaha la xiriira iyo sida loola wareegayo, sii-hayntooda ama lacagayntooda;
m. Alaaabada laga tago ama la dayaco iyo habraaca la xiriira;
n. Saacadaha shaqada ee xafiisyada furdada iyo joogitaanka saraakiisha ka shaqeeya, ujuurooyinka ay tahay in lagu bixiyo waqtiga dheeraadka ah (overtime) ee la shaqeeyo iyo kharashaadka kale ee soo baxa;
o. Sharikadaha soo dejinta iyo raridda badeecadaha,

QEYBTA 2^AAD
TARIIFADA FURDOOYINKA

Qodobka 29^aad
Canshuurta Alaabta Waxyeeladda soo Gaartay

1. Canshuur cayiman waa in lagu soo rogaa alaabta la soo dejiyo iyada oo aan loo eegin sida ay tahay xaaladdeeda; waa in aan canshuurta gebi ahaan ama qayb ahaan looga dhaafin haddii ay alaabta soo gaarto dhibaato sabab kasta ha ku timaaddee.
2. Canshuur dhimis ayaa loo sameynayaa alaab la soo dhoofiyey oo dhibaato soo gaartey marka xisaabinta canshuurta ay ku saleysan tahay 'qiimaha alaabta': Milkiilaha alaabta dhibaatadu soo gaartey ayaa xaq u leh in alaabta la burburiyo isaga oo kharashka burburintaas la baxaya taas oo ku xiran taxaddarada ay waajibiyeen madaxda furdooyinka.

Qodobka 30^aad
Canshuurta soo Dejinta ee Ku Saleysan Miisaanka

1. Canshuurta soo dejinta ee alaabta canshuurta ku waajibtey loo cayimey si waafaqsan miisaankooda, waa in lagu saleeyaaa miisaanka guud ee alaabtaas, marka laga reebo haddii si kale loogu waajibiyo tariifadda.
2. Miisaanka guud waa miisaanka alaabta iyo xirmooyinkooda.
3. Miisaanka saafiga ah waa miisaanka alaabta ka dib marka laga saaro xirmooyinka iyo cabeynta.
4. Qaddarka canshuurta "qiimaha" ku saleysan waa in qiimeynteeda lagu saleeyaa qiimaha alaabta ay canshuurtu ku waajibtey, sida ay dhigayaan qodobbada soo socda ee sharcigan.
5. Mar kasta oo tariifad ay dhigeyso canshuur cayiman iyo sidoo kale mid ku saleysan "qiimaha", waa in ay ku waajibtaa labadaba.

Qodobka 31^aad
Dalka Asal Ahaan Ay Ka Soo Jeedo iyo Dalka Laga Soo Rarey

1. Dalka asal ahaan ay alaabtu kasoo jeedo, waa dalka alaabta lagu sameeyey ama qeybtii ugu dambeeysay lagu farsameyay soo saaristeeda.
2. Dalka laga soo rarey waa dalka alaabta lagu keydiyey, waase haddii dalkaasi lacagta loo shubey.

Qodobka 32aad
Kala Soocidda Alaabta

1. Alaabta waa in loo kala soocaa si waafaqsan madaxyada Tariifooyinka. Cinwaannada Qaybaha, Cutubyada iyo, Cutub-hoosaadyada ayaa loo kala bixiyey si uu u fududaado tixraaca oo keliya, maaddaama kala-soocidda lagu go'aaminayo keliya ereyada madaxdaya gaarka ah ee Tariifooyinka iyo Qoraallada Qaybaha ama Cutubyada ee u habboon ee ku dhex jira Tariifada.

2. Marka alaabo lagu kala sooci karo labo madax ama wax ka badan, madaxyada tariifada, kala-soocidda waa in loo sameeyaa sidan soo socota:

   a. Cinwaanka bixinaya tilmaanta ugu sugan waa in laga doorbidaa cinwaannada bixinaya tilmaamaha guud;

   b. Alaabta kala duwan ama isku jira oo ka kooban agab kala duwan ama laga sameeyey cunsurro (components) kala duwan, waa in loo soocaa sidii in ay ka kooban yihiin agabka ama sheyga alaabta siinaya tilmaanta aasaasiga ah, waase haddii aan lagu kala sooci karin iyada oo la tixraacayo farqadda *a.*

   c. Marka alaabta la kala sooci karin iyada oo la tixraacayo farqadda *a.* ama *b.*, waa in lagu kala soocaa cinwaanka la halmaala qiimaha canshuurta ugu badan waxaana, haddii qiimaha canshuurtaas ay isku mid ka yihiin wax ka badan hal cinwaan, cinwaanka ugu dambeeya ee Tariifada ku jira.

3. Alaabta aan hoos geleynin cinwaan Tariifo waa in lagu soocaa cinwaanka ku habboon alaabta ay isugu dhow yihiin. Qodobada kore waxaa sidoo kale lagu saleynayaa go'aaminta cinwaan-hoosaadka ugu haboon isla halkaa cinwaan gudihiisa ah.

Qodobka 33aad
Qiimaha La Canshuurayo

1. Canshuurta dhoofinta alaabta ee ku saleysan qiimaha alaabta waa in loo xisaabiyaa iyada oo la adeegsanayo qiimaha la canshuurayo ee waqtigaas jira, tusaale ahaan, qiimaha waqtigaas ay ka joogto suuqa degaanka ee dalka laga soo iibsadey, oo lagu darey lacagta lagu soo qaadey, dillaalka, bakhaar-dhigidda, iwm., ilaa laga soo gaaro xafiiska furdada ee ku yaalla dekadda ay ka soo degayso ama ay ka baxayso.

Qodobka 34aad
Canshuur ku Saleysan Qiimaha Alaabta

1. Canshuuraha ka waajibay soo dejinta alaabta waa in lagu saleeyaa qiimaha alaabta canshuurta laga qaadayo, qiimahasna waa in uu noqdaa qiimaha caadiga ah ee hoos ku dhigan.

Qodobka 35aad
Qiimaha Caadiga Ah

1. Qiimaha caadiga ah waa in uu noqdaa qiimaha loo arki karo in lagu heshiiyey alaabta la soo dhoofiyey, kaas oo ka dhashey iib ku dhacay xaalado tartan buuxa oo u dhexeeya iibsade madax-bannaan iyo iibiye madax bannaan ee dhacay taariikhda alaabta la baarayo.
2. Haddii baarista noocaas ah ay ku dhacdo waqtiga lagu xaddidey xeer nidaamiyeyaasha furdada in furdada loogu soo gudbiyo cadeynta (declaration), madaxda furdomada way diidi karaan kala duwanaanshaha qiimaha ee jira.
3. Qiimaha caadiga ah ee alaabta la soo dhoofiyey waa in loo qiimeeyaa sidan soo socota:
   a. Alaabta waxaa loo tixgeliyanayaa in iibsadaha lagu guddoonsiiyey dekadda ama goobta laga soo galo dalka ee dhulka furdada ee Jamhuuriyadda.
   b. Iibiyaha waxaa loo tixgelinayaa in uu dusha u rito oo uuna qiimaha ku darsado dhammaan kharashaadka la xiriira iibinta iyo geynta alaabta ee ilaa dekadda ama barta laga galo dalka.
   c. Canshuurta furdada iyo canshuuraha kale ee dhulka Soomaaliyeed waa in loo tixgeliyaa in laga qaadayo iibsadaha sidaa daraaddeedna waa in aan lagu darin qiimaha caadiga ah.

Qodobka 36aad
Iib Ku Dhaca Tartan Furan

1. Iib waxaa loo tixgelinayaa in uu ku dhacay xaalado tartan buuxa ku dhisan oo dhex marey iibsade madax-bannaan iyo iibiye madax-bannaan marka:

a. Bixinta qiimaha lagu iibsanayo alaabta ay tahay shuruudda keliya ee xireeysa dhameeystirka heshiiska iibka.

b. Qiimaha lagu heshiiyo aaney saameyn ku lahayn xaaladaha ganacsi, maaliyadeed ama xaalado kale, haddii lagu xuso ama lagu xusin qanadaraaska, marka laga reebo shuruudaha, iibinta daraaddeed, u dhex mara iibiyaha ama shakhsi caadi ah ama shakhsi qaanuuni ah oo xiriir ganacsi la leh iibiyaha oo dhinac ah, iyo iibsadaha ama shakhsi caadi ah ama shakhsi qaanuuni ah oo xiriir ganacsi la leh iibsadaha oo dhinaca kale ah.

c. Aaney jirin qayb ka mid ah faa'iidada laga sameeyey dib-u-iibinta, sii-wareejinta ka dambeysa ama ka-faa'iideysiga alaabta urureysa taas oo si toos ah ama si aan toos ahaynba uu iibiyaha ama shakhsi caadi ah ama shakhsi qaanuuni ah oo xiriir ganacsi kala dhexeeyo iibiyaha.

2. Laba qof waa in loo tixgeliyaa in uu xiriir ganacsi ka wada dhexeeyo haddii midkood uu wax ku leeyahay ganacsiga midka kale ama haddii labadooduba ay wax ku wada leeyihiin ganacsi uu wado mid ka mid ah labada, iyada oo aan loo eegin in ay tahay wax ku lahaansho toos ah ama mid aan toos ahayn.

Qodobka 37aad
Qiimaha ku Saleysan Tirada Alaabta

1. Haddii qiimaha caadiga ah uu ku xiran yahay tirada alaabta ay tahya in la iibiyo, qiimahaas caadiga ah ee la soo sheegey ayaa lagu go'aaminayaa qiyaasta ah in iibintu ay la xiriirto tirada alaabta la soo gudbiyey ee ay tahay in la qiimeeyo.

Qodobka 38aad
Qiimeynta iyo Batantaha

1. Marka alaabta la rabo in la qiimeeyo oo:
   a. loo soo saaro si waafaqsan nidaamka batantaha (patented) ama lagu ilaaliyey nooc ama nakh-shad ama xuquuq diiwan gashan;
   b. ay leedahay calaamad ganacsi oo ajnebi oo loona soo dhoofiyey in lagu iibiyo calaamaddan ganacsi, xataa haddii sii hagaajin kale lagu sameeyo.

2. Qiimaha caadiga ah waxaa la go'aaminayaa iyada oo la tixgelinayo in qiimahan uu ku jiro qiimaha xuquuqda ka-faa'iideysiga batantiga, nakh-shadda ama nooca ama xuquuqda ama calaamadda ganacsi ee ay leedahay alaabtaasi.

Qodobka 39aad
Qiimaha Caadiga ah ee Iibka

1. Marka alaabta la soo dejiyo lagu iibiyo xaalado tartan furan ku saleysan oo uu iibiye madax-bannaan ka iibiyo iibsade madax-bannaan, qiimaha la bixiyey ama la bixin doono ee iibka daraaddii ah ayaa loo tixgelin karaa in uu si sax ah u tilmaamayo qiimaha caadiga ah ee looga soo hadley Qodobka 35aad ee kore.
2. Kharashaadka raridda, xamuulka, caymiska, khidmadda iyo dhammaan kharashaadka kale ee la xiriira iibka, diridda iyo geynta alaabta ilaa laga gaaro dekadda ama goobta laga soo galo dhulka Jamhuuriyadda waa in lagu daraa, haddii aan horeyba loogu darin qiimaha qaan-sheegga; qiimaha canshuurta laga qaadayo waa in sidoo kale lagu daraa sicir-dhimista qeyru-caadiga ah iyo hoos-u-dhigista kale ee Qiimaha alaabta ee qeyru-caadi ah iyada oo aay jirto xaalad tartan furan.
3. Wax-ka-dhimista qiimaha ee wakiillada gaarka ah iyo iibiyeyaasha kale ee u dhexeeya waa in sidoo kale la tixgeliyaa si loogu daro qiimaha canshuurta.

Qodobka 40aad
Qiimeynta Qiimaha Caadiga ah

1. Kharashaadka lagu xusey Qodobka 35aad (b) ee qiimeynta qiimaha caadiga ah waa in ay ku jiraan:
   a. Xamuulka
   b. Caymiska
   c. Khidmadda
   d. Dilaalka
   e. Kharashaadka lagu galo dibadda ee la xiriira diyaarinta dukumentiyada looga baahan yahay si alaabta loogu soo dejiyo dhulka Jamhuuriyadda, oo ay ka mid yihiin ujuurooyinka rasmiga ah;

f. Lacagaha iyo canshuuraha kale ee lagu soo rogo alaabta ee ay tahay in dalka dibaddiisa lagu bixiyo, marka laga reebo kuwa canshuur dhaafka loo sameeyay ama lacagta loo celinayo ama ay tahay in loo celiyo;
g. Kharashaadka rarridda;
h. Kharashaadka kale ee la galo ee la xiriira iibinta, diridda iyo geynta alaabta ilaa laga gaaro dekadda ama barta laga soo gelayo ee furdada dhulka Jamhuuriyadda.

2. Qiimaha canshuurta laga qaadayo alaabta waa in uu ka mid ahaadaa qiimaha xirmooyinka gudaha iyo kuwa dibadda iyo cabeynta guud ahaan.

Qodobka 41[aad]
Kharashka Xamuulka

1. Marka ay u jeedadu tahay xisaabinta kharashka xamuulka, dekadda ama barta laga soo gelayo ee furdada dhulka Jamhuuriyadda waa in ay noqotaa:
   a. Marka alaabo badda la soo mariyey la soo dejiyo, dekadda ay u socoto;
   b. Marka alaabo dhulka ama hawada la soo mariyey la soo dejiyo, xafiiska furdada ee ugu horreeya.

Qodobka 42[aad]
Bedelaada Lacagaha Qalaad

1. Marka waxyaalaha canshuurta ku waajibtey lagu saleeyay lacag qalaad, waa in shilin Soomali loo rogaa iyada oo la isticmaalayo heerka rasmiga ah ee sarifka ee jira maalinta kormeerka alaabatu la bilaabayo.

Qodobka 43[aad]
Caddeynta Qiimaha Alaabta

1. Haddii cadeynta marka la sameeyo aan isla markiiba la baarin alaabta, milkiilaha alaabtu waa in uu u cadeeyaa maamulka furdada qiimaha alaabta la canshuurayo ee loo qiimeeyey si waafaqsan qodobadda kore waana in uu sixitaanka loo baahan yahay ku sameeyaa cadeyntii hore taas oo ku timid isbeddello ku yimid qiimaha.
2. Waa in uu sidoo kale bixiyaa macluumaad kasta iyo qaan-sheegta, xamuulka iyo dukumentiyada kale ee ganacsi ee la xiriira iibka, soo raridda

iyo keenista alaabta ee ay hay'adaha furdada ugu baahan yihiin qiimeynta qiimaha la canshuurayo alaabta.

3. Waajibaadyada kor lagu xusay ee quseeya alaabta dhan ay tahay in lo soo bandhigo furdada, oo ay kujiraan alaabta canshuur-dhaafka loo sameeyo iyo kuwa laga qaado canshuuro gaar ah.
4. Qaan-sheegta waa in ay la socotaa qoraal uu saxiixay soo-dejiyahu ama dhoofiyahu, oo sheegeysa in xogta ku qoran qaan-sheegtan ay sax tahay. Marka lagu daro nuqulka asalka ah, waa in nuqul labaad oo qaan-sheegta ah la socotaa, oo lagu lifaaqayo dukumentiga asalka ah ee furdada ku fasaxayaan alaabta.
5. Maamulka furdooyinka waxaa ay qaadi karaan tallaabooyinka ay u arkaan in ay lagamamaarmaan tahay si ay u eegaan qiimaha canshuurta ku waajibtey alaabta.
6. Wasaaradda Maaliyadda ayaa diyaarineeysa jadwallada canshuurta ku waajibtay alaabta oo loo adeegsan karo hadii qaansheegta asalka ah ama dukumentiga kale ee sheegaya in "qiimahii caadiga ah" aan la heli karin ama marka qaan-sheegyada iyo dokumentiyada la soo gudbiyey aan la aqbali karin si loogu saleeyo "qiimaha caadiga ah".

Qodobka 44aad
Dukumeentiyada Furdada ku-meel-gaarka ah

1. Haddii milkiilaha alaabta uusan keeni karin dukumentiyada loo baahan yahay oo ay la socoto cadeeynta, maamulka furdada waxaa uu alaabta ku fasixi karaa dukumentiyo furdo oo ku-meelgaar ah (iyada oo qiimeynta dib loo dhigayo) oo la heli karo wax aan ka badneyn 30 maalmood iyada oo laga dhigayo dibaaji la mid ah canshuurta furdada ee la xisaabiyey iyada oo sal looga dhigayo qiimaha alaabta la nooc ah oo horey dad u soo martey oo lagu darey 20% (labaatan boqolkiiba). Marka uu dhammaado waqtiga ay madaxda furdada u qabteen in la soo gudbiyo dukumentiga, canshuurta furdada waa in la bixiyaa iyada oo lagu saleynayo qiimaha ay madaxda furdoku ku qiimeeyeen oo lagu darey labaatan boqolkiiba.

Qodobka 45aad
Cabbeynta

1. Xirmooyinka iyo cabeeynta alaabta waa in canshuur gaar ah laga qaadaa marka qiimahoodu uu ka badan yahay qiimaha alaabta.

Qodobka 46aad
Alaabta La Isku Soo Cabbeeyey

1. Marka qiimaha ama miisaanka xirmooyinka sare ay tahay in lagu daro qiimaha oo canshuurta waajibtay ama miisaanka ee alaab laba ama ka badan ah oo isku-cabeeyay laakiin qiimaha canshuurta ee laga qaadayo ay kala duwan tahay ama shuruudaha lagu qiimeynayo canshuurtooda ay kala duwan tahay, markaas qiimaha ama miisaanka noocaas ah waa in si saamigal ah loogu kala qeybiyaa alaabta kala duwan iyada oo loo eegayo qiimaha ama miisaanka alaabta iyada oo aan laga jareynin qiimaha ama miisaanka xirmooyinka sare, alaabo kasta oo isku mid ahba waxaa loo tixgelinayaa in ay gaarkeeda loo cabbeeyay.

Qodobka 47aad
Mamnuucista

1. Adeegsiga tariifada waa in aan loo qaadan in ay meesha ka saareyso qodobbada kale oo sharciga ah ee mamnuucaya, xaddidaya ama si kale u nidaaminaya soo-dejinta, dhoofinta ama sii gudbinta alaabada qaarkood.
2. Alaabta kuwa ay qodobo sharci oo gaar ah dartood aan loo keeni karin dhulka Jamhuuriyadda waa in dib looga dhoofiyaa dalka iyada oo uu kharashkana qabo milkiilaha.
3. Alaabta ay xafiisyadda dowladda ee ku shaqada leh, hadii ay u arkaan in ay dhibaato u leedahay caafimaadka dadweynaha, waa in waqtigii loo cayimey gudihiisa dib looga dhoofiyaa ama lagu burburiyaa iyada oo kharashkuna uu qabo milkiilaha.

Qodobka 48aad

Canshuur-dhaafka Furdooyinka

Alaabtan soo socota waxaa laga dhaafayaa canshuurta soo dejinta iyada oo lagu saleynayo shuruudaha loo cayimey:

1. Waxyaabaha ay leeyihiin Dalalka iyo Madaxda Dalalka ajnebiga ah oo u yimid in ay joogaan Soomaaliya, si ku saleysan wax is weydaarsi dibloomaasiyadeed ee labada dal ka dhexeeya.
2. Waxyaabaha iyo baabuurta ay leeyihiin wakiillada diblomaasiga iyo qunsuliyadaha ee laga aqoonsanyahay Jamhuuriyadda Soomaaliyeed, si ku saleysan wax is weeydaarsi dibloomaasiyadeed ee labada dal ka dhexeeya, waxyaabaha lagama maarmaanka u ah aasaasidda hore ee xafiisyada diblomaasiga iyo qunsuliyadaha, baabuurta iyo waxyaabaha kale ee hawsha rasmiga ah loo adeegsanayo, si ku saleysan wax is weeydaarsi dibloomaasiyadeed ee labada dal ka dhexeeya.
3. Waxyaabaha iyo baabuurta ay leeyihiin wakiillada, saraakiisha iyo khubarrada Qaramada Midoobey, Hay'adaheeda Gaarka ah iyo Ururrada Caalamiga ah sida ay dhigayaan Heshiisyada lagu oggolaadey Sharci. Waxyaabaha iyo gaadiidka loo adeegsanayo hawlaha rasmiga ah ee Ururrada Qaramada Midoobey, Hay'adaheeda Gaarka ah ama Ururrada Caalamiga ah iyo waxyaabaha iyo baabuurta lagama maarmaanka u ah hirgelinta mashaariicda Soomaaliya ay Hay'adahaas uga fulinayaan si waafaqsan Heshiisyo lagu ansaxiyey Sharci. Marka laga reebo oggolaansho ka ballaaran oo lagu oggolaadey Heshiisyo loo rogey Sharci, waxaa loo oggol yahay hal baabuur saddexdii sanaba mar khubarrada haysta heshiis shaqo oo aay lacagtooda bixiyaan Dowlado ajnebi ah ama Ururrada Caalamiga ah, si loo hirgeliyo barnaamijyada hormarineed ee dhinaca farsamo ee laba-geesoodka ah ee ka socda Soomaaliya. Canshuur-dhaafka waxaa bixiya Wasaaradda Maaliyadda marka oggolaansho hore looga helo Wasaaradda Arrimaha Dibadda. Furdada waxaa uu oggolaanayaa iibinta ama ka-takhalusidda kale ee waxyaabaha ama baabuurta canshuur-dhaaf ay si sharci ah ku soo dejisteen shakhsiyaadka ama loo soo dejiyay ahdaaf aan ahayn kuwiii markii hore la sheegey ka dib marka la bixiyo canshuurta ku waajibtey si waafaqsan qiimaha alaabta ama baabuurta waqtiga la iibinayo ama laga takhalusayo.

4. Alaabta si shaqsi ah loo leeyahay, qalabka guryaha, raadiyeyaasha, rikoodhada, kaamaradaha sawirka/fiidiyowga, kaamaradaha shaneem-ooyinka, TV-yada iyo borojectarrada/*projectors* (8 mm), hubka sharcigu oggolyahay sida kan ciidanka ama sida gaarka ah loo leeyahay, teebabka, harqaamada, agabka guryaha, qalabka iyo aaladaha xirfadlayaasha marka laga reebo baabuurta ee ay leeyihiin shakhsiyaadka degganaansho ka qaadanaya Soomaaliya sababtu waxa ay doonto ha ahaatee, waase in waxyaabahaasi dhammaantood ay yihiin kuwo horey loo isticmaaley oo aaney ka sarreyn maqaamka qofka ay khuseyso. Alaabtaa ayaa la soo dejin karaa iyada oo marar kala duwan la soo rarayo lix bilood gudahooda oo ka bilaabma taariikhda uu qofku imaanayo Soomaaliya. Canshuur-dhaafka waa in uu oggolaadaa maamulka furdada ka dib marka loo soo gudbiyo codsi uu la socdo liis mid mid u sheegaya alaabta la soo dhoofinayo oo iskumar ama marar kala duwan la soo kala rarayo, iyo sidoo kale waraaq muujineysa in uu qofku deggan yahay dalka oo ay soo saarto dowladda hoose ama dokumenti kaas u dhigma.
5. Waxyaabaha shakhsi ahaan loo leeyahay, hubka sharcigu oggolyahay sida kan ciidanka ama sida gaarka ah loo leeyahay, kaamaradaha sawirka/fiidiyow, kaameradaha shaneemooyinka (8 mm), TV-yada, harqaamada iyo teebabka, qalabka iyo agabka guryaha, iyo buugaag tiro yar iyo dharka lagu goglo sariirta iyo kuwa la saaro miisaska ee ay la yimaadaan, waa in dhammaan qalabkaasi ay yihiin kuwo horey loo isticmaalyey oo aaneyna ka sarreyn maqaamka qofka ay khuseyso.
6. Dharka, agabka loo isticmaalo jilidda iyo agabka riwaayadaha ee jilayaasha iyo fannaaniintu ay la yimaadaan, qalabka ay isticmaalaan kuwa dadka madadaaliya iyo xayawaannada qaybta ka ah madadaalada dadweynaha loo soo bandhigo. canshuur-dhaafka waa in loo sameeyaa ka dib marka maamulka furdada loo soo gudbiyo liis ay mid-mid ugu qoran yihiin alaabta kor lagu soo sheegey.
7. Waxyaabaha lagu tabarruco ee loo adeegsado ku-dhaqanka iyo faafinta diinta Islaamka ee aan ahayn ganacsi.
8. Daabacaadaha iyo waxyaabaha kale ee si toos ah loogu deeqo macaahidda iyo ururrada dhaqanka iyo waxyaabaha loo isticmaalayo ahdaaf cilmi-saynis ama dhaqan.
9. Naamuunado alaabo taas oo aan si toos ah loo isticmaali karin

10. Daabacaadaha, xusuus-qorrada, kalandaariyeyaasha, buugaagta yaryar, kaararka boostada, boostarrada, boorarka, taarikada birta ah, albumada, kataloogyada sawirrada leh iyo kataloogyada kale, iyo liisaska qiimayaasha ee lacag la'aanta lagu qeybinayo ee loogu talogaley dalxiis ama ganacsi.
11. Faranga-boolooyinka, waraaqaha faranga-booleysan, lacagta daabacan iyo qoraallada kale ee wax lagu amaahdo.
12. Alaabta si toos ah ay u soo dejiso Dowladda ama ay iibsatey markii ay yimaadeen laakiin ka hor inta aan laga saarin furdada. Labaddan arimood tan dambe, canshuur dhaafka waxaa loo oggolaanayaa keliya marka la soo gudbiyo oggolaansho ay soo saartey Wasaaradda.
13. Agabka loogu baahan yahay qabanqaabinta Sahanka Ayaxa Deegaanka Waxyeelleeya (*Desert Locust Survey*), ee loo adeegsado ololaha wax ka qabashada ayaxa iyo ololaha ciribtirka mallaariyada (duumada) ee loogu tabarrucay Dalka ama ay keentay hay'ad dowladeed.
14. Hadyadaha iyo gargaarka mootka iyo noolka ah ee la gaarsiinayo dadka ay taabteen aafooyinka guud.
15. Lugaha iyo gacmaha macmalka ah iyo kuraasta lugaha leh ee ay naafadu adeegsato.
16. Agabka u gaarka ah ee loogu talogaley in ay isticmaalaan dadka baahiyaha gaarka ah qaba ama wax lagu barayo, oo ay soo dejiyeen hay'adaha samafal ee waxtarka u leh ama hay'adaha samafal ee iyaga u shaqeeya.
17. Matoorrada, qalabkooda dayactirka, iyo agabka loo isticmaalo dhisidda maraakiibta, calanka ay doonaan ba badda ha ku maraane.
18. Xayawaanno dab-joog ah, lab iyo dheddigba, oo loo soo xuley taran iyo xayawaannada dab-joogga ah ee loo adeegsado beeraha.
19. Geedaha nool iyo dhirta kale, laamaha yaryar ee la tallaalo, tallaalada kale ee la xabaalo, qaar ka mid ah abuurka oo loogu talogaley dalagyada beeraha iyo kuwa jikada, bacrimiyeyaasha iyo sunta disha ku-dul-noolayaasha ee gebi ahaanba loo adeegsanayo beeraha, waase in si toos ah ay u soo dejiyaan beeraleyda ay khuseyso ama in la caddeeyo in si buuxda loogu adeegsanayo beeraha.
20. Qalabka xirfadda kalluumeysiga, laakiin kuma jiraan qalabka kalluumeysiga isboortiga ah.
21. Agabka keydka maraakiibta, oo aaney ku jirin alaabta maanabooliyada ah, ee gebi ahaanba ay isticmaalayaan rakaabka iyo shaqaalaha markabka, ee la

isticmaalayo inta safarka lagu jiro iyo inta ay maraakiibtu ay joogaan dekad ama meelaha ay barroosinku u yaallo, taas oo ku xiran ballanqaadyada iyo xaddidaadaha ay u dhigeen maamullada furdada.

22. Agabka wax lagu cabeyo iyo cabeynta wax lagu xirxiro nooca ay doonaan ha ahaadeen ee loogu baahan yahay gaadiid-ku-qaadista miraha iyo khudaarta la rabo in la dhoofiyo; taas oo hadba ku xiran ballanqaadyada ay u dhigeen maamullada furdada.
23. Dhalooyinka, baakadaha, gasacadaha iyo weelasha kale ee cuntada la rabo in la dhoofiyo, taas oo hadba ku xiran ballanqaadyada ay u dhigeen maamullada furdada.
24. Shidaalka iyo garaasada loogu talogaley:

a. Maraakiibta baxaya ee ka hawlgalaya dibadda biyaha dalka;
b. Diyaaradaha baxaya ee u socda dibadda oo ay ka mid yihiin kuwa ku sii degaya meelo kale oo ka mid ah dhulka Soomaaliya.

25. Naxashka ama sanduuqa lagu shubo waxyaabaha ka hara meydadka ee loo soo qaadayo Soomaaliya, iyo waxyaabaha kale ee lagu qurxinayo. Canshuur-dhaafka ayaa waxaa oggolaanaya maamulka furdada marka loo soo gudbiyo oggolaanshaha ay soo saareen hay'adaha ku shaqada leh.
26. Ubaxyada iyo waxyaabaha kale ee lagu qurxiyo xabaalaha ku yaalla Soomaaliya.
27. Alaabta la xaqiijiyey in ay asal ahaan Soomaaliya ka soo jeedaan.Canshuurdhaafka noocaas ah waxaa la siinayaa milkiilaha alaabta ee isaga oo wakiil laga yahay dhoofinta la soo sameeyey, taas oo ku xiran in la soo gudbiyo dukumentiga furdada lagu soo mariyey iyo iyada oo ku xiran in alaabta dib loogu soo dhoofinayo sanad gudihiisa oo ka bilowda taariikhda ku qoran dukumentiga.

Qodobka 49aad

Canshuur Dhaafka Alaabta La Dhoofinayo

Alaabtan soo socota waa in laga dhaafaa canshuurta dhoofinta si ku xiran shuruudaha la cayimey:

1. Waxyaabaha shakhsi ahaan loo leeyahay oo ay ka mid yihiin baabuurta, qalabka guryaha, raadiyeyaasha, rikoodhada, kaamaradaha sawirka, kaamaradaha fiidiyowga iyo borojectarrada/*projectors* (8 mm), hubka, teebabka, harqaamada, agabka guryaha, agabka iyo qalabka xirfadlayaasha,

iyo galabka guryaha ee ay leeyihiin shakhsiyaadka dibadda degaya sababta ay doonto ha ka keentee, waase in alaabta ay dhammaanteed ahaataa mid la isticmaaley aaneyna ahayn kuwo ka badan maqaamka qofka ay la xiriiraan.

2. Waxyaabaha ay shakhsi ahaan u leeyihiin dadka safarka ah, hubka, kaamadaraha sawirka, kaamarahada fiidiyowga (8 mm), harqaamada iyo teebabka, qalabka guryaha iyo qalabka shakhsi ahaan loo sidan karo, iyo buugaag tiro yar iyo dharka lagu goglo sariirta iyo dharka la saaro miiska ee ay sii qaadanayaan, waase in dhammaan waxyaabahaasi ay yihiin kuwo la isticmaaley oo u qalma maqaamka milkiilaha.
3. Maqaasiinta ku dhex yaala maraakiibta ee ay isticmaalayaan rakaabka iyo shaqaalaha markabka, inta maraakiibtu joogaan dekadaha ama waddooyinka Jamhuuriyadda ka tirsan, taas oo ku xiran shuruudaha ay u dhigeen maamullada furdada.
4. Xirmo boosto lagu diro oo uu qiimaheedu ka badneyn $50 (konton).
5. Naxashka ama Sanduuqa lagu shubo waxyaabaha ka hara meydadka ee loo dirayo dibadda, iyo waxyaabaha kale ee lagu qurxinayo taas oo ku xiran in oggolaasho ka haystaan hay'adaha ku shaqada leh.

Qodobka 50aad
Canshuurta shaabadda

1. Iyada oo la raacayo Wareegtadii Sharci Lr.6 ee soo baxdey 7 Disembar 1966 ee ku saabsaneyd canshuurta shaabadda, canshuurtaas waxa si aan toos ahayn loogu dalacayaa dukumentiyada uu saaro maamulka furdada. Qiimaha qiimaha canshuurta shaabadaha wasiirku wuxu ku soo saarayaa xeer nidaamiye.

Qodobka 51aad
Lacagaha Ku Waajibay Bakhaarada

1. Lacagaha ka waajibey bakhaarrada ee la xiriira keydinta muddada kooban ee alaabta lagu keydiyo bakhaarrada furdada waa in ay noqdaan sidan soo socota:

a. Ilaa toban maalmood oo ay ku jiraan maalinta ay soo gashey iyo tan ay ka baxdey waa lacag la'aan;

b. Laga bilaaabo maalinta kow iyo tobanaad: $ 0.30 oo laga bixiyo 100 kg. maalintii;
c. Laga bilaabo maalinta kow iyo tobanaad, alaabta la dhoofinayo iyo alaabta "qiimahoodu hooseeyo": $ 0.10 oo laga bixiyo 100 kg. Maalintii. Marka la xisaabinayo lacagaha bakhaarka, waxyaabahan soo socda waa in loo tixgeliyaa alaab "qiimahoodu hooseeyo": biraha shubka, biraha kale ee xadiidka ah, biraha xadiidka fidsan iyo biraha kale, shamiitada, alwaaxda, bulukeetiga, dhagaxa, carrada, macaadinta birta ah iyo kuwa aan birta ahayn (oo ay ka mid yihiin daamurka, laamiga, nuuradda iyo wixii la mid ah), fuustooyinka iyo konteenarrada faaruqa ah, biraha duugga ah, cusbada, dhuxusha, lafaha, iyo alaabta dhaawacu soo gaarey oo ay tahay in la burburiyo.

2. Qiimahan waa in hoos loo dhigaa 50% (konton boqolkiiba) marka alaabadu ay taallo daaradda furdada oo aaney ku jirin bakhaarrada furdada. Ka dib 45 maalmood ee ugu horreeya (oo ay ku jiraan tobanka maalmood oo lacag la'aanta ah) Qiimaha waa in la laba-laabaa.
3. Qiimahan kore waxaa loo adeegsanayaa alaabooyinka cid laga hayo, oo ay ka mid yihiin Alaabooyinka la qabtey ama gacanta lagu soo dhigey. Maamulka bakhaarrada furdada iyo qiimeynta iyo qaadista lacagta waajibtey iyo wareejinteeda loo wareejinayo Dowladda waa in uu sameeyaa Furdada.

Qodobka 52aad
Ujuurada Marsada (Wharfage)

1. Ujuurada marsada waxaa laga qaadayaa alaabta laga raro ama laga dejiyo dekadaha Jamhuuriyadda, iyada oo qiimaheedu tahay 1.5 boqolkiiba qiimaha alaabta ee la canshuurayo, oo loo go'aaminayo si waafaqsan Sharciga Furdada. Lacagtan waa ujuuro lagu qaadanayo adeeg la bixiyey.
2. Ujuurada marsada waxaa qiimeynaya oo qaadayana Furdada
3. Ujuurada marsada waxaa laga dhaafey:

a. Alaabta canshuur-dhaafka loogu sameeyey faqradaha 1, 5, 9, 12, 15, 16 iyo 26 ee Qodobka 48aad iyo faqradaha 2aad iyo 5aad ee Qodobka 49aad ee Tariifada Furdada;

b. Soo-dejinta iyo dhoofinta canshuur-dhaafka loogu sameeyey Shuruuc gaar ah. Ganacsiga ka dhaca min dekad ilaa dekad (*coastal trade*) iyo alaabta la sii gudbinayo waxaa ujuurada marsada looga qaadayaa keliya halka laga rarayo.

Qodobka 53aad
Canshuurta Warshadeynta Sonkorta

1. Sonkorta lagu warshadeeyo Soomaaliya waa in laga qaadaa canshuurta warshadeynta.
2. Wasiirka ayaa xeer nidaamiye ku soo saaraya qiimaha canshuurta warshadeynta sonkorta, hadba heer xukuumadeedka u xilsaaran si waafaqsan Qod.50aad (b) ee Dastuurka KMG ah.
3. Maamulka furdada waa in uu mas'uul ka ahaadaa qiimeynta iyo qaadista canshuurta Warshadeynta sonkorta si waafaqsan sharciga furdada iyo xeer nidaamiyaha.
4. Wasiirka Maaliyadda ayaa leh awood uu ku soo saaro xeer-nidaamiye ku saabsan arrinta. Canshuurta warshadeynta kuma waajibeyso sonkorta la dhoofiyo waana in "loo soo celiyaa" marka farsameeynta alaab sonkor lagu daro canshuurteeda la bixiyey ee la dhoofiyay.

Qodobka 54aad
Canshuurta Dheeraadka Ah Ee
Laga Qaado Sonkor Soo Gasha Dalka

1. Sonkorta loo soo dhoofiyo Soomaaliya waa in la saaraa canshuurta dheeraadka ah ee soo gelitaanka dalka oo la mid ah canshuurta warshadeynta.
2. Canshuurta dheeraadka ah ee alaabta lasoo dejiyo ee ay ku jirto sonkor waa in la saaro si waafaqsan boqolleydan soo socota ee xisaabinteedu ay sal u tahay miisaanka saafiga ah ee badeecada:

a. Nacnaca, macmacaanka, xanjada iyo wixii la mid ah 80%
b. Sharaabka la cabbo, malmalaaddada, iyo wixii la mid ah 50%
c. Shukulaatada, miraha nacnac laga dhigey, xalwadda iyo wixii la mid ah 40%

d. Cabitaannada kale ee macaan 20%
e. Khudaarta shiidan iyo cabitaannada khudaarta ah ee la macaaneeyey 20%
f. Rootiga macaan ee "*Panettoni*", keegagga iyo doolshada kale, buskutka iyo badeecadaha kale ee la macaaneeyey 20%
g. Badeecadaha kale ee ay ku jirto sonkor lagu darey 20%

3. Canshuurta dheeraadka ah ee soo dejinta "sonkoraha kale" (*glucose, maltose, iwm.*) oo loo eegayo saamiga awoodda macaaneynta waxtarka leh ee ay leeyihiin badeecadahan, canshuurta dheeraadka ah ee soo dejinta alaabta dalka soo geleysa waa in aan lagu soo rogin badeecadaha caafimaadka iyo daawooyinka. Haddii ay lagama maarmaan noqoto madaxyada iyo boqolleyda kor lagu xusey waxa wax looga beddeli karaa wareegto uu soo saaro Wasiirku.

Qodobka 55aad
Canshuurta Warshadeynta ee Aalkolada

1. Qiimaha canshuurta aalkolada aan la baraxin ee lagu warshadeeyo Soomaaliya waxa xeer nidaamiye ku soo saari doona Wasiirka.
2. Maamulka furdada ayaa mas'uul ka ah qiimeynta iyo qaadista canshuurta warshadeynta aalkolada si waafaqsan shuruucda furdada. Wasiirku waxa uu leeyahay awood uu arrimahan ugu soo saaro xeer-nidaamiyeyaal marka loo baahdo.
3. Canshuurta warshadeynta waa in aan laga qaadin:
   i. Aalkolo loogu talo galey ujeeddooyin caafimaad iyo daawo;
   ii. Aalkolada la dhoofiyey.
4. Canshuurta warshadeynta waa in "la soo celiyaa" marka alaabta ay ku jirto aalkolo oo canshuurteeda horey loo bixiyey la dhoofiyo.
5. Waxaa Dalka ka mamnuuc ah in lagu warshadeyo Aalkalo la khamiiriyey, la macaaneeyey ama la carfiyey iyo cabitaan Aalkolada kujirto oo maanka dooriyo.

Qodobka 56aad
Canshuurta Dheeraadka ah ee Xuduudda Looga Qaado Aalkolada

1. Aalkolo saafi ah, aalkolo la macaaneeyey ama la carfiyey iyo cabitaannada aalkoladu ku jiro waa in Xuduudda looga qaadaa canshuurta Dheeraadka ah ee Xuduudda oo la mid ah canshuurta warshadeynta ee aalkolada si waafaqsan xeer nidaamiyaha wasiirka.
2. Canshuurta Dheeraadka ah ee Xuduudda looga qaado aalkolada waa in aan la saarin:
    a. Badeecooyinka caafimaadka iyo daawooyinka;
    b. Cabitaannada canabka dabiiciga ah;

Qodobka 57[aad]
Baabi'in

1. Qodob kasta oo ka mid ah shuruucdii hore oo aan la jaanqaadi karin qodobadda sharciggan waa la baabi'iyay.

Dowladaha Xubnaha ka ah Dowladda Federaalka waxay sii isticmaalayaan shuruucda canshuuraha furdooyinka ee hadda dhaqangalka u ah inta laga midaynaayo shuruucda maaliyadda ee labada heer.

SHARCI LR. 23 Taariikh: 20/02/2020

ANSIXINTA SHARCIGA DOORASHOOYINKA QARANKA EE HEER FEDERAL

MADAXWAYNAHA J.F.S

MARKUU ARKAY: Qodobka 87aad, Faqradda 1aad, iyo Faqradda 2aad ee Dastuurka KMG

MARKUU ARKAY: Qodobka 90aad, Xarafka "F" ee Dastuurka KMG

MARKUU ARKAY: Warqadda Guddoomiyaha Golaha Shacabka Lr. GSH259/B-10/20 Taariikh 20/02/2020 kuna saabsan Ansixinta Sharciga Doorashooyinka Qaran ee Heer Federaal

MARKUU TIXGELIYAY: Baahida loo qabo in la ansixiyo lana meel-mariyo Sharcigan

Waxa uu Madaxweynuhu soo saaray Sharcigan:

Qodobka 1aad

Laga billaabo marka uu Madaxweynuhu saxiixo Sharcigan, waxa si rasmi ah loo oggolaaday Sharciga Doorashooyinka heer Federaal.

Qodobka 2aad

Marka uu Madaxweynaha JFS saxiixo Sharcigan, waxa lagu soo daabici doonaa Faafinta Rasmiga ee Jamhuuriyadda Federaalka Soomaaliya.

MUQDISHO: 20/02/2020

JAMHUURIYADDA FEDERAALKA SOOMAALIYA
XAFIISKA HANTIDHAWRKA GUUD
WAA LA DIIWAAN GELIYEY
DIIWAAN NO: HHN/051/2020
TAARIIKH 24/03/2020
SAXIIXA HANTIDHAWRKA GUUD

Madaxweynaha J.F.S
Maxamed Cabdullaahi Maxamed (Farmaajo)

JAMHUURIYADDA FEDERAALKA SOOMAALIYA

SHARCIGA DOORASHOOYINKA QARANKA EE HEER FEDERAAL

04 Febraayo 2020

CUTUBKA 1-aad:
QODOBBO GUUD
Qodobka 1-aad:
Magaca Sharciga

Sharcigan waxaa lagu magacaabaa "Sharciga Doorashooyinka Qaranka ee Heer Federaal"

Qodobka 2-aad:
Eray-bixin

Sharcigan gudihiisa haddii aan si kale loogu qeexin, ereyada soo socda waxay yeelanayaan macnaha ku hor qoran:

1. Dastuur: waxaa loola jeedaa Dastuurka **KMG** ee Jamhuuriyadda Federaalka Soomaaliya;
2. **Qof:** waxaa loola jeedaa bani'aadam caqli leh ama shakhsi sharcigu sameeyey (hay'ad leh shakhsiyad qaanuuneed);
3. **Doorasho**: waxaa loola jeedaa habka loogu guuleysto jago siyaasadeed oo loo tartamo;
4. **Xisbi:** waxaa loola jeedaa xisbi siyaasadeed oo si rasmi ah loo diiwaan-geliyay ama isbaheysi ay ku mideysan yihiin xisbiyo siyaasadeed oo si rasmi ah loo diiwaan-geliyay, iyadoo la raacayo Sharciga xisbiyada (Sharci Lr.19 ee 27^{kii} Juun 2016);
5. **Wakiil:** waxaa loola jeedaa wakiillada xisbiyadu u soo dirsadaan la socodka xarumaha iyo goobaha ay ka dhaceyso diiwaan-gelinta codbixiyeyaasha iyo codeynta;
6. **GMDQ:** waxaa loola jeedaa Guddiga Madaxabannaan ee Doorashooyinka Qaranka ee lagu dhisay (Sharci Lr.4/2015) ;
7. **Goobaha codbixinta:** waxaa loola jeedaa dhismo kasta, qeyb ka mid ah dhismo, guri ama goob xiran oo loogu talagalay in lagu qabto codbixinta inta ay socdaan hawlaha codbixinta;
8. **Xarun Doorasho:** waxaa loola jeedaa meesha laga maamulo goobaha codbixinta;
9. Cod-bixiye: waxaa loola jeedaa qof kasta ee buuxiya shuruudaha lagu xusay qodobbada sharcigan, kuna jira diiwaanka cod-bixiyaha;
10. **Diiwaanka Cod-bixiyeyaasha:** waxaa loola jeedaa buug, aalad ama qalab kasta oo lagu keydiyo xogta cod-bixiyeyayaasha sida ku cad sharcigan;

11. **Warbaahinta:** waxaa loola jeedaa nooc kasta oo ka mid ah qaababka warka laysu gaarsiiyo si guud oo qoraal, maqal ama muuqaal ah;
12. **Xarunta Diiwaangalinta:** Waxaa loola jeedaa goob ay ku yaallaan hal iyo wax kaban oo goob diiwaangalin ah iyo meesha muwaadiniinta soomaaliyeed **aadayaan** si ay isaga diiwaangaliyaan diiwaanka codbixiyaha;
13. **Xeerka Anshaxa**: Waa xeer uu soo saaro GMDQ si uu ugu maamulo tartatamayaasha doorashada inta lagu guda jiro hannaaka doorasho. Xeerka Anshaxa waxaa lagu dhaqayaa xisbiyada siyaasadeed, kor-joogeyaasha, warbaahinta, shaqaalaha maamulka doorashada.
14. **Xeer-nidaamiyeyaal:** Waa dukuminti sharci ah oo ka soo baxay GMDQ kaa soo sharxaya hannaanka kala duwan ee lagama maarmaanka u ah qabashada doorashada, tusaale, kuma koobna diiwaangalinta codbixiyaha, in la soo saaro liiska ku-meel-gaarka ah ee codbixyeyaasha, ruqsadsiinta wakiillada xisbi iyo kor-joogeyaasha; codbixinta, shax-u-samaynta codadka, cabashooyinka iyo racfaannada.
15. **Dadka Baahiyaha Gaarka ah Qaba:** Waxaa loola jeedaa qabanqaabada iyo hannanka loo raacayo codaynta dadka xaqa u leh inay codeeyaan balse aan codayn karin kaalmo la'aan;
16. **Goobta Diiwaangalinta:** Waxaa loola jeedaa goob ama xarun loo asteeyey diiwaangalinta codbixiyeyaasha;
17. **Kaarka Oggolaashaha:** waxaa loogu talagalay korjoogeyaasha doorashada iyo wakiillada xisbiyada siyaasadeed waxaana ka muuqanaya xog lagu aqoonsanayo cidda uu u shaqeeyo ama uu matalo. Kaararka waa inay lahaadaan calaamad si fudud loogu ogaan karo cidda sidata;
18. **Korjoogaha Doorashooyinka:** waxaa loola jeedaa qof qaan gaaray oo ka socda hay'addo maxalli ah iyo kuwo caalami ah, warbaahinta maxalliga ah iyo kuwo shisheeye ee GMDQ u oggolaaday inay korjoogteeyaan doorashooyinka si waafaqsan sharcigaan iyo Xeer-nidaamiyaasha GMDQ;
19. **Maalinta Doorashada:** waxaa loola jeedaa muddo hal maalin oo lagu qabanayo doorashada ama codbixiyeyaashu ku codeynayaan si

waafaqsan Sharcigan, Xeer-nidaamiyaasha GMDQ iyo shuruucda kale ee la xiriira;

20. **Madaxwaynaha:** Waxaa loola jeedaa Madaxwaynaha Jamhuuriyadda Fadaraalka Soomaaliya;
21. **Murashax:** waxaa loola jeedaa murashax u tartamaya Goleyaasha Baarlamaanka Fadaraalka iyo Madaxtinimada Jamhuuriyadda Fadaraalka Soomaaliya kasoo ku tartamaya magaca xisbi siyaasadeed;
22. **Muwaadiniinta:** waxaa loola jeedaa qof kasta oo buuxiya shuruudaha ku qoran Dastuurka Jamhuuriyadda Fadaraalka Soomaaliya iyo shuruucda kale ee xeerinaya;
23. **Habraacyada:** Waa habraac faafaahsan oo lagu dhaqangalinayo hannaanka ku qoran Xeer-nidaamiyeyaasha ama Sharciga. Waxaa ka mid ah faahfaahinnada u qoran tallaabo-tallabo ee ku saabsan sida loogu diiwaangalinayo codbixiyeyaasha goobaha codbixinta, sida warqadaha loo tirinaayo, iyo sida foomamka loo wareejinaayo;
24. **Deegaan-doorasho:** waxaa loola jeedaa deegaan loo asteeyey in laga soo doorto hal kursi Baarlamaan;
25. **Kursi**: waxaa loola jeedaa xilka xubinnimo ee uu buuxinayo / buuxineyso xildhibaanka Baarlamaanka Jamhuuriyadda Federaalka Soomaaliya.

Qodobka 3-aad:
Ujeeddada Sharciga

Ujeeddooyinka sharcigani waa;

1. In lagu maamulo doorashooyinka labada Aqal ee Baarlamaanka Jamhuuriyadda Federaalka Soomaaliya;
2. In uu tilmaamo habraaca Doorashada Madaxweynaha Jamhuuriyadda Federaalka Soomaaliya si waafaqsan Dastuurka Federaalka;
3. In lagu hirgaliyo doorashooyin waqtiila ah qof-iyo-cod ah oo xor iyo xalaal ah toos ah codkuna yahay qarsoodi kana maran cabsi gelin, loona maamulay si madaxbannaan, dhexdhexaad ah, hufan, kuna saleysan habraac sharci oo dhaqan-gal ah.
4. In lagu qeexo oo laguna tilmaamo nidaamka doorasho ee dalka Soomaaliya.

Qodobka 4-aad:
Mabaadii'da Aasaasiga Ah

Qabashada iyo maamulka doorashooyinka Qaranka ee Heer Federaal iyo sharciga ku saabsan doorashooyinka waa inay hagaan mabaadii'da soosocda:

1. Inay noqdaan doorashooyin waqtiila ah qof iyo cod ah, loo siman yahay, una dhaca si xor ah, toos ah, codkuna yahay mid qarsoodi ah, lana ilaaliyo rabitaanka iyo kalsoonida codbxiyeyaasha si waafaqsan sharcigan, Dastuurka Jamhuuriyadda Faderaalka Soomaaliya, heshiisyada caalamiga ee Jamhuuriyadda Fadaraalka Soomaaliya qaybta ka tahay, xeer-nidaamiyaasha GMDQ iyo shuruucda kale ee doorashooyinka;
2. Codbixiyeyaashu waxay si siman xaq ugu wada leeyihiin dhiibashada codkooda;
3. Muwaadin kasta ee u dhashay Jamhuuriyadda Federaalka Soomaaliya wuxuu xaq u leeyahay inuu wax doorto lana doorto iyadoo qofna lagu takoorin, qolo, midab, isir, dhaqan ama lahjad, Lab iyo Dheddig dhalasho, dadka qaba baahiyaha gaarka ah, fikir siyaasad, xirfad, heerka bulsho ama dhaqaale iyo wax kasta oo la halmaala.
4. In la dhowro qarsoonida iyo xorriyadda sir ahaanta dhiibashada codka. Ma jiro qof xaq u leh inuu ka hor istaago muwaadin inuu codkiisa dhiibto, ku qasbo qof inuu u codeeyo qaab gaar ah, kula xisaabtamo qof codkiisa ama waydiiyo qof codkiisa ama u sheego sababta uu ugu codayn waayey isaga oo aan raali ka ahayn;
5. Doorashooyinka tirada xubnaha Goleyaasha Federaalka waa inay ka turjumaan dhammaan isu dheellitirka qaybaha kala duwan ee bulshada.
6. Dhammaan xisbiyada siyaasadeed iyo murashaxiinta waxay xor u yihiin inay ololeeyaan, xayeeysiin doorasho ku samaystaan warbaahinta si waafaqsan shuruucda dalka.
7. Waxaa reebban in loo isticmaalo xaafiis dowladeed, hantida, ama shaqaalaha ka tirsan Dowladda Federaalka ama Dowladaha Xubnaha ka ah Dowladda Federaalka arrimo lagu taageerayo xisbi siyaasadeed ama murashax doorasho.

8. Dhammaan xisbiyada siyaasadeed iyo murashaxiinta iyo hay'adaha ku shaqada leh doorashooyinka waxaa laga doonayaa inay xushmeeyaan shuruudaha qoondada Haweenka.

Qodobka 5-aad:
Baaxadda Sharcigan

1. Sharcigan waxaa lagu dhaqayaa dhammaan hawlaha maamulka doorashooyinka Heer Federaal ee Jamhuuriyadda Federaalka Soomaaliya.
2. Sharcigu wuxuu caddeynayaa hawsha maamulka doorashooyinka Heer Federaal, nidaamyada doorashooyinka, habraacyada maamulka doorashooyinka iyo hababka maareynta khilaafyada ka dhasha doorashooyinka.

CUTUBKA 2-aad:
MAAMULKA DOORASHOOYINKA
Qodobka 6-aad:
Guddiga Madaxabannaan ee Doorashooyinka Qaranka

GMDQ waa hay'adda u xilsaaran maamulka doorashooyinka heer Federaal si waafaqsan Qodobka 111G (2) (a) iyo (b) ee Dastuurka iyo Sharciga lagu dhisay Guddiga Madaxabannan ee Doorashooyinka Qaranka (Sharci Lr. 04 ee 2015).

Qodobka 7-aad:
Awoodaha Guddiga Madaxabannaan ee Doorashooyinka Qaranka

1. Iyadoo aan waxba loo dhimayn awoodaha GMDQ ee ku xusan Dastuurka iyo Qodobka 14aad ee Sharciga dhismaha GMDQ (Sharci Lr. 04/2015), GMDQ wuxuu yeelanayaa awoodaha soo socda:

a. In uu sameeyo daraasad ku saabsan sidii loo sameyn lahaa goobo doorasho oo ay codbixiyeyaashu codkooda ka dhiibtaan maalmaha doorashooyinka;
b. In uu muddeeyo wakhtiga doorashooyinka la qabanayo;
c. In uu cayimo tirada iyo goobaha cod-bixinta ee dalka;

d. In uu magacaabo, eryo, anshax-mariyo shaqaalaha xafiisyada kala duwan ee Doorashooyinka si waafaqsan sharciga lagu dhisay GMDQ iyo Xeerarka kale ee Xiriirka la leh.
e. In uu qorsheeyo dhaqaalaha iyo miisaaniyadda lagu maamulayo hawlaha doorashooyinka;
f. In uu ku dhawaaqo natiijooyinka doorashooyinka dalka.
g. In uu si joogto ah u kormeero goobaha kala duwan ee loo asteeyay in ay codbixintu ka dhacdo;
h. In uu xalliyo go'aanna ka gaaro cabashooyinka ka dhanka ah xafiisyadda hoos yimaada.
i. In ay u kormeeraan si kedis ah iyo si qorshaysanba goobaha doorashooyinka iyo meel kasta oo hawshoodu khuseysa.
j. In ay go'aan ka gaaraan murannada iyo cabashooyinka doorashooyinka ee ka soo gaara xafiisyada hoos yimaada Guddiga doorashooyinka.

2. In ay fuliyaan waajibaad kasta oo ay awood u siiyeen GMDQ sharciyada kale ee dalka ee dhaqan-galka ah.
3. Xarun iyo goob kasta ee codbixineed waxay yeelanaysaa oo ka hawl-galaya maamule, maamule ku-xigeen iyo xoghaye.

Qodobka 8-aad:
Shaqaalaha Xafiisyada Doorashooyinka

1. Shaqaalaha ku-meel gaarka ah iyo hawl-wadeenada ka hawl-galaya xafiisyada doorasho, waa in lagu wargeliyo mas'uuliyadda loo idmaday.
2. Madaxda ka hawlgasha xarumaha/goobaha doorashooyinka, waxaa lagu hor dhaarinayaa Xubno kamid ah GMDQ, dhaar fagaare ah, taasoo ah sidan "waxaan magaca Ilaahay ugu dhaaranayaa in aan hawsha doorashooyinka u guto si xilkasnimo iyo daacadnimo leh, kuna shaqaynayo caddaalad iyo si waafaqsan shuruucda Dalka"
3. Dadka ku jira xisbiyada, xubnaha ciidamada kala duwan, shaqaalaha Dowladda iyo cid kasta oo arrimo siyaasadeed si ugu lug leh, looma magacaabi karo in ay ka hawlgalaan xafiisyada doorashooyinka.
4. Hawl-wadeenada ka hawl-galaya xafiisyada doorashooyinka waxay shaqadoodu dhammaanaysaa marka ay dhammaato doorashadu oo

natiijada lagu dhawaaqo, hase yeeshee GMDQ wuu u kordhin karaa muddada shaqada haddii loo baahdo.

5. Shaqaalaha iyo hawl-wadeenada ka hawl-galaya xafiisyada doorashooyinka waxay yeelanayaan gunnooyin waxaana qorsheynaya GMDQ, iyagoo ku saleynaya xilalka ay hawl-wadeennadu ku kala magacaaban yihiin.
6. Dhammaan shaqaalaha iyo hawl-wadeennada waxaa waajib ku ah dhawrista dhammaan shuruucda doorashooyinka waxayna saxiixayaan Xeerka hab-dhaqanka shaqaalaha iyo hawl-wadeenada doorashooyinka ee GMDQ diyaarinayo.

Qodobka 9-aad:
Xasaanadda Xubnaha GMDQ

1. Xubnaha GMDQ waxay leeyihiin xasaanad sida ku xusan Qodobka 17[aad], Faqradaha (1) (2) ee Sharciga Dhisidda GMDQ, (Sharci Lr.4/2015.)
2. Waxaa reeban in xubnaha GMDQ iyo howlwadeennada laga qaado tallaabo baaritaan, waraysi dacwadeed, qabasho ama xiritaan ama tallaabo kale oo ciqaab la xiriirta, iyadoo aan oggolaansho looga helin Maxkamadda Sare ee Dalka. Haddii aan lagu helin ayagoo gacanta kula jira fal dambiyeed.

Qodobka 10-aad:
Nidaamka Doorashooyinka

1. Habka Doorashooyinka Qaranka ee Heer Federaal wuxuu noqonayaa nidaamka metalaadda kuraasta Baarlaamanka ee aqlabiyadda ah (Majoritarian System) oo ku salaysan tartanka halkii kursiba gaarkiis loo dooranayo (Single Member Plurality "SMP"). Habkan oo loo yaqaan horreeyaa guuleysta (First Past The Post "FPTP") waxaa lagu kala baxayaa codka hal dheeriga ah ee tartanka kursi deegaanka.
2. Murashaxiinta xisbiyadu soo gudbinayaan waxay ku saleysan yihiin tirada kuraasta ee ku astaysan deegaan doorasho kursi kastaba gaarkiisa ah ee ay u tartamayaan Iyada oo xisbi walba soo sharaxanayo ugu yaraan 50% tirada Guud ee kuraasta labada Aqal.

Qodobka 11-aad:
Shuruudaha iyo Doorashada Madaxweynaha Jamhuuriyadda Federaalka Soomaaliya

1. Madaxweynuhu waa madaxa Jamhuuriyadda Federaalka Soomaaliya, waxaana loo dooran kara muwaaddin kasta oo buuxiya shuruudaha ku xusan Qodobka 88-aad ee Dastuurka Federaalka Soomaaliya.
2. Nidaamka xukunka Dawladda Soomaaliya waa nidaam Baarlamaani ah, Madaxweynaha Jamhuuriyadda Federaalka Soomaaliya waxaa kulan wadajir ah ku dooranaya xildhibaannada labada Aqal ee Baarlamaanka Federaalka Soomaaliya
3. Doorashada Madaxweynaha Jamhuuriyadda Federaalka Soomaaliya waxaa loo raacaya sida ku xusan Qodobka 89aad ee Dastuurka, GMDQ ayaana maamulaya sida ku cad Qodobka 111G (2)(a) ee Dastuurka ayadoo loo fulinayo si waafaqsan Xeer Hoosaadka kulamada wadajirka labada Aqal ee Baarlamaanka Federaalka Soomaaliya.
4. Maalinta doorashada Madaxweynaha JFS waxaa reeban hadaljeedinta murashaxiinta iskood u tanaasulay iyo marti-sharafta iyo olole kasta oo saameyn ku yeelan kara codbixiyeyaasha ilaa doorashadu ka dhaceyso, waxaana lagu faahfaahinayaa habraac ay soo saaraan GMDQ si waafaqsan Dastuurka, Xeer Hoosaadka Baarlamaanka FS iyo habraaca doorashada Madaxweynaha.
5. Murashaxa ku guuleysta xilka Madaxweynaha Jamhuuriyadda Federaalka Soomaaliya, isla marka la doorto wuxuu Baarlamaanka Federaalka hortiisa ku marayaa dhaar, waxaana dhaarinaya guddoomiyaha Maxkamadda Sare si waafaqsan Qodobka 96aad ee Dastuurka kmg.
6. Madaxweynaha JFS ayaa ka soo magacaabaya xisbiga ama isbahaysiga doorashada ku guulaysta kuraasta ugu badan aqlabiyadda Baarlamaanka (50% +1) Ra'iisul Wasaaraha Xukuumadda Federaalka Soomaaliya.
7. Ra'iisul Wasaaraha la magaacaabay iyo Golihiisa Wasiirrada ayaa waydiisanaya Baarlamaanka codka kalsoonida.

Qodobka 12-aad:
Doorashooyinka Labada Gole ee Baarlamaanka Federaalka

1. Hannaanka Doorasho ee Labada Gole ee Baarlamaanku waxay noqonaysaa mid tix-gelinaysa isu-dheellitirnaanta qeybaha bulshada (haweenka, dhalinyarada, dadka laga tirada badanyahay, dadka naafada **ah** iyo beelaha Soomaaliyeed) si waafaqsan Qodobka 64aad faqradiisa (3) iyo Qodobka 72aad xarafkiisa (c) ee Dastuurka.
2. Sida uu dhigayo qodobka 64aad ee Dastuurku, kuraasta loo tartamayo ee Golaha Shacabku waa 275 Xubnood, waxayna matelaan dhammaan Bulshada Soomaaliyeed meel walba oo ay joogaan. Doorashadu waxay ka dhaceysaa dalka oo dhan.
3. Ilaa iyo inta laga gaarayo tirakoob rasmi ah oo ka dhaca dalka oo dhan, laguna saleynayo qaybinta kuraasta hab deegaan doorasho, 275-ta xubnaha Golaha Shacabka doorashadoodu waxa ay ka dhacaysaa meel kasta oo suuragal ah iyada oo la ilaalinayo hannaanka awood qaybsiga bulshada soomaaliyeed ku heshiisay.
4. Sida ku cad qodobka 72aad ee Dastuurka xubnaha Golaha Aqalka Sare oo ka kooban ugu badnaan 54, waxaa si toos ah, qarsoodi ah oo madaxbannaan u dooranaya shacabka Dowladaha Xubnaha ka ah Dowladda Federaalka iyadoo laga soo kala dooranayo Gobollada uu ka kooban yahay Dowlad Goboleedku.
5. Sida ku xusan Qodobka 72aad xarafka (C) ee Dastuurka waa in xisbiyada si dhab ah u hirgeliyaan nuxurka awood qaybsiga iyo isu dheelitirnaanta matalaada bulshada ee kuraasta Aqalka Sare.
6. Xuquuqda metelaadda Aqalka Sare ee Gobolka Banaadir waxaa Xeer kasoo saaraya labada Gole ee BFS.
7. Doorashada labada gole ee BFS waxay u dhacaysaa si wadajir ah, codbixiyuhunna wuxuu hal mar wada dooranayaa murashaxiinta labada gole.
8. Iyadoo la dhowrayo waajibaadka dastuuriga ah ee midnimada dalka iyo u sinnaanta hannaanka doorashooyinka ee shacabka Soomaaliyeed, iyadoon waxba loo dhimayn nidaamka matalaadda ee ku salaysan deegaan doorashada iyo axsaabta siyaasadda, ilaa iyo inta xal kama dambeys ah laga gaarayo xaaladda siyaasadeed ee gaarka ah

ee hadda jirta, doorashada xildhibaannada labada gole ee kasoo jeeda gobollada waqooyi (Somaliland) waxa uu yeelanayaa habraac u gaar ah waxaana xeer kusoo soo saaraya baarlamaanka JFS kadib markii ay helaan talo soojeedinta Siyaasiyiinta ka soo jeeda Gobolada woqooyi (Somaliland).

9. Xisbigii ku guuleysan waaya Doorashooyinka Labada Aqal codad u dhigma boqolkiiba afar (4%) tirada guud ee **Xubnaha labada Aqal** ama 13 xubnaha Labada Aqal wuxuu luminayaa matelaada xisbi ee labada gole ee Baarlamaanka, Xubnaha la doortayna waxay u joogayaan si madaxbannaan ama axsaab kale ayey ku biirayaan.

Qodobka 13-aad:

Cayimaadda Taariikhda Doorashooyinka la qabanayo

1. Doorashooyinka dalka waxaa la qabanayaa afartii sanaba mar si waafaqsan qodobka 60aad ee Dastuurka, bil ka hor dhammaadka mudda xileedka Baarlamaanka.
2. Maalinta doorashooyinka la qabanayo waxaa cayimaya GMDQ, ka dib marka uu xaqiijiyo jiritaanka dhamaan xaaladaha suurtagalinaya Doorashada, waxayna wargelinayaan taariikhda doorashada Goleyaasha Baarlamaanka JFS, Madaxweynaha JFS, Xukuumadda heer federal iyo heer Dowlad Gobolleed, Xisbiyada Siyaasadeed ee diiwaangashan.
3. GMDQ waa in ay muddeeyaan taariikhda doorashada, ugu yaraan boqol iyo sideetan (180) maalmood ka hor wakhtiga ay codbixintu qabsoomayso.

CUTUBKA 3-aad:

DIIWAAN-GELINTA CODBIXIYAYAASHA

Qodobka 14-aad:

Diiwaan-gelinta Codbixiyaha

1. Jamhuuriyadda Federaalka Soomaaliya waxay yeelaneysaa diiwaanka codbixiyeyaasha dalka oo uu diyaariyo GMDQ

2. Diiwaan-gelinta codbixiyeyaasha waxaa ka mas'uul ah GMDQ sida ku xusan Qodobka 111G faqradiisa (2) (c) ee Dastuurka iyo Qodobka 14aad ee Sharciga dhisidda GMDQ.
3. GMDQ waxaa uu sameynayaa diiwaanka codbixiyeyaasha oo lagu diiwaan-gelinayo qof kasta oo buuxiya shuruudaha diiwaan-gelinta codbixiyaha.
4. Diiwaangelinta codbixiyaasha, wixii aan halkan lagu sheegin, waxaa nidaaminaya xeer gaar ah oo uu soo saaro GMDQ.
5. GMDQ ayaa mas'uul ka ah diiwaan-gelinta, keydinta xogta diiwaanka iyo xafidaadda xogta diiwaankaba.
6. Codbixiyuhu wuxuu codkiisa ka dhiibanayaa maalinta doorashooyinka meesha uu iska diwaangeliyey.
7. Codbixiyuhu wuxuu xaq u leeyahay in uu helo marka la diiwaangeliyo Kaarka diiwaan-gelinta oo ay ku dhameystiran tahay faahfaahinta ku xusan Qodobka 19aad, Faqrada (2) (a) ilaa (f) ee Sharcigan.

Qodobka 15-aad:
Shuruudaha diiwaan-gelinta

1. Is diiwaan-gelinta codbixiyuhu waxay u furantahay qofkasta oo Soomaali ah oo gaaray da'da 18 sano waqtiga diiwaan-gelinta.
2. Aqoonsiga qofka Soomaaliyeed ee ku sheegan faqrada (1) ee Qodobkan waxaa loo raacayaa oo tilmaamaya qodobka 8aad ee Dastuurka iyo Shuruucda kale ee Dalka ee dhaqan-galka ah
3. Diiwaan-gelinta codbixiyeyaasha waxaa ka reeban:
    a. *Muwaadin kasta oo aan xiskiisu dhammeyn;*
    b. *Maxaabiista xukuman;*
    c. *Dadka ajaanibta ah ee dalka ku sugan; iyo*
d. Qof kasta oo aan gaarin da'dii codaynta wakhtiga diiwaan-gelinta si waafaqsan Qodobka 29^{aad} (8) ee Dastuurka.

Qodobka 16-aad:
Fulinta Diiwaan-gelinta

1. Doorashooyinka Soomaaliya ee heer federaal waxaa ka codayn kara oo kaliya codbixiyeyaasha isku diiwaan-geliyay in ay codkooda dhiibtaan.

2. Diiwaan-gelinta codbixiyeyaasha waxaa fulinaya GMDQ si waafaqsan Qodobka 14aad faqradiisa (2) ee sharcigan.
3. Diiwaan-gelinta codbixiyeyaashu waa lacag la'aan lagumana xiri karo lacag ama shuruud kale oo aan ahayn shuruudaha ku xusan Qodobka 15aad Faqrada 3aad ee sharcigani tilmaamay, taasoo u diideyso muwaadinka in uu isku diiwaan-geliyo codbixiye.
4. Qof kasta oo isku diiwaan-geliya codbixiye si sharcigan waafaqsan wuxuu marayaa habka gaarka ah ee aqoonsiga qofka (Unique Biometric identification).
5. Si loo fuliyo diiwaan-gelinta codbixiyeyaasha, GMDQ waxay shaqaaleysiinayaan shaqaale xirfad iyo waayo-aragnimo u leh hawlaha diiwaan-gelinta.
6. GMDQ ayaa ka mas'uul ah habeynta, dhaqan-gelinta iyo daabacaadda liiska codbixiyeyaasha.
7. GMDQ waxay soo saari karaan xeer-nidaamiyeyaal, go'aamo, habraacyo iyo amarro lagu dhaqan-gelinayo diiwaan-gelinta codbi afaqsan sharcigan.

Qodobka 17-aad:
Bilawga Diiwaan-gelinta Codbixiyeyaasha

1. GMDQ, ka hor inta aysan baahin ama shaacin waqtiga la bilaabayo diiwaan-gelinta codbixiyeyaasha iyo muddada ay soconeyso, waxay wargelinayaan Madaxda qaranka, Madaxda Dowladaha Xubnaha ka ah Dowladda Federaalka iyo Madaxda xisbiyada.
2. GMDQ waa in uu diyaariyaa macluumaadka muhiimka ah ee la xiriira diiwaan-gelinta una bandhigaa dadweynaha isagoo isticmaalaya warbaahinta kala duwan ee dalka.
3. Si dadweynaha Soomaaliyeed u fahmaan diiwaan-gelinta, GMDQ waa in ay baraan kuna wacyigeliyaan muwaadiniinta Soomaaliyeed muhiimadda diiwaan-gelinta iyo sida laysku diiwaan-gelinayaba.
4. Si loo gaaro nuxurka faqrada 3aad ee Qodobkani tilmaamayo, GMDQ waa in uu diyaariyaa barnaamijyo wacyigalineed oo codbixiyaha lagu barayo diiwaan-gelinta codbixiyeyaasha iyo doorashooyinka.

5. GMDQ ayaa qorshaynaya xarumaha/goobaha diiwaan-gelinta codbixiyeyaasha ee dalka iyagoo tixgalinaya duruufaha jira markasta iyo meelkasta.
6. Xisbiyada siyaasadu waxay u soo dirsan karaan wakiillo goobaha diiwaan-gelinta codbixiyeyaasha si ay u la socdaan in nidaamka diiwaan-gelintu waafaqsan yahay sharciga iyo in aysan jirin wax kala takoorid ah ama gabood-fal ah oo muwaaddiniinta qaar looga reebayo diiwaan-gelinta sifo aan sharciga waafaqsanayn.

Qodobka 18-aad:
Xogta codbixiyaha

1. Waxaa jiraya foomka diiwaan-gelinta codbixiyeyaasha oo asaas u noqonaya diiwaan-gelinta codbixiyeyaasha kaasoo ka koobnaanaya xogtan:
    a. Magaca codbixiyaha oo dhan waafaqsanna aqoonsiga qofka haddii uu jiro;
    b. Taariikhda uu dhashay codbixiyuhu iyo meesha uu ku dhashay;
    c. Lab ama dheddig midka uu yahay codbixiyuhu;
    d. Degaanka (Tuulo, Degsiimo, xaafad) oo ay ka mid tahay degmada;
    e. Saxiixa codbixiyaha ama tilmaan muujinaysa in aan codbixiyuhu saxiixi karayn;
    f. Tirsiga (lambarka) lagu diwaan-geliyay codbixiyaha;
    g. Tirsiga aqoonsiga codbixiyaha haddii uu leeyahay.
2. Kaarka codbixiyaha waxaa waajib ah in ay ka muuqato xogtan hoose:
    a. Magaca codbixyaha oo dhan;
    b. Sawirka codbixiyaha;
    c. Lambarka tixraaca diiwaan-gelinta codbixiyaha;
    d. Taariikhda uu dhashay codbixiyuhu;
    e. Lab iyo dheddig midka uu yahay; iyo
    f. Goobta diiwaangelinta ee uu codbixiyuhu iska diiwaangeliyay.
    g. Taariikhda la bixiyey kaarka codbixiyaha.

Qodobka 19-aad:
Kaarka Codbixinta

1. Kaarka codbixintu waa in uu yahay laf aan la been abuuri karin, waxna laga beddeli karin isla markaana aan si fudud u duugoobayn.
2. Codbixiye kasta oo uu ka lumo ama ka xumaado kaarka codbixintu, waxaa uu ku wargalinayaa Saldhigga Booliska ugu dhaw si uu uga qaato warqad caddeyn ah.
3. Mas'uuliyiinta GMDQ ee qaabilsan diiwaan-gelintu marka ay soo gaarto warqadda cadeynta ee ku xusan faqradda (2) ee Qodobkan, waa in ay diyaariyaan kaar codbixineed oo cusub watana xogtii iyo tixraacii kaarkii hore ee lumay ama ka xumaaday codbixiyaha, kaarkii horena waa in diiwaanka laga saaraa.
4. Codbixiyaha wuxuu xaq u leeyahay in ugu dambayn soddon cisho (30) ka hor maalinta codbixinta loo beddelo kaarka codbixinta haddii uu keeno kaarkii ka xumaaday ama warqadda cadeynta kaarka lumay.
5. Qofka kasta oo hela kaarka codbixineed ee lumay waxaa ku waajib ah in uu geeyo saldhiga boolis ee ugu dhaw, Dowladda Hoose ama Xafiiska GMDQ ee ugu dhaw.

Qodobka 20-aad:
Dhawrista Xogta Codbixiyaha

1. Xogta diiwaanka codbixiyuhu waa sir gaar u ah Qaranka Soomaaliyeed iyo codbixiyaha is-diwaan-galiyey, waxaana keydinaya oo ilaalinaya GMDQ.
2. Ilaalinta xogta diiwaanka codbixiyuhu waa waajib waxaana reebban in sifo aan sharciga waafaqsanayn looga faa'iidaysto.
3. Qofkasta oo sifo aan sharcigan iyo xeerarka kale ee dalka waafaqsanayn u bixiya xogta, wax uga beddela ama si kale uga faa'iidaysta waxaa uu mutaysanayaa ciqaabta ku xusan Xeerka Ciqaabta ee la xiriira bixinta sirta Qaranka.
4. Xogta cod-bixiyaha waa sir, cidna lalama wadaagi karo, hase yeeshee waxaa lagu bixin karaa oo keliya haddii uu sharci sidaas waajibinayo ama amar ay soo saartay Maxkamad awood u leh.

Qodobka 21-aad:
Kaalinta Wasaaradda Arrimaha Gudaha, Federaalka iyo Dib-u-heshiisiinta

1. Marka uu codsado GMDQ Wasaaraddu waxa ay Guddiga ka caawinaysaa sugitaanka muwaadinka Soomaaliyeed ee xaqa u leh in loo diiwaangeliyo codbixiye maadaama ay Diiwaanka guud ee dadweynaha mas'uul ka tahay.
2. Marka uu codsado GMDQ Wasaaraddu iyadoo kaashaneysa Wasaaradda Amniga gudaha ayay waxaa ay ka qayb qaadanaysaa sugidda Amniga iyo dejinta xasaradaha goobaha diiwaangelinta codbixiyeyaashu ka dhacayso.

Qodobka 22-aad:
Soo-saarista Liiska codbixiyeyaasha

1. Marka la dhameystiro diiwaan-gelinta codbixiyeyaasha, GMDQ wuxuu soo saarayaa liis ku-meel-gaar ah muddo laba bilood gudahood ah.
2. Markii GMDQ sixitaan iyo dib-u-eegis ku sameeyo liiska ku-meel-gaarka ah, lana diiwaan-geliyo wixii is beddel ah ee lagu sameeyay, GMDQ wuxuu diyaarinayaa liis kama-dambeys ah oo noqonaya midka la faafinayo laguna codeynayo.
3. Liiska kama danbeysta ah GMDQ waxaa ay la wadaagi doonaan Wasaaradda Arrimaha Gudaha iyo xisbiyada siyaasadda muddo laba (2) bilood ah ka hor maalinta doorashada.

CUTUBKA 4-aad:
MURASHAXIINTA IYO OLOLAHA DOORASHOOYINKA EE XISBIYADA

Qodobka 23-aad:
Xisbiyada Ka-qeyb-galaya Doorashooyinka

1. Doorashooyinka waxaa ka qeybgalaya xisbiyadda sida rasmiga ah loogu diiwaan-geliyey in ay ka qeyb qataan doorashooyinka.
2. Xisbiyadda waxaa doorashooyinka uga qeyb-galaya murashaxiinta ay u soo xuleen in ay uga qeyb-galaan tartanka doorasho ee kuraasta xubnaha Baarlamaanka.

3. Xisbiyaddu marka ay soo xulayaan murashaxiinta uga qeyb-galaysa doorashooyinka waa in ay dhawraan tixgaliyaanna isu-dheellitirnaanta bulshada Soomaaliyeed si waafaqsan Qodobka 12aad faqradda 3aad ee Sharcigan.
4. Xisbiyadu marka ay soo xulayaan Murashaxiinta doorashooyinka uga qeyb galaya waa inay dhowraan qoondada haweenka oo ah ugu yaraan boqolkiiba 30% xubnaha murashixiinta xisbi kasta. Baarlamaanka JFS ayaa xeer ku soo saaraya hannaanka ugu habboon ee lagu xaqiijinayo qoondada haweenka ee faqraddan ku xusan.

Qodobka 24-aad:
Murashaxiinta Doorashooyinka

1. Qof kasta oo Soomaali ah oo buuxiyay shuruudaha sharcigu tilmaamay waxaa uu xaq u leeyahay in la doorto waxna uu doorto, sida ku cad qodobka 22 (2) ee Dastuurka.
2. Murashax doorasho u taagan waxaa noqon kara qof kasta oo shuruudaha murashaxnimada buuxiyay isla markaana uu xisbi soo sharraxay.
3. Xisbiyadda siyaasadeed ayaa magacaabaya murashaxiinta xisbiga uga qeybgalaya doorashooyinka Baarlamaanka si waafaqsan dastuurrada xisbiyada.
4. Xubnaha ciidamada qalabka-sida, shaqaalaha Dowladda, diblomaasiyiinta, iyo xubnaha bahda garsoorka looma soo sharrixi karo doorasho liiskana laguma soo dari karo haddii aysan keenin cadayn shaqo ka tegis.
5. Warqadda caddaynta shaqo ka tegista looma diidi karo Murashaxa dibna looguma dhigi karo sabab la'aan.

Qodobka 25-aad:
Shuruudaha Murashaxiinta

1. Murashaxiinta u tartamaya xubnaha Baarlamaanka Federaalku waa in ay buuxiyaaan shuruudaha ku xusan qodobka 58^{aad} ee Dastuurka oo tilmaamaya qofka kamid noqonaya xubnaha Baarlamaanka federaalka una dhigan sidan:

a. In uu yahay muwaadin u dhashay Jamhuuriyadda Federaalka Soomaaliya oo aan xuquuqdiisa muwaadinnimo go'aan Maxkamadeed lagu hakin shantii (5) sano ee u danbeeyay;
b. Xiskiisu dhanyahay;
c. Dadiisuna ka yarayn 25 jir;
d. Waa in uu kamid yahay codbixiyeyaasha ku jira Diiwaanka codbixiyaha;
e. Leeyahay aqoon dugsi sare ugu yaraan ama waayo aragnimo u dhiganta

2. Iyadoo aan waxba loo dhimmayn shuruudaha ku xusan faqrada (1) ee Qodobkan, murashaxa u tartamaya doorashooyinka Baarlamaanka waa in aan shantii sano ee u danbeeyay aanu ku dhicin xukun ciqaab oo kama-danbeys ah.
3. Qof kasta oo murashax xubin Baarlamaan ahi waa in uu soo gudbiyo qoraal shakhsi ah oo caddeynaya in uu aqbalay murashaxnimada xisbigu u soo sharraxay iyo in uu dhawrayo xeerarka iyo anshaxa doorashooyinka dalka.
4. Murashaxiinta u tartamaya xubinnimada Baarlamaanka JFS waxay bixinayaan khidmad aan celin lahayn, oo dhan Shilin Soomaali u dhigma laba kun oo Doolarka Mareykanka ah ($2000) taas oo lagu shubayo qasnada Dowladda.

Qodobka 26-aad:
Soo-gudbinta Magacyada Murashaxiinta

1. Xisbiyadu waa in ay soo gudbiyaan magacyada murashaxiinta xisbigooda uga qeyb-galaya doorashooyinka Baarlamaanka **75 (Todobaatan iyo shan maalmood)** oo maalin shaqo ah ka hor maalinta doorashooyinka.
2. Qoraalka xisbiyadu ku soo gudbinayaan murashaxiintooda waa in ay ku soo caddeeyaan, magaca murashaxa oo afaran, magaca hooyada, da'diisa iyo deegaankiisa.
3. Magacyada murashaxiinta xisbiyadu u soo gudbinayaan GMDQ waxaa waajib ah in la soo raaciyo:

a. Caddeymaha murrashax kasta ku muujiyey in uu oggol yahay murashaxnimada la soo sharraxay iyo in uu ixtiraamayo xeerarka iyo anshaxa doorashooyinka;
b. Go'aanka xisbigu ku ansaxiyay murashaxiinta doorashooyinka uga qeyb-galaysa;
c. Warqadda caddeynta lacag qabashada khidmada oo lagu shubo xisaab banki ee dowladda;
d. Warqadda cadaynta shaqo ka tegista si waafaqsan qodobka 24(4) ee Sharcigan.

4. Muran iyo khilaaf kasta oo ka dhasha xulista ama soo-gudbinta liiska murashaxiinta oo ka dhex dhasha xisbi gudahiisa waxaa go'aan ka gaaraya Guddiga xallinta khilaafaadka ee xisbiga si waafaqsan dastuurka xisbiga.
5. GMDQ wuxuu hubinayaa in xisbigu u soo xulay murashaxiinta si xeerarka doorashooyinka iyo hab-raacyada waafaqsan.

Qodobka 27-aad:

Hubinta iyo Kala Saarista Murrashaxiinta

1. Xisbiyada waxaa waajib ku ah in ay si caddaalad ah u kala saaraan murashaxiinta marka ay soo xulayaan.
2. Xisbiyadu waa in ay hubiyaan in xubnaha ay soo sharraxayaan buuxiyeen shuruudaha sharcigan tilmaamay iyo in kale isla markaana xilka iyo mas'uuliyadda loo idmanayo u gudan karaan si hufan oo habboon.
3. GMDQ marka ay helaan liiska murashaxiinta xisbiyadu soo gudbiyeen waa in ay qof qof u hubiyaan in murashaxiinta la soo gudbiyay buuxiyeen shuruudihii loo baahnaa.
4. Haddii GMDQ ku qanco in xubin ama xubno liiska ka mid ahi aysan buuxin shardi ama shuruudaha murashaxnimo, waxay muddo 6 cisho gudahood oo maalin shaqo ah ku ogeysiinayaan xisbigii u soo gudbiyey in uu muddo 14 maalmood ah ku soo dhamay tiro shuruudaha dhiman ama murashaxa/ murashaxiinta bedelkiisa/kooda ku keeno.
5. Marka uu hubiyo shuruudaha murashaxiinta ee uu ku qanco GMDQ waxaa uu si rasmi ah ugu dhawaaqayaa liiska murashaxiinta ee loo soo gudbiyay.
6. GMDQ iyo xafiisyada doorashooyinka ee hoos yimaadaa waa in ay goob kasta oo codbixineed gaarsiiyaan nuqullada liisaska murashaxiinta Baarlamaanka ee ka sharraxan xisbiyada u tartamaya kuraasta deegaankaas.

Qodobka 28-aad:

Astaamaha iyo Xuquuqda Xisbiyada iyo Murashaxiinta

1. Murashaxiinta xisbiyadda waxaa sumad u noqonaya astaanta xisbiga soo sharraxay.
2. Astaamaha xisbiyaddu waa in ay kala duwanaadaan oo xisbina uusan isticmaalin astaan xisbi kale.
3. Astaantu waa in ay noqoto mid gaar ah oo muujinaysa summadda aqoonsiga xisbiga waxaa reebban in ay ka muuqato calaamad dowladeed, mid qabyaaladeed iyo mid dariiqo diineed astaanta xisbiga.
4. Murashaxiinta u tartamaya Goleyaasha Baarlamaanka ee uu GMDQ ugu dhawaaqay si waafaqsan Qodobka 27aad faqrada (5) ee sharcigan, waxay xaq u leeyihiin in la ilaaliyo xuquuqdooda murashaxnimo si waafaqsan Shuruucda dalka.

Qodobka 29-aad:

Ololaha Doorashooyinka

1. Ololaha doorashooyinka ee isu soo baxyada bannaanka waxaa maamulaya GMDQ oo u qoondeynaya xisbiyada doorashooyinka ku loolamaya wakhtiga iyo maalmaha ololaha ay kala yeelanayaan.
2. Ololaha doorashadu waxaa uu bilaabanayaa 45 maalmood ka hor maalinta loo cayimay qabsoomidda doorashooyinka wuxuuna dhammanayaa **24** saac ka hor taariikhda doorashooyinka.
3. GMDQ ayaa go'aaminaya jadwalka ololaha doorashooyinka, sida ay xisbiyadu ololaha u kala galayaan iyo maalmaha ay kala yeelanayaan iyagoo qiimeynaya xaaladaha kala duwan ee ku gaadaaman doorashooyinka.
4. GMDQ waxaa waajib ku ah in ay si cadaalad ah ugu qeybiyaan xisbiyadda ku tartamaya doorashooyinka maalmaha iyo goobaha ololaha doorashada ee xisbi walba.
5. Wasaaradda Arrimaha Gudaha, Guddiga Amniga ee doorashooyinka iyo mas'uuliyinta dowlad gobolleedyada waxaa waajib ku ah in ay ku dhaqmaan jadwalka wakhtiyeysan ee GMDQ soo saareen uguna kala qoondeeyeen xisbiyada ama sida ay u kala yeelanayaan maalmaha ololaha.

Qodobka 30-aad:
Waxyaabaha ka Reebban Ololaha

1. Waxaa reebban in isu soo baxyada ololaha doorashada lagu qabto agagaarka iyo gudaha masaajidda iyo meelaha kale ee aan ku habboonayn sida goobaha waxbarashada iyo caafimaadka.
2. Isku soo baxyada iyo kulamada xisbiyadu ay qabsanayaan wakhtiga ololaha waxaa ka reebban in loo qaato hub, labis ciidan ama wax-u-eg, marka laga reebbo ciidamada ammaanka.
3. Waxaa reebban haddalada xanafta leh ee bulshada Soomaaliyeed kala fogeynaya waxna u dhimaya dhaqanka, diinta, nabadgalyada iyo danta guud ee ummadda Soomaaliyeed.
4. Waxaa ka reebban xisbiyadda in ay ku ololeeyaan arrimo keeni kara kicin qabyaaladeed iyo kooxaysi diimeed oo abuuri kara fitno iyo khilaaf.
5. Waxaa reebban in xisbi gaar ahi hantida ummada u adeegsado ololaha doorashooyinka uguna takri-falo dhaqaalaha dalka.
6. Xisbiyaddu si siman ayey u isticmaalayaan warbaahinta Dowladda iyo fagaarayaasha layskugu soo baxo muddada ololaha doorashadu socoto.
7. Xisbiyadda ku tartamaya doorashooyinka waxaa ka reebban oo mamnuuc ka ah in ay dhaqaale shisheeye u isticmaalaan ololaha Doorashooyinka sida uu qabo sharciga xisbiyada.
8. Xisbi kasta oo ay ku caddaato in uu dhaqaale shisheeye ku isticmaalay ololihiisa waxaa lala tiigsanayaa Sharciga si waafaqsan qodobka 25aad iyo 26aad ee sharciga xisbiyada siyaasadda (Sharci Lr.19 ee 2016).

Qodobka 31-aad:
Warbaahinta iyo Doorashooyinka

1. Warbaahinta waxaa ku waajib ah xilliga doorashooyinka in ay tabiyaan warar isku dheellitiran oo ka hufan been abuur, nacayb, kicin iyo wax kasta oo wadajirka ummadda Soomaaliyeed waxyeelaya dhaawacayana nabadgelyada Dalka.
2. Warbaahinta waxaa kaalintoodu tahay baahinta barnaamijyada iyo fariimaha wacyigelinta ee ku saabsan doorashooyinka si dadweynaha Soomaaliyeed u helaan xogta ay u baahan yihiin ee la xiriira doorashooyinka.

3. Warbaahintu ma tabin karto warar la xiriira natiijada doorashooyinka oo aan GMDQ ka soo bixin.
4. Warbaahinta waxaa ay wararka ku saabsan geeddi-socodka doorashooyinka iyo natiijada doorashooyinka ka qaadan karaan oo keliya GMDQ.
5. Warbaahintu waxaa ay ku dhaqmayaan Xeerka hab-dhaqanka saxaafadda ee xilliga doorashooyinka oo GMDQ diyaarinayo.
6. Hay'adaha Cilmibaarista ee diiwaangashan waxay saadaal ka bixin karaan doorashooyinka, warbaahintuna iyaga ayey kasoo xigan kartaa.

CUTUBKA 5-aad:
DIYAAR-GAROWGA DOORASHOOYINKA IYO CODBIXINTA

Qodobka 32-aad:
Hawl-galka

1. GMDQ waxay diyaarinayaan jadwal muddaysan oo si cad u tilmaamaya qorshaha hawl-galka doorashooyinka.
2. GMDQ waxay siinayaan tababaro ku filan shaqaalaha iyo hawl-wadeenada ka hawl-galaya goobaha doorashooyinka ee ku xusan qodobka 9aad ee sharcigan.
3. GMDQ waxay hubinayaan inta doorashooyinka ka horeysa in hawl-wadeenada ay qaateen tababar ku filan oo ay si hufan hawshooda u gudan karaan.

Qodobka 33-aad:
Diyaarinta Agabka Doorashooyinka

1. GMDQ waxaa uu diyaarinayaa agabka muhiimka u ah doorashooyinka oo nooc walba leh.
2. Agabka doorasho ee ku xusan faqrada (1) ee qodobkan, GMDQ waxay ku bixinayaan qandaraas furan oo loo siman yahay loona maamulay si daah-furnaan iyo caddaalad ah, oo waafaqsanna Sharciga Iibka iyo Qandaraasyada Qaranka.
3. Qandaraaslaha ku guulaysta qandaraaska furan, GMDQ waxay la galayaan heshiis qandaraas muddaysan oo lagu caddeeyay nooca iyo baaxadda qandaraaska, muddada lagu keenayo agabka iyo sida loo bixinayo lacagta. Haddii xaalado degdeg ah soo baxaan waxaa loo noqonayaa Sharciga Iibka iyo Qandaraasyada Qaranka.

4. Xubnaha GMDQ, qoysaskooda iyo meheradahooda ganacsiba waxaa ka reeban in ay ka qeyb-galaan qandaraasyada ay bixiyaan.

Qodobka 34-aad:

Waraaqaha Codbixinta

Waraaqaha codbixinta waa in lagu soo daabacaa astaanta xisbiga, magaca iyo sawirka murashaxa doorashada ka qeyb-galaya. GMDQ ayaa xeer-nidaamiye ku soo saaraya faahfaahinta qodobkan.

Qodobka 35-aad:

Agabka loo baahanyahay

1. GMDQ wuxuu diyaarinayaa agabka muhiimka u ah xarun/goob codbixineed walba laga rabo oo ay ka mid yihiin:
    a. Nuqul sharciga doorashooyinka ah;
    b. Xirmo xiran oo ay ku jiraan shaabad iyo khadkeeda;
    c. Xirmo xiran oo ay ku jiraan waraaqaha cod-bixinta;
    d. Sanduuqa ama sanaadiiqda lagu codaynayey;
    e. Liiska rasmiga ah ee codbixiyeyaasha xarunta/goobta;
    f. Saddex foom oo kala ah midka cabashada, midka warbixinta iyo midka tirinta;
    g. Qalimo ku filan calaamadinta warqadaha codbixinta;
    h. Tilmaamo tusaya codbixiyeyaasha qaabka ay u calaamadinayaan waraaqda codbixinta;
    i. Khadka aan tirmin ee lagu calaamadiyo qofka codka dhiibtay; iyo
    j. Qalab ama agab kasta oo muhiim u noqon kara codbixinta doorashooyinka.
2. Qalabka xafiis kasta oo doorasho waa in lagu rido sanduuq gaar ah waa in la xiraa lana ningaxaa/lingaxaa.
3. GMDQ waa in ay qalabka muhiimka ah ee doorashooyinka diraan wakhti munaasib ah iyagoo ay la socdaan sanaadiiqdii codbixintu.
4. Qalabka ku xusan faqrada (3) ee qodobkan waxaa loo dirayaa xafiisyada doorashooyinka ee heer Dowlad-goboleed oo iyaguna u sii gudbinaya xarunaha codbixinta oo iyaguna usii qeybinaya goobaha codbixinta.
5. Waraaqaha codbixinta ee goobaha codbixinta waxaa uu GMDQ ku jaan-goynayaa tirada codbixiyeyaasha goobta ka diiwaan-gashan oo lagu daray tirada dadka ka hawl-galaya goobta codbixinta oo ah shaqaalaha GMDQ,

goobjoogayaasha maxalliga ah, wakiillada xisbiyadda iyo ciidanka amniga ee goobta ku qoran.

6. GMDQ waxay goob kasta oo codbixineed u diyaarinayaan waraaqo codbixineed oo dheeraad ah kuwaas oo aan ka badnayn **2%** tirada waraaqaha loogu talo galay goobta.
7. Waraaqaha dheeraadka ah ee ku xusan faqrada (6) ee qodobkan waxaa keliya oo loo adeegsanayaa beddelaadda waraaqaha codbixinta ee xumaada inta aan lagu codayn.
8. Mar kasta oo lagu codeeyo warqad ka mid ah waraaqaha dheeraadka ah waa in la diiwaangeliyo lana sheego sababta loogu codeeyay waraaqda dheeraadka ah.
9. GMDQ isagoo ka duulaya baahiyaha degdegga ah ee soo baxa lana soo darsa xarumaha codbixinta, wuxuu awood u leeyahay in uu kordhiyo, dhimo, ama qalab cusub ku soo kordhiyo goobta.

Qodobka 36-aad:
Korjoogtaynta Doorashada

1. Ergooyinka korjoogtaynta doorashada iyo wakiillada xisbiyada siyaasadeed waxay xaq u leeyihiin inay goobjoog ka ahaadaan iyagoo dhowraya daganaashaha iyo habsami u socodka hawlaha goobta doorashada. Tusaale ahaan; codeynta iyo tirinta, baakadeynta, wareejinta, gudbinta iyo xafidaadda agabyada doorashada.
2. GMDQ ayaa Ergooyinka korjoogtaynta siinaya ruqsadda korjoogtaynta kalana noqon kara, ayadoo GMDQ ku soo saarayo xeer-nidaamiye shuruudaha ruqsadsiinta iyo sababaha kala noqoshada si waafaqsan qodobka 56aad ee sharcigan iyo shuruucda kale ee dalka.

Qodobka 37-aad:
Diyaar-garawga Codbixinta

1. Marka agabka doorashooyinka codbixinta loogu talo galay soo gaaro goobta maamulaha goobtu waxaa uu:
   a. Ku wargalinayaa hawl-wadeennada goobta sida ay u kala leeyihiin shaqada goobta;
   b. Hubinayaa in ay wakiillada xisbiyadda tartamayaa goob-joog yihiin;

c. Hubinayaa in agabkii goobtu dhanyahay xiranyahayna, iyadoo ay joogaan wakiillada xisbiyaddu;

d. Marka la hubiyo in agabkii doorashooyinka ee goobtu dhanyahay sida shaabbadihii iyo waraaqihii codbixinta, maamulaha goobtu waxaa uu furayaa xirmooyinka waraaqaha codbixinta wuxuuna ku shaabbadeynayaa shaabbadda goobta, iyadoo aan la furi karin waqtiga codbixinta ka hor;

e. Warqadaha codbixinta waxaa la shaabbadeynayaa marka codbixiyaha la siinayo warqadda codbixinta;

f. Hubinayaa in liiska murashaxiinta goobta iyo warqaddaha tilmaamaha doorashadu ku dhajisan yihiin meel muuqata oo dadku arki karo.

2. Waxaa reebban in qof aan goobta ku qornayn oo aan ahayn shaqaalaha, hawl-wadeennada, wakiillada xisbiyada iyo ergooyinka korjoogtada uu goob-joog ahaado marka la fulinayo waajibaadka ku xusan faqrada (1) ee qodobkan.
3. Maamulaha goobtu waa in uu si qoraal ah, ku caddeeyaa shaabbadda, tirada waraaqaha codbixinta iyo agabka kale ee goobta la keenay kana saxiixaa hawl-wadeenada iyo wakiillada xisbiyadda.
4. Marka la qabto shaqooyinka ku xusan faqrooyinka 1aad, 2aad iyo 3aad ee qodobkan waa in Maamulaha goobtu ku dhawaaqo in codbixintu furan tahay.
5. Haddii ay dhacdo in xisbi tartamaya wakiil u soo dirsan waayo goobta codbixinta **sababo xisbigaas u gaar ah** doorashadu si caadi ah bay u soconeysaa una joogsan mayso maqnaansha wakiilka xisbigaas.

Qodobka 38-aad:
Waajibaadka Maamulaha Goobta Doorashada

1. Maamulaha goobtu waa mas'uulka 1aad ee goobta wuxuuna xil ka saaranyahay in uu ilaaliyo nidaamka goobta iyo habsami u socodka hawlaha doorashooyinka.
2. Hawl-wadaneenada goobta ka hawlgalaya oo dhan oo ay ku jiraan xubnaha ciidanka ah ee amniga goobta sugayaa waxay ka amar qaadanayaan maamulaha goobta.
3. Maamuluhu waxaa uu amri karaa in dibadda looga saaro goobta codbixinta ama loo dhiibo hay'adaha amniga cid kasta oo goobta khalkhal gelinaysa.

4. Xubnaha ciidanka ee amniga goobta sugaya looma ogola in ay soo galaan gudaha goobta codbixinta haddaan Maamulaha goobtu sidaas codsan.
5. Maamulaha goobtu waxaa uu awood u leeyahay in uu goobta codbixinta xiro haddii duruufo adag oo aysan doorashadu ka socon karayn la soo darsaan.
6. Maamulaha goobtu waa in uu xarunta goobtu hoostimaada wargaliyaa marka uu isticmaalayo awoodda ku xusan faqrada 5aad ee qodobkan.
7. Maamulaha goobtu isaga ayaa ku dhawaaqaya in codbixinta goobtu furan tahay isaga ayaana ku dhawaaqaya in codbixintii goobtu xiran tahay marka ay gaarto saacaddii loo qabtay.
8. Haddii maamulaha goobtu awoodi waayo gudashada waajibaadkiisa si kastaba haku timaadee waxaa beddelkiisa gelaya maamule ku-xigeenka isla goobtaas.

Qodobka 39-aad:
Nidaamka Goobta Codbixinta

1. Goobta codbixinta ee doorashadu ka socoto waxaa gali kara oo keliya shaqaalaha iyo hawl-wadeennada ka shaqeynaya ee GMDQ ka socda, wakiillada xisbiyadda, codbixiyeyaasha, warbaahinta iyo goob-joogayaasha doorashada.
2. Goob-joogayaashu waa in ay wataan kaararka lagu aqoonsado oo GMDQ bixiyey muujinayana in ay yihiin goob-joogayaasha doorashooyinka.
3. Codbixiyeyaashu saf ayey galayaan goobta codbixintana marba qof baa galaya iyada oo dadka loo kala safayo sida safka ay ugu soo kala horeeyeen una kala istaagayaan rag iyo dumar.
4. Dadka jilicsan ee da'da ah, baahiyaha gaarka ah leh, hooyooyinka uurka leh ama caruurta sita waa in loo samo-falaa oo dadka kale laga hormariyaa.
5. Waxaa reebban in codbixiyeyaashu hub nooc kasta oo uu yahay la yimaadaan goobta.

Qodobka 40-aad:
Goobta Codbixinta dhexdeeda

1. Goob kasta oo codbixineed waxaa ay yeelanaysaa ugu yaran laba qolqol oo yar yar (daahyo ayaa laga sameyn karaa) oo loogu talo galay in codbixiyuhu ku calaamadiyo warqadda codbixinta.

2. Goobta codbixinta waxaa loo oggol yahay oo keliya dadka ku xusan qodobka 39aad faqradda 1aad ee Sharcigan.
3. Goob kasta oo codbixineed waxaa la dhigayaa liiska magacyada shaqaalaha iyo hawl-wadeenada oo ay ku jiraan wakiillada xisbiyadu.
4. Goobta codbixinta iyo agabka doorasho ee dhexyaalaba waxaa ilaalinaya tiro ciidan ah oo loogu talo galay, haseyeeshee looma oggola in ay galaan goobta maamulaha oo sidaas codsada mooyee.
5. Qolqolka codbixinta dhexdiisa waxaa mamnuuc ka ah in lagu xiro qalabka kasta oo wax lagu sawiro ama lagu dhageysto.

Qodobka 41-aad:
Codbixinta

1. Xoghayaha goobtu wuxuu hubinayaa in kaarka codbixinta ee uu sito codbixiye kasta uu yahay midkii saxda ahaa qofka sitaana uu yahay qofkii lahaa isla markaana uusan horey codkiisa u soo dhiiban.
2. Codbixiyaha waa in la siiyaa warqaddii cod-bixinta oo shaabbaddii goobta leh marka la hubiyo kaddib.
3. Codbixiye kasta marka uu codka dhiibanayo wuxuu gelayaa qolqolka codeynta wuxuuna u calaamadinayaa warqadda codbixinta qaabka loogu talo-galay.
4. Codbixiyuhu wuxuu sanduuqa codbixinta ku ridayaa warqadda codbixinta iyadoo isku laaban.
5. Codbixiyuhu marka uu codka dhiibto waa in faryarada bidix lagaga calaamadiyo khad aan tirtirmayn oo muujinaysa in uu codeeyay, haddii aanu lahayna gacanta midigta ayaa beddeleysa, haddii iyadana aysan jirin waxaa laga calaamadinayaa meel muuqata oo jirkiisa ka mid ah.
6. Haddii warqadda codbixintu aysan dhamayn ama dhaawac qabto inta uusan calaamadeyn, codbixiyuhu waa in uu soo celiyo oo maamulaha goobta weydiisto mid dhamaystiran oo sax ah.
7. Codbixiyeyaashu waa in aysan cudurdaar la'aan ku daahin qolqolka codbixinta, haddii ay dhacdana maamulaha goobtu waxaa uu awood u leeyahay in uu ka soo saaro kana qaado waraaqda codbixinta qof kasta oo ku daaha.

8. Codbixiyeyaasha goobta looga saaray si waafaqsan faqrada 7aad ee qodobkan waxaa mar kale loo oggolaan karaa inay codkooda dhiibtaan marka dhammaan dadka kale ee goobta ku sugani codkooda dhiibtaan.
9. Haddii cod-bixiye lagu helo in uu sito waraaq cod-bixineed oo aan ahayn tan goobta laga bixiyey ama waraaqo dheeraad ah ama uu hore codkiisa u soo dhiibtey, maamulaha goobtu waa in uu si degdeg ah u amro in la qabto oo booliska loo dhiibo si maxkamad loo horgeeyo, waana in arrintaa warbixinteeda loo gudbiyo saraakiisha sare ee doorashooyinka.
10. Codbixiyeyaasha qaba duruufo gaar ah oo aan u saamaxayn in ay codkooda si caadi ah u dhiibtaan sida dadka baahiyaha gaarka ah qaba ama da'da ah iyo qof kasta oo codsada in la caawiyo, waxaa loo calaamadinayaa rabitaankiisa waxaana qofka uu rabo u calaamadinaya maamulaha goobta ama maamuluhu qof uu u wakiishay iyadoo ay goob-joog yihiin wakiillada xisbiyadu.

Qodobka 42-aad:
Muddada Codbixinta

1. Muddada codbixintu waa hal maalin oo ka bilaabmeysa 6:00am subaxnimo kuna eg 6:00pm maqribnimo.
2. Wakhtiga ku xusan faqrada 1aad ee qodobkan lagu camal fali maayo oo codbixintu way soconaysaa haddii ay jiraan codbixiyeyaal safka ku jira oo aan wali codkooda dhiiban ilaa laga dhammrystirayo codbixiyeyaasha markaas safka taagan.
3. Marka ay gaarto saacadda xiritaanka (6:00 maqribnimo) ee goobta doorashada, maamulaha goobta ama hawl-wadeen uu igmaday ayaa soo baxaya oo eegaya/fiirinaya dadka safka ku jira ee aan wali codkooda dhiiban qofka u danbeeya ayuuna calaamadsanayaa si aysan cid danbe ugu soo biirin safka.
4. Marka la dhammeystiro codeynta dadka safka ku jira ee ku xusan faqrada 3aad ee qodobkan ayuu maamuluhu ku dhawaaqayaa in codbixintii xirantahay.

Qodobka 43-aad:

Cabashooyinka Goobta

1. Wixii cabashooyin ah ee ay qabaan wakiillada xisbiyadu, codbixiyeyaasha ama qof kasta oo ka cabanaya in xuquuqdiisa doorasho la duudsiyey waa in ay qoraal ugu gudbiyaan xarunta ka sarreysa goobta codbixinta iyo GMDQ ayadoo nuqul la siinayo maamulaha goobta.
2. Maamulaha goobtu waa in uu warbixin qoraal ah ka soo saaro cabashooyinka loo soo gudbiyey iyo wixii muran ah ee ka dhashay hawsha doorashooyinka goobtiisa.
3. Cabashooyinka goobta ee loo soo gudbiyey maamuluhu waa in uu qoraal ahaan u diiwaangeliyaa si xafiisyada sare ee GMDQ loola socodsiiyo.

CUTUBKA 6-aad:

TIRINTA CODADKA IYO NATIIJADA DOORASHOOYINKA

Qodobka 44-aad:

Isu Diyaarinta Tirinta Codadka

1. Marka ay codeynta goobtu dhammaato goobtana albaabada loo xiro, maamulaha goobtu waxaa uu iskugu yeerayaa dhammaan shaqaalaha iyo hawl-wadeennada goobta, wakiillada xisbiyada iyo goob-joogaayasha isaga oo ku wargalinaya in goobtu xiran tahay lana bilaabayo tirintii codadka la dhiibtay iyadoo cid soo gali karta iyo cid ka bixi kartaana aysan jirin inta ay tirintu socoto.
2. Ka hor inta aan la bilaabin tirinta codadka, maamulaha goobtu waa in uu hawl-wadeenada goobta ku amraa in dhammaan waraaqaha iyo qalabka goobta yaal ee aan muhiimka u ahayn tirinta codadka laga qaado meesha.
3. Maamuluhu waxaa uu hubinayaa tirada guud ee codbixiyeyaasha codka dhiibtay isaga oo fiirinaya tirada waraaqaha codbixinta ee la isticmaalay iyo tirada codbixiyeyaasha ka diwaangashan goobta isagoo ku qoraaya foomka warbixinta.
4. Waxaa uu tirinayaa maamuluhu iyagoo dhammaan hawl-wadeenada, wakiillada xisbiyada iyo goob-joogayaasha ay goob-joog ka yihiin waraaqaha codbixinta ee aan la isticmaalin waxaana uu ku ridayaa bashqad loogu talo galay.
5. Waxaa la tirinayaa tirada waraaqaha codbixinta ee xumaaday ee ay soo celiyeen codbixiyeyaashu ama la arkay in ay xun yihiin waxaana lagu ridayaa bashqad u gaar ah oo loogu talo galay.

Qodobka 45-aad:
Bilaabidda Tirinta Codadka

1. Marka la dhammeystiro hawsha diyaargarawga tirinta codadka ee ku xusan qodobka 44aad ee sharcigan waxaa la bilaabayaa tirinta waraaqaha codbixinta ee sanduuqa ku jira.
2. Tirintu waxay ku bilaabmeysaa furista sanduuqa, xoghayaha goobta ayaana marba hal warqad codbixineed ka soo saaraya sanduuqa wuxuuna u dhiibayaa maamulaha goobta oo furaya warqadda cod la maqli karana ku sheegaya Murashaxa uu codbixiyuhu codkiisa siiyay.
3. Marka uu maamuluhu sheego Murashax codka la siiyay waxaa uu ku celinayaa xoghayaha oo sii tusaya wakiillada xisbiyadda
4. Marka lagu dhawaaqo xisbiga codka la siiyay, hawl-wadeenka u xilsaaran ayaa galinaya natiijiyada foom loogu talo galay tirinta codadka xisbiyadu kala heleen warqaddana wuxuu ku ridayaa bashqad xafidan oo calaamadda xisbiga codka helay leh.
5. Hawsha tirinta waxaa maamulaya hawl-wadeenada GMDQ ee goobta, wakiillada xisbiyaduna si feejigan ayey ula soconayaan si ay u xaqiijiyaan in tirintu si habsami ah u socoto.
6. Marka hawsha tirintu dhammaato, hawl-wadeenada goobta oo uu maamuluhu hoggaaminayo waxaa ay hubinayaan in ay tiro ahaan isleeyihiin isu gaynta waraaqaha codbixinta, waddarta tirada codadka xisbiyadu heleen, codadka lagu muransan yahay, xumaaday ama aan ansaxa ahayn, kuwa aan la isticmaalin iyo codbixiyeyaasha diiwaanka ku qoran.
7. Maamulaha goobtu waxaa uu waraaqaha codbixinta ee xumaaday, kuwa waxba kama jiranka laga soo qaaday, kuwa muranku ka taagan yahay iyo waraaqaha cabashada ku ridayaa bashqad gaar ah oo loogu talo galay.
8. Sidoo kale maamuluhu waxaa uu waraaqaha codbixinta ee la tiriyay ku ridayaa bashqad gaar ah iyagoo kala soocan ama u kala xiran xisbi-xisbi sanduuqii ayaana lagu celinayaa laguna ningaxayaa/ lingaxayaa.

Qodobka 46-aad:
Soo-gabagabeynta Tirinta Codadka

1. Marka la dhameystiro hawsha tirinta codadka doorashooyinka ee ku xusan qodobka 45aad ee sharcigan, Maamulaha goobtu waxaa uu ku

dhawaaqayaa wadarta guud ee tirada codbixiyeyaasha, codadka guud ee ansaxay, codadka xumaaday, waraaqaha soo haray ee aan lagu codeyn iyo Murashax kasta tirada codadka uu goobta ka helay.

2. Bashqadaha lagu riday waraaqaha kala duwan ee codbixinta waa la xirayaa oo la ningaxayaa/lingaxayaa waxaana dusha lagaga dhufanayaa shaabbadda goobta waxaana dusha ka saxiixaya maamulaha goobta iyo wakiillada xisbiyadda.
3. Wakiillada xisbiyada waxaa waajib ku ah in ay saxiixaan natiijada goobta, hadday cabasho ka qabaana waa in ay soo gudbiyaan loona diiwaangaliyaa cabashadaas.
4. Foomka natiijada doorashada waxaa lagu dhejinayaa goobta codbixinta.
5. Bashqad walba oo wax iagu riday waxaa dusheeda lagu qorayaa faahfaahinta waxa ku jira bashqadda.
6. GMDQ waxaa ay awood u leeyihiin in ay soo saaraan habraacyo faahfaahinaya hawlaha tirinta haddii loo baahdo.

Qodobka 47-aad:
Codadka Xumaaday

1. Warqaddaha xumaaday waa kuwa aan codkooda cidna loo tirinayn sababahan awgood:
   a. *Waxay ka duwan yihiin waraaqihii rasmiga ahaa ee GMDQ go'aamiyey in doorashooyinka lagu galo;*
   b. *Waxaa aysan lahayn shaabbaddii goobta;*
   c. *Haddii aysan calaamadba lahayn;*
   d. *Haddii hal murashax wax ka badan loo calaamadiyey;*
   e. *Haddii warqadda laga aqoonsan kari waayo murashax codka la siiyay.*
2. Warqadda codbixintu waxaa ay waxba kama jiraan noqoneysaa marka ay si wada jir ah iskugu raacaan maamulka, hawl-wadeenada goobta codbixinta iyo wakiillada xisbiyaddu.
3. Haddii ay isku khilaafaan maamulka, hawl-wadeenada iyo wakiilladu saxnimada warqadda codbixinta, waxaa warqadda codbixinta loo aqoonsanayaa warqad muran ka taaganyahay.
4. Waraaqaha codbixinta ee laysku qabsado ama muranku ka taaganyahay waxaa go'aan ka gaaraya hawlwadeennada goobta codbixinta.

5. Haddii ay xallin kari waayaan muranka waxaa la keenayaa xarunta dhexe ee tirinta codadka ee GMDQ.

Qodobka 48-aad:
Gudbinta Natiijada Goobta

1. Marka la dhammeystiro hawlaha tirinta ee goobta codbixinta si waafaqsan qodobada sharcigan isla markaana waraaqaha lagu rido bashqadaha loogu talo galay, waxaa la raacinayaa qoraallada raadraaca ah ee tilmaamaya waxaa ku jira sanduuqa agabka lagu ridayo.
2. Natiijadii goobta codbixinta oo ay la socdaan qoraalada raadraaca ahi ayaa loo gudbinayaa xarunta ay hoostimaad goobta codbixintu.
3. Maamulaha goobta codbixinta wuxuu ku wareejinayaa maamulaha xarunta doorashada natiijada codbixinta goobtiisa oo u kala soocan labada aqal, marka ay ka soo idlaadaan natiijada goobaha hoos yimaada ayagoo goobjoog ka yihiin wakiillada axsaabta, maamulaha xarunta wuxuu ku dhawaaqayaa murashaxa Golaha Shacabka ee guuleystay kadib marka la isku geeyo wadarta cododka uu murashax kasta ka helay goobaha codbixinta ee degaan-doorashadaas wuxuuna u sii gudbineya xafiiska xarunta dhexe **GMDQ** ee Muqdishu, nuqulna siinayaa xarunta **GMDQ** ee Dowlad Goboolleedka.
4. Nuqullada qoraalka raadraaca ah ee natiijada goobta laga soo raacinayo waxaa go'aaminaya **GMDQ**, waxaana waajib ah in nuqul ka mid ah lagu rido sanduuqa agabku ku jiro, iyadoo min hal nuqulna la siinayo xafiiska GMDQ ee heer Dowlad-goboleed iyo xarunta dhexe ee **GMDQ**.
5. Maamulaha Xarunta doorashooyinka heer Gobol marka ay soo gaaraan natiijooyinka deegaan doorashooyinka Gobolkaas, waxa uu ku dhawaaqayaa murashixiinta ku guuleystay kuraasta Xubnaha Aqalka Sare ee heer Gobol iyadoo loo dirayo natiijada **GMDQ** heer dowlad Goboleed nuqulna la siinayo xarunta dhexe **GMDQ** ee Muqdishu. **GMDQ** heer dowlad Goboleed marka ay soo gaaraan dhammaan magacyacyada Xubnaha ku guuleestay kuraasta Aqalka Sare ee Dowlad Goboleedkaas wuxuu u dirayaa Xarunta dhexe **GMDQ** ee Muqdishu.

6. Haddii ay dhacdo in laba murashax ama ka badan ee ugu codadka badan ay helaan codad tiro is le'eg doorashadooda waxaa lagu celinayaa muddo 30 casho gudahood ah.
7. **GMDQ** waxay go'aan ka gaarayaan cabashooyinka la xiriira Natiijada doorashooyinka **shan** maalmood **(5)** oo shaqo gudahood oo ka billaabata maalinta xigta marka ay dhammaato codbixintu.

Qodobka 49-aad:
Qaabka Xisbiyadu ugu kala Guuleysanayaan Kuraasta

1. Xisbiyadu waxay u kala helayaan kuraasta loo tartamay sida ay u kala helaan tirada murashaxiinta ku guuleysta tartanka;
2. Xisbi kasta ee ka gudba xaddi-hoosaadka (Threshold) ku xusan Qodobka 12(8) ee Sharcigan, wuxuu ku lahaanayaa Baarlamaanka Federaalka Soomaaliya tirada kuraasta uu ku soo guuleystay;
3. GMDQ wuxuu ku dhawaaqayaa tirada iyo magacyada xildhibaannada labada Aqal uu xisbi walba ku guuleystay natiijo hordhac ah muddo aan ka badnayn 48 saacadood maalinta doorashada kaddib.
4. GMDQ wuxuu ku dhawaaqayaa natiijada kama dambeysta ah muddo aan ka badneyn 7 maalmood gudahood.
5. Haddii xubin ka mid ah Baarlamaanka Federaalka Soomaaliya lumiso xubinnamadeeda waxaa beddelaya qofka doorashadii hore ku xigay si waafaqsan qodobka 59(2) ee Dastuurka.

Qodobka 50-aad:
Dacwadaha la xiriira Doorashooyinka

1. Khilaafaadka la xiriira doorashooyinka waxaa awood u leh oo ka garnaqaya GMDQ si waafaqsan Qodobka 111G(2)(g) ee Dastuurka iyo Qodobka 14(8) ee Sharciga lagu dhisay Guddiga Madaxabannaan ee Doorashooyinka Qaranka (Sharci Lr. 4 ee 2015).
2. Cabashooyinka ku saabasan go'aannada maamul ee ka soo baxay GMDQ, waxaa racfaan looga qaadan karaa Maxkamadda Sare ee Dalka.
3. Dacwadaha Maxkamadaha u gudbi kara, waa kuwa la xiriira xaqa codbixinta, xaqa ka qeybgalka doorashada iyo go'aanka kama dambeysta ah ee natiijada doorashada.

4. Dacwadaha la xiriira xaqa codbixinta, xaqa ka qeybgalka doorashada iyo go'aanka kama dambeysta ah ee natiijada doorashada ee ay ku dhawaaqeen GMDQ, waxaa racfaan looga qaadan karaa Maxkamadda Dastuurka ee dalka sida ku cad qodobka 14aad farqaddiisa 15aad ee Sharci Lr.04, 2015 ee lagu dhisay Guddiga Madaxa-bannaan ee Doorashooyinka Qaranka.
5. Xisbiyadda dacwadda ka qaba Natiijada doorashada waa in ay Maxkamadda **Dastuurka** ee Dalka u soo gudbiyaan dacwadooda muddo 14 maalmood gudahood ah oo ka bilaabanta maalinta GMDQ ku dhawaaqaan natiijada doorashada.
6. Maxkamaduhu waa in ay dacwadaha doorashooyinka ee ay u soo gudbiyeen dhinacyada ku xusan faqradda 2aad ee qodobkani go'aan kaga gaartaa muddo 15 maalmood ah oo ka bilaabata maalintii dacwadda ay qabatay maxkamaddu.

CUTUBKA 7-aad:
QODOBBO QUBANE AH
Qodobka 51-aad:
Dembiyada iyo Ciqaabaha ka Dhalanaya Jabinta Sharcigan

1. Qof kasta oo ku xadgudba qodobbada sharcigan waxaa uu mutaysanayaa ciqaab u dhiganta xadgudubka uu gaystay. Iyadoo aan laga hor-imaaneyn Xeerka Ciqaabta Guud ee dalka, ciqaabta dembiyada la xiriira doorashadu waxay noqonaysaa sidan soo socota:

a. Qof kasta oo hal mar ka badan isdiiwaangaliya waxaa uu mutaysanayaa xarig dhan afar (4) bilood ama ganaax lacageed oo qaddarkiisa Maxkamaddu go'aamin doonto;
b. Qof kasta oo ka been sheega xogtiisa waxaa uu mutaysanayaa ciqaab xarig aan ka badnayn 2 bilood ama ganaaax 3 milyan oo Soomaali shilling ah.
c. Qofka aan u dhalan Dalka Jamhuuriyadda Federaalka Soomaaliya oo isku daya in uu isku diiwaangaliyo codbixiye ama ay caddaato in uu sifo qaldan isku diwaangaliyey waxaa uu mutaysanayaa ciqaab aan ka yarayn 6 bilood oo xarig ah iyo ganaax lacageed oo qaddarkiisa Maxkamadda awoodda u leh go'aamin doonto.
d. Mas'uuliyiinta iyo hawl-wadeenada ka shaqeynaya doorashooyinka iyo hawsha ka horeysa ee diiwaan-gelinta codbixiyeyaasha ee ku xadgudba

qodobada sharcigan waxaa ay mutaysanayaan xarig sanad ilaa saddex sano ah.

e. Qof kasta oo isku daya in uu been abuuro kaararka codbixinta ama isku daya in uu si wax uga beddelo diiwaanka codbixiyeyaasha waxaa uu mutaysanayaa xarig ciqaab ah oo u dhaxeeya laba sano ilaa afar sano.

f. Codbixiyaha la yimaad goob codbixineed uguna talo gala in uu ku codeeyo kaar codbixineed oo uusan lahayn waxaa uu galay fal-dembiyeed waxaana uu mutaysanayaa ciqaab 6 bilood ilaa sanad ah iyo ganaax lacageed oo ay Maxkamada awoodda u leh qaddarkeed go'aamiso;

g. Qof kasta oo ururSada kaarar codbixineed oo cid kale leedahay isagoo uga jeeda in uu si kale uga faa'iidaysto maalinta codbixinta doorashooyinka waxaa uu galay fal-dembiyeed wuxuuna mutaysanayaa ciqaab xarig oo aan ka yarayn sanad kana badnayn laba sano iyo ganaax lacageed oo ay Maxkamadda awoodda u leh qaddarkiisa go'aamiso;

h. Qof kasta oo isku daya in uu sameeyo, ka qeyb qaata in la sameeyo kaar codbixineed oo been abuuur ah, waxaa uu galay fal-dembiyeed wuxuuna mutaysanayaa xarig laba (2) sano ilaa afar (4) sano ah iyo ganaax lacageed ay Maxkamadda awoodda u leh qaddarkiisa go'aamiso; iyo

i. Qof kasta oo isku daya in uu sameeyo ama si uga qeyb qaata samaynta waraaqo codbixineed oo been abuur ah oo aan ahayn kuwa GMDQ doorashadu soo sameeyay, waxaa uu galay fal-dembiyeed wuxuuna mutaysanayaa xarig saddex (3) sano ilaa Shan (5) sano ah iyo ganaax lacageed ay qaddarkiisa Maxkamadda awoodda u leh go'aamiso.

2. Hawl-wadeen kasta oo ka qeyb qaata samaynta dembiyada ku xusan faqrada 1aad ee qodobkan ama fududeeya in la sameeyo waxaa uu galay fal-dembiyeed wuxuuna mutaysanayaa saddex (3) ilaa lix (6) sano oo xarig ah iyo ganaax lacageed ay qaddarkiisa Maxkamadda awoodda u leh go'aamiso.

3. Waxaa mamnuuc ah oo aan la ogolayn in goobta codbixinta laga ololeeyo, codbixiyeyaasha loo cago jugleeyo, hanjabo, laga hor istaago in ay coddeeyan ama khalkhal la galiyo habsami u socodka doorashooyinka ee goobta.

4. Qof kasta oo isku dayda ama sameeya danbiyada ku xusan faqrada 3aad ee qodobkan waxaa ay gashay fal-dembiyeed waxaayna mutaysanaysaa ciqaab

xarig oo aan ka yarayn hal (1) sano iyo qaddar ganaax lacageed ay qaddarkiisa Maxkamadda awoodda u leh go'aamiso.

5. Hawl-wadeen kasta ee GMDQ oo si bareer ah u gudan waaya waajibaadkiisa shaqo ama isku daya ama sameeya in uu wax ka beddelo natiijada doorashooyinka ee uu gacanta ku hayo, waxyeeleeya waraaqaha codbixinta ama agabka kale ee goobta codbixinta waxaa uu galay fal-dembiyeed wuxuuna mutaysanayaa xarig aan ka yarayn sanad (1) ilaa saddex (3) sano iyo ganaax lacageed oo ay qaddarkiisa Maxkamadda awoodda u leh go'aamiso.

Qodobka 52-aad:
Dhawrista Sharciga

1. Dhawrista iyo ku dhaqanka sharcigani waa waajib saaran dhammaan shacabka Soomaaliyeed iyo hay'addaha Dowladda ee sida gaarka ah ay u khuseeyo howlaha doorashada.
2. Ku dhaqan la'aanta iyo ku xadgudubka sharcigan waxaa lagu mutaysanayaa ciqaabaha ku xusan sharcigan iyo **xeerka** ciqaabta ee dalka.
3. GMDQ waxaa waajib ku ah meelmarinta iyo ku dhaqanka qodobada sharcigan.

Qodobka 53-aad:
Dib-u-dhaca Doorashooyinka

1. Muddada xilhaynta Goleyaasha Baarlamaanka Federaalka Soomaaliya iyo madaxda la doortay wuxuu shacabku u idmaday muddo cayiman oo ku xadiddan Qodobbada 60aad iyo 91aad ee Dastuurka;
2. GMDQ waa in ay labada Gole ee Baarlamaanka Federaalka Soomaaliya oo wadajira hor keenaan jadwalka, xogta iyo waxyaabaha lagama-maarmaanka u ah qabsoomidda doorashada muddada ku xusan Qodobka 13aad Faqradiisa 3aad ee Sharciga;
3. Haddii GMDQ ay awoodi waayaan soo gudbinta qorshaha qabsoomidda doorashooyinka muddada ku xusan **Qodobka 13 (3) ee Sharcigan**, ama ay ku dhawaaqan in aysan qaban karin doorashada, Baarlamaanka Federaalka Soomaaliya ayaa fadhi wadajir ah go'aan ku soo saaraya.

Qodobka 54-aad:
Sugidda Amniga

1. Qof kasta oo Soomaali ah waxaa waajib ku ah in ay ka qeybqaataan sugidda amniga xilliga doorashooyinka.
2. Sugidda amniga waxaa si gaar ah uga mas'uul ah Ciidanka Booliska heer Fedeeraal iyo heer Dowlad Gobolleed.
3. Hay'addaha mas'uuliyadda sugidda amniga leh ee ku xusan faqrada 2aad ee qodobkan waxaa waajib ku ah in ay awaamiirta GMDQ ku shaqeeyaan xilliga doorashooyinka lagu jiro.

Qodobka 55-aad:
Xaaladaha Anshax Marinta

1. Sida uu tilmaamayo qodobka 14aad ee Sharciga dhisidda GMDQ (Sharci Lr. 04 ee 2015) iyo qodobka 6aad ee sharcigan, GMDQ waxay ka mas'uulyihiin taabagalinta doorashooyinka iyo habsami u socodka doorashooyinka, sidaa daraadeed waxay awood u leeyihiin in ay anshax mariyaan qof kasta oo ku kaca gef maamul ama ku xadgudba doorashooyinka iyo xeerarka doorashooyinka wakhtiga doorashooyinka lagu jiro.
2. Anshax marinta GMDQ ee ku xusan faqrada 1aad ee qodobkani waxaay noqon kartaa:
    a. *Canaan af ah;*
    b. *Digniin qoraal ah;*
    c. *Ganaax lacageed.*
3. Xisbi kasta oo ku xadgudba nidaamka doorashooyinka iyo shuruucdeeda, waxaa la marinayaa xeerarka anshaxmarinta axsaabta oo ay soo saaraan GMDQ si waafaqsan qodobka 56aad ee Sharcigan.
4. GMDQ wuxuu tallaabooyin ku habboon oo anshaxmarin ah ka qaadayaa hawl-wadeenada iyo shaqaalaha doorashooyinka ee fulinwaaya sharciga ama jabiya qodobada shuruucda doorashooyinka.
5. Xadgudubyada waaweyn ee wax u dhimaya habsami u socodka nidaamka doorashooyinka, waxay GMDQ amrayaan in la soo qabto lana xiro cid kasta oo ku lug leh sharcigana la horkeeno.

Qodobka 56-aad:

Soo-Saarista Xeer-nidaamiyeyaasha

1. GMDQ wuxuu awood u leeyahay in uu curiyo soona saaro xeer-nidaamiyayaal, habraacyo iyo hageyaal si ay u dabaqaan una dhaqan galiyaan qodobada sharcigan, kuwaas oo ay ka mid yihiin.

a. ***Xeer-nidaamiyaha Anshaxa Doorashooyinka;***

b. ***Xeer-nidaamiyaha hab-dhaqanka shaqaalaha iyo hawl-wadeenada doorashooyinka;***

c. ***Xeer-nidaamiyaha habraaca Samaynta Xafiisyo Doorasho iyo Astaynta Goobaha Codbixinta***

d. *Xeer-nidaamiyaha diiwaangelinta codbixiyaasha wixii aan sharcigan lagu sheegin,*

e. *Xeer-nidaamiyaha habraaca Tabeelayaasha iyo halku-dhigyada;*

f. *Xeer-nidaamiyaha hab-dhaqanka saxaafada ee xilliga doorashooyinka;*

g. *Xeer-nidaamiyaha habraaca Waraaqaha Codbixinta.*

h. *Xeer-nidaamiyaha habraaca hawlaha tirinta codadka haddii loo baahdo;*

i. *Xeer-nidaamiyaha korjoogtaynta Doorashada; iyo*

j. *Xeer-nidaamiyaha habraaca jadwaleynta ololaha doorashooyinka ee axsaabta.*

2. GMDQ waxaa ay soo saari karaan buug yareyaal iyo hageyaal lagu wacygalinayo codbixiyeyaasha iyo dadweynaha Soomaaliyeed guud ahaan oo lagu hirgalinayo laguna faahfaahinayo sharcigan.
3. Sharcigaan ayaa aasaas u ah dhammaan xeer nidaamiyeyaasha, xeerarka anshaxa, hageyaasha iyo buugyare-yaasha doorashooyinka la xiriira, mana ka hor imaan karaan.

Qodobka 57-aad:

Baabi'in

Waxaa la baabi'iyay sharci ama xeer kasta oo Doorasho oo ka hor-imaanaya sharcigaan.

Qodobka 58-aad:

Dhaqan-galka Sharciga

Sharcigan waxaa uu dhaqangalayaa marka ay ansixiyaan goleyaasha Baarlamaanka Federaalka, Madaxweynaha Jamhuuriyadda Federaalka Soomaaliyana saxiixo laguna soo saaro faafinta rasmiga ah ee Dowladda.

SHARCI LR. 24 Taariikh: 24/02/2020

ANSIXINTA SHARCIGA ISTAATISTIKADA QARANKA

MADAXWAYNAHA J.F.S

MARKUU ARKAY: Qodobka 87aad, Faqradda 1aad, iyo Faqradda 2aad ee Dastuurka KMG

MARKUU ARKAY: Qodobka 90aad, Xarafka "F" ee Dastuurka KMG

MARKUU ARKAY: Warqadda Guddoomiyaha Golaha Shacabka Lr. GSH260/B-10/20 Taariikh 20/02/2020 kuna saabsan Ansixinta Sharciga Istaatistikada Qaranka.

MARKUU TIXGELIYAY: Baahida loo qabo in la ansixiyo lana meel-mariyo Sharcigan

Waxa uu Madaxweynuhu soo saaray Sharcigan:

Qodobka 1aad

Laga billaabo marka uu Madaxweynuhu saxiixo Sharcigan, waxa si rasmi ah loo oggolaaday Sharciga Istaatistikada Qaranka.

Qodobka 2aad

Marka uu Madaxweynaha JFS saxiixo Sharcigan, waxa lagu soo daabici doonaa Faafinta Rasmiga ee Jamhuuriyadda Federaalka Soomaaliya.

MUQDISHO: 24/02/2020

JAMHUURIYADDA FEDERAALKA SOOMAALIYA
XAFIISKA HANTIDHAWRKA GUUD
WAA LA DIIWAAN GELIYEY
DIIWAAN NO: HHN/052/2020
TAARIIKH 24/03/2020
SAXIIXA HANTIDHAWRKA GUUD

Madaxweynaha J.F.S
Maxamed Cabdullaahi Maxamed (Farmaajo)

JAMHUURIYADDA FEDERAALKA SOOMAALIYA

SHARCIGA ISTAATISTIKADA QARANKA

Cutubka 1aad
Horudhac
Qodobka 1aad
Ujeeddada Sharcigan

Ujeeddada Sharciga:

b) Sharcigaan wuxuu beddelayaa Sharcigii Istaatistikada Soomaaliya Lr.35 ee soo baxay 18kii Juun1970 si loo waafajiyo nidaamka Federaalka Dalka loona horumariyo hannaanka waxqabad ee Qeybaha kala duwan ee Istaatistikada Jamhuuriyadda Federaalka Soomaaliya (JFS).

t) Sharcigan waxa lagu dhisayaa Hay'adda Istaatiskada Qaranka Soomaaliyeed (HIQS) oo u xil saaran Qaadista, ururinta, isku-duwidda xogta, falanqeynta, qiimaynta iyo faafinta macluumadka Istaatistikada Qaranka.

Qodob2aad
Qeexid

Sharcigani haddii uusan macnes kale tilmaamin, ereyada soo socda waxaa loo qeexayaa sidan:

1. "Diiwaan maamul" waxaa loola jeedaa xogta la ururiyey, iyadoo aan wax arrin Istaatistikada ah looga dan lahayn, tusaale ahaan ururinta xogta, isu socodka dadka, ganacsiga ka gudbaya xuduudaha iyo diiwan-gelinta xogta, dhalashada iyo dhimashada iyo canshuuraha ganacsiga"
2. "Sarkaal Idman" waxaa loola jeedaa:
   b) Shaqaale ka tirsan Xafiis oo fulinaya shaqo kasta oo sharcigan hoos-imaanaysa; iyo
   t) Qof kasta oo loo idmado shaqo una xilsaaro Agaasimaha Hay'adda Istaatistikada.
3. "Xog-Mug leh" waxaa loola jeedaa xogta ay macluumaadkeedu aad u ballaaran yahay, lehna macluumaad badan sida dalabka iyo qiimaha ganacsiga si macluumadkaas go'aanna haboon looga qaato;
4. "Hay'ad" waxaa loola jeeda "Hay'adda Istaatistikada Qaranka Soomaaliya";

5. "Golaha Maamulka" waxaa loola jeedaa Golaha Maamulka lagu dhisay Qodobka 8aad ee sharcigan;
6. "Tiro-koob" waxaa loola jeedaa ururinta, isku-duwidda xogta, falanqeynta, qiimayntaiyo faafinta macluumadka asaasiga ah ee ku saabsan qeybaha dadka, dhaqaalaha, bulshada,beeraha, warshadaha, deegaanka iyo qeybaha kale oo si fiican loo qeexay loona cayimay waqti;
7. "Agaasimaha Xafiiska Istaatistikada" Waxaa loola jeedaa madaxa maamulka Hay'adda Istaatistikada Qaranka Soomaaliya;
8. "Bulshada Rayidka" waxaa loola jeedaa hay'adaha aan dawliga ahayn ama aan faa'iido doon ahayn; kana dhex jira bulshada mar walbana u taagan danaha bulshada dhinac kasta sida dhaqanka, waxbarashada, caafimaadka iyo adeegyada la midka ah;
9. "Faafinta" waxaa loola jeedaa daabacaad toos ah ama dadban, iibinta ama siinta xogta rasmiga ah ama wax kale oo Istaatistika ah.
10. "Diiwaan" waxaa loola jeedaa noocyada kaydinta xogta sida su'aalaha, jadwalada, warqadaha warbixinnada, daabacaadda lagu xafido gal ama wax kasta oo la mid ah qoraal ama macluumaad elektaroonig ah oo looga baahan yahay ujeeddooyinka ururinta xogta rasmiga ah ee Istaatistikada.
11. "Dukumenti" waxaa loola jeedaa qoraallada muuqaallada, codadka iyo wax kasta oo loo adeegsan karo tixraac.
12. "Baaritaan" waxaa loola jeedaa sahanka xogta istaatistikada ama macluumaad kale oo loo baahan yahay sahankooda;
13. "Sannad-maaliyadeed" waxaa loola jeedaa waqtiga loogu talo-galay miisaaniyadda sanadla ah ee la siiyo, in ay ku shaqeyso hay'adda istaatiskada Qaranka muddo Labo iyo Toban (12)bilood ah;
14. "Xubnaha Dowladda" waxaa loola jeedaa:
    b) Xubin kasta oo ka mid ah Dowladda Federaalka;
    t) Xubin kasta oo kamid ah Dowladaha xubinta ka ah federaalka;
    j) Xubin kasta oo ka mid ah dowladdada gobaleedyada;
    x) Hay'ad kasta oo lagu asaasay sharci Baarlamaan; ama
    Kh) Hay'ad kasta oo lagu asaasay sharci ujeeddadiisu tahay danta guud;
15. "Waaxda Dowladda" waxaa loola jeedaa xubnaha Dowladda federaalka ama dawladaha xubnaha ka ah Federaalka;
16. "Dowladda hoose" waxaa loola jeedaa waax-maamul-dadweyne oo ka jira heerka ugu hooseeya Dowladda Federaalka;

17. "Heshiis is-fahan" waxaa loola jeedaa heshiis laba geesood ah ama dhinacyo badan ka dhexeeya, iyo mid ay galeen labo dhinac ama in ka badan, kaasoo muujinaya wax wada qabsi;
18. "Xog-sharraxaad" waxaa loola jeedaa xog-faahfaahin ka bixinaysa, sifooyinka dadweynaha, qofka, qoyska ama xog lagu soo uruuriyey tiro-koob-sahan ama cilmi baaris tijaabo ay ku jiraan ganacsi;
19. "Wasiir" waxaa loola jeedaa Wasiirka Wasaaradda Qorsheynta
20. "Hannaanka Tiro-koobka Qaranka" waxaa loola jeedaa hannaanka tiro-koobyada Qaranka ee lagu asaasay si waafaqsan Qodobka 3aad ee Sharcigan, loona soo gaabiyo "HTQ"
21. "Xogta Rasmiga ah" waxaa loola jeedaa tiro-koobka uu qorsheeyay AgaasimahaHay'adda Istaatistikada Qaranka, sida tiro-koobka rasmiga ah ee ku xusan qodobka 51aad ee Sharcigan;
22. "Tilmaamid" waxaa loola jeedaa qeexidda ku xusan Sharcigan dhexdiisa,
23. "Madaxweyne" waxaa loola jeedaa Madaxweynaha Jamhuuriyadda Federaalka Soomaaliya (JFS);
24. "Ra'iisal Waraare" waxaa loola jeedaa Ra'iisal Waasaaraha Xukuumadda JFS;
25. "Hay'ad Cilmi-baaris" waxaa loola jeedaa hay'ad walba oo samaysa cilmi-baarista lagu qeexay Jadwalka1aad ee Sharcigan ama qof kasta oo sameeynaya cilmi-baaris;
26. "Jawaab-celiye" waxaa loola jeedaa:
    b) Qof ama qoys la siiyey tixgelin si loo wareysto;
    t) Hay'ad kasta oo dawladeed ama ururro kale oo la rabo in la ogaado dhaqdhaqaqa hawlahooda wareysina looga baahday;
27. "Muunad" waxaa loola jeedaa nidaam-macluumaad oo la xiriira koox, bulsho ama dadweynaha oo laga soo dhex saaro qeyb kamid ah, iyadoo la adeegsanayo farsamooyinka tiro-koobka si macluumaad looga helo dadweynaha;
28. "Waax" waxaa loola jeedaa waax hay'adaha dowladdada kamid ah, una adeegta dadweynaha, lana leh xiriir Wasaaradaha ay shaqada wadaagaan, lehna shaqo iyo qorshe u gaar ah;
29. "Daneeyeyaasha" waxaa loola jeedaa daneeyeyaasha ama ka faa'ideystayaasha tiro- koobka;

30. "Heerarka tayada" waxaa loola jeedaa heerarka tayada iyo wax ku oolnimada tiro-koobka la sameeyey marka la eego Sharcigan,
31. "Hay'adaha Istaatistikada" waxaa loola jeedaa Wasaaraddaha Dowladdada Federaalka ama dowladaha hoose oo leh mas'uuliyad, uu oggolaanayo Sharcigan in ay soo ururiyaan xogta, iskuna duwaan ama faafiyaan macluumaadka xogta dadweynaha iyaga oo raacaya:
    (b) Sharcigan Istaatistikada JFS ee 2019;
    (t) Sharciga lagu dhisay Bankiga Dhexe ee Soomaaliya Xeer Lr: 130 ee 22kii Abriil 2011;
    (j) Sharciga dakhliga dowladda
    (x) Sharciga canshuuraha; iyo
    (kh) Sharciga Dawladaha hoose.
32. "Xog-ururinta tiro-koobka" waxaa loola jeedaa hab-raaca loo marayo:
    b) Tiro-koob kasta oo aan ahayn tiro-koobka lagu xusay faqrada (t) ee soo socota, ama in la sameeyo sahan iyadoo la raacayo arrimaha lagu sheegay jadwalka 1aad ee Sharcigan.
    t) Ururinta dokumentiyada maamulka, macluumaadka iyo galka diiwaan gelinta ooah in la kaydiyo macluumaadka, in la soo ururiyo, in la soo saaro iyo in la faafiyo xogta rasmiga ah, loomana adeegsan karo si shakhsi ah;
    j) In la sameeyo tiro-koob dadka, xoolaha iyo guryaha ah; ama
    x) In la sameeyo soo ururin xogta juqraafiga iyadoo loo adeegsanayo si tirokoob ahaan ah;
33. "Daneeyaha tiro-koobka" waxaa loola jeedaa qof, koox ama urur daneynaya ka fa'ideysiga ama horumarinta hawlaha tiro-koobka;
34. "Tiro-koob soo-saare" waxaa loola jeedaa Hay'adda Istaatistikada Qaranka ama hay'adaha kale ee dowladdada ee soo-saara xogta tiro-koobka iyo hay'adaha caalamiga ah oo ay iyagu u baahan yihiin si waafaqsan faqradaha Qodobka 48aad ee Sharcigan, si ay u sameeyaan xog-ururin;
35. "Tiro-koob" waxaa loola jeedaa tirooyin-macluumaad oo la xiriira arrimaha tiro-koobka dadka, dhaqaalaha, maaliyadda, deegaanka, arrimha bulshada oo ay ka uruuriso Dowladda Federaalku dhammaan Dowladaha Xubnaha ka ah Dowladda Federaalka (DXDF) iyo Gobolka Banaadir xogtaas oo la isugu-duway loona falanqeeyey si waafaqsan cilmi-baarista iyo qaababka

tiro-koobka oo ay ku jirto xogta juqraafiga iyo dayax gacmeedka lagu qaado;

36. "Maamul gobol" waxaa loola jeedaa Maamul gobaleedyada ka tirsan Dawladah Xubnaha ka ah Dowladda Federaalka.
37. "Sahan" waxaa loola jeedaa xog-ururinta tiro-koobka ee lagu sheegay Jadwalka 1aad ee Sharcigan, halka macluumaadka laga soo qaadayo dhammaan dadweynaha ama laga qaadayo qeyb kamid ah bulshada iyadoo la adeegsanayo habka muunadda (sampling);
38. "Machadka tababarka" waxaa loola jeeda machad kasta oo bixiya waxbarasho sare;
39. "Adeegsadeyaasha tiro koobka" waa isticmaalayaasha xogta tirakoobka waxaana ka mid ah hay'adaha dowladda, hay'adaha ganacsiga gaarka loo leeyahay, hay'adaha cilmi-baarista, hay'adaha tababarka, ururada caalamiga ah iyo kuwa gobolka ama qofkasta oo adeegsada xogta tiro koobka

Cutbabka 2aad
Hannaanka Istaatistikada Qaranka
Qodobka 3aad
Dhisidda iyo Horumarinta Hannaanka Istaatistikada Qaranka

1. Waxa la asaasayaa oo la hormarinayaa hannaanka Istaatistikada Qaranka iyo qeybaha uu ka kooban yahay iyo sidoo kale xiriirka ka dhexeeya ee lagu xusay Qodobka4aad ee xeerkan, kuwaas oo ay ka mid yihiin;
   b) Bixinta macluumad ujeeddadiisu tahay in la'isu-keeno, la soo-saaro, la lafaguro iyo in la faafiyo xogta tiro-koobka dawladda iyo xogaha kale ee isticmaalka xogta rasmiga ah ee dawladda **marka laga reebo waxyaabaha la xiriira arrimaha ciidamada iyo amniga.**
   t) In la sameeyo cilmi-baaris, lana hormariyo heerka, qaabka iyo farsamada tiro-Koobka dalka; iyo
   j) In la tababaro khubaro ku takhasustay Istaatistikada iyo adeegsiga Istaatistikada.

Qodobka 4aad
Qeybaha Hannanka Istaatistikada Qaranka

1. Qeybaha Hannanka Istaatistikada Qaranka waxa kamid ah:

b) Soo saaridda xogta oo ay ku jirto xogta Wasaaradaha Dawladda iyo xogta Danceeyeyaasha kale ee soo saara xog iyaga u gaar ah;
t) Jawaab bixiyeyaal bixiya xogta tiro-koobka;
j) Adeegsiga xogta iyada oo la marinayo, sida warbaahinta; iyo
x) Adeegsiga Cilmi-baareyaasha, jaamacadahaha iyo macaahidda.

Qodobka 5aad

Ujeedooyinka iyo maamulka Hannaanka Istaatistikada Qaranka iyo mabaadi'da xogta rasmiga ah

1. Ujeedooyinka iyo maamulka Hannaanka Istaatistikada Qaranaka waxaa kamid ah:
   b) Diyaarinta in la soo ururiyo xogta, in la isku-duwo, in la soo saaro, in la faafiyo iyo in la kaydiyo oo la xifdiyo xogta rasmiga ah iyo xogaha kale;
   t) Xiriirin iyo dhisid tayo waarta oo lagu ururiyo xogta, lagu soo saaro, lagu lafo guro iyo in faafiyo xogta tiro-koobka iyadoo la raacayo mabaadi'da asaaska u ah Qaramada Midoobay iyo Xeerka Istaatistikada Afrika ee ururinta xogta rasmiga ah;
   j) In la xaqiijiyo dhowrista si qarsoodi ah macluumaadka ay bixiyaan jawaab celiyeyaasha; iyo
   x) In sare loo qaado muhiimadda adeegsiga xogta istaastikada oo ah;
      i. Caddeymo ku saabsan sameynta qorshaha iyo in go'aan laga gaaro;
      ii. Qaabeynta naqshadda;
      iii. Kormeerid iyo qiimayn lagu sameeyu go'aannada la gaaro.
2. Xogta tiro-koobka dawladdu waa inay noqotaa:
   b) Mid xiriir la leh jihooyinka laga keenay, sax ah, la isku haleyn karo oo waqtiyeysan;
   t) Leh ujeedo iyo dhammaystirnaan;
   j) La isu-keeno, la soo saaro, loona lafa-guro hab cilmiyeysan oo si cad u muuqda;
   x) In loo faafiyo si waafaqsan sharcigan.
   Kh) In ay ahaato mid daah-furan oo la awoodi karo;
   d) In loo raaco sida ugu haboon ee heerarka Qaran iyo kuwa Caalamiga ah; iyo

r) In si taxaddar leh loo qeybiyo iyada oo la dhowrayo jinsiga qofka, aqoontiisa, shaqada uu hayo, hadii uu naafo yahay, meesha uu ku nool yahay iyo wixi kale ee xiriir la leh tilmaamaha la gorfeynayo.

3. Qeybaha uu ka kooban yahay Hannaanka Istaatistikada Qaranka wuxuu la fal-galayaaiskaashi iyo xog is-dhaafsi xagga Istaatistikada, taasna waxa kamid ah:
   b) Horumarinta sameynta qoraallada iyo in la is dhaafsado dokumentiyo iyo macluumaad la xiriira isu keenidda, soo saaridda, faafinta, kaydinta iyo meel ku haynta xogta rasmiga ah ee dawladda;
   t) Adeegsiga xogta rasmiga ah iyo xogaha kale oo ay kamid yihiin xogaha ballaaran ee loo adeegsado xogta tiro-koobka dawladda;
   j) Xafiiska Istaatistikada Qaranka waa in uu horumariyaa oo xiriiriyaa xafiis-gobaleedyada iyo dawladaha hoose iyo kuwa kale ee xogta soo saara;
   x) Ilaalinta wadajirka qeybaha si loo horumariyo xogta Istaatistikada dawladda;
   kh) In la caawiyaa isticmaaleyaasha xogta tiro-koobka waqti kasta oo baahidooduxiriir la leedahay ama ay tilmaamaan baahida ay u qabaan xogta;
   d) Horumarinta cilmi-baarista ku saabsan habka tiro-koobka, farsamada iyo heerarka tayada;
   r) Tababarro loo fidiyo shaqaalaha Istaatistikada iyo isticmaaleyaasha Istaatistikada.
4. Hannaanka Istaatistikada Qaranka waa in loo maamulaa loona xiriiriyaa si-hufan si loo hubiyo in ujeeddooyinkiisa lagu gaaro:
   b) Qiimo wax ku ool ah oo hufan; iyo
   t) Iyadoo loo raacayo si waafaqsan ujeeddada iyo mabaadi'da Istaatistikada ee ku Xusan faqrada (b) ee qodob-hoosaadka 1aad ee Qodobkaan.

Cutubka 3aad

Dhismaha iyo shaqooyinka Hay'adda Istaatistikada

Qodobka 6aad

Dhismaha Hay'adda Istaatistikada

1. Sharcigan waxa lagu asaasayaa hay'ad madax-bannaan oo leh sifo-sharciyeed, loona yaqaano Hay'adda Istaatistikada Qaranka Soomaaliya loona soo gaabiyo HIQS, taas oo ah midda kaydisa dhammaan xogaha tiro-koobka Waddanka soomaaliyeed.
2. Hay'addu waxay leedahay shaqsiyad qaanuuni ah, waxayna awood u leedahay:
   b) In ay dacwad soo oogi karto, laguna soo oogi karo;
   t) In ay geli karto heshiisyada shaqadeeda iyo waxqabadkeeda kor u qaadaya, kuwaas oo sharcigan waafaqsan;
   j) Hay'adda Istaatistikada Qaranku, waxay iibsan kartaa, haysan kartaa ama iska iibin kartaa hantideeda si waafaqsan Sharciga Iibka iyo Qandaraasyada Qaranka;
   x) Hay'adda Istaatistikada Qaranku, waxay xaq u leedahay in ay iska ilaaliso wax kasta oo u keenaya khasaare, sida in ay deyn qaadato ama in ay dhibaato soo gaarto;
   kh) Hay'addu waxay ammaahan kartaa qaddar lacag ah oo dawladdu u oggolaato si waafaqsan sharciga maamulka maaliyadda;
   d) Hay'addu waxay qaadan kartaa wixii qalab ama lacag ah ee loogu deeqo;
   r) Hay'addu waxay qoran kartaa shaqaale qabta shaqooyinka hay'adda si waafaqsan Sharciga Shaqaalaha Rayidka Soomaaliyeed ee dhaqan galka ah.
3. Iyadoo aan laga tageyn ujeeddooyinka ku xusan faqrada (1) ee Qodobkan, hay'addu waa in ay sameysaa nidaam guud oo dhexe oo xogta lagu ururiyo sida ugu wanaagsan iyadoo la raacayo:

b) In shaqaalaha hay'adda iyo khubarada kale ee la shaqeeya lagu dhiso baahiyaha lagu qeexay faqradaha (b), (t), (j) iyo (x) ee farqada 2aad ee Qodobkan ee lagu qeexay awoodaha dhismaha hay'adda;

t) In shaqaalaha hay'addu si ereg ah ula shaqeyn karaan hay'adaha kale ee dowladda; iyo

j) In tababarrada la siiyo shaqaalaha hay'adda iyo khubarada la shaqeeya xiriir la leeyihiin sida lagu xusay faqrada (b) ee Qodob-hoosaadka 3aad ee Qodobkan.

4. Xarunta Hay'adda Istaatistikada Qaranka waxay ahaaneysaa Caasimadda Dalka ee Muqdisho, waxayna xarumo qeybeed ku yeelaneysaa dowlad gobaleedyada iyo degmooyinka JFS
5. Xarumaha qeybaha dowlad-gobaleedyada, iyo degmooyinka dhammaantood waxay warbixin siinayaan Agaasimha Hay'adda Istaatistikada Qaranka iyo hay'adaha xiriirka la leh ee **DXDF** ka jira.

Qodobka 7aad
Shaqooyinka Hay'adda Istaatistikada Qaranka

1. HIQS waa hay'adda dalka mas'uulka uga ah horumarinta iyo maareynta xogta rasmiga ah, isla markaana awoodda u leh ilaalinta xogaha iyo macluumaadka dawladda, waxaana Shaqadeeda kamid ah:
   b) Xiriinta Hannaanka Istaatistikada Qaranka;
   t) Talo-siinta Dawladda Federaalka iyo maamul gobaleedyada arrimaha la xiriira
      Horumarinta Istaatistikada Qaranka;
   j) Talo-siinta Wasiirka arrimha la xiriira xogta rasmiga ah, haddii ay tahay waajibka hay'adda ama codsi uga yimid wasiirka;
   x) Horumarinta iyo dhiirigelinta adeegsiga Istaatistikada iyadoo la waafajinayo heerarka iyo habka ugu haboon Hannaanka Istaatistikada Qaranka;
   Kh) Ururinta, isku-hagaajinta, lafa-guridda, tarjumidda, baahinta iyo faafinta macluumaadka Istaatistikada Qaranka keligeed ama iyadoo la kaashaneysa Waasaaradaha Dawladda, DXDF iyo Daneeyayaasha kale;
   d) Horumarinta, adkeynta si dhammeystiran iyo ururinta xogta Istaatistikada Qaranka, iyadoo la dhiiri gelinayo in la sameeyo waaxyo Istaatistikada qaabilsan Wasaaradaha xogta soo saara dhexdooda si Dawladaha hoose xogta u kaydiyaan uguna diraan Xafiiska Istaatistikada Qaranka;
   r) Dhiirigelinta iyo horumarinta xogaha Mugga-weyn sidii loogu isticmaali lahaa lafa gurka iyo soo saaridda xogaha Dawladda;
   s) In la sameeyo xafiis qaabilsan la xiriirka hay'adaha caalamiga ee arrimaha Istaatistikada; iyo
   Sh) In ay qabato dhamman shaqooyinka la xiriira Istaatistikada maadaama hay'addani dawladda ugu xilsaaran tahay tiro-koobka.

2. Xafiiska Hay'adda Istaatistikada Qaranku waa inuu:

b) Qaabeeyaa iyadoo ogolaansho laga helayo Wasiirka qaabilsan IstaatistikadaSameynta qaabka siyaasadda Hay'adda Istaatistikada Qaranka iyadoo la raacayo mabaadi'daasaasiga Qaramada Midoobay ee xogta rasmiga ah iyo Xeerka Istaatistikada Afrika, lana hubiyo fulinteeda, dabagalkeeda iyo qiimayn lagusameeyo; iyo

t) Go'aamiyaa qabashada mas'uuliyadda loo qaabeynayo fulinta howl-sanadeedka hay'adda, ayna ku jirto:

i. Ururinta xogta, soo saaridda, lafaguridda iyo faafinta xogta rasmiga ah iyadoola raacayo ujeeddooyinka Hay'adda Istaatistikada Qaranka iyo mabaadi'da Istaatistikada ee lagu xusay Qodobada Xeerkan;

ii. Iyadoo sharcigan lagu dhaqmayo in la sameeyaa xog-ururin waqtiga iyo markaay ku habboon tahay, wixii dokumenti iyo foomam oo ku saabsan xogtaasna la kaydiyo.

iii. In sida ugu fiican loo kala dhig-dhigo, la kaydiyo loona xafido xogta macluumaadka Istaatistikada;

iv. Qaabkii, baaxadda iyo waqtiga ugu wanaagsan faafinta macluumaadka Istaatistikada;

v. Hormarinta habka loo adeegsado xogta mugga-weyn ee soo saaridda xogta rasmiga ah;

vi. In la iswaafajiyo, la iskuna geeyo xogta laga soo uruuriyay gobollada iyadoo aan loo eegeynin in ay soo uruuriyeen dawladaha hoose ama haya'daha kale ee dawladda ama kuwa gaarka ah;

vii. Horumarinta shaqooyinka Istaatistikada; ama

viii. Joojinta shaqooyinka Istaatistikada.

Cutubka 4aad
Golaha Maamulka Hay'adda Istaatistikada (Board of Directors)
Qodobka 8aad
Dhismaha Golaha Maamulka (Board of Directors)

1. Waxaa la asaasayaa Golaha Maamulka Hay'adda Istaatistikada Qaranka, kaas oo mas'uulka ka ah arrimaha la-socodka, kor-joogteynta iyo ka talo-bixinta shaqooyinka ay qabanayso Hay'adda Istaatistikada Qaranka.

Qodobka 9aad
Awoodaha iyo Shaqooyinka Golaha Maamulka

1. Awoodaha iyo shaqooyinka Golaha Maamulka waxay noqonayaan:
   b) Dejinta, kormeeridda iyo fulinta qaabka ay hay'addu u shaqaneyso;
   t) La-socoshada si joogta ah qaab-dhismeedka hay'adda iyo heerarka shaqaalaha;
   j) Qoridda shaqaalaha ku habboon hay'adda marka ay buuxiyaan shuruudaha iyo xaaladaha shaqada iyadoo la raacayo Sharciga Shaqaalaha Rayidka Soomaaliyeed;
   x) Iyadoo lala tashanayo hay'adaha ay khuseyso waxaa si ku meel gaar ah loo magacaabayaa dad dheeraad ah in ay noqdaan shaqaaale loo igmaday soo ururinta macluumaad gaar ah iyadoo la raacayo shuruudaha iyo xaaladaha shaqaalaha taas oo Golaha Maamulka iyo cidii kale ee awood u leh ay go'aan ka gaari karaan;
   Kh) Iyadoo la raacayo Sharciga Shaqaalaha Rayidka Soomaaliyeed, waa in ay tTallaabo sharciga waafaqsan ka qaadaan shaqaalaha hay'adda ee hor-istaaga ama jebiya sharciyada Istaatistikada, ama sameeya ficil wiiqaya maamulka maaliyadda iyo maamulka gudaha hay'adda, ama ku-kaca wax is dabamarin;
   d) Ogolaanshaha qorsha-hawleedka hay'adda, barnaamijyada shaqo ee sanadlaha ah iyo Miisaaniyaddiisa, kuwaas oo ay tahay in uu diyaaro Xafiiska Hay'adda Istaatistikada Qaranka;
   r) Soo-gudbinta miisaaniyadda ay ogolaadaan Goluhu loona gudbiyo Wasaaradda Maaliyadda; iyo
   s) Soo-gudbinta war bixinta Saddex biloodlaha ah ee wax-qabadka Hay'adda Istaatistikada Qaranka oo loo gudbinayo markuu codsado wasiirku.
2. Goluhu wuxuu magacaabayaa Guddiyada Golaha Maamulka Hay'adda Istaatistikada Qaran ee Maaliyadda iyo Hanti-dhowrka, iyo sidoo kale Guddiyo kale marka loo baahdo.
3. Goluhu wuxuu wada shaqeyn la samaeyn karaa hay'ado kale oo gudaha dalka iyo dibadda ah oo ay u arkaan in ay ku habboon yihiin sii-xoojinta ujeeddooyinka hay'adda loo dhisay.

4. Golahu wuxuu talo-ka-bixin karaa tallaabooyin fulineed iyo sharciyeed ee Hay'adda si loo horumariyo hufnaanta Hannaanka Istaatistikada Qaranka oo ay ku jirto qaab dhismeedka haya'dda Istaatistikada.
5. Iyadoo la tixgelinayo isku xirka Hannaanka Istaatistikada Qaranka, goluhu wuxuu, si waafaqsan sharcigan:

b) soo-jeedinayaa, sidoo kalena ogolaanayaa marka la sameeyo Istaraatiijiyadda Qaranka ee lagu horumarinayo Istaatistikada;

t) Dejinayaa qaab lagu hago laguna dabagalo fulinta qorshayaaasha iyo barnaamijyada hay'adda;

j) Dhisayaa habka ugu habboon ee kor loogu qaado Hannaanka Istaatistikada dawladeed oo toosan wax ku oolna ah;

x) Dejinayaa siyaasad ku saabsan dhammaan arrimaha la xiriira Shaqooyinka haya'dda Istaatistikada, heerarka iyo qeybaha ay ka kooban tahay

Kh) sharaxayaa hababka ugu habboon ee lagu horumarin karo isku- xirka Istaatistikada, wuxuuna abuurayaa hannaanka isku-xirka Istaatistikada heer Federaal iyo heer DXDF iyo

d) Dib-u-eegis ku sameeyaa barnaamijyada Istaatistikada ee waaxyaha iyo hay'adaha dawladda federaalka iyo DXDF si loo dhiso mas'uuliyad la xiriirta arrimaha barnaamijyada Istaatistikada dawladda.

6. Goluhu wuxuu go'aamin karaa inuu bixiyo kaalmo farsamo iyo kormeer ay ku sameeyaan howlaha Istaatistikada ee ka socda heer Federaal iyo heer Dowlad-gobaleed;
7. Goluhu wuxuu sidoo kale fulin karaa hawl kasta **oo** la xiriirta istaatiistikada ee uu goluhu ku tala bixiyo oo wasiirkuna uu ku waafaqo.

Qodobka 10^aad
Waajibaadka Ammaano ee Golaha Maamulka

1. Golaha Maamulka waxaa ku waajib ah:

b) Inuu u dhaqmo si ammaano, daacadnimo iyo hufnaan leh, isla markaana si daah-furan hay'adda arimaheeda maaliyadda loo maamulo;

t) Inuu hubiyo ururintá dakhliga hay'adda;

j) Inuu sida ugu taxadarka badan u guto waajibaadkiisa si loo hubiyo ilaalinta hantida iyo kaydka hay'adda;

x) Inuu dhowro hannanka hufan ee wax ku oolka ah, oo leh daah-furnaan maamul iyo Maaliyadeed iyo hannan baaritaan gudaha;

kh) Inuu ka hortago is daba-marinta, kharashka micno la'aanta ku baxa, kana dhasha xatooyada iyo midka aan waafaqsaneyn shaqooyinka haya'dda;

d)Inuu dib-u-eegis ku sameeyo soo-jeedinta miisaaniyadda ku saleysan shaqooyinka Istaatistikada, waana inuu soo gudbiyo miisaaniyad isku-jir ah ee haya'dda loona gudbiyo Wasaaradda Qorshaynta.

r) Inuu si waafaqsan sharciga Iibka Qaranka wax ku soo iibsado isagana iibiyo kaas oo keenaya cadaalad, sinnaan, daah-furnaan, tartan xalaal ah iyo qiime macquul ah.

2. Xubin Golaha Maamulka kamid ah uma dhaqmi karto hab ka baxsan mas'uuliyadda Golaha Maamulka iyo hab-raaciisa, iyadoo la eegayo sharcigan sida; inuu adeegsado awood jago, mudnaan, macluumaad qarsoodi ah oo uu helay isaga oo xubin ka ah Golaha Maamulka, iyo inuu si shakhsi ah u qariyo macluumaad dheeraad ah oo uu helay ama si aan hagaagsaneyn uu qof kale ugu faa'iideeyo. Taas oo sababi karta in xubintu ciqaab ama ganaax Goluhu gooyey ku muteysato.

Qodobka 11aad
Xubnaha Golaha Maamulka

1. Golaha Maamulka Hay'adda Istaatistikada Qaranku wuxuu ka kooban yahay sagaal xubnood oo uu ka mid yahay Agaasimaha Guud ee Hay'adda Istaatisktida.

b) Xubnaha intooda kale waxaa

c) waxaa Xeer-nidaamiye ku soo saaraya Wasiirka, isaga oo la tashanaya Wasiirrada Qorshaynta ee DXDF inta aanan lasoo xulin lagu soo xulayaa aqoontooda iyo qibradooda shaqo iyadoo lagu soo xulaayo tartan furan.;

t) Habraaca lagu soo xulayo Golaha Maamulka xubnaha.

2. Qof kasta oo la magacaabayo kuna xusan faqrada (1) waa inuu aqoon heer jaamacadeed iyo khibrad shaqo oo aan ka yarayn 5 sano u leeyahay cilmiga Istaatistikada, dhaqaalaha, tiknoolijiyada isgaarsiinta, siyaasadda **ama** sharciga.

3. Marka lasoo dhameystiro xubnaha, Wasiirka ayaa u soo gudbinaya Golaha Wasiirada liiska Xubnaha si ay u ansixiyaan. Raisul Wasaaraha ayaa liiska

xubnaha la ansixiyay u gudbinaayo madaxweeynaha si uu u saxiixo kadibna loogu soo saaro Faafinta Rasmiga ah ee Dowladda

4. Xubnaha Goluhu kulankooda ugu horeeya ayey ku dooranayaan Guddoomiye iyo Gudoomiye ku-xigeen ay iska dhex dooranayaan xubnaha Golaha Maamulka. Agaasimaha Hay'adda Istaatikada ayaa noqonaya Xoghayaha Golaha Maamulka.
5. Gudoomiye ku-xigeenku wuxuu qabanayaa shaqada gudoomiyaha waqtiyada uu maqan yahay ama markuu awoodi waayo gudashada shaqadiisa ama uu asagu u wakiisho qabashada hawlahaas.

Qodoka 12aad
Muddada Xil-hayta Xubnaha Golaha Maamulka

1. Xubnaha Goluhu waxay xilka haynayaan muddo 5 sano ah, waxayna xaq u leeyihiin in mar labaad loo magacaabo, marka uu ka dhamaado xilliga loogu talo galay. Xubnaha looma magacaabi karo labo mudo xileed ka badan.

Qodoka 13aad
Shuruudda Magacaabista Xubnaha Golaha Maamulka

Qofka loo magacaabayo xubin ka noqoshada Golaha Maamulka waa in uu:

1. Yahay Soomaali;
2. Degan yahay Soomaaliya;
3. Da'diisu ka yareyn shan iyo labaatan (25) sano;
4. Haysto Shahaado heer jaamacadeed iyo khibrad shaqo oo aan ka yarayn 5 sano u leeyahay cilmiga Istaatistikada, dhaqaalaha, tiknoolijiyada isgaarsiinta, siyaasadda **ama** sharciga
5. In uu san ahayn mas'uul xubin ka ah Baarlamaanka Federaalka, **DXDF** iyo dawladaha hoose; hadii uu xubin ka yahay Baarlamaanka Federaalka, Dawlad-gobolleedyadda iyo dawladaha hoose, waa in xilkaas iska so casilaa inta aanan loo magacaabin xubinimadda Golaha Maamulka.
6. Gelin fal-dembiyeed maxkamadi ku xukuntay oo ammaanada iyo sumcadiisa wax yeeleeyey.

Qodoka 14aad
Xil ka-qaadis Xubin Ka mid ah Golaha Maamulka

1. Marka uu Wasiirka soo jeediyo Golaha Wasiirraduna ay ogalaadaan, Ra'iisal Wasaaraha Xukuumadda JFS wuxuu xil-ka-qaadis ku sameyn karaa xubin Golaha Maamulka ka mid ah, waa haddii Wasiirku caddeeyo Ra'iisal Wasaaruhuna ku qanco in shaqsiga xubinta ka ah:
   b) Xilkiisa u gudan waayey xanuun jirka ama maskaxda ah;
   t) Galay fal dambi ah, kaas oo **uu** Wasiirku **hubiyay in uu yahay** mid khatar ah, kuna filan in xilka looga qaado,
   j) U gudan waayey si wanaagsan hawshii xubinimada Golaha Maamulka.
2. Wasiirku wuxuu bixin karaa talada ku-xusan faqrada (1) ee Qodobkan, kadib marka xubinta Golaha Maamulka ee xilka laga qaadayo ay hesho fursad lagu dhagaysto.

Qodoka 15aad:
Banneynta Xubinnimada Golaha Maamulka iyo Buuxinta Xilkaas

1. Xilka xubinta Golaha Maamulka waxay noqonaysaa mid bannaan haddii xubintu:
   b) Ay tahay mid aan buuxin shuruudda ku-xusan qodobka 13aad ee Xeerkan;
   t) Is-casilaad qoraal ah uu u gudbiyo Wasiirka uuna ka aqbalo;
   j) Ka maqnaado saddex kulan oo isku-xigta, isagoo aan ku maqneyn fasax uusan ogeyn Gudoomiyaha Goluhu;
   x) Laga qaado xilka, sida kuxusan Qodobka 14aad ee Xeerkan;
   kh) Geeriyoodo.
2. Haddii xubin Golaha Maamulka kamid ah ay banneyso xilka sida ku cad Faqrada sare ee Qodobkan, xilkaas waa in la buuxiyaa oo loo magacaabaa qofka ku habboon iyadoo la raacayo si waafaqsan Qodobka 11aad ee Xeerkan.

Qodoka 16aad
Guddiyada Golaha Maamulka Istaatistikada

1. Iyada oo la tixraacayo shuruudaha lagama maarmaanka u ah, Goluhu wuxuu go'aaminayaa ka-magacaabidda dhexdiisa Gudiyada Maaliyadda iyo Hanta-dhowrka ee Golaha Maamulka Hay'adda Istaatistikada Qaranka.
2. Goluhu wuxuu kale oo magacaabi karaa Guddiyo dheeraad ah marka loo baahdo:
   b) Talo-bixin ku saabsan arrimaha la xiriira awoodaha iyo shaqooyinka Golaha Maamulka; iyo
   t) Ka-caawinta Golaha Maamulka gudashada shaqooyinka iyo awoodaha ku aaddan sida uu hawl ugu idman karo cid Golaha Maamulka ka baxsan.
3. Goluhu waxaa uu u magacaabi karaa xubnaha Gudiyada la dhisay **1- 3 qof** oo aan ka tirsaneyn Golaha Maamulka Hay'adda Istaatistikada Qaranka, laakiin Guddi kasta oo la dhisayo waxaa kamid noqonaya hal xubin oo ka tirsan Golaha Maamulka Istaatistikada Qaranka.
4. Marka Xubnaha Guddiyada la dhisayo ay ka kooban yihiin dhowr xubnood, Golaha Maamulka Istaatistikada Qaranku waxaa uu u magacaabayaa xubin asaga kamid ah in uu noqdo madaxa Guddiga.
5. Goluhu kama qaadi karo mas'uuliyadda hawlaha shaqada lagu aaminay Guddiyada la dhisay ee hoos imaanaya qodobkan, haddii aysan Xubnaha Guddigu gudan waayin shaqada loo diray.
6. Shirarka Guddiyada hoose waxaa shir guddoominaya Guddoomiyaha Guddiga, haddii uu ka maqan yahay shirka xubnaha ayaa iska-dhex dooranaya qof shir-guddoomiye ah.
7. Kooramka shirarka Guddi-hoosaadyada waa inta ugu badan tirada guud ahaan ee xubnaha Guddigu marka ay joogaan (50%+1).
8. Go'aan ay gaareen ama hawl ay qabteen guddi-hoosaadka waxaa uu wax kama jiraan noqon karaa oo kaliya marka;
   b) Uusan kooramku dhammeyn; iyo
   t) Kulanka Guddiga uu ku jiro qof aan ka tirsaneyn Guddiga, xataa haddii la gaaray go'aan la isku raacay waqtigaas isaga ah ama uu go'aanka la gaaray ay ogalaadeen inta badan xubnaha Guddiga goob joogga ah marka codka la qaaday.

9. Qofka shir guddoominaya kulanka Guddiga waa inuu sameeyaa diiwaangelin iyo hadal-qoraal lagu sameeyo geedi socodka shirka, waana inuu diiwaangelintaas iyo hadal-qoraalkaba u gudbiyaa Golaha Maamulka Haya'adda Istaatistikada marka uu dhammaado shirka guddi-hoosaadka.
10. Goluhu wuxuu kala diri karaa ama dib-u-habeyn karaan guddi-hoosaadyada, marka ay gudan waayaan shaqada loo idmaday.

Qodoka 17aad
Daah-furnaańta Danaha Golaha Maamulka Hay'adda Istaatistikada

1. Xubin kasta oo Golaha Maamulka ka mid ah waa:
   b) Inuu usoo bandhigaa Xubnaha kale ee Golaha Maamulka ganacsiga dadban ama tooska ah ee uu ku jiro ama ay xaaskiisu ku lug leedahay uuna ka caddeeyo Golaha Maamulka hortiisa; iyo
   t) In shirka laga saaro marka ay ku caddaato arrimaha lagu sheegay faqrada 1 (b) ee Qodobkan, ilaa ay Goluhu go'aan ka gaarayaan in danaha ganacsi ee xubinta Golaha Maamulka uusan xiriir la laheyn shaqada Golaha Maamulka.
2. Daah-furka ay bixisay xubin ka tirsan Golaha Maamulka iyadoo la fiirinayo Faqrada (1) ee Qodobkan iyo go'aanka ay qaateen xubnaha kale ee ka tirsan Golaha Maamulka la siinayo daah-furka waa in la diiwaangeliyo, lana diyaariyo Hadal-qoraalka shirka.
3. Xubin kasta oo u hogaansami weyda tallaabooyinka lagu xusay farqada (1) ee Qodobkan, waa dembi uu galay, waxaana lagu ganaaxayaa qadar lacag aan ka yareeyn hal bil mushaar iyo gunno bileedkiisa iyada oo wixii ciqaab ah loo marayo Xeerka Ciqaabta Soomaaliyeed.

Qodoka 18aad
Go'aannada iyo Shirarka Golaha Maamulka

1. Wasiirka waa in uu isugu yeeraa shirka ugu horreeyo ee Golaha Maamulka iyo kuwa aanan caadi ahayn, iyadoo la tixgalinayo faqrada (3) ee Qodobkan.

2. Shirarka Golaha Maamulka waa in lagu qabtaa waqtiyada iyo meelaha loogu talo galay oo Goluhu go'aamiyo, ugu yaraan waa in ay Afar (4) jeer sanadkii qabsadaan shirarkooda.
3. Gudoomiyaha Golaha Maamulka wuxuu isugu yeeri karaa Golaha Maamulka shir gaar ah ama aan caadi ahayn hadii Wasiirku uu ka helo qoraal uu ku codsanayo ama inta badan xubnaha Golaha Maamulka ay codsadaan in la qabto shir gaar ah.
4. Kooramka shirarka Golaha Maamulka wuxuu ku qabsoomi karaa marka ay joogaan tirada ugu badan ee xubnaha Golaha Maamulka (50%+1).
5. Guddoomiyaha Golaha Maamulka ayaa shir Guddoominaya Kulamada Golaha Maamulka, hadii uusan joogin Guddoomiye ku-xigeenka, hadii labadoodu maqan yihiin Xubnaha Golaha Maamulka ayaa iska-dhex dooranaya shir-guddoomiye.
6. Go'aanka ay isku raacaan inta badan xubnaha Golaha Maamulka shirka jooga ayaa ah go'aanka Golaha Maamulka, haddii ay dhacdo inay is le'ekaadaan codadka tirada xubnaha Golaha Maamulka; shir guddoonka dhinaca uu u codeeyo ayaa ansax ah.
7. Go'aan ay gaareen Xubnaha Golaha Maamulka ama shaqo kasta oo ay qabteen waxay wax kama jiraan noqan kartaa haddii;
   b) Uusan Golaha Maamulka u dhameystirneyn tiradii loo baahnaaa ee kulanku ku qabsoomi lahaa;

   t) Kulanka Golaha Maamulka uu ku jiro qof aan ka tirsaneyn Golaha Maamulka, xataa haddii la gaaray go'aan la isku raacay waqtigaas isaga ah ama uu go'aanka la gaaray ay oggalaadeen inta badan xubnaha Golaha Maamulka goob joogga ah marka codka la qaaday.

8. Iyadoo la eegayo sharcigan, Goluhu waxay nidaamin karaan habka shaqada Golaha Maamulka u socoto taas oo ay waajib tahay in Goluhu ku dhaqmaan marka ay shirayaan.
9. Goluhu waa inay si wanaagsan u diyaariyaan hadal-qoraalka shirkooda, iyaga oo adeegsanaya Xog-hayaha Golaha Maamulka .
10. Golaha Maamulka waxay ku marti qaadi karaan shirarka Golaha Maamulka inuu ka qeyb galo qof walba oo ay u arkaan in fikirkiisa muhiim u yahay shirka, laakiin qofkaasi xaq uma laha inuu cod ka dhiibto shirka.
11. Iyadoo la tixgalinayo faqrada (9) ee Qodobkan, wax go'aan ah oo aan qoraal ahayn lagama soo saari karo shirka Golaha Maamulka, laakin

waxaa suurogal ah in Xubnaha Goluhu go'aan ka gaaraan hawlo kale oo ay saxiixeen xubnaha Golaha Maamulka iyagoo ku sugan gudaha Soomaaliya kooramkuna uu buuxo, wuxuu noqonaya go'aankaasi;

b) mid saameyntiisa leh haddii uu ka soo baxay kulan Xubnaha Goluhu isugu yimaadeen oo si sax u qabsoomay,

t) in la diiwaangeliyo go'aannadaas, si loogu ansixiyo shirarka soo socda ee Golaha Maamulka.

Qodoka 19aad
Mushaaraadka iyo Gunnooyinka Xubnaha iyo Guddiyadda Golaha Maamulka

1. Goluhu waa inuu ogolaado gunnooyinka ay muteysteen xubnaha Golaha Maamulka Istaatistikada Qaranka ama xubnaha guddi-hoosaadyada iyadoo la raacayo miisaaniyadda Hay'adda.
2. Goluhu wuxuu dib ugu celinayaa Lacagaha xubnaha Golaha Maamulka Istaatistikada ama Guddi-hoosaadyada Golaha Maamulka ee ah kharashaadka ay ku bixiyeen safaro Caasimadda bannaanka ka ah ama dalka dibbaddiisa ah oo ay galaan waqtiyada ay ka qeyb galayaan shirarka Golaha Maamulka ama Guddi-hoosaadyada

Qodoka 20aad
Xeer-hoosaadyada Golaha Maamulka

1. Goluhu wuxuu sameysanayaa xeer-hoosaadyo la xirrira:

b) Qaabka la-iskugu dubbarido qabashada shirarka Golaha Maamulka, hannaanka shirarka, kooramka iyo qaabka loo diyaarinayo ajendayaasha shirka iyo waxa ka soo baxaya;

t) Habka qorista, tirada, shuruudaha iyo hannaanka shaqaaleysiinta shaqaalaha ay u baahantahay Hay'adda Istaatistikada Qaranka.

j) Shaqada maamulka Haya'adda Istaatistikada Qaranka si aan ka hor-imaaneyn Xeerkan iyo sidii si wanagsan ay ugu gudan lahayd shaqadeeda; iyo

x) Guud ahaan, wax kasta oo Goluhu u arko in **uu** muhiim yahay ama laga miro-dhalinkaro si loo gaaro ujeedooyinka sharcigan.

Cutubka 5aad
Xubnaha Shaqaalaha Hay'adda Istaatistikada
Qodoka 21aad
Magacaabista Agaasimaha Xafiiska Hay'adda Istaatistikada Qaranka

1. Iyadoo la tixgalinayo Qodobbada Xeerkan Wasiirka Wasaaradda Qorsheynta ayaa soo jeedinaya magacaabista Agaasimaha Hay'adda Istaatistikada Qaranka, ka dib marka ay ogolaadaan Golaha Wasiirrada, Ra'iisal Wasaaraha Xukuumadda JFS ayaa si rasmi ah u magacaabaya Agaasimaha, waxaana magacaabistaas saxiixay Madaxweynaha JFS, kadibna waxaa lagu soo saarayaa faafinta Rasmiga ah ee Dawladda.
2. Qofka loo magacaabayo Agaasimaha waa in uu yahay;
   b) Qof Soomaali ah
   t) Deggan Dalka;
   j) Qof aan Maxkamad ku xukumin si kama danbeys ah dembi la xiriira aamin darro iyo khiyaano uu ku muteeysanayo xabsi aan ganaax lagu badali karin;
   x) Qof haysta Shahaadada Labaad ee Heerka Jaamacadda ku takhasusay cilmiga Istaatistikada, ugu yaraanna toban sano (10) oo khibrad ah u leh hawlaha Istaatistikada, dhaqaalaha iyo Maareeynta Xogta (Management Information Systems);

   Kh) Qof leh aqoon dheeraad ah oo la xiriirta mamulka Istaatistikada si uu u noqdo qof u qalma Agaasimaha Xafiiska Hay'adda Istaatistikada Qaranka;
   d) Qof aan xubin ka ahayn Baarlamaanka, DXDF iyo Dawladaha Hoose.
3. Wasiirka ayaa soo jeedinaya qofka noqonaya Agaasimaha Hay'adda Istatistikadakadib marka uu la tashado Golaha Maamulka Istaatistikadda.
4. Wasiirka ayaa go'aaminaya xaaladaha, shuruudaha ku xeeran iyo gunnooyinka uu qaadanayo Agaasimaha Xafiiska Istaatistikada si waafaqsan xeerka Shaqaalaha Rayidka Soomaaliyeed.
5. Agaasimaha Xafiiska Istaatistikada waxaa uu xafiiska Hay'adda haynayaa muddo Shan (5) sano ah waxaana loo magcaabi karaa xilkaas hal mar kale, marka mudadiisu dhammaato.

6. Agaasimaha Xafiiska Istaatistikada, inta aysan dhammaan mudada xil-hayntiisa waxuu ku waayi karaa xilka xafiiska haddii;
   b) Golaha Maamulka Istaatistikadu soo jeediyo xil ka-qaadistiisa, Wasiirkuna ku qanco soo-jeedinta Golaha Maamulka, iyadoo sabab looga dhigayo anshax-xumo ama ay caddaato in uusan lahayn awood uu si tayo leh ugu guto hawlaha xafiiskiisa; ama
   t) Muddo saddex bilood gudahood ah qoraal is-casilaad uu u gudbiyo Golaha Maamulka Istaatistikada, kaas oo uu ku dalbanayo inuu xilka ka degeyo;

Qodoka 22aad
Kaalinta Agaasimaha Xafiiska Hay'adda Istaatistikada

1. Agaasimaha Xafiiska Hay'adda Istaatistikada waa:
   b) Maamulaha guud ee Hay'adda Istaatistikada Qaranka;
   t) Mas'uulka fulinta hawlaha Hay'adda iyo kor-meeraha go'aannada Golaha Maamulka, taas oo ay saldhig u tahay ilaalinta iyo kormeerka Maamulka Golaha Maamulka.

2. Agaasimaha Xafiiska Hay'adda Istaatistikada waa inuu:
   b) Siiyaa Wasiirka talo xirfadaysan oo ku saabsan arrimaha la xiriira Istaatistikada
   t) Gutaa awoodaha iyo xilalka Hay'adda ee Qodobada Xeerkan lagu caddeeyey;
   j) Abaabulo Shaqaaleysiinta Shaqaalaha Hay'adda, una maamulo shaqaalaha Hay'adda sida uu qabo Sharciga Shaqaalaha Rayidka Soomaaliyeed.
   x) Horseedo abuuritaanka hawl-karnimo iyo anshaxa shaqaalaha Hay'adda Dhexdooda isagoo adeegsanaya tababarro xirfadeed;
   kh) Diyaariyo isla markaana uu Golaha Maamulka u gudbiyo qorshe-hawleedka, miisaaniyaddaIyo waliba warbixinta hawlaha Hay'adda
   d) Kharashka baxaya u adeegsado si waafaqsan barnaamij-hawleedka Hay'adda iyo miisaaniyadda loo qoondeeyey;
   r) Wakiil ka noqdo Hay'adda xiriirka ay la yeelanayso dhammaan hay'adaha kale ama daraf saddexaad (third party).

Qodobka 23aad
Ku-Xigeenka Agaasimaha Xafiiska Hay'adda Istaatistikada Qaranka

1. Iyadoo la tixgalinayo Qodobbada Xeerkan Wasiirka Wasaaradda ayaa soo jeedinaya magacaabista Agaasime Ku-xigeenka Xafiiska Hay'adda Istaatistikada Qaranka, kadibka marka ay ogolaadaan Golaha Wasiirrada, Ra'iisal Wasaaraha Xukuumadda JFS ayaa si rasmi ah u magacaabaya Agaasima ku-xigeenka, waxaana magacaabistaas saxiixaya Madaxweynaha JFS, kadibna waxaa lagu soo saarayaa Faafinta Rasmiga ah ee Dawladda.
2. Qofka loo magacaabayo Agaasime ku-xigeenka waa in uu yahay;
   b) Qof Soomaali ah
   t) Degganaa Dalka;
   j) Qof aan Maxkamad ku xukumin si kama danbeys ah dembi la xiriira aamin darro iyo khiyaano uu ku muteeysanayo xabsi aan ganaax lagu badali Karin
   x) Qof hawl-kar ah oo leh aqoonta looga baahan yahay Istaatistikada'
   kh) Qof haysta Shahaadada Heerka labaad ee Jaamacadda takhasuskiisuna yahay cilmiga Istaatistikada, ugu yaraanna shan sano (5) oo khibrad ah u leh hawlaha Istaatistikada, dhaqaalaha iyo Maareeynta Xogta (Management Information Systems);
   d) Qof leh aqoon dheeraad ah oo la xiriirta mamulka Istaatistikada si uu u noqdo qof u qalma Agaasime ku-xigeenka Xafiiska Hay'adda Istaatistikada Qaranka;
   r) Qof aan xubin ka ahayn Baarlamaanka, DXDF iyo Dawladaha Hoose.
3. Wasiirka ayaa soo jeedinaya qofka noqonaya Agaasime ku-xigeenka Hay'adda Istatistikada kadib marka ay ku raacaan Golaha Maamulka Istaatistikadda.
4. Wasiirka ayaa go'aaminaya xaaladaha, shuruudaha ku xeeran iyo gunnooyinka uu qaadanayo Agaasime ku-xigeenka Istaatistikada si waafaqsan xeerka Shaqaalaha Rayidka Soomaaliyeed.
5. Agaasime ku-xigeenka/ Istaatistikada waxaa uu Xafiiska Hay'adda haynayaa muddo Shan (5) sano ah waxaana loo magcaaabi karaa xilkaas hal mar **oo** kale, marka mudadiisu dhammaato.

6. Agaasime ku-xigeenka Xafiiska Istaatistikada, inta aysan dhammaan muddada xil-hayntiisa waxuu ku weyn karaa xilka xafiiska haddii;
   b) Golaha Maamulka Istaatistikadu soo jeediyo xil ka-qaadistiisa, Wasiirkuna ku qanco soo-jeedinta Golaha Maamulka, iyadoo sabab looga dhigayo anshax-xumo ama ay caddaato in uusan lahayn awood uu si tayo leh ugu guto hawlaha xafiiskiisa; ama
   t) Muddo saddex bilood gudahood ah qoraal is-casilaad uu u gudbiyo Golaha Maamulka Istaatistikada, kaas oo uu ku dalbanayo inuu xilka ka degeyo.

Qodobka 24aad
Xubnaha shaqaalaha joogtada ah ee Hay'adda Istaatistikada Qaranka

1. Golaha Maamulka Hay'adda Istaatistikada Qaranka ayaa magcaabayashaqaalaha hay'adda iyadoo la tixraacayo kartida iyo shuruudaha ku xusan Sharciga Shaqaalaha Rayidka Soomaaliyeed.
2. Agaasimaha Xafiiska Istaatistikada, isagoo la-tashanaya xubnaha kale ee Golaha Maamulka Hay'adda iyo ku-xigeenkiisa waa inuu magcaabo hawl-wadeenada kale ee Hay'adda, kuwaas oo aan lahayn go'aan maamul, isagoo raacaya si waafaqsan Sharciga Shaqaalaha Rayidka Soomaaliyeed.

Qodoka 25aad
Xubnaha Shaqalaha Ku-meel-gaarka ah ee Hay'adda Istaatistikada

1. Agaasimaha Xafiiska Hay'adda Istaatistikada ayaa magcaabi kara saraakiil iyo hawl-wadeenada aan joogto ahayn marka loo baahdo si ay hawlaha Hay'addu ugu socdaan sida la doonayo ee ugu wax-tarka badan oo ku xiriirsan qodobada iyo xaaladaha adeegeed ee ay fulin karto hay'addu.
2. Agaasimaha Xafiiska Istaatistikada waxaa uu qoraal ahaan, ku magacaabi karaa qof sarkaal ah oo awood loo siiyey si uu u fuliyo qodobada Xeerkani ka kooban yahay. Qof kasta oo ugu shaqeeya Hay'adda sida uu qabo Xeerkan qodobadiisu waa in uu Agaasimaha Xafiiska Istaatistikada hortiisa ku maraa dhaarta qarinta xogta ee ku cad Jadwalka 2 inta uusan bilaabin shaqada loo igmaday.

Qodoka 26aad
Heshiiska Wax-qabadka Shaqaalaha iyo Maamulka Hay'adda

1. Qof kasta oo ka tirsan shaqaalaha maamulka Hay'addu waa in uu la galo Agaasimaha Xafiiska Istaatistikada heshiis hawl-qabad, kaas oo la-xiriirta:
   b) Qodobada iyo xaaladah magacaabistiisa;
   t) Ujeedooyinka loo qabanayo shaqada iyo waqtiga loo qorsheeyey in lagu qabto shaqadaasi;
   j) In la-qaado talaabada ku haboon si loo hubiyo in lagaaray yoolka howl qabadka;
   x) Wax kasta oo kale oo xiriir la yeelan Kara hawl-qabadka qofka xubinta ka ah shaqaalaha Hay'adda, sida ku cad Xeer-hoosaadka Shaqaalaha ee Hay'adda;
2. Xubin ka tirsan shaqaalaha maamulku marka uu fulin waayo qodobada iyo xaaladaha heshiiska Hawl-qabadka waxaa Xeer ahaan bannaan in laga saaro shaqada Hay'adda iyadoo la tixraacayo sida uu qabo sharciga Shaqaalaha Rayidka Soomaaliyeed.

Qodobka27aad
Gunnooyinka Maamulka iyo Shaqaalaha Hay'adda Istaatistikada Qaranka

1. Agaasimaha Xafiiska Istaatistikada, ku-xigeenkiisa, shaqaalaha maamulka iyo kuwa aan maamulka kamid aheyn ee Hay'adda Istaatistikada waxay yeelanayaan gunnooyin waafaqsan habka Sharciga Shaqaalaha Rayidka Soomaaliya.

Cutubka 6aad
Awoodaha Haya'dda Iyo Ururinta Xogta
Qodobka28aad
Ururinta Xogta Istaatistikada

1. Haya'ddu waxay awood u leedahay soo ururinta xogta Istaatistikada Qaranka ama in ay dib-u-soo celiso arrin kasta oo lagu caddeeyey jadwalka 1aad ee Xeerkan.

Qodobka 29aad
Tiro-koob

1. Wasiirka qaabilsan Istaatistikada, isagoo ka talo qaadanaya Golaha Maamulka Istaatistikada wuxuu amar ku bixin karaa isagoo ku baahinaya warbaahinta in la qabto tiro-koob gobol ama degmo ka tirsan dalka, amarkaasna waa in uu caddeynayaa:

   b) Maalmaha la qabanayo tiro-koobka; iyo

   t) Dadka (Howlwadeenadda) iyo hay'adaha ka qeyb qaadanaya iyo ujeedooyinka tiro-koobka loo qabanayo.

Qodobka 30aad
Sahamada Tiro-koobka

1. Agaasimaha Xafiiska Haya'adda Istaatistikada wuxuu qaban karaa in laga sameeyo Soomaaliya ama meelo kamid ah dalka sahamo aan ahayn tiro-koob sida ku cad Qodobka 31aad ee Xeerkan, xog-ururin laga sameynayo Soomaaliya oo aan aheyn tiro- koob iyo ururinta xogta Istaatistikada xiriirka la leh sida ku cad jadwalka 1aad ee Xeerkan.
2. Xogta macluumaadka la soo ururinayo waa la soo bandhigayaa iyadoo la-tixgelinayo wixii la xiriira xogta la-ururinayo laguna sheegay faqradda (1) ee Qodobkan, waqtiga sahamada la qabanayo iyo sida loo qabanayo waxaa go'aaminayo Golaha Maamulka Hay'adda Istaatistikada.

Qodobka 31aad
Tiro-koobka iyo Sahanka ay Sameeyaan Hay'adaha Kale

1. Dhammaan isku dayada ay hay'adaha Dawladdu ku doonayaaan inay ku qabtaan tiro-koobyo ama sahamo waddanka gudihiisa laga qabanayo waa inay wada shaqeyn kala yeeshaan Haya'dda Istaatistikada Qaranka.
2. Dhammaan iskudayada ay hay'daha kale ee aan dawliga aheyn ay ku doonayaaan inay ku qabtaan tiro-koobyo ama sahamo heer Qaran ah waa in ay ka helaan oggolaanshaha Hay'adda Istaatistikada.

3. Goluhu wuxuu, isagoo la tashanaya Agaasimaha Xafiiska Istaatistikada sameyn karaan xeerar ku saabsan hababka la raacayo arrintaan, iyadoo la eegayo qoraalada la gudbiyey sida ku cad faqradda (1) ee isla Qodobkan.
4. Iyadoo la eegayo sharcigan, tiro-koob iyo sahan heer Qaran ah kuma jiraan:
   b) Sahamada Istaatistikada gudaha ee ay qabtaan Wasaaradaha Dawladda;
   t) Tiro-koob ama sahan ay qabtaaan hay'ado gaar ah ayna ku lug-leeyihiin danneeyayaal sida Wasaaradaha Dawladda ama kuwa gaar ah;
   j) Sahamo laga sameeyo suuqyada laguna ogaananayo badeecadaha ay dadku isticmaalaan ama lagu ogaanayo wax soo saarka shirkado.
   x) Sahamo Istaatistikada ay qabanayaaan dadka ama haya'daha la soo xusay.

Qodobka 32aad
Xiriirka Ka Dhexeeya Hay'adda Istaatistikada iyo Hay'adaha Kale

1. Haya'dda Istaatistikada **waxa ay la saxiixan kartaa** heshiis is af-garad hay'adaha kale, taas oo ah in ay mas'uuliyadda u qeybsadaan una dhisaan hab wanaagsan oo ah xiriirinta, horumarinta, habka sahammada, xog is dhaafsiga iyo xiriirka ka dhexeeya haya'dda Istaatistikada iyo hay'adaha kale.

Qodobka 33aad
Foomamka Xog-ururinta

1. Agaasimaha Xafiiska Istaatistikada waa inuu qeexaa heerarka laga rabo dokumentiyada, foomamka iyo in sida ugu fiican loogu gudbiyo tilmaamaha lagama maarmaanka u ah ururinta macluumaadka, sharcigan ku jira.
2. Dukumentiyada laga soo buuxiyo dadka la wareysto oo dhammeys-tiran waa in lagu caddeeyaa maalinta iyo waqtiga **iyo goobta,** laga soo qaaday waraysiga waana in lagu soo celiyaa haya'dda.

Qodobka 34aad
Codsi inay bixiyaan macluumaad si iskood ah

1. Agaasimaha Xafiiska Istaaatistikada ama sarkaal loo idmaday, iyadoo la fiirinayo xogta la soo ururinayo, wuxuu weydiisan karaa qof kasta inuu:

b) Dokumenti soo buuxiyo;
t) Su'aalo ka jawaabo; ama
j) Bixiyo xog si aan qasab ahayn.

2. Macluumad kasta oo laga helo sida ku xusan Faqrada (1) ee Qodobkan waxay ku xiran tahay mamnuucid in la isticmaalo iyo diidmo in la bixiyo macluumaadka sida ku xusan Qodobka 53aad ee Xeerkan.
3. In kastoo ay liddi ku noqon karto sharci, qofku wuxuu bixin karaa marka loo idmado dokumenti, xog ama nuqul, qofkaasi wuxuu noqonyaa qof ka tirsan Hay'adda Istaatistikada ama sarkaal loo idmaday hadii laga codsado sida ku cad faqrada (1) ee Qodobkan.

Qodobka 35^{aad}
Awoodaha Gelitaanka iyo kormeeridda xogta

1. Agaasimaha Xafiiska Istaatistikada wuxuu u magacaabi karaa sarkaal kasta oo ka tirasan haya'dda Istaatistikada waqtiga ku habboon, sarkaalkaas inta uu haysto warqadii magacaabidda wuxuu geli karaa, dhismo kasta isagoo ujeedadiisuna tahay:
   b) Inuu u gudbiyo ogaysiin sida ku cad Qodobka 36aad ee Xeerkan;
   t) Inuu u gudbiyo dokumenti ama ka soo qaado dokumentiyo ama macluumad u diiwaangashan; iyo
   j) Inuu ku sameeyo dabagal uu sharcigan u oggolaanayo.
2. Sarkaalka la magacaabay wuxuu geli karaa goob kasta iyo gaari kasta inta u dhaxeysa **6:00da** subaxnimo (am) ilaa **6:00da** maqribnimo (pm), isagoo ujeedadisu tahay in uu ka helo xog ururin istaatistiko ah sida:
   b)Haddii uu yahay guri deegaan ah loona diido in uu galo, muddo 48 saac gudahood oo ogeysiin la siinayo kadib;
   t) Haddii gurigaas ay deggan tahay qof haween ah oo aan bannaanka u soo bixin (Maqabiyo), sarkaalka doonaya inuu galo gurigaas waa inuu jid kasta oo sharci ah u maraa sidii uu qoftaas haweenka ah uga heli-lahaa macluumaadka uu uga baahan yahay.

Qodobka 36aad
Ogeysiin Xog-bixin

1. Si loogu guulaysto ujeedooyinka Hannaanka Istaatistikada Qaranka, Agaasimaha Xafiiska Istaatistikada wuxuu ogeysiis u qori-karaa si toos ah qofka waraysiga laga qaadayo ama qofka loo magacaabo inuu:
   b) Dhammeys-tiro soona celiyo dokumenti iyadoo la raacayo tilmaan kasta oo lagu sheegay ogeysiiska ama qof ahaan xiriir loola sameeyey;
   t) Ka-Jawaab bixiyo su'aalaha uu weydiiyo isaga ama iyada sarkaalka loo ogolaaday inuu waraysto; iyo
   j) Siiyo wixii diiwaan-gelin ah, nuqul kamid ah ama nuqul laga soo saaray diiwan-gelin meel la ogyahay ama waqti la og yahay.
2. Ogeysiiska lagu xusay faqrada (1) ee Qodobkan, waa in lagu caddeyaa waxa u gaar ah sida :
   b) Xogta guud ee dhabta ah ee loo baahan yahay,
   t) Inta jeer iyo waqtiga loo baaahan yahay in xogta la bixiyo,
   j) Noocyada dadka laga rabo inay xogta bixiyaan,
   x) Faqradaha sharcigan ee uu hoos imaanayo ogeysiiska la dirayo.

Qodobka 37aad
Adeegga Ogeysiisyada iyo Dokumentiyada kale

1. Ogeysiis kasta ama dokumenti kasta ee uu gaarsiiyo sarkaalka loo idmaday wuxuu si xaqiiqa ah ugu filan yahay inuu si sax ah u soo baxay looguna gudbiyey magaca Haya'dda Istaatistikada.
2. Ogeysiis ama dokumenti kasta ee meel loo diraayo sida ku cad faqrada (1) ee Qodobkan, waa inuu geeyaa sarkaal loo idmaday ama waa in lagu diraa boosto diiwaan-gashan ama email.

Qodobka 38aad
Ganaaxyada Uu Maamulku Sameeyo

1. Agaasimaha Xafiiska Istaatistikada, isagoo cuskanaya go'aannada Golaha Maamulka Hay'adda Istaastiskada, wuxuu ganaaxi karaa qof kasta oo:

b) Sabab la'aan awgeed fulin waayey ogeysiis la bixiyey sida ku cad Qodobka 36aad ama 37aad ee xeerkan; ama

t) Diida ama ku-guul-daraysta inuu buuxiyo dokumenti laga rabay ama diiwaan-gelin xog tiro-koob lugu ururinayo, qofkaasi wuxuu mutaysanayaa ganaax maamul oo Goluhu ku soo saarayo xeer-nidaamiye.

2. Qofkii ku qanci-waaya ama diida ganaaxa lagu riday sida ku cad faqradda (1) ee Qodobkan, racfaan ayuu ka qaadan karaa ganaaxa la saaray, wuxuuna racfaankiisa u gudbinayaa Golaha Maamulka Istaatistikada.

3. Racfaanka waa in uu ahaadaa qoraal leh caddeymahan soo socda:

b) Sharraxaad buuxda ee arrimaha la xiriira go'aanka racfaanka laga qaadanayo iyo sababta; iyo

t) In racfaanluhu ku soo gudbiyo racfaankiisa muddo soddon (30) maalmood gudahood ah laga bilaabo maalinta ganaaxa lagu riday, **isaga oo racfaanluhu u marinaya xafiiska ay Hay'adda istaatiiskadu ku leedahay halka uu ku sugan yahay** loona gudbiyaa Golaha Maamulka Istaatistikada.

4. Marka ay helaaan racfaanka, Goluhu waa in uu nuqul kamid ah u gudbiyaa Agaasimaha Xafiiska Istaatistikada, kaas oo isaguna u bandhigaya Golaha Maamulka qoraal caddeyn ah sababta uu u sameeyey ama u saaray qofkaas ganaaxa.

5. Ka dib marka tixgelin la siiyo caddeymaha ku xusan faqradaha (3)& (4),iyoxaqiiqooyinka kale ee suurogalka ah, Goluhu wuxuu tixgelin siinayaa macluumaadka la xiriira ama uu u baahdo, wuxuuna ku raacayaa, ka duwanaan karaa ama meel iska-dhigi karaa go'aanka ah ganaaaxa la sameeyey.

6. Goluhu waa in uu sida ugu dhaqsaha badan ku wargeliyaa si qoraal ah racfaan laha go'aanka laga gaaray racfaankiisa.

Qodobka 39aad
Faafinta Xogta Istaatistikada

1. Agaasimaha Xafiiska Istaatistikada wuxuu hubinayaa dhabnimadda iyo xaqiiqada xog kasta oo la soo ururiyo, marka si wanaagsan loo habeeyo, lana xaqiijiyo tayadeeda iyo saxnimadeeda, kaddib marka la hubiyo

ilaalinteeda, iyadoo la tixgelinayo qofka xogta bixiyey, waa in si guud loo faafiyaa xiliga ugu haboon, iyada oo la adeegsan karo warbaahinta.

Cutubka 7aad
Maaliyadda
Qodobka 40aad
Maal-gelinta Hay'adda Istaatistikada Qaranka

1. Lacagaha hay'addu waxay ka kooban yihiin:
   b) Lacagaha miisaaniyadda loo qoondeeyo;
   t) Deeqo, hadiyado ama kaalmooyin ay haya'ddu ka hesho ilo kale oo uu Golaha Maamulka Istaatistikadu oggolaaday; ama
   j) Lacag kasta oo lagu siiyo haya'adda shaqooyinka ama adeegyada ay sameyso si waafaqsan sharcigan.
2. Dhammaan lacagaha soo gala hay'adda waxaa lagu shubayaa khasnadda mideysan ee Dowladda, hab waafaqsan Sharciga Maaraynta Maaliyaadda Guud.

Qodobka 41aad
Sanad-miisaaniyadeedka Hay'adda

1. Sanad-miisaaniyadeedka haya'dda waa mid la mid ah sanad-miisaaniyadeedka Dawladda Federaalka, waana in xisaabta hay'adda la xiraa dhammaadka sanad-miisaaniyadeedka, lana caddeeyaa hannaanka loo adeegsaday.

Qodobka 42aad
Ganacsiga iyo Qorshaha Maaliyadadda

1. Waa in maamulka hay'addu, soo gudbiyaan qorshaha miisaaniyadda sida uu qabo sharciga maareeynta maaliyadda.
2. Hay'addu waxaay u isticmaaleysaa kharashaadkeeda miisaaniyadeed sida u qabo habraaca miisaniyadda.

Qodobka 43aad
Xisaabta iyo Hanti-dhowrka

1. Si waafaqsan sharciga maareeynta maaliyadda, agaasimaha Xafiiska Istaatistikada waa in uu:

b) Ilaaliyaa xisaabta iyo diiwaanka lagu kaydiyo lacagaha ay hay'addu hesho iyo kharashaadka ay gasho iyo hantida guurtada ama maguurtada ah, deymaha lagu leeyahay iyo dhaqdhaqaaqa lacagaha waqtiga sannad-miisaaniyadeedka; iyo

t) Diyaariyaa xisaabaadka iyo diiwaannada lagu xusay faqradda(b) ee isla Qodobkan, Isagoo howlgelinaayo qof u diiwaan-gashan inuu yahay xisaabiye iyo hanti-dhowre oo ay magacowday haya'ddu.

Qodobka 44aad
Warbixin-sanadeed

1. Golaha Maamulka Hay'addu waa in uu sida ugu dhaqsaha badan uguna habboon u gudbiyaa warbixin-sanadeedka miisaaniyadda hay'adda, iyadoo la raacayo sharciga maamulka maaliyadda ee dawladda.

Qodobka 45aad
Canshuur-dhaafka Hay'adda Istaatistikada

1. Canshuur dhaafka Hay'adda waa inuu waafaqsanaadaa sida uu dhigayo sharciga furdooyinka.

Qodobka 46aad
Kala-diridda Hay'adda Istaatistikada Qaranka

1. Haya'dda Istaatistikada Qaranka lama kala-diri karo marka laga reebo in la helo go'aan uu soo saaro Golaha Wasiirrada Xukuumadda JFS oo sababaysan.

Cutubka 8aad
Wada-shaqeynta Hannaanka Istaatistikada Qaranka
Qodobka 47aad
Xeerka hab-dhaqanka

1. Si loo asaaso ama loo hagaajiyo kalsoonidda lagu qabo xogaha dawladda, Golaha Maamulka Hay'adda Istaatistikada ayaa soo saarayaa xeer-nidaamiye qeexaya wada-shaqeynta, kaas oo dejinaya heerka xirfadeed iyo anshaxeed ee lagu dhaqayo haya'daha soo saara Istaatistikada.

2. Iyadoo aan la xadidaynin faqradda (1) ee Qodobkan, xeer-nidaamiye ku aadan hab-dhaqanka ayaa la sameyn karaa iyadoo la tixgelinayo arrimahan soo socda:
   b) Heerarka xirfadda iyo anshaxa ururinta, soo-saaridda, gorfeynta, faafinta iyo kaydinta xogta rasmiga ah ee ay tahay in la-ilaaliyaa;
   t) In la qaado tallaabooyin lagu hubinayo tayada iyo isbarbar-dhigga xogaha Dawladda iyo xogaha kale; iyo
   j) In la qaado tallaabooyin lagu yareynayo soo-noqnoqashada aan loo baahnayn ama marar badan la soo ururiyo, la soo saaro, la gorfeeyo ama la kaydiyo xogaha Istaatistikada.
3. Agaasimaha Xafiiska Istaatistikada wuxuu siin karaa hay'adaha soo saara Istaatistikada talo la xiriirta hab-dhaqanka lagu xusay faqradda (1) ee isla qodobkan.

Qodobka 48aad
Isku-duwidda Istaatistikada

1. Agaasimaha Xafiiska Istaatistikada ayaa bilaabi kara ururinta ama joojinta in la sii-wado xog-ururinta, si waafaqsan sharcigan, **kadib** marka uu oggolaansho ka helo Golaha Maamulka,.
2. Inkasta oo ay jiri-karaan caqabado lid ku ah sharci kasta, haddana:
   b) Qofna awood uma laha inuu bilaabo xog-ururin;
   t) Hay'adaha dawladeed ma bilaabi karaan xog-ururin, iyagoo aan oggalaansho ka helin Hay'adda istaatistikada; iyo
   j) Hay'adaha caalamiga ah ma qaban karaan xog-ururin iyagoo aan oggolaansho sharci ah ka haysan Hay'adda Istaatistikada Qaranka iyo Hay'adda dawliga ah ee ay khuseyso xogta ay ururinayaan.
3. Si waafaqsan Qodobka 32aad faqradiisa 1aad ee Dastuurka kumeelgaarka ee JFS, Golaha Maamulka Istaatistikada Qaranku wuxuu ogeysiis ku soo saarayaa ama ku baahinayaa Faafinta Rasmiga ah ee Dawladda xogta la ururiyay si uu qof walbo u helo xogtaasi, waxayna hawshaas ku xiran tahay xaaladaha uu Goluhu tilmaamo, isagoo go'aaminaya in faqradda (2) ee isla qodobkan aan lagu dabaqi karin hay'ad dawladeed oo qabata arrimo gaar ah.
4. Dhammeys-tirka xog-ururin kasta oo ku aadan faqradda (2) ee isla qodobkan, qof kasta ama hay'ad dawladeed oo kasta waxaa waajib ku ah,

in iyagoo aan wax shardi ah ku xirin ay siiyaan Hay'adda Istaatistikada xog walbo ama nuqul walbo oo kamid ah warbixin ay ka qoreen ama xog ay ururiyeen ayna ku jiraan soo-saaridda Istaatistikada.

5. Hay'ad Waddani ah ama mid caalami ah ma sameyn karto wax xog-ururin ah oo aan ahayn cilmi-baaris, iyagoo soo codsanaya oggolaanshaha Hay'adda.
6. Hay'adaha aan faa'iido-doonka ahayn ma sameyn karaan xog-ururin, aan ahayn cilmi-baaris looga dan leeyahay in lagu falanqeeyo arrimha dhaqaalaha iyo bulshada kuna kooban haya'daha iyo qeybaha ay ka shaqeynayaan, iyagoo soo codsanaya oggolaanshaha Hay'adda.
7. Haddii Hay'adda ay oggolaato arrimaha ku xusan faqradda (5) iyo (6) ee isla Qodobkan, Hay'adaha gaarka ah, hay'adaha aan faa'iido-doonka ahayn iyo kuwa caalamiga ah, iyagoo aan waxba ku xirin waa in ay siiyaan Hay'adda xog walba ama nuqul walba **oo** kamid ah warbixinnada ay ka qoreen xog ay ururiyeen ayna ku jiraan soo-saaridda Istaatistikada si waafaqsan Qodobka 32aad Faq. 2aad si loola wadaago muwaadin walbo oo codsada.
8. Inkasta oo ay jiri karaan caqabado sharci ahaan ka hor iman karo, ujeeddadu waxey tahay in lagu caawiyo hay'adda gudashada shaqadeeda waa lama-huraan sida sharcigan uu qabo, waana in madaxda hay'adaha dowladdu ay qaadaan tallaabooyinkan soo socda:
   b) Marka uu sharcigan dhaqan-galo waqtiga loo qabtay gudihiisa, waa in hay'adda la siiyaa macluumaadka ay codsato oo la xiriira xogta juqraafiga, xogta rasmiga ah iyo xogaha ay dowladdu mas'uulka ka tahay;
   t) In ay wargeliyaan markasta oo uu jiro isbedel la taaban karo oo ku dhacay macluumadka la siiyey hay'adda;
   j) In ay siiyaan, iyadoo aan wax abaal-marin ah siinayn xogaha juqraafiga ama macluumaadka Istaatistikada ee dawladda sida ay u codsatay Hay'adda Istaatistikada; iyo
   x) In ay u ogolaadaan hay'adda Istaatistikada ama sarkaalka loo idmaday nuqul,

   Kh) iyadoo aan wax abaal-marin ah lagu siinayn xogaha juqraafiga ama macluumaadka Istaatistikada ee dawladda.

9. Iyadoo ku xiran Qodobka 32aad ee Xeerkan Agaasimaha Xafiiska Istaatistikada wuxuu heshiis la geli karaa:
   b) Madaxa hay'adaha dawladda, iyadoo la tixgelinayo macluumaadka Istaatistikada ama xogta ay hay'adda dawlddu awood u leedahay in ay soo ururiso;
   t) Hay'ad kasta oo aan ahayn hay'adaha dawladda oo ku hawlan in ay ururiso xog ama macluumaad Istaatistikada; iyo
   j) Hay'ad kasta, taasoo lala galay heshiis is-af-garad ah sida uu tilmaamayo Qodobka 32aadaad ee Xeerkan.
10. Heshiiska la xiriira faqradda (9) ee Qodobkan wuxuu ku xiran yahay xaaladaha soo socda:
   b) Ururinta macluumaadka Istaatistikada waa in ay qabataa Hay'adda Istaatistikada Qaranka ama, wada qabtaan Hay'adda Istaatistikada Qaranka iyo hay'adaha dawladda ama hay'ado kale sida ku xusan faqradda (9) ee Qodobkan;
   t) Sida ku xusan faqradda hoose ee (j) iyo Qodobka 32aad ee sharcigan, tiro-koobka ama macluumadka soo baxa waa in ay wadaagaan hay'adaha Istaatistikada daneeya ama uu la wadaagaa cidii kale oo sifa sharci ah ku soo codsatay;
   j) Haddii xogta uu bixinayo qof jawaab-bixiye ah kaas oo uu qoray Agaasimaha Xafiiska Istaatistikada in uu diiddan yahay in aqoonsigiisa la sheego ama si fudud lagu aqoonsado, waa in macluumaadkaas si wanaagsan looga dhigaa qarsoodi ka hor intaan lala wadaagin hay'adaha kale;
   x) Shaqaalaha dawladda ama hay'adaha kale ee lagu xusay faqradda (9) ee Qodobkan kuwaas oo ku hawlan xog-ururin wadajir ah oo uu la qabanayo hay'ado kale ama sida xogtaas lagu heli lahaa, waa in uu maraa dhaarta in xogta la qariyo taasoo la mid ah tan lagu sheegay jadwalka (2) mar hore ha soo dhaarto ama yuusan dhaaran.
11. Agaasimaha Xafiiska Istaatistikada wuxuu:
   b) Si gaar ah u fuliyaa ama markuu helo codsi Golaha Maamulka uu dib-u-eegis ku sameyn karaa xog-ururinta, soo-saaridda, gorfeynta, galeynta, kaydinta, faafinta, turjumidda iyo isticmaalka xogta rasmiga ah ee Dawladda Federaalka iyo maamul-gobaleedyada; iyo

t) Markuu la tashado ka-dib madaxda hay'adaha dowladda daabacaya oo baahinaya tiro-koobka la ururiyey iyo faaqidaadiisa marka Agaasimaha Istaatistikada uu u arko in ay habboontahay.

Qodobka 49aad
Heerarka Tayada

1. Agaasimaha Xafiiska Istaatistikada, markuu ogeysiiyo isla markaana lagu soo' saaro Faafinta Rasmiga ah ee Dawladda, wuxuu śameynayaa heerarka tayada la doonayo in lagu shaqeeyo ee Hannaanka Istaatistikada Qaranka oo dhan.
2. Heerarka tayada lagu xusay faqradda (1) ee Qodobkan waxay la xiriiraan:
   b) Hannaanka kala-saaridda iyo caddeynta loo marayo habka loo dooranayo xogta rasmiga ah ee Istaatistikada dawladda;
   t) Hababka dukumentiyada, macluumaadka iyo xogta loogu bedelayo xogta rasmiga ah ee Istaatistikada;
   j) Hababka loogu sameynayo xogta Mugga-leh ee xogta rasmiga ah ee Istaatistikada;
   x) Habka tayada leh ee la doonayo in xogta Istaatistikada loo ururiyo;
   kh) Qaabka iyo nooca dukumentiga, macluumaadka iyo diiwaanka loogu talo-galay in lagu soo ururiyo xogta Istaatistikada
   d) Dadka loo xilsaarayo in ay dukumentiyada iyo macluumdka soo ururiyaan iyo kuwa xogta macluumaadka laga soo ururinayo, waa in loo maraa habka loo ururiyo xogta Istaatistikada;
   r) In la helo xog iyo macluumaad istaatistika ah oo ujeeddadiisuna tahay ururinta macluumaadka;
   s) Shuruudaha iyo maamuuska waa in la raacaa ka hor inta aan la bixin xogaha yaryar si cilmi-baaris loogu sameeyo;
   sh) Ilaaalinta kaydka xogta, oo ay ku jirto xogta Mugga-leh waa in loo kaydiyaa hab waafaqasan sharciga xogaha waaweyn lagu kaydiyo; iyo
   dh) Arrin kasta oo lagama-maarmaan u ah in la sameeyo xog-ururin.

3. Si waafaqsan heerarka tayada ee lagu xusay faqradda (1) ee isla qodobkan, qof kasta oo ku xad-gudba heerarka tayada wuxuu mutaysanayaa ciqaab maamul oo Goluhu go'aamiyo.

Qodobka 50aad
Kulamada Aqoonyahanada iyo Dadka Adeegsada Istaatistikada

1. Agaasimaha Xafiiska Istaatistikada waa inuu sannad kasta qabtaa kulan ay isugu imanayaan dadka adeegsada xogta Istaatistikada si dib loogu eego baahida ay u qabaan xogta rasmiga ah.
2. Agaasimaha Xafiiska Istaatistikada **wuxuu la yeelan karaa kulamo gaar ah** aqoonyahannada Istaatistikada, soo saarayaasha Istaatistikada, dadka adeegsada Istaatistikada iyo daneeyayaasha kale, lehna ujeeddooyin waxbarasho oo iskood ah ama codsi ku filan, sida sharcigani qabo.
3. Shirarka ku xusan faqradda (1) iyo (2) ee isla qodobkan waxaa si gaar ah loogu qabanayaa qaabka diyaarinta, daba-galka iyo qiimeynta istaraatiijiyada horumarinta Istaatistikada ee ku xusan Qodobka 52aad ee sharcigan.

Qodobka 51aad
Idmashada Istaatistikada ee Xogta Rasmiga ah

1. Agaasimaha Xafiiska Istaatistikada wuxuu u shaacin karaa xogta rasmiga ah ee Istaatistika kasta ee ay soo ururiso soona saarto:
   b) Hay'adda Istaatistikada, ama
   t) Hay'ad kasta oo dawladda ka tirsan marka wada-tashi lala sameeyo madaxa hay'adda Istaatistikada.
2. Idmashada lagu xusay faqradda (1) ee isla qodobkan, waa in uu waafaqsanaadaa:
   b) Ujeedooyinka Hannaanka Istaatistikada Qaranka iyo mabaadi'da lagu soo sheegay Qodobka 5aad ee sharcigan; iyo
   t) Habka kale oo Agaasimaha Xafiiska Istaatistikada u bixiyo heerarka tayada.

Qodobka 52aad
Dejinta Qorshaha Istaraatiijiyadda

1. Hay'adda Istaatistikada waa in ay sameysaa istaraatiijiyadda Qaranka ee horumarinta Istaatistikada taas oo qeyb muhiim ah ka ah Qorshaha Horumarinta Qaranka.
2. Hay'adda Istaatistikada waa in ay sameysataa istaraatijiyad u gaar ah ee horumarinta istaatistikada **taas oo koobeysa** Istaatistikada iyo meelaha ay ku lug leedahay sida ku cad jadwalka 1aad ee sharcigan.

Cutubka 9aad
Faafinta iyo Faaf-reebka (confidentiality) macluumaadka
Qodobka 53aad
Diidmada Bixinta Macluumaad

1. Macluumaadka iyo diiwaanka la siiyey hay'adda, xogta ay ka helaan diiwaanka maamulka xogtaas oo ku saabsan shakhsi, qoys, hay'ad dawladeed ama la xiriirta ururo kale, laima oggola:
   b) In la siiyo dhinac Saddexaad ama cid kale;
   t) Qirasho cad dhegaysiga dacwad socota, marka laga reebo ujeeddooyinka dacwad-dembiyeed sharcigan lagu qeexay; ama
   j) In la siiyo hay'ad dawladeed ujeeddooyin aan Istaatistikada xiriir la lahayn.
2. Macluumaad ama kayd diiwaan laga helay shuruudaha sharcigan ku xusan lama daabici karo ama looma faafin karo hab oggolaanayo aqoonsiga qof gaar ah, qoys ama urur, ilaa oggolaansho laga helo cidda ay khuseyso.
3. Faqraddaha sare ee (1) iyo (2) ee isla qodobkan laguma dabaqi karo dukumentiyo, macluumaad ama diiwaan ku saabsan qof, qoys ama urur haddii:
   b) Xogta mar-hore la daabacay ama laga heli karo kaydka xogta shacabkuna ay heli karaan; ama
   t) La bixiyey qoraal uu ku oggolaanayo in la daabaco oo la faafiyo xogta qof, qoys ama urur.

Qodobka 54aad
Dhaarta Sir-qarinta

1. Qofka shaqaalaha ah ee qabanaya howlaha ku xusan sharcigan waa inuu maraadhaarta xafiiska iyo qarinta xogta lagu qeexay jadwalka 2aad, waana in
   b) Qofka shaqaalaha ama heshiis gelaya uu ku hor dhaarto Agaasimaha Xafiiska Istaatistikada;
   t) Agaasimaha Xafiiska Istaatistikada wuxuu ku hordhaaranayaa Guddoomiyaha Golaha Maamulka Istaatistikada;
   j) Xubnaha Guddiyada Golaha Maamulka Istaatistikada waxay ku hor dhaaranayaan Guddoomiyaha Golaha Maamulka; ama
   x) Xubnaha Golaha Maamulka Istaatistikada, waxay ku hor dhaaranayaan Wasiirka qaabilsan Hay'adda Istaatistikada sameyneysa, inta aysan shaqo bilaabin sida sharcigani qabo.

Qodobka 55aad
Faafinta iyo Awood-u-helidda Xogta

1. Sida sharcigani qabo soo-ururiyeyaasha iyo soo-saarayaasha xogta Istaatistikada loo adeegsaday lacagta dawladda waa inay soo saaraan, faafiyaan, kana dhigaan mid ay heli karaan shacabka iyo dadka adeegsada Istaatistikada si waafaqsan Hannaanka Istaatistikada Qaranka iyo mabaadi'da Istaatistikada lagu sheegay Qodobka 5aad ee sharcigan.
2. Dhamman xog-soo-saarayaasha iyo ilaaliyeyaasha Istaatistikada waa in ay dejiyaan hab macluumaadka lagu heli karo muddo cayiman kana kooban tayada iyo in ay heli karaan dadweynaha:
   b) Hababka iyo qaabka loo ururinayo loona soo saarayo Istaatistikada;
   t) Dukumentiyada xogta rasmiga ah ee la heli karo; iyo
   j) Arrimaha kale ee xiriirka la leh oo la sharraxay.
3. Agaasimaha Xafiiska Istaatistikada waa inuu, ka hor inta uusan bilaabmin Sannad-miisaaniyadeedka hay'adda uu soo bandhigaa tirada xogta la soo ururinayo sannadkaas.
4. Soo-saarayaasha Istaatistikada waxay sii deyn karaan in yar oo xog ah oo loogu talo-galay cilmi-baaris iyo gorfeyn dheeraad ah, Agaasimaha

Xafiiska Istaatistikada waa inuu xil gaar ah iska saaraa ilaalinta iyo qarinta xogtaas, iyadoo ay ku jirto:

b) Xogta waa in aysan lahayn magacyo, cinwaano iyo wax kasta oo lagu aqoonsan karo qofka waraysiga bixiyey; iyo

t) Isticmaalayaasha xogta waa in la mariyaa dhaarta ilaalinta xogta oo la mid ah midda ku xusan jadwalka 2aad ee sharcigan.

Cutubka 10aad

Qodobada Guud

Qodobka 56aad

Muunadda (Sample) Xogta Istaatistikada

1. Istaatistikada waxay xiriir la leedahay dhammaan inta lagu sheegay jadwalka 1aad ee Xeerkan, waxaana lagu soo ururinayaa habka muunadda marka laga reebo tiro-koobka guud ee dhammaan dadka la tirinayo, waxaana muunadda loo adeegsanayaa meesha loo arko in ay ku wanaagsan tahay.
2. Muunadda waxaa kale oo loo isticmaali karaa in lagu tijaabiyo in wareysi la qaado iyo habka wareysiga loo qaadayo inta aan la dhammeys tirin.

Qodobka 57aad

Awood-siinta iyo Waajibaadka Shaqada

1. Goluhu wuxuu si qoraal ah:
   b) Ku siin karaa awood Agaasimaha Xafiiska Istaatistikada ama howl-wadeennada kale hannaan uu oggolyahay sharcigani; ama
   t) U idman karaa howl gaar ah Agaasimaha Xafiiska Istaatistikada ama howl wadeen kale si waafaqsan sharcigan.
2. Agaasimaha Xafiiska Istaatistikada wuxuu si qoraal ah oo waafaqsan sharcigan:
   b) U siin karaa awood gaar ah howl-wadeen ka tirsan Hay'adda; ama
   t) U idman karaa howl-wadeen ka tirsan xafiiska inuu fuliyo shaqo.
3. Golaha Maamulka Istaatistikada ama Agaasimaha Xafiiska Istaatistikada kama reebbana in uu ka joojiyo awoodda ama shaqo howl-wadeen hayo, sida ku xusan faqradaha sare(1)iyo (2) ee Qodobkan, waxayna waqti kasta:

b) Ka noqon karaan ama dib-u- habayn ku sameyn karaan awoodaha iyo shaqooyinka ay qof u idmadeen; ama

t) Iyaga oo aan ku xad-gudubayn xaquuqaha jira, waxay ka noqon karaan go'aan ay hore u qaateen si waafaqsan awoodaha uu siinayo sharcigani.

Qodobka 58[aad]
Xad-gudubyada La Xiriira Hay'adda Istaatistikada

1. Qof kasta oo ka'shaqeeya xafiiska Hay'adda Istaatistikada wuxuu 'gelayaa xad-gudub haddii:

b) Qofka shaqaala ah macluumaadka uu hayo oo saameeyn ku leh qiimaha suuqa, hanti ama wax-soo-saar, uu ku dhex faafiyo dadweynaha ama uu kaga faa'iidaysto danihiisa gaarka ah;

t) Oggolaansho la'aan uu faafiyo ama gaarsiiyo qof kale xogtii uu shaqadeeda hayey sida sharcigani qabo;

j) Uu u adeegsado awooddiisa shaqada xafiiska, inuu sameeyo wax ka hor imanaayo ama ku guul-daraysto inuu fuliyo, sida ku cad jadwalka 2 ee sharcigan;

x) Uu sameeyo baaritaan xog sida uu sharcigani qabo isagoo qofkaasi uusan lahayn awood loogu oggolaaday inuu howshaas fuliyo;

kh) Uusi toos uga hor-istaago Agaasimaha Xafiiska Istaatistikada ama shaqaale howl loo idmaday in ay howshooda gutaan si waafaqsan sharcigan;

d) Uu si toos ah u diido ama dayaco inuu ku gudbiyo macluumaad waqtigii loo cayimay ama uu diido inuu ka jawaabo baaritaan isaga lagu hayo si sharcigan waafaqsan;

r) Uu ka bixiyo caddeymo aan run ahayn jawaabaha baaritaannada lagu sameynayo;

s) Uu si toos ah u burburiyo ama u baabi'iyo galalka ay ku jiraan macluumaadka la soo ururiyo, si baalmarsan sharcigan;

sh) Uusan xaq u lahayn in uu qaado xog ama u gudbiyo macluumaad qof kale, isagoo og in falkaasi liddi ku yahay sharcigan; ama

dh) Uu faafiyo ama siiyo macluumaad qof kale, si toos ah ama si dadban, falkaas oo liddi ku ah sharcigan.

Qodobka 59aad
Ciqaabta Lagu Mudan Karo Xad-gudubyada

1. Qofka lagu helo xad-gudubyada ku tilmaaman Qodobka 58aad ee sharcigan, wuxuu mutaysanayaa ciqaabta hoos ku xusan:
   b) Labo bilood ayaa shaqada laga joojinayaa iyo ganaax aan ka badneeyn hal bil mushaar ama gunno; ama
   t) Shaqada ayaa laga saarayaa ama ganaax dhan labo bilood oo mushaar gunno ah, **iyada oo wixii ciqaab ah loo marayo Xeerka Ciqaabta Soomaaliyeed,** haddii Guddigu u arko in uu xad-gudubku culus yahay.

Qodobka 60aad
Xogaha La Xiriira Siyaasadda

1. Qofna kuma qasbana, sharcigan dhexdiisa, in uu bixiyo macluumaad la xiriira arrimaha siyaasadda dalka ama Hay'ad uu ka shaqeeyo.
2. Sarkaalka loo idmado inuu xog soo ururiyo waa inuu u sharraxaa qofka uu wareysanayo habraaca ku xusan faqradda (1) ee isla qodobkan, inta uusan bilaabin wareysiga.

Qodobka 61aad
Xeer-nidaamiyeyaal

1. Golaha Maamulka, isagoo la tashanayo Agaasimaha Xafiiska Istaatistikada, wuxuu dejin karaa xeer-nidaamiyeyaal lagu dhaqan-gelinayo sharcigan, sida:
   b) Arrin kasta oo Goluhu u arko in ay muhiim u tahay qabsoomidda Istaatistikada guud ee Soomaaliya;
   t) Xog-ururin kasta oo aan ahayn Istaatistikada guud sida ku cad faqradda 1(b) ee isla qodobkan;
   j) Qiimeyn uu ku sameeyo adeegyada iyo wax-soo-saarka hay'adda;
   x) Wax-ka-beddel uu ku sameeyo jadwalka (1) ee sharcigan;
   kh) dejinta qiimaha ay mudan tahay ee lagu qaadan karo xogaha hay'adda;
   d) Arrin kasta oo looga baahan yahay oggolaanshaha sharcigan oo leh sharaxaad; iyo
   r) Wax kasta oo Goluhu u arko in ay lagama-maarmaan u tahay in loo sameeyo Xeer- nidaamiyeyaal, si loo gaaro ujeeddooyinka la higsanayo.

2. Xeer-nidaamiyeyaasha lagu xusay faqradda (1) ee isla qodobkan, waxay noqon karaan kuwo keena xil-gudasho-xumo haddii la fulin waayo, taas oo lagu mutaysan karo ganaax lacageed oo uu go'aamiyo Goluhu.

Qodobka 62aad

Lifaaqa Sharciga

1. Sharcigani wuxuu yeelanayaa sida uu tilmaamayo Qodobka 61aad xeer-nidaamiyeyaal iyo Jadwalo kuwaas oo u noqonayo sharcigan lifaaq.

Qodobka 63aad

Baab'in

1. Sharcigani wuxuu baabi'inayaa dhammaan shuruucda ka hor-imaanaysa sharcigan ama aan la socon karin.

Qodobka 64aad

Dhaqan-gal

1. Sharcigani wuxuu dhaqan-gelayaa marka uu saxiixo Madaxweynaha JFS, islamarkaana lagu soo saaro Faafinta Rasmiga ah ee Dawladda.

Jadwalka 1aad ee Sharcigan:

Arrimaha Iyo Xogaha Uu U Xilsaaran Yahay in Uu Soo Ururinayo, Soo Saaro Iyo Faafiyo Xafiiska Hay'adda Istaatistikada

Qeybta 1aad

1. Istaatistikada guud
2. Macluumaadka dadka iyo bulshada
3. Macluumaadka dad dano gaar ah leh
4. Istaatistikada dadweynaha;
   i. Tiro-koobka dadweynaha
   ii. Istaatistikada kooxo dad ah oo si gaar ah loo tixgelinayo
5. Istaatistikada guryaha;
   i. Tiro-koobka guryaha dadweynaha
   ii. Tiro-koobka guryaha kale

Qeybta 2aad

1. Istaatistikada shaqaalaha
2. Istaatistikada waxbarashada iyo tababarada
3. Istaatistikada dhaqanka iyo faafinta saxaafadda
4. Istaatistikada dakhliga iyo kharashaadka qoyska iyo xadadkooda kala duwan
5. Istaatistikada ilaalinta bulshada
6. Istaatistikada caafimaadka
7. Istaatistikada jinsiga
8. Kuwa kale ee arimaha bulshada laxiriira macluumadka Istaatistikada.

Qeybta 3aad

1. Istaatistikada dhaqaalaha
2. Xisaabaadka Qaranka
3. Istaatistikada Beeraha iyo Xoolaha
4. Istaatistikada keymaha iyo kalluumeysiga
5. Istaatistikada warshadaha
6. Istaatistikada tamarta
7. Istaatistikada dhismayaasha
8. Istaatistikada ganacsiga
9. Istaatistikada ganacsiga caalamiga:

i. Ganacsiga alaabta
ii. Ganacsiga adeegga
10. Istaatistikada gaadiidka
11. Istaatistikada isgaarsiinta
12. Istaatistikada dalxiiska
13. Istaatistikada adeegyada la qabto
14. Istaatistikada lacagta, maaliyadda iyo caymiska
15. Istaatistikada canshuurta
16. Istaatistikada haraaga lacagta la bixiyo
17. Istaatistikada qiimaha:
    b)Qiimaha badeecadaha
    t) Qiimaha wax soo saarka
18. Istaatistikada cilmiga sayniska iyo tiknoolijiada
19. Istaatistikada kaabayaasha
20. Istaatistikada kale ee dhaqaalaha.

Qeybta 4aad

1. Istaatistikada kheyraadka dabiiciga iyo deegaanka
2. Istaatistikada kheyraadka dabiiciga iyo xisaabta degaanka
3. Istaatistikada saadaasha hawada
4. Istaatistikada dhulka la adeegsado.

SHARCI LR.27 Taariikh: 30/03/2020

ANSIXINTA SHARCIGA JAAN-GOYNTA &TAYA-DHAWRKA SOOMAALIYEED

MADAXWAYNAHA J.F.S

MARKUU ARKAY: Qodobka 87aad, Faqradda 1aad iyo Faqradda 2aad ee Dastuurka KMG

MARKUU ARKAY: Qodobka 90aad, Xarafka "F" ee Dastuurka KMG

MARKUU ARKAY: Warqadda Guddoomiyaha Golaha Shacabka GSH/254/12/01//B-10/20 Taariikh: 16/01/2020 kuna saabsan ansixinta Sharciga Jaan-goynta & Taya-dhawrka Soomaaliyeed

MARKUU TIXGELIYAY: Baahida loo qabo in la ansixiyo lana meel-mariyo Sharcigan

Waxa Madaxweynuhu soo saaray Sharcigan:

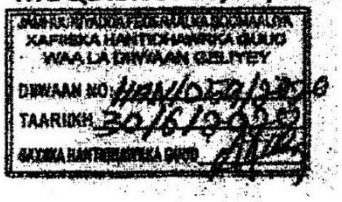
Qodobka 1aad

Laga bilaabo marka uu Madaxweynuhu saxiixo Sharcigan, waxa si rasmi ah loo oggolaadaySharciga Jaan-goynta & Taya-dhawrka Soomaaliyeed

Qodobka 2aad

Marka uu Madaxweynaha JFS saxiixo Sharcigan, waxaa lagu soo daabici doonaa Faafinta Rasmiga ah ee Jamhuuriyadda Federaalka Soomaaliyeed.

MUQDISHO: 30/03/2020



Madaxweynaha J.F.S
Maxamed Cabdullaahi Maxamed (Farmaajo)

JAMHUURIYADDA FEDERAALKA SOOMAALIYA

SHARCIGA JAAN-GOYNTA IYO TAYO-DHAWRKA SOOMAALIYEED

QEYBTA 1AAD
MAGAC, UJEEDDO, ERAY-BIXIN, BAAXADDA IYO AWOODDA SHARCIGA

QODOBKA 1aad
MAGACA SHARCIGA

Sharcigan waxaa lagu magacaabaa "**Sharciga Jaan-goynta iyo Tayo-dhawrkaSoomaaliyeed**" (Somali Standards and Quality Control Act).

QODOBKA 2aad
UJEEDDADA SHARCIGA

Ujeeddada Sharciga Jaan-goynta iyo Tayo-dhowrka Soomaaliyeed waa;

1. In uu horumariyo siyaasadda Jaan-goynta iyo Tayo-dhawrka Qaran, iyo In uu daboolo baahiyada loo qabo xeerarka jaangooyooyinka, cabirrada, baarista iyo hubinta tayada badeecadaha.

2. In lagu **hago** xeer-nidaaminta tayo-dhawrka ee lagu maamulo tayada badeecadaha iyo adeegyada, sida kuwa soo gala Dalka ama **laga** dhoofiyo iyo kuwa gudaha Dalka laga soo saaro ama laguisticmaalo.

3. In uu ilaaliyo bad-qabka qofka ama bulshada, caafimaad ahaan iyo dhaqaaleahaan;

4. In lagu dhiso Hay'adda Tayo-dhawrka Soomaaliyeed;iyo

5. In uu sugo kalsoonida isticmaalaha iyo nabadgelyadiisa, isla markaana wuxuu abuurayaa kalsooni lagu qabo tayada badeecadda dalka soo-gasha, midda ka dhoofta iyo tacabka dalka laga soo saarointaba.

QODOBKA 3aad
QEEXID

Erayadan halkan ku xusan waxaa loo micnaynayaa sida soo socota haddii aan si kale loogu qeexin Sharcigan dhexdiisa:

1. **"Hay'adda Tayo-dhawrka"**: waxaa loola jeedaa Hay'adda Tayo-dhawrka Soomaaliyeed (Somali Bureau of Standards - SoBS).

2. **"Adeeg"**: waxaa loola jeedaa bixinta baahida bulshada ee aan la taaban karin;

3. **"Agab"**: waxaa loola jeedaa dhammaan badeecadaha kala duwan ee dalka la keeno, laga dhoofiyo ama lagasoo-saaro.

4. **"Anfaaci"**: waxaa loola jeeda wax kasta oo la quuto;

5. **"Baaris"**: waxaa loola jeedaa daba-galka rasmiga ah oo ay hay'addu sameyso si looogaado in loo hoggaansamay sharciyada Hay'adda iyo kuwa dalka guudahaan;

6. **"Been-abuurad"**: waxaa loola jeedaa samaynta walxo qiimo-hoodu liito loonaekaysiiyay kuwo qiimahoodu sareeyo;

7. **"Cabbiraad"**: waxaa loola jeedaa hab cilmi qiyaaseed lagu ogaado tilmaamahadherer, mug, cuf iyo wixii lamid ah oo ay leeyihiinwalxuhu;

8. **"Dhawridda"**: waxaa loola jeedaa ilaalinta heerka tayo-wanaagga dhammaanbadeecadaha dalka ka baxa, soo galaya ama kadhoofaya;

9. **"Dhoofin"**: waxaa loola jeedaa u dirista dal kale alaab ama adeeg yaala Dalkagudihiisa;

10. **"Gole"**: waxaa loola jeedaa xubnaha Hay'adda Tayo-dhawrka Soomaaliyeed;

11. **"Hal-beeg caalami"**: waxaa loola jeedaa heer tayeedka ama jaan-gooyada ay oggolaatay Hay'adda tayo-dhawrka caalamka (ISO);
12. **"Hal-beeg"**: waxaa loola jeedaa summad la xafiday oo lagu dabaqayo hannaanka caddaynta agabka ee tilmaamaya helitaanka kalsooni ku filan agabka amaadeegga;
13. **"Hal-beeg Qaran"**: waxaa loola jeedaa heer tayeedka ama jaan-gooyada ay oggolaatay Hay'adda tayo-dhawrka Soomaaliyeed.
14. **"Heer-tayeedka"**: waxa loola jeedaa summad la xafiday oo lagu dabaqayo hannaanka caddaynta agabka ee tilmaamaya helitaanka kalsooni ku filan agabka amaadeegga;
15. **"Jaan-gooyada"**: waxaa loola jeedaa summad la xafiday oo lagu dabaqayo hannaanka caddaynta agabka ee tilmaamaya helitaanka kalsooni ku filan agabka amaadeegga.
16. **"Joojin"**: waxaa loola jeedaa diidmada agabka ku dhaca in uu buuxin waayo heerar tayeedka iyo shuruudaha looga baahan yahay;
17. **"Kormeere"**: waxaa loola jeedaa shaqaale ka tirsan Hay'adda oo hawshiisu tahay daba-galka hawl si gaar ah looguxilsaaray;
18. **"Shahaadada tayada"**: waxaa loola jeedaa qoraal rasmi ah oo kasoo baxay Hay'addatayo-dhawrka Soomaaliyeed kaas oo qeexaya heerka tayada walxaha lagahadlaayo;
19. **"HTS" (SoBS)**: waxaa loola jeedaa Hay'adda Tayo-dhawrka Soomaaliyeed (Somali Bureau of Standards oo lasoogaabiyey;
20. **"Summadda tayada"**: waxaa loola jeedaa xaraf ama xarfo qoraal ama sawir iyo wixii la mid ah taas oo macno gaar ah u leh Hay'adda Tayo-dhawrka oo tilmaameysa tayadawalxaha;
21. **"Tayada"**: waxaa loola jeedaa tilmaan lagu garto heerka sarreynta ama hooseynta walxaha;iyo

22. **"Tayo-dhawrka":** waxaa loola jeedaa ilaalinta heerka tayada walxaha.

QODOBKA4aad
KU DHAQANKA SHARCIGAN

1. Sharcigan waxaa lagu maamulayaa dhammaan howlaha Jaangooyoyinka, cabirrada iyobaaridda.

2. Sharcigan waxaa Lagu dhaqayaa tayada badeecadaha ama adeegyada soo-gala Dalka, kuwa laga-dhoofiyo iyo kuwa lagu isticmaalo Dalkagudahiisa.

QEYBTA 2AAD
HAY'ADDA TAYO-DHAWRKA

QODOBKA 5aad
DHISMAHA HAY'ADDA TAYO-DHAWRKA SOOMAALIYEED

1- Si loo gaaro ujeeddooyinka ku xusan qodobka 2[aad]ee Sharcigan, waxaa Sharcigan lagu dhisay **"Hay'adda Tayo-dhawrka Soomaaliyeed"** (Somali Bureau of standards - SoBS) si waafaqsan dastuurka **KMG**, taasoo mas'uul ka noqonaysa maamulka iyo nidaaminta Tayo-dhawrka badeecadaha soo gala dalka, kuwa la dhoofiyo iyo kuwa gudaha Dalka laga soo saaro ama lagu isticmaalo.

2- Hay'adda waxay leedahay shaqsiyad-qaanuuneed iyo astaan u gaar ah.

QODOBKA 6aad
XARUNTA HAY'ADDA

Xarunta Hay'addu waa Caasimadda Jamhuuruyada Federaalka Soomaaliya ee Muqdisho, waana in ay xafiisyo ku yeelataa dhammaan magaalo madaxyada Dawlad-goboleedyada Xubnaha ka ah **Dowladda** Federaalka iyo xuduudaha laga soo galo dalka.

QODOBKA 7aad
XILKA IYO WAAJIBAADKA HAY'ADDA

Hay'addu, iyadoo raacaysa sharcigan iyo shuruucda kale ee dalka, waajibaadkeeda waxaa ka mid ah:

1- In ay dajiso siyaasad, Xeer-hoosaad, hab-raacyo iyo jaan-goyn sharciga waafaqsan oo lagu cabbiro tayada cuntooyinka iyo badeecadaha lagu isticmaalayodalka.

2- In ay baarto ayna hubiso cuntooyinka iyo badeecdaha kale ee dalka la-keenayo in ay san xanbaarsanayn khatar iyo halis waxyeelo u geysan kara shacabka.

3- In ay diyaariso halbeegyo (standards) iyo cabbirro looga hor-tagayo waxyeelooyinka caafimaad oo ay u keeni karaan bulshada cuntooyinka iyo daawooyinka dhacay, kuwa tayadoodu hooseeyso ama si u la kac ah tayadooda hoos loogudhigay.

4- In ay hubiso tayada wax soo saarka gudaha dalka, si loo ilaaliyo caafimaad ahaan iyo dhaqaale ahaan shacabkaSoomaaliyeed.

5- In ay qeyb ka noqoto habraaca sharci siinta shirkadaha baarayabadeecadaha (Quality Control Companies) ee ka hawl-galaJFS.

6- In ay abuurto Sheybaar Qaran oo lagu hubiyo tayada badeecooyinka iyo agabka dalka la soo geliyo ama laga dhoofiyo.

7- In ay bixiso shahaadooyin dhiiri gelin wanaag iyo astaamo tayo (QualityMark).

8- In ay kor-u-qaaddo wacyiga bulshada ee ku aaddan hal-beegyada iyo Tayo-dhawrka.

QODOBKA 8aad
MADAX-BANNAANIDA HAY'ADDA

Hay'adda Tayo-dhawrka Soomaaliyeed waa hay'ad madax-bannaan marka ay gudanayso waajibaadkeeda shaqo si waafaqsan Sharcigan,

waxayna leedahay shaqsiyad-qaanuuneed, waxayna maamul ahaan hoostageysaa Wasaaradda Ganacasiga iyo Warshadaha.

QODOBKA 9aad
MIISAANIYADDA HAY'ADDA

1. Miisaaniyadda Hay'addu waxay ka mid tahay miisaaniyadda guud ee Qaranka.

2. Hay'addu waxay u madax-bannaan tahay maamulka miisaaniyaddeeda iyadoo raacaysa Xeerka maamulka miisaaniyadda ee XukuumaddaJFS.

QODOBKA 10aad
QAAB-DHISMEEDKA HAY'ADDA IYO MUDDADA XIL-HAYNTA GOLAHA HAY'ADDA

Qaab-dhismeedka Hay'adda Tayo dhowrka Soomaaliyeed ee SoBS waxa uu noqonayaa sida soo socta:-

1. Gole maamul (Board of Directors) oo ka kooban 13 xubnoodoo **ugu yaraan 3 ka mid ah ay yihiin haween:**

   a) toban (10) xubnood oo xirfadlayaal sare ah **oo aqoon u leh shaqada Hay'adda uu metelayo, kuwaas** oo ka kala yimid: Wasaaradaha shaqada ku leh Tayodhowrka sida Wasaaradda Ganacsiga, Beeraha, Xanaanadda Xoolaha, Caafimaadka, Hawlaha Guud, Kaluumaysiga, wasaarada gaadiidka, wasaaradda biyaha iyo tamarta, wasaaradda batroolka iyo hay'adda Bey'ada, oo min xubinah.

   b) Xubin ka imaaneysa ganacsatada (Rugtaganacsiga.)

2. Sidoo kale hay'addu waxay yeelaneysaa Maareeye, Maareeye Xigeen iyo waaxyo kala duwan oo mid walba leedahay xil iyo waajibaadcad.

3. Muddada Xil-haynta Golaha Maamulka (Board of Directors) markalagareebomaareeyahaiyomaareeyekuxigeenkawaaafar (4) sano oo hal mar loo cusboonaysiin karo.

4. Golaha Maamulka Hay'adda Tayo dhowrka (Board of Directors) waxay iska dhex dooranayaan Gudoomiyaha Golaha laakiin Maareeyaha iyo Maareeye kuxigeenku isuma sharaxi karaan xilka Guddoomiyaha.

QODOBKA 11aad
SHURUUDAHA XUBINNIMADAGOLAHA

1. Inuu yahay / ay tahay Muwaadin Soomaaliah.
2. In aysan da'diisa/**da'deeda** ka yarayn **30 (Soddon)** sano.
3. In uu haysto/**haysato** Shahaado heer jaamaceed oo la aqoonsan yahay.
4. In uu leeyahay/**leedahay** khibrad shaqo ugu yaraan muddo **5 (Shan)** sano ah marka laga reebo Maareeyaha iyokuxigeenkiisa.
5. In uu/ay dhimir ahaan caafimaadqabo.
6. In ay san maxkamadi ku **xukumin** fal dambiyeed shantii sano ee u dambeysay.

QODOBKA 12aad
XILKA IYO WAAJIBAADKA GOLAHA MAAMULKA (BOARD OF DIRECTORS)

1. Waxay qiimeynayaan ka dibna ansixiyaan halbeegyada iyo cabirrada tayodhowrka ay soo bandhigaan maareeyaha iyo gudiyada farsamada ee Hay'daha Tayo-dhowrkaSoomaaliyeed.
2. Waxay meel-mariyaan miisaaniyada, qaab dhismeedka waaxyaha iyo Qorshe-hoowleedka Hay'adda kaddib marka uu horkeeno Maareeyaha.
3. Golaha maamulka iyaga iyo maareeyaha waa in ay ku soo saaraan shirkooda ugu horreeya xil howleedka maareeye ku xigeenka iyo agaasime waaxeedyadahay'adda.
4. Waxay ku kormeeraan Maamulka hay'adda fulinta howlihii loo ansixiyay.

QODOBKA 13aad
XIL HEYNTA MAAREEYAHA IYO MAAREEYE KU-XIGEENKA

Maareeyaha iyo Maareeye kuxigeenka Hay'adda Tayo-dhowrka Soomaaliyeed waxay xilka haynayaan mudo shan (5) sano oo la cusboonaysiin karo.

QODOBKA 14aad
SHURUUDAHA MAAREEYAHA IYO KU-XIGEENKIISA

1. Maareeyaha iyo Maareeye kuxigeenka Hay'adda Tayo-dhowrka Soomaaliyeed waa in ay ahaadaan xirfadlayaal sare oo aqoon iyo qibrad u leh hawlaha hay'adda iyomaamulka.
2. In ay leeyihiin shahaado Jaamacad ugu yaraan heerka 1aad.
3. Waxaa soo xulaya oo Golaha Wasiirada hor keenaya Wasiirka Wasaaradda Ganacsiga iyoWarshadaha.

QODOBKA 15aad
XILKA IYO WAAJIBAADKA MAAREEYAHA HAY'ADDA SoBS

1. Maareeyaha Hay'adda Tayo dhowrka Soomaaliyeed waa masuulka ugu sarreeyo Hay'adda kaddib Golaha Maamulka, waana hagaha iyo madaxa maamulka hay'adda Tayo dhowrkaSoomaaliyeed.
2. Waxaa uu masuulka yahay fulinta howl-maalmeedkaHay'adda.
3. Waxaa uu ku matalaa magaca hay'adda xiriirka ay la leedahay Hay'adaha kale ee Dowladda iyo Xiriirka Hay'adaha caalamigaah.
4. Waxa uu diyaariyaa, fuliyaana qorsha-howleedka hay'adda kaddib markay ansixiyaan Golahamaamulka.
5. Wuxuu u kuur-galaa fulinta dhammaan hawlaha Hay'adda ee ku cadsharcigan.

6. Wuxuu u gudbiyaa Wasaaradda Ganacsiga qorsho-sanadeedka Hay'adda;

7. Waxa uu magacaabayaa agaasimayaasha waaxyaha Hey'adda iyo Madaxda. Xafiisyada Dawlad-goboleedyada Xubnaha ka ah Dowlada Federaalka ka dib marka uu kala tashado Wasiiradda Ganacsiga ee MaamulGoboleedyada.

8. Wixii kale ee Sharcigan iyo xeer-hoosaadka hay'addu uxilsaaro.

QODOBKA 16aad
MAS'UULIYADDA MAAREEYE KU-XIGEENKA

1. Wuxuu buuxiyaa kaalinta Maareeyaha marka uu maqan yahay'ama ay ku yimaadaan duruufo ka hor-istaagi kara gudashada waajibaadkiisa.

2. Wuxuu qabanayaa wixii kale ee uu Maareeyuhu uxilsaaro.

QODOBKA 17aad
KULAMADA GOLAHA HAY'ADDA

Golaha Hay'adda Tayo-dhawrka wuxuu yeelan karaa shir caadi ah iyo shir aan caadi ahayn haddii loo baaahdo, waxayna u dhici karaan sida soo socoto:

1. Kulamada caadiga ah ee Golaha waxay noqonayaan sadexdii bilba mar. haddii aysan Goluhu go'aansan in la qabto waqti ka duwan, waxaana isugu yeeraya guddoomiyahagolaha.

2. Guddoomiyuhu wuxuu isugu yeeri karaa kulan deg deg ah oo aan caadi ahayn haddii loo baahdo, sidoo kale haddii ay isku raacaan 2/3 (saddex meelood labo meel) xubnahaGolaha.

3. Kulanka wuxuu ku ansaxayaa marka ay ka soo qeyb-galaan aqlabiyadda xubnaha Golaha Maamulka Hay'adda Tayo-dhawrka,

waxayna go'aanka ku gaarayaan 2/3 (saddex meelood labo meel) ee tirada guud ee xubnaha Golaha.

4. Kulamada caadiga ah xubin kasta waxay xaq u leedahay in la soo gaarsiiyo ajendaha shirka ugu yaraan 24 (labaatan iyo afar) saac ka hor inta uusan qabsoominShirka.

5. Goluhu wuxuu fadhigiisa ku marti-qaadi karaa Wasiirka Wasaaradda Ganacsiga ama wasiir kale oo ka mid ah Wasaaradaha wada shaqaynta la leh iyo qof kasta oo kasoo qeyb-galkiisa ay u arkaan muhiim, isaga oo aan la heyncod.

QODOBKA 18aad
GUNNADA XUBNAHA GOLAHA

1. Golaha Maamulka hay'addu Shaqadoodu waa shaqo waqti dhimman **(Part- time)**, mana laha Mushahaar joogto ah waayo waa shaqaale dawladeed, marka laga reebo Maareeyaha iyo Ku-xigeenkiisa.

2. Sedax iyo tobanka (13) xubnood waxa keliya oo ay xaq u leeyihiin gunno lagu siinayo fadhiyadooda oo looga bixinayo kharashka ku galay ka soo qaybgalka kulamada.

3. Gunnada xubnaha Goluhu (board of Directors) ku helayaan fadhiyadooda waxaa lagu qeexi doonaa xeer nidaamiye uu ku soo saaridoono wasiirka ganacsiga iyowarshadaha.

QODOBKA 19aad
MASUULIYADDAXOGHAYNTA

Hay'addu waxay yeelanaysaa xog-hayaha Golaha maamulka oo aan ka mid ahayn Golaha, shaqadiisuna tahay sida soosocoto:

1. Wuxuu keydiyaa, ilaaliyaana documentiyada maamulka iyo xog sireedka eehay'adda.

2. Wuxuu diyaariyaa ajandaha shirka Golaha maamulka (Board of Directors) kaddib marka uu kala tashado maareeyaha, isla markaana qoraa doodda shirka, isku dubaridaa gaarsiiyaana xubnaha kale eeGolaha.

3. Waxaa uu gaarsiiyaa xubnaha Golaha Maamulka, fariimaha loo baahan yahay kaddib markuu ka helo maareeyaha amarka ah in la gaarsiiyo.

4. Waa madaxa uga hooseeyo maareeyaha iyo ku xigeenkiisa maamulka howlaha xafiiska isla markaana ah isku xiraha xafiiska iyo hay'adaha kale si waafaqsanxeerkan.

QODOBKA 20aad
WADA-SHAQEYNTA HAY'ADDA IYO WASAARADDA

1. Hay'adda Tayo-dhawrka Soomaaliyeed waxay wada shaqayn iyo la-tashiyo joogta ah la yeelan doontaa Wasaaradaha Dawladda, Dawlad-goboleedyada dalka, Maamulka Gobolka Banaadir, haya'daha Amniga Qaranka iyo ganacsatada Soomaaliyeed; iyo

2. Hay'adda tayo-dhawrka waxay wada-shaqayn joogta ah la yeelanaysaa hay'adaha dawladda si loo waafajiyo Sharciga tayo-dhawrka Soomaaliyeed iyo shuruucda kale eedalka.

QODOBKA 21aad
SABABAHA LAGU WAAYI KARO XILKA

Dhammaan shaqaalaha Hay'adda waxay xilka ku waayi karaan arrimaha soo socda:

b. Geeri

t. Is-casilaad la aqbalay

j. In caafimaad-darro awgeed u-gudan waayo waajibaadkiisa;

x. In lagu helo danbi la xariira shaqadiisa ama maxkamadi xukunto.

QODOBKA 22aad
GUDDIYO FARSAMO

1. Hay'addu waa in ay yagleeshaa guddiyo farsamo oo aqoon iyo takhasus lagu sooxulay.

2. Guddiyadan farsamo waxaa magacaabaya Maareeyaha Hay'adda isagoo la tashanaya GolahaHay'adda.

QODOBKA 23aad
SHAQOOYINKA GUDDIYADA FARSAMO

1. In ay diyaariyaan hal-beegyo iyo Jaangooyooyin faahfaahsan lanafahmi karo kaas oo la xiriira xirfadaha kala duwan ee tayo-dhowrka looga baahanyahay.

2. In ay daraaseeyaan hal-beegyada iyo Jaangooyooyin caalamiga ah,kuwa gobolka iyo ka talo-bixinta sida loogu qaadan karo hal-beegyadaas in ay noqdaan kuwoSoomaaliyeed;

3. in ay joogteeyaan dib u eegista halbeegyada iyo jaangoynta Soomaaliyeed iyo soo jeedinta wax kabadalka howl kasto oo muhiim u ah diyaarinta halbeegyada loobaahnyahay.

4. In la caddeeyo digniinaha luqadaha qalaad ee ku suntan agabka iyo anfaaciga iyo dhammaan badeecadaha keeni kara halis caafimaad, dhaawac iyodhimasho.

QODOBKA 24aad
CODSIGA IYO ILAALINTA XOGAHA

1. Hay'adda tayo-dhawrka Soomaaliyeed waa Hay'adda kaliya ee u xilsaaran xogta khuseeysa hal-beegyada iyo tayo-dhawrka Soomaaliya.

2. Ciddii u baahan Xog ku saabsan hal-beegyada Soomaaliya waxay ka dalban karaan oo kaliyaHay'addaan.

3. Hay'adda waxay ilaalinaysaa sirta ganacsi iyo xogta kale ee qarsoodiga ah oo ay ka soo ururisay shirkadaha si waafaqsan sharcigan iyo shuruucda kale eedalka.

QEYBTA 3AAD
HAL-BEEGYADA TAYO-DHAWRKA
QODOBKA 25aad
UJEEDDADA TAYO-DHAWRKA

Tayo-dhawrka waxaa loola jeedaa:

1. Caddeynta in badeecada ama adeeggu waafaqsan yahay halbeega Dalka, gobolka iyo midkaCaalamiga.

2. In ganacsatada loo fududeeyo sidii ay u xulan lahaayeen agab iyo adeeg waafaqsan halbeegyada Dalka, gobolka iyo kuwa Caalamiga ah.

3. Kor-u-qaadidda tartanka tayaysan ee agabka iyo adeegyada heer Qaran iyo heer Caalami;iyo

4. Abuuridda jawi ay si xor ah oo badeecooyinku isaga gudbi karaan Soomaaliya iyo suuqyadacaalamiga.

QODOBKA 26aad
HAL-BEEGYADA TAYO DHOWRKA EE SI KMG AH LOOGU SHAQEYNAYO

Hay'adda tayo-dhawrka Soomaaliyeed waxay si ku meel gaar ah ugu shaqeynaysaa mid kamida ah hal-beegyada caalamka ee la aqoonsanyahay oo la waafajiyey **Shareecada Islaamka** (Halal Standards) intii laga dhameystirayo xeerar iyo halbeegyo buuxa oo Soomaaliya leedahay.

QODOBKA 27aad
HABABKA DIYAARINTA HAL-BEEGYADA IYO ANSIXINTOODA

1. Guddiga farsamo waxay u soo-gudbinayaan hal-beegyada ay diyaariyeen Maareeyaha Hay'adda, markuu daraaseeyo kaddib wuxuu u bandhigayaa Golaha maamulka ee Hay'adda.
2. Marka ay isla oggolaadaan Golaha Hay'adda tayo-dhawrka soomaaliyeed, waxaa lagu soo saarayaa hal-beegyadaas Faafinta rasmiga ah sidaas ayayna ku dhaqangalayaan.

QODOBKA 28aad
DIIWAANKA HAL-BEEGYADA

1. Hay'adda tayo-dhawrka waxay yeelaneysaa diiwaan u gaar ah hal-beegyada Tayo-dhawrkaDalka.

2. Marka wax laga badalayo ama lagu darayo waxaa lagu cadeynayaa diiwaanka dhammaan Isbadalada iyo qaabka ay u dhaceen.

QODOBKA 29aad
FAAFINTA HAL-BEEGYADA

1. Waxaa waajib ah in lagu faafiyo faafinta rasmiga ah iyo warbaahinta dhammaan hal-beegyada cusub ujeedooyinkooda, tixraacooda, taariikhda la ansixiyay iyo faahfaahinta loo baahan-yahay oo dhan.

2. Goluhu wuxuu wax-ka-beddel ku sameyn karaa ama uu ka saari karaa Halbeeg ama jaangooyo hore loofaafiyey.

QODOBKA 30aad
HAL-BEEGYADA KHASABKA AH

1. Golaha Hay'adda Tayo-dhawrka waxay awood u leeyihiin ayagoo ku saleynayo talo-bixinta guddiyada farsamo, in ay soo saaraan hal-beegyo ama jaangooyooyin lagu xakameynayo badeecooyinka xariir toos ah la leh noolaha iyo bay'ada

2. Waxaa reebban soo dhoofinta, soo-saaridda ama dhoofiska badeeco hal-beegeedda uusan waafaqsaneyn kan lagu caddeeyay go'aannada iyo faafinta rasmiga ah eeHay'adda.

3. Waxaa reebban Isticmaalka summadda ama astaanta tayada Hay'adda ayadoon loo haysan oggolaanshocad.

4. Waxaa reebban in Dalka lasoo galiyo ama laga dhoofiyo agab ama anfac been abuur ah ama tayadeeda lagabeen-sheegay.

5. Waxaa reebban in Dalka lasoo galiyo agab ama anfaaci taariikhdeedu dhacsan tahay ama ka mid ah badeecadaha daaha oo dhicitaankeedu ka dhimantahay wax kayar hal sano.
6. Agabka ama anfaaciga muddada isticmaalkiisu (shelf life) ay ka yartahay hal sano waa inuusan ka yaraan waqtiga u harsan marka uu soo galayo dalka 50% (boqolkiiba konton) guud ahaan waqtigiisa nolosha.

7. Qofkii ku xad gudba faqradaha (1,2,3,4,5,6) ee qodobkan iyo dhammaan go'aannada Hay'adda Tayo-dhawrka, waxaa lala tiigsanayaa Shuruucdadalka.

QODOBKA 31aad
DHAQAN-GELINTA HAL-BEEGYADA

1. Waxaawaajibkuahganacsatadainaydhowraanhal-beegyadaDalka

2. Marka la furayo warshad ama qeybo wax soo saar waa in ay markastaba halbeegooda ku saleysan yahay midka dalka udagsan.

QAYBTA 4AAD
CABIRRADA IYO BAAREYAASHA

QODOBKA 32aad
UJEEDADA CABIRRADA

1. Waxaa loola jeedaa cabbirka hab cilmi qiyaaseed lagu ogaado tilmaamaha dhirir, mug, cuf, iyo wixii lamid ah oo ay leedahay agabka.

2. In la helo cabbirro khaas ah, waxa ay muhiim u tahay horumarinta jaan-goynta loo baahan yahay in lagu jaangooyo badeecadaha noocyadooda kaladuwan.

3. In la dhiirri-geliyo cilmi baarista iyo horumarinta cabbiradda si loo kordhiyo fursadaha hay'aduhu ka heli karaan ama ka qaadankaraan is dhaafsiga farsamada iyagoo adeegsanayacabbiradaas.

QODOBKA 33aad
ADEEGSIGA CABIRRADA

Hay'adda tayo-dhawrka soomaaliyeed waxay ku soo-saaraysaa xeer-hoosaadkeeda diiwaanka cabiradda Qaranka oo faahfaahsan.

QODOBKA 34aad
MAGACAABIDDA IYO AWOODAHA BAAREYAASHA

1. Baareyaasha waa shaqaale ka tirsan hay'adda tayo-dhowrka waxaana magacaabayamaareeyaha.
2. Qof kasta ama xubnaha loo magacaabayo baareyaasha waa inuu:
    a) Yahay Muwaadin Soomaaliah.
    b) Leeyahay aqoon iyo khibrad la xiriirtabaarista.
    c) Ku sifoobay akhlaaq iyodadnimo-wanaag.
    d) Ku sifoobay ammaano iyodhowrsanaan.

3. Baaruhu wuxuu awood u leeyahay in uu hakin karo ama joojin karo agab kasta oo aan waafaqsanaynSharcigan.

4. Hay'adda tayo-dhawrka Soomaaliyeed waxay soo-saaraysaa Xeer-hoosaad lagu tilmaamayo awoodaha iyo hab-sami u socodka howlaha baarista iyobaareyaasha.

QEYBTA 5AAD
ASTAAMAHA IYO SHAHAADADATAYADA

QODOBKA 35aad
ASTAAMAHA HEERKA-TAYADA IYO SHAHAADADA

1. Hay'adda waxay leedahay astaan u gaar ah oo loo yaqaano astaanta tayada, waxaana isticmaalaya wax soo-saaraha, dhoofiyaha iyo soo-dhoofsadaha kaddib markii ay ogaato Hay'adda tayo-dhawrka in badeecada ay waafaqsan tahay hal-beegyada Dalka.

2. Hay'addu waxay bixineysaa shahaado tayo taasoo muujineysa in adeega ama badeecada ay waafaqsan tahay hal-beegyada gaarka u ah badeecadaas.

3. Hay'addu waxay caddeyneysaa shuruudaha iyo habka lagu qaadan karo astaanta iyo shahaadada tayada.

QODOBKA 36aad
GO'AANNADA TAYO DHOWRKA HAY'ADDA

Go'aannada Hay'adda ee ku salaysan baaritaan, waa kama dambeys aan racfaan laga qaadan karin waxayna ku lifaaqeysaa warbixinta sheybaarka.

QODOBKA 37aad
KHIDMADDAHAY'ADDA

Khidmadaha hay'adda ay ku qaadeyso adeegyada ay bixiso waxaa xeer ku saaraaya Wasiirka Wasaarada Ganacsiga iyo Warshadaha ka dib markuu latashado golaha maamulka iyomaareeyaha.

QEYBTA 6AAD
XIRIIRADA HAY'ADDA
QODOBKA 38aad
HABKA WADA-TASHIGA HAY'ADDA IYO GANACSATADA

Wada-tashiga Hay'adda iyo ganacsatada waa saldhigga wada-shaqeynta labada dhinac si loo gaaro himilada, hiigsiga, iyo in la helo tayo-dhawr lagu baahiyo dalka oo dhan, iyadoo laga wada shaqaynayo horumarinta, casriyeynta ganacsiga iyo wax-soo-saarkaDalka.

QODOBKA 39aad
ISKA HOR-IMAADKA DANAHA ISDIIDAN

Madaxda sare ee Hay'adda iyo Shaqaalahaba waxaa ka reebban qabashada howlo ka hor imaan kara hawlaha hay'adda ama carqaladeyn kara wax qabadkeeda.

QEYBTA 7AAD
QODOBBO GUUD
QODOBKA 40aad
KOR-MEERKA IYO KOR-JOOGTAYNTA

Hay'addu waxay si joogto ah u samaynaysaa kormeer ay ku hubinayso in lafuliyay Sharcigan iyo Xeer-nidaaminta ay hay'addu soo saartay.

QODOBKA 41aad
GANAAXA

Hay'addu waxay awood u leedahay in ay ganaaxdo ciddi ku xad gudubta sharcigan, haddiise uu jiro fal dambiyeed waxaa loo gudbinyaa hay'adaha ku shaqada leh.

QODOBKA 42aad
XIRIIRADA HAY'ADDA

Hay'addu waxay dhaqan-gelinaysaa Heshiisyada Caalami ama gobol oo ay Soomaaliya qeybta ka tahay, kuwaas oo la xariira arrimaha hal-beegyada iyo Tayo-dhawrka.

QODOBKA 43aad
FASIRAADDA SHARCIGA

Sharcigan wixii **aan** si cad loogu qeexin, waxaa loo fasirayaa si waafaqsan Dastuurka Dalka iyo Sharciyada kale ee dhaqan-galka ah.

QODOBKA 44aad
BAABI'IN

Sharcigan wuxuu baabi'inayaa Sharci kasta oo ka hor-imaanaya ama aan la socon karin.

QODOBKA 45aad
DHAQAN-GAL

Sharcigan waxaa uu dhaqan-gelayaa marka Madaxweynaha JFS uu saxiixo laguna soo-saaro faafinta Rasmiga ah.

SHARCI LR.28 Taariikh: 19/05/2020

ANSIXINTA SHARCIGA DUULISTA RAYIDKA

MADAXWAYNAHA J.F.S

MARKUU ARKAY: Qodobka 87aad, Faqradda 1aad iyo Faqradda 2aad ee Dastuurka KMG

MARKUU ARKAY: Qodobka 90aad, Xarafka "F" ee Dastuurka KMG

MARKUU ARKAY: Warqadda Guddoomiyaha Golaha Shacabka GSH/258/B-10/20 Taariikh: 20/02/2020 kuna saabsan ansixinta Sharciga Duulista Rayidka

MARKUU TIXGELIYAY: Baahida loo qabo in la ansixiyo lana meel-mariyo Sharcigan

Waxa Madaxweynuhu soo saaray Sharcigan:

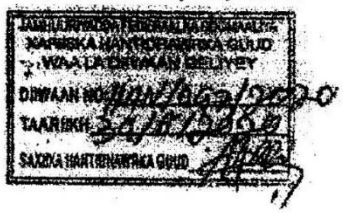
Qodobka 1aad

Laga bilaabo marka uu Madaxweynuhu saxiixo Sharcigan, waxa si rasmi ah loo oggolaaday Sharciga Duulista Rayidka

Qodobka 2aad

Marka uu Madaxweynaha JFS saxiixo Sharcigan, waxaa lagu soo daabici doonaa Faafinta Rasmiga ah ee Jamhuuriyadda Federaalka Soomaaliyeed.

MUQDISHO:19/05/2020



MadaxweynahaJ.F.S
Maxamed Cabdullaahi Maxamed (Farmaajo)

JAMHUURIYADDA FEDERAALKA SOOMAALIYA

SHARCIGA DUULISTA RAYIDKA

SharciLr._____ee_____
SHARCIGA DUULISTA RAYIDKA

HORDHAC

Iyadoo la raacayo Qodobka 7aad (1) ee Dastruurka KMG Jamhuuriyadda Federaalka Soomaaliya, Baarlamaanka Federaalka Soomaaliya wuxuu soo saarey Sharciga Hay'adda Duulista Rayidka Soomaaliyeed.

Qodobka 1aad
Ereybixin

Sharcigan, haddii aysan macnaha guud ahayn ama aan macnahiisa si gaar ah lagu xusin, erey bixintiisu waa sida soo socota:

1. **"Shil"** waxaa loola jeedaa: dhacdo kasta oo la xiriira carqalad deg deg ah oo ku timid hawlgalka diyaarad, taas oo dhacda inta u dhaxaysa wakhtiga qof kasta isu diyaarinayo duulimaad illaa wakhtiga qof kasta ka degayo diyaaradda, ama marka loo eego diyaarad aan cidi wadin, waxay arrintani dhacaysaa inta u dhaxaysa wakhtiga diyaaraddu diyaar u tahay inay duusho illaa inta laga gaarayo dhammaadka duulimaadka in si deg-deg ah matoorka diyaaradda loo damiyo ciladawgeed.
2. **"Shaqo Duulimaad"** macnaheedu wuxuu yahay: duulimaad diyaaradeed oo aan ahayn gaadiidkaganacsiga.
3. **"Gegi-diyaaradeed"** Waxaa loola jeedaa: goob kasta oo dhul ama biyo ah oo loogu talagalay in loo isticmaalo degista, duulista, iyo dhaqdhaqaaqa diyaaradaha; oo ay ku jiraan dhismo kasta oo lagu rakibay qalab lagu hago diyaaradaha, goob kasta ee loo isticmaalo gegidda iyomaaraynteeda.
4. **"Diyaarad"** waxaa loola jeedaa: aalad kasta oo ku duuli karta hawada, marka laga reebo hubka jawaab celinta hawada ka soo horjeeda ee dhulka dushiisa lagahago.
5. **"Wadada Hawada" (AIRWAY)** waxaa loola jeedaa: goob hawo oo loogu talo galay marin diyaaradeed ama qeyb ka mid ah, loona aasaasay qaab u eg marin hawada sare kuyaalla.

6. **"Adeegga Hagidda Diyaaradaha"waa:**
   a) Adeeg is-gaarsiineed, ha ahaato cir ama dhul, oo loogu talagalay bed-qabkadiyaaradda;
   b) Adeegyada hagidda gooshidda hawada, oo loo isticmaalayo raadiyayaasha, raadaaradda iyo qalab muuqaaleed (visual aids to navigation) oo si toos ah loogu hagodiyaaradda.
   c) Adeegyada gaadiidka hawada ee loogu talagalay bed-qabka diyaaradaha; iyo
   d) Adeegyada macluumaadkaduulista

7. **"Wadada Gaadiidka (AIR-ROUTE)"** waxaa loola jeedaa: khad aag xadidan oo hawo iyo dhulba leh oo loo aqoonsaday in ay lagama maarmaan u tahay fulinta xeerarka duulimaadka ee caalamiga ah.

8. **"Shirkadaha gaadiidka duulimaadyada"** waxaa ka mid ah shaqsiyaad, shirkado madax-bannaan, ama hay'adaha aan madax-bannaanayn, shirkadaha ururadda iskaashatooyinka iyo ururada rayidka ah oo ka hawl-gala adeegyada gaadiidka duulimaadyada ee dadwaynuhu kiraysto si waafaqsan sharciga, qaadana dadka, xamuulka amaboostooyinka.

9. **"Adeegyada Gaadiidka Hawada"** macnaheedu waa: adeeg kasta oo hawada ah oo ay sameyso diyaarad ganacsi oo lagu qaado rakaabka, boostada ama shixnadaha;

10. **"Hay'adda"** waxaa loola jeedaa: Hay'adda Duulimaadka Rayidka Soomaaliyeed ee lagu unkay qodobka 2aad eesharcigan

11. **"Shaqaale idman"** macnaheedu waa: shaqaale kasta oo maareeyuhu u idmaday inuu ku shaqeeyo awoodaha ama fuliyo waajibaadka shaqo marka loo eego sida loo sheegay in uu u adeegsado

12. **"Amniga Duulista"** waxaa loola jeedaa: tallaabooyin isugu jira mid dad iyo qalab oo loogu talagalay in duulimaadyada looga ilaaliyo faragelin sharci-darroah.

13. **"Guddiga"** macnaheedu waa: Guddiga Maamulka Hay'adda lagu abuuray qodobka 7aad eesharcigan;

14. **"Wasiirka"** waxaa loola jeedaa: Mas'uulka Wasaaradda qaabilsan arimaha la xiriira Gaadiidka Cirka iyoDuulista

15. **"Shixnad"** waxaa loola jeedaa: xammuul kasta oo lagu qaado diyaarad.

16. **"Shahaado"** waxaa loola jeedaa: habka loo go'aamiyo in qof ama urur uu leeyahay aqoon, karti, iyo xirfad muhiim u ah ama looga baahan yahay hawl-gal gaarah.

17. **"Kharashka"** waxaa loola jeedaa: lacagaha la qabtay ama la qaban doono oo loo adeegsaday xeerkan ama mid ka danbeeyay, ama ka soo baxay shaqo kasta oo ay qabatayhay'addu

18. **"Heshiiska Chicago"** waxaa loola jeedaa: Heshiiska lagu aasaasay Hay'adda Duulimaadka Rayidka Caalamiga ah ee (ICAO) oo ka dhacay Chicago 7^{dii}Disembar 1944, iyo lifaaqyada iyo wax ka beddelkooda.

19. **"Gaadiidka Ganacsiga"** waxaa loola jeedaa: gaadiidka rakaabka ama hantida qaada oo lakiraysto.

20. **"Waddamada Ku Bahoobay"** waxaa loola jeedaa: Dawlad kasta oo ka mid ah Heshiiska Chicago;

21. **"Xakamayn-Ilaaalin (CONTROLLED)"** macnaheedu waa: goob hawadeeda la xakameeyay ama la ilaalinayo marka la kor marayo;

22. **"Shirarka Heshiis"** macnaheedu waa: shir/heshiis ama qawaaniin, iyo wixii lifaaqyo ah oo la xiriira duulimaadyada rayidka ah ee ay Soomaaliya saxiixday, ku biirtey ama qeyb ka tahay, haddii la dhammeeyay, la saxiixay ama la qaatay ka hor ama ka dib bilowgii xeerkan, oo ay ku jiraan HeshiiskaChicago;

23. **"Xubnaha Duulista"** waxaa loola jeedaa: qof kasta oo uu u xilsaaray milkiilaha diyaaradda inuu guto waajib inta lagu jiro duulimaadkadiyaaraddeed;

24. **"Maareeyaha Guud"** waxaa loola jeedaa: Maareeyaha Guud ee Hay'ada oo lagu magacaabay qodobka 14^{aaad} faqradda1^{aad}.

25. **"Sanadka Maaliyadeed"** waxaa loola jeedaa: muddada labo iyo toban bilood ah oo ku eg dhammaadka soddonka Disembar sanad kasta;

26. **"Garoonka/gegida Dowladda"** waxaa loola jeedaa: garoon ama gegi ay Dowladdumaamusho.

27. **"Si Qaldan-u-isticmaal Macluumaad"** macnaheeda waxa loola jeedaa u-isticmaalidda macaluumaadka bed-qabka diyaaradaha ujeeddo ka duwan ujeeddadii marka hore loogu talagaleyururintiisa.

28. **"Dhacdo"** waxaa loola jeedaa: dhacdo aan aheyn shil oo la xiriirta hawlgalinta diyaarad oo saameeya ama saamayn kara amniga hawlgalkadiyaaradaha.

29. **"Duulimaadyada Ganacsiga Gudaha" iyo "Duulimaadyada Ganacsi Dibadda"** waxaa loola jeedaa: duulimaad diyaarad dad, hanti iyo boosto qaadda si loo horumariyo ganacsiga iyo dalxiiska.

30. **"Gaadiidka Duulista ee Gobollada u kala goosha", "Gaadiidka Duulista ee Dibadda",** iyo **"Gaadiidka Duulista ee Shisheeye"** waxaa loola jeedaa gaadiidka duulista oo qaada rekaabka iyo boostada oo la kiraysto si loo horumariyo ganacsiga iyo dalxiiska, kaas oo isagagoosha:
    a) Meel kasta oo ka mid ah Soomaaliya iyo meel ka mid ah gobol kale ama waddan kale oo la isaga gudbo cirka (airspace).
    b) Meel ka mid ah Soomaaliya iyo meel kasta oo kabaxsan.

31. **"Diyaarad Soomaaliyeed"** waxaa loola jeedaa: Diyaarad ka diiwaangashanSoomaaliya;

32. **"Ruqsad"** Waa: shahaado kasta ama oggolaansho dukumiinti oo u oggolaanaya qof kasta inuu sameeyo wax waafaqsan Xeerkan;

33. **"Barnaamijka Amniga Qaranka ee Duulista Rayidka"** waxaa loola jeedaa: nidaam isku dhafan oo ku saabsan shuruucda iyo hawlaha ay soo bandhigtay, fulisayna Dawladdu, oo looga dan-leeyahay ilaalinta falalka sharci-darradda ah ee ku iman kara duulimaadyada rayidka ah.

34. **"Hawl-galiye",** marka laga hadlayo diyaarad, waxaa loola jeedaa: qofka mas'uulka ka ah maareynta diyaaradda.

35. **"Milkiilaha",** marka laga hadlayo diyaarad ama gegi, waxaa loola jeedaa: qof magaciisu ku diiwaan-gashan yahay ama ruqsad u haysta, iyo qof kasta oo wakiil uga ah Soomaaliya milkiile shisheeye.

36. **"Rakaab"** waxaa loola jeedaa; qof kasta oo diyaaradda saaran oo aan ahayn xubin ka mid shaqaalahadiyaaradda
37. **"Gegida diyaaradaha gaarka ah"** waxaa loola jeedaa: gegi kale oo aan hoos iman xukuumadda, hay'ad dowladeed, ciidan ama boliis.
38. **"Faafin"** waxaa loola jeedaa: daabacadaha soo socda oo la soo saarey, ka hor ama ka dib bilowga xeerkan, sida:

a) Ogaysiisyada dadka ku duuladiyaaradaha
b) Daabacaadda macluumaadka duulimaadkahawada
c) Ogeysiisyada farsama-yaqaannadda, injineeradda iyo milkiilayaasha diyaaradaha rayidkaah.
d) Daabacaadaha duulistarayidka;
e) Wareegtooyinka macluumaadka duulimaadkahawada
f) Buugaagta iyo awaamirta hagayaasha,iyo
g) Faafinta kale ee rasmiga ah ee loo soo saaray in ay awood siiso qodobbada xeerkan oo loo samayey in ay u hoggaan-samaan wakiilada sharcigan haysta, sida wakiiladda shixnadaha keena ama cid kasta oo ay u ogolaatay Hay'addu oo ku shaqeeya gaadiidka cirka, ama ilaaliya amniga, taas oo ay Hay'addu raali ka tahay.

39. **"Qofka ay khuseyso"** waxaa loola jeedaa: duuliya xilligaa ee diyaaradda, maamule ama milkiilaha diyaarada wakhtiga shil ama shil halis ah dhacayo ama goobta shilku ka dhacay oo ah meel kamid ah Soomaaliya iyo/ama haddii ay noqoto gegi ku dhaw Soomaaliya milkiilaha ama hawlgeliyagegidaas.
40. **"Gantaal"** waxaa loolaa jeedaa: aallad lagu rido hawada sare oo loogu talagalay in lagu saadaaliyo hawada oo ay gubtaan waxa calooshiisa ku jira, inta aan la ridinna miisanku u yahay wax ka badan 2.2kilograms.
41. **"Arrimaha bed-qabka"** waxaa loola jeedaa: sababaha keena shilalka diyaaradaha ama baaritaanka lagu ogaanayodhacdada.
42. **"Macluumaadka bed-qabka"** waxaa loola jeedaa, macluumaadka lasoo ururiyay iyo nidaamyada computer-ka ee loo abuuray hagaajinta ammaankaduulista.
43. **"Talo soojeedin Bed-qab"** waxaa loola jeedaa: soo jeedinta talo ka timid baaraha u xilsaaran baarista - oo ku saleysan xogta laga helay baadhitaan ama ilo kale, ujeedadeeduna tahay ka hortaga shilalka iyo dhacdooyinka, iyo in aysan jirin wax ujeedo ah in lagu eedeeyo ama masuuliyad shil amadhacdo

44. **"Qofka Xasaasiga u ah Bed-qabka"** waxaa loola jeedaa: qof halis gelin kara amniga duulista haddii qofkaasi uu u qabto shaqadiisa si aan habooneyn, kuwaa waxaa ka mid ah xubnaha farsamo yaqaanada, xubnaha duulista, shaqaalaha dayactirka diyaaradaha, xubna hagista diyaaradaha, iyo baarayaasha ammaanka;
45. **"Baaritaanka"** macnaheedu waa: codsiga farsamo ama hab kale oo loogu talagalay in lagu aqoonsado ama lagu ogaado hubka, waxyaabaha qarxa ama aalabaha kale ee khatarta ah, waxyaabo loo isticmaali karo in lagu galo ficil faragelin sharci darroah;
46. **"Barnaamijka Amniga"** waxaa loola jeedaa: tallaabooyin kasta iyo habraacyo lagu ilaaliyo amnigga iyo falalka looga hortagayo faragelinta sharci-darada ah ee duulimaadyada rayidka;
47. **"Dhacdo Halis ah"** macnaheedu waa: dhacdo ku lug leh diyaradaha, taasoo tilmaamaysa in ay dhici karto in uu jiro shil la xiriira howl-galka diyaaradeed oo dhaca, marka laga hadlayo diyaarad duuliye leh, inta u dhaxaysa marka koridda diyaaradda illaa iyo inta ay dhammaan dadku ka degayaan diyaarada, ama marka laga hadlayo diyaarad aan duuliye lahayn, waxay dhacaysaa inta u dhaxaysa wakhtiga diyaaradu diyaar u noqoto in ay dhaqaaqdo ilaa waqtiga dhamaadka duulista oo ay soo degto lana damiyomatoorka.
48. **"Diyaarad Dowladeed"** waxaa loola jeedaa: diyaaradaha loo isticmaalo adeegyada militari, canshuuraha iyo adeegyada booliiska ama wixii kale ee u diiwaan gashan si dowli ah, iyo fulinta hawl dawladeed.
49. **"Barnaamijka bed-qabka diyaaradaha Dalka"** waxaa loola jeedaa: nidaam ku saabsan sharciyada iyo wax-qabadyada ay soo bandhigtay fulisayna dawladda oo u jeedadeedu tahay tayaynta bed-qabka iyo kor u qaadiska bixinta adeegyada ugu haboon ee duulista.

CUTUBKA 1AAD
QAAB-DHISMEEDKA MAAMULKA HAY'ADA DUULISTA RAYIDKA SOOMAALIYEED

Qodobka 2aad
Aasaasida Hay'ada

1. Hay'adda Duulimaadka Rayidka Soomaaliyeed ayaa lagu aasaasay Sharcigan (wixii hadda ka dambaya waxa loogu yeeri doonaa **"Hay'adda"**).

2. Hay'addu:

   a. Waa Hay'ad dawli ah oo leh **shakhsiyad qaanuuni ah.**
   b. Waxay leedahay shaabad qalalan (commonseal)
   c. Waxay leedahay awood ay wax ku dacweeyso ama lagu dacweeyo magaceeda
   d. Waxay leedahay awood ay hantida maguuraanka ah iyo midda guurtada ah ku wareejiso ama kula soo wareegto, ku qaadato, ku iibsato, ama kuyeelato
   e. Waxay awood u leedahay inay hanti amaahato marka Wasiirka Wasaaradda, Wasiirka Maaliyadda iyo Gudigga Maamulkuansixiyaan
   f. Waxay geli kartaa qandaraas, **si waafaqsan Sharciga Iiibka ee Qaranka.**
   g. Waxay fulin kartaa dhammaan waxyaabaha ama falalka lagama maarmaanka u ah gudashada waajibaadka ku xusan Xeerkan, oo ay tahay inay si sharci ah u fuliyaan ama ay sameeyaan Hay'addahamadaxabannaan
   h. Hay'ada waxaa hogaaminaya Maareeyaha Guud, kaas oo uu soo jeedinayo Wasiirka Wasaaradda, waxaa ansaxinaya Golaha Wasiirada kadib waxaa magacaabi doono Madaxweynaha Jamhuuriyadda FederaalkaSoomaaliya.
   i. Hay'adda waxaa la xisaabtamaya Guddiga Maamulka, guddigaas oo leh awoodda uu sharcigani siiyey iyadoo la eegayo danta guud ee dalka.

Qodobka 3aad
Xarumaha Hay'adda

1. Xarunta dhexe ee Hay'addu waa inay ku taalo caasimadda dalka, **balse** Hay'addu waxay awood u leedahay inay ku shaqayso meel kasta oo dalka ka mid ah, si ay u ilaaliso danta guud ee dadweynaha.

Qodobka 4aad
Ujeedooyinka Hay'adda

1. Ujeedada Hay'adda loo aasaasay waa maamulka iyo maareynta duulimaadyada rayidka ah, garoomada iyo bed-qabka hawada Soomaaliya si waafaqsan qodobbada sharcigan, xeerarka caalamiga ah, kuwa heer-gobol iyo heshiisyada ay dawladda Soomaaliya saxiixday.

Qodobka 5aad
Waajibaadka Hay'adda

1. Hay'addu waxay dejinaysaa xeer-nidaamiyayaasha (regulations), qorshayaasha iyo istiraatijiyadaha soo socda, iyadoo la raacayo sharcigan.
   a) Hawl-galada duulista rayidka ee xuduudahaSoomaaliya;
   b) Hawl-galka Diyaaradaha Soomaaliyeed ee ka baxsan xuduudaha Soomaaliya.
   c) Faafinta habraacyada ku haboon bed-qabka duulista rayidka.
   d) Istiraatijiyadd lagu dhaqan galiyo habraacyada bed-qabka duulista rayidka.
   e) Ka caawinta Wasaarada gaadiidka dhulka iyo cirka dejinta siyaasada qaranka ee duulista iyo diyaarinta qorshe hawleed waafaqsan siyaasaddaqaranka.
   f) Isku-dubaridka qorshe lagu baaro laguna maareeyo maandooriyayaasha.

g) Bixinta shahaadooyinka, ruqsadaha, diiwan-gelinta iyo oggolaanshaha ay ku hawlgalaan shirkadaha iyoshakhsiyaadka ka shaqeeya duulistarayidka

h) Bixinta adeegyada hawomarista.

i) Aasaasida iyo joogtaynta nidaam lagu diiwaan geliyo laguna suntayo diyaaradaha rayidkaah;

j) Horumarinta duulimaadka rayidka ah eeSoomaaliya.

k) Talo siinta Xukuumadda Soomaaliya ee arrimaha ku saabsan duulimaadka Rayidka ah

2. HDRS waxaa kaloo waajibaadkeeda kamid ah iskudubaridka iyo hogaaminta, hawlaha baadi-goobka iyo samatabixinta shilalka diyaaradaha sida:
   a. Fududaynta iyo gacansiinta hawl-wadeeenada baadhitaanka shilalkadiyaaradaha.
   b. Sameynta baaritaan ku saabsan dhacdooyinka halis shil keeni kara.
   c. Xeer-nidaaminta bed-qabka (safety), amniga, dhaqaalaha iyo farsamooyinka duullimaadyada rayidkaah;
   d. Wax ka qabashada dhacdooyinka halis gelin kara amniga duulista;
   e. Aasaasidda, iskuxirka iyo sugida barnaamijyada bedqabka iyo amniga duulista rayidka ah ee heer Qaran.
   f. Ruqsad siinta shirkadahaDiyaaradaha;
   g. Dhaqangelinta habraacyada farsamo (technical standards) ee loo ansixiyey diyaaradaha.
   h. Ruqsad-siinta iyo kormeeerka hawl wadeenadaduulista.
   i. Talo-bixinta farsamo ee naqshadeynta (design), rakibidda, iyo wax ka beddelka raadiyayaasha iyo agabka kale ee loo isticmaalo adeega gooshiddahawada;
   j. Hubinta tayada qalabka, xarumaha iyo nidaamkaHay'adda.
   k. Faafinta qodobadaXeerkan;
   l. Soo saarida xog sax ah oo dhamaystiran wakhtigii loogu talagalay si loogu adeegsado qorsheynta iyo go'aan qaadashada la xiriirta gaadiidkacirka;
   m. Kormeerka iyo dhawrista **qiimaha** adeegyada duulista, ilaalinta xuquuqda macaamiisha, deegaanka, iyo tartan ganacsi oo caddaalad ah;

n. Hirgelinta heshiiska Chicago (Chicago Convention) iyo heshiisyada kale ee caalamiga ah ee la xiriira duulimaadyada Rayidka ah, oo Soomaaliya ay qayb katahay;
o. Gacansiinta baaritaanada shilalka iyo iskuduba-ridka baadigoobka iyo samata-bixinta shilalkadiyaaradaha.-
p. Samaynta cilmibaaris ku saabsan khataraha dhicikara ee la xiriira bed-qabka duulista iyo talaabooyin lagagahortegayo.
q. U kuurgelidda ganacsiga adeegyada duulista ee diyaaradaha imanaya ama ka dhoofaya Soomaaliya si loo kobciyo loona horumariyo gaadiidkacirka.
r. Ka caawinta Wasaaradda Arimaha Dibadda wada xaajoodyada caalamiga ah ee gaadiidka cirka iyo hirgelinta heshiisyadii lagaaray.
s. Samaynta barnaamijyo khaas ah oo ay Hay'addu ku fuliso habraacyada (standards) la xiriira hawl-fududeynta (facilitation), amniga duulista, ilaalinta degaanka, safrinta shixnad khatar ah iyo arin walba oo u baahan in caalamku si isku mid ah uqabto.
t. Kala shaqaynta Hay'adda ICAO hirgelinta siyaasaddaha iyo xeernidaamiyayaashaHay'adda.
u. Kormeerid dhamaystiran oo lagu samaynayo hawlgalada Hay'addaha duulista, iyadoo loo kuurgelayo saamaynta uu ku leeyihiin bedqabkaduulista.
v. Ku samaynta dib u eegis joogto ah bedqabka duulista rayidka ah, si loola socdo heerka bedqabka, loogana hortago khataraha dhici kara.
w. Samaynta qiimeyn joogto ah, si loola jaanqaado isbedbedelada bedqabka eeaduunka.

Qodobka 6aad
Waajibaadyada Kale ee Hay'adda

1. Hay'addu waxay kaloo leedahay hawlaha la xiriira bed-qabka soo socda:
ku dhiirigelinta Hay'addaha duulista gudashada waajibkooda ku aadan bedqab habraaciisu (standard) sareeyo iyagoo adeegsanaya:

   a. Barnaamijyo tababar iyo aqoon kororsi dhamaystiran xaga bedqabka;

b. Talo bixin sax ah oo ku aadan bed-qaabka waqti walba;
c. Kor u qaadista wacyiga bahda duulista iyo muhimada ay u leedahay u hogaansanaanta xeernidaamiyayaashabedqabka.
d. Kor u qaadista wadatashiga iyo xiriirinta dhamaan qaybaha (parties) saameeynta ku leh bedqabka duulistarayidka

2. Iyadoo la tixraacayo xeernidaamiyayaasha waafaqsan qodobada sharcigan, Hay'addu waxay kaloo leedahay waajibaadyada soo socda:
   a. Meelmarinta sharcigan, shuruucda kale ee wadanka iyo xeer-nidaamiyeyaasha ku saabsan caymiska iyo heshiisyada maaliyadda ee DuulistaHawada,
   b. Hay'addu waxay sidoo kale bixinaysaa adeegyada hagida diyaaradaha mara hawada Soomaaliya iyo meel kasta oo ka baxsan xuduudaheeda oo Soomaaliya u xilsaaran tahay, iyada oo la raacayo is-fahan caalami ah oo lagu fulinayo adeega hawada, adeega digniinta (alert services) iyo isku duwidda raadinta iyo samatabixintadiyaaradaha.
   c. Fulinta heshiiska Chicago, casriyeynta lifaaqyadiisa (Chicago convention annexes amendments), iyo xeerarka kale ee Caalamiga ah oo Soomaaliya qayb katahay.
   d. Hay'addu waxay fulinaysaa heshiisyada bedqabka iyo hawo maritsa ee dhexmara Soomaaliya iyo wadamada kale ama Hay'addaha caalamigaah.
3. Hay'ada Duulista Rayidka (HDR) markay gudaneyso mas'uuliyadeeda bedqabka duulista iyo nabadgelyada waxay hawlaheeda la kaashanaysaa laamaha kale eedowladda.

Qodobka 7aad
Guddiga Maamulka (Board of Directors)

1. Guddigu waxay ka kooban yihiin (7) xubnood oo maareeyuhu ka mid yahay, **kuwaas oo labo ka mid ah ay yihiinhaween.**
   a. Labo xubnood waa inay haystaan shahaado jaamacadeed oo la xiriirta duulistahawada.
   b. Hal xubin waa inuu leeyahay takhasus jaamacadeed oo ah sharcigaduulista

c. Labo xubnood waa inay leeyihiin aqoon sare (Master's Degree) oo cilmiga dhaqaalaha **ama** xiriirka caalamiga ah (international relations).
d. Xubinta7aad waa inuu leeyahay aqoon jaamacadeed iyo waayo aragnimo maamul

2. Gudiga waxaa soo-jeedinaya Wasiirka isagoo raacaya nidaamka tartan furan oo cadaalad ku salaysan, **waxaa ansixinaya Golaha Wasiirada, waxaana magacaabaya Ra'iisul Wasaaraha,** waxayna iska dhex dooran doonaanguddoomiye.
3. Mudada gudigu xilka hayn karo waa afar (4) sano oo la cusboonaysiin karo hal mar ookeliya.

Qodobka 8aad
Shuruudaha Xubin-nimada Gudigga

1. Waa inuu yahay muwaadin Soomaaliyeed oo aysan **maxakamadi dembi ku xukumin;**
   Waa in uusan hayn xil ama shaqo ka hor imanysa (conflict of interest) hawsha loo igmaday.

Qodobka 9aad
Waayidda xubinnimada Guddiga

1. Waxaa lagu waayi karaa xubinimada guddiga sida soosocota:
   a. Geeri
   b. Iscasilaad
   c. Qabasho xil ka hor imanaya shaqada loo igmaday (conflict of interest)
   d. Dembi maxkamadi kuxukuntay
   e. Xil gudasho la'aan joogto ah oo ay xaqiijiyaan (2/3) xubnaha gudigu u soo jeediyaan WasaaradaGaadiidka
   f. Xil-gudasho la'aan caafimaad darosababtay
2. **Buuxinta xubintiibannaanaata:**
   a. Gudoomiyuhu waa inuu sida ugu dhaqsaha badan ku wargeliyaa WasaaradaGaadiidka.

b. Wasaaradda waa inay mudo saddex (3) billood gudeheed ah ku soo buuxisaa jagada banaanaatay iyadoo la raacayo sidaku xusan qodobka7aad.

c. Xubinta cusub ee ku soo biirtay guddiga waxay xilka haynaysaa mudada u hartayguddiga.

3. Guddoomiyaha iyo xubnaha ka midka ah Guddiga maamulka waxay yeelanayaan gunooyin iyadoo lagu salaynayo nidaamka iyo shuruucda maaliyadeed eeHay'adda.

Qodobka 10aad
ShaqooyinkaGuddiga

1. Guddigu wuxuu mas'uul kayahay
   a. Dejinta siyaasadda guud eehay'adda;
   b. Korjoogtaynta iyo ilaalinta habsami u socodka shaqo ee Hay'adda
   c. Dejinta qorshe-hawleedka iyo horumarintahay'adda;
   d. Oggolaanshaha miisaaniyadda iyo xisaab-xirka miisaaniyad-sanadeedka; iyo
   e. Anshax-marinta iyo abaal-marinta hawl-wadeennada iyo shaqaalahahay'adda.

Qodobka 11aad
Awoodda Guddiga

1. Guddiga waa inuu si habsami leh u fuliyo hawlaha lagama maarmaanka u ah korjoogtaynta si waafaqsan qodobada sharcigan:
   a Soo-jeedinta waxkabedelka xeerarka la xiriira Duulista Rayidka Soomaaliyeed.
   b Ansixinta xeer-nidaamiyayaasha ay soo jeediso Hay'addu oo waafaqsan heshiiska Chicago iyo heshiisyada kale ee caalamiga ah.
   c Meelmarinta mashaariicda waaweyn (mega projects) sida dhismayaasha iyo qalabaynta xarumaha duulistarayidka.

Qodobka 12aad
Shirarka iyo Kulamada

1. **Guddigu wuxuu shirarkiisa iyo kulamadiisa u qabsanayaa sida soosocota:**
   a Guddidu wuxuu qabanayaa kulamo joogto ah oo lagu qabanayo si waafaqsan qodobka saddexaad ee soosocda.
   b Shirarka waxaa la qabanayaa waqtiyada iyo goobaha Guddigu go'aansado.
   c Goluhu wuxuu kulmayaa ugu yaraan saddex jeer sannad-maaliyadeed (Financial year) walba, iyagoo kulmi doona afartii biloodbamar.
   d Guddoomiyuhu wuxuu isugu wici karaa guddiga shir degdeg ah oo aan caadi ahayn.
   e Waxaa la siinayaa 14 maalmood oo ogeysiis qoraal ah xubnaha gudiga marka la isugu yeerayo kulan caadi ah ama aan caadi ahayn, haddaanay aqlabiyadu isku raacin muddo ka duwan.
   f Kulanka guddigu wuxuu ku qabsoomayaa saddex meelood labo meel marka ay joogaan tirada guud ee xubnahaguddiga.

2. **Maareynta Shirarka iyoKulamada:**
   a) Guddigu wuxuu shirarka iyo kulamada u maareynayaa sida soosocota
   b) Guddiga wuxuu u maareeynayaa kulamadooda siday isku afgartaan. Hadal-qoraalka shirarka (minutes of the meeting). Guddigu waa in uu hayaa ama xafidaa hadal-qoraalka shirarkooda
   c) Guddoomiyaha ayaa guddoominaya kulamada oodhan.
   d) Haddii uusan Guddoomiyahu joogin, xubnahawaxay **magacaabayaan**mid ka mid ah in uu shir gudoomiyo

3. **Cod-Bixinta**
   a) Cod-Bixinta Kulamada iwm. waxay u dhaceysaa sida soo socota:
   b) Guddigu wuxuu ku gaarayaa go'aamadiisa cod hal dheeri ah inta soo xaadirtaykulanka.

c) Shirgudoonka kulanka wuxuu leeyahay cod tixgalin ah, haddii ay is barbar dhacaan codadka xubnaha kale ee guddiga.
d) Marka laga hadlayo qodobka tobnaad (10), Xubnaha Guddida maamulka waxaa kamid ah MaareeyahaGuud
e) Goluhu wuxuu kaydinayaa hadal-qoraalka, xogta iyo go'aamada laga gaarayshirarkooda

Qodobka 13aad
Shaabada Guud eeHay'adda

1. Shaabadda guud ee Hay'adda waa in la xafido, waxaana lagu isticmaalayaa amarka Maareeyaha Guud eeHDR.

Qodobka 14aad
Maareeyaha Guud (MG)

1. Hay'addu waxay yeelanaysaa Maareeye Guud, oo noqonaya mas'uulka ugu sareeya ee maamulaaya hawl-maalmeedka Hay'adda.
   a MG waxaa ka reeban inuu leeyahay ama yeesho dan dhaqaale ama saami shirkad ganacsi oo ku lug leh duulimaadka rayidka.
   b MG waxaa ka reeban inuu qabto shaqo kasta oo kabaxsan tan hay'adda oo la xiriirta DuulistaRayidka.
   c MG waa inuu ka fogaado wax kasta oo dan gaar ah oo kahor imaanaya ama culays ku keeni karta Hay'adda iyoshaqaaleheeda markay fulinayaansharcigan.

Qodobka 15aad
Magacaabista MG

1. MG waxaa loo magacaabaya sida soosocotaa:
   a Wasiirka Wasaaradda ayaa u soo jeedinaya Golaha Wasiirada magacaabista Mareeyaha Guud, ka dib marka ay ansixiyaan Golaha Wasiiraddu waxaa magacaabayaMadaxweynaha.
   b Mudada xil-haynta MG waa 4 sano, taasoo uu Madaxweynuhu u cusboonaysiin karo hal mar oo kale (4 sano).

Qodobka 16aad
Shuruudaha MG

1. Shuruudaha MG looga baahanyay waa inuu yahay:
   a Muwaadin Soomaaliyeed
   b Qof leh khibrad aan ka yarayn 10 (toban) sano oo la xiriirta Duulista Hawada Soomaaliyeed.
   c Qof leh khibrad Maamul iyo Maareeyn aan ka yarayn muddo 5 (shan) sanoah
   d Qof leh ugu yaraan aqoon heerka darajada labaad ee jaamacada (Masters Degree) oo la xiriirta duulista hawada ama maamul iyomaareeynta.
2. Maareyaha Guud wuxuu xilka ku waayikaraa:
   a Geeri ku timaada
   b Xanuun sababay xil-gudasho la'aan oo dhakhtarcadeeyey
   c Inuu is casilo ama uu hawl-gabnoqdo
   d Inuu galay fal dambiyeed Maxkamadi kuxukuntay
   e Inuu jebiyo dastuurka iyo shuruucda **kale ee** dalka uyaala.

Qodobka 17aad
Waajibaadka iyo Awoodaha MG

1. MG wuxuu masuul kayahay:
   a hawl-fulinta lagama maarmaanka u ah gudashada waajibaadkiisa, si ay u suurta galaan ujeedooyinkaHay'adda
   b Hirgelinta xeerarka ku xusan sharcigan iyo xeerka caalamiga ah ee Chicago (ChicagoConvention)
   c Meel-marinta, kormeerida iyo horumarinta nidaamyada duulista hawada
   d Kormeerida ama xayirista Diyaarad haddii la ogaado khatar dhab ah oo ku saabsan nabadgelyadda iyo bed-qabkaDuulista Hawada.
   e Hir-gelinta siyaasadda duulista hawadaqaranka.
   f U warbixinta Guddiga Maamulka (board of directors) howl maalmeedka shaqadaHay'adda

g Fulinta iyo meel marinta awooddaha kala duwan ee Hay'adda
h Gacan ku haynta iyo kormeerida shaqaalaha iyo dhaq-dhaqaaqa shaqo eeHay'adda.

2. MG isagoon jebinayn qodobada sharcigan waa inuu gutaa waajibaadka lagama maarmaanka ah ee soosocda:
   a Sugida hab-sami u socodka DuulistaHawada
   b Bixinta adeega hagidadiyaaradaha.
   c Sugida iyo hubinta heerka farsamooyinka la isla ogolyahay ee diyaaradaha
   d Howl-gelinta kaabayaasha dhaqaalaha ee Duulista Hawada
   e Hubinta kartida iyo xirfada shaqaalaha DuulistaHawada.
   f Hubinta hab-sami u socodka nidaamka, agabka iyoxafiisyadaHay'adda
   g Soo saarista iyo keydinta xog dhameystiran oo ku saabsan Duulista Hawada si loogu adeegsado qorshaynta iyo go'aan qaadashada la xiriirta DuulistaRayidka.

3. MG wuxuu mararka qaar qoraal ahaan ugu wakiilanayaa awoodihiisa oo dhan ama qaar sida Sharcigan u ogol yahay mid ka mid ah Ku-xigeenada Maareeyaha Guud eeHDR.

Qodobka 18aad
Magacaabidda Ku-Xigeenada Maareeyaha Guud ee HDR

1. Ku-xigeenada Maareeyaha Guud ee HDR waxaa soo jeedinaya Wasiirka Wasaaradda Gadiidka Circa iyo Dhulka, waxaana ansixinaya Golaha Wasiirada ka dib waxaa magacaabaya Ra'iisul Wasaraha JFS si loo hubiyo isu-dheeli tirka iyo habsami u socodka hawlaha, Hay'addu waxay yeelanaysaa saddex Ku/xigeen oo kala qaabilsan Xeer-nidaaminta (Regulatory body), garoomada (aerodromes) iyo bixinta adeega gooshidda hawada (Air Naviagation ServicesProvision)

2. Sharuudaha xulista iyo aqoonta waxay kala mid yahiin sharuudaha ku xiran MaareeyahaGuud.

Qodobka 19aad
Shaqaalaha Hay'adda

1. Hay'addu waxay dooranaysaa, shaqaalaysiinaysaa ama magacaabaysaa agaasimayaasha waaxyaha, saraakiisha, shaqaalaha, la taliyayaasha, sharci-yaqaanada iyo wakiilada Hay'adda, kuwaasoo lagama maarmaan u ah inay si habboon u fuliyaan hawlaha Hay'adda si waafaqsan Xeerkan iyada oo la raacayo habraacyada, shuruudaha iyo shaqooyinka looigmaday.

2. Guddiga Maamulku wuxuu, mararka qaarkood, dib u eegayaa mushaharaadka, gunooyinka, xaaladaha iyo heshiisyada ay ku adeegaan shaqalaaha HDR.

3. Shakhsi ka mid ah guddiga, ama sarkaal, shaqaale ama wakiil ka tirsan Hay'adda uma soo jiidi karto gudashada waajibkiisa shaqo wax denbi ama magdhow ah hadduu si daacad ah u gudanayey hawlaha Hay'adda sida ku xusan xeerkanHDR.

4. Qodobka kor ku xusan (1) kama saamaxayo Hay'adda magdhow kolka fulinta xeerkan iyo shuruucda kale ee wadanka keeno dhaawac shakhsi ama burbur hantiyeed taasoo ku timid dayacaad ama masuuliyad darro ay ku kaceen shaqaalaheeda ama wakiilladaHay'adda.

5. Marka shaqaale ama wakiil ka tirsan Hay'adda uu sameeyo anshax xumo taasoo waxyeelo gaarsiisa qof ama hanti, shakhsiga ama cida dhibta geysatey ayaa mas'uul ka ah dhibka dhacay loomana soo raaci karoHDR.

Qodobka 20aad
Xaddidaadda Dacwad Oogista

1. Fal ama dacwad sharci ah laguma bilaabi karo Hay'adda hadaan ogeysiis qoraal ah, oo ay ku jiraan qodobbada dacwada, iyo ujeedada laga rabo in loo bilaabo dacwada aan dhibanaha ama wakiilkiisu gaarsiin Maareeyaha Guud eeHay'adda.

2. Fal ama dacwad sharci ah lagama been sheegi karo, waana in la bilaaba dacwada inta udhaxeyso maalinta falku dhacay ilaa lix bilood gudaheed marka ay dhacday arinta laga dacwoonayo. Wixii ka danbeeyo lix bilood dacwad laguma soo oogi karo HDR.

3. Fal danbiyeed hadii ay ka gasho HDR loogana adkaado dacwadda maxkamad ama garsoor madaxbanaan hortiis laguna xukumo magdhow, waxa ay ku bixinaysaa magdhowga mudo udhaxeysa maalin ilaa lixbilood.

Qodobka 21aad
Wareejin Hantidda Dowlada iyo Deynta

1. Laga bilaabo taariikhda sharcigani dhaqan galo waxa lagu warejiyey Hay'adda Duulista Rayidka dhammaan hantidii jirtey (guurto iyo ma-guurto) oo loo adeegsanayey bixinta adeegyada iyo gudashada waajibaadyadaHay'adda.
2. Xukuumaddu waxay ku soo saaraysaa faafinta rasmiga ah ee dawladda wixii loo soo wareejiyey Hay'adda, hanti kasta ama hantida Dawladda oo ay u muuqato in ay u tahay muhiim Hay'adda si loogu fuliyo shaqooyinkeeda si waafaqsan Xeerkan.
3. Dhammaan **dhibaatooyinka** ka dhasha, si waafaqsan sharciga, adeegyada Hay'adda loo aasaasay, HDR ayaa loo raacayaa iyadoon cid kale lasaarin.

Qodobka 22aad
La Wareegidda Hantida Hay'adda

1. Xukun ama amar maxkamadeed oo ka soo horjeeda Hay'adda lagulama wareegi karo hantidda maguurtada ah ee Hay'ada ama kuwa kale sida gawaarida, doonyaha, Diyaaradaha ama qalab ay diyaaraduhu ku shaqayaan, matoorada, ama qalabka xafiisyada IWM. Xoolaha lagu xukumay HDR, waa in maareeyaha guud ka bixiyo dakhligahay'adda;
2. Waxaa reeban in la qabsado ama awood sharci lagu haysto hantidama-guurtadaahiyohantiyahakaleeeHDRkuwaasoo

aann ku koobnayn laakiin ay ka mid yihiin maraakiibta, gawaarida, diyaaradaha ama qalabada kale, matoorada.

Qodobka 23aad
Hab-sharciyeedka Xog-gaarsiinta Maareeyaha

1. Wargelin, u yeeris, soo qabasho, ama dukumiintiyada kale ee looga baahan yahay ama lagu ogolaaday Xeerkan, waxaa lagu gaarsiin karaa Hay'adda amaMG-
   a In gacanta loo geliyo dokumentiga Maareeyaha Guud ama shaqaale kasta oo uidman,
   b In la dhigo xafiiska Maareeyaha Guud;ama
   c In lagu diro qaab elektroonik ah (Email) ama boostó la diiwaan geliyey laguna socodsiiyo MaareeyahaGuud.

Qodobka 24aad
Awooda iyo Mas'uuliyadaha Wasiirka Wasaarada

1. Wasaaradu waxay awood u leedahay ayadoo la tashanaysa Guddiga Maamulka Hay'adda iyo Maareeyaha Guud in uu go'aamiso hab-raaca siyaasadeed ee ay Hay'addu ku shaqayso, marka la eego ujeedooyinka iyo baahida loo qabo in la ilaaliyo madax-bannaanida hay'adda, Wasaaraduwaxay:-
   a Tusmo guud siinaysaa guddiga maamulka taasoo ku saabsan hawlahaHDR;
   b Ansixineysaa isbeddelka canshuuraha, sicirka, khidmadaha iyo kharashyada laga qaado adeegyada ay bixisoHay'addu;
   c Lasoconeysaa mashaariicda waaweyn (Mega projects) ee ay hay'adda fulinayso kadib marka ay isku raacaan Gudiga Maamulku
   d Mar mar, si guud ama si gaar ah qoraal ugu wakiilan kartaa Maareeyaha Guud ee HDR awoodeeda sharcigu siiyey oo aysan ku jirin kuwa halkan lagusheegay.
2. Maareeyaha Guud wuxuu Awoodaha loo wakiishay u fulin karaa, sida ku qeexan qodobada qaybaha (l) (d) sida sharciguqabo,

iyadoon loo eegin wakaaladda Wasaarada iyo shuruudaha ay ku xirtay.

3. Wakiilasho kasta oo hoos timaada xeerkan dib ayaa looga noqon karaa wakiilashaduna Kama qaadayso Wasaarada awoodaha sharcigu siiyey.

4. Wakiilasho kasta oo hoos imanaysa qodobkan way shaqaynaysaa, ilaa lagala noqdo xataa haddii ay dhamaatomudaddu.

Qodobka 25aad
Waajibaadka Caalamiga ah

1. Wasiirku wuxuu mas'uul kayahay;
   a. Lasocoshada siyaasadaha guud ee duulimaadyada rayidka
   b. Aasaasida hab lagu ururiyo dhacdooyinka shil keeni karasi loo ogaado dulduleedadabed-qabka.
   c. Baaritaanada shilalka heer qaran sida ku cad cutubka 12^{aad}ee Xeerkan.

Qodobka 26aad
Kormeerka iyo QiimeyntaHDR

1. Wasaaradu waxay kormeeraysaa HDR ayada oo qiimeynaysa heerka waxqabad ee Hay'addu inuu gaarsiisan yahay heerka caalamiga ah (internationalstandards)
2. Wasiirku wuxuu magacaabi karaa hanti dhowr si loo fuliyo qiimeynta ku xusan faqrada (l) eeqodobkan.
3. Kormeerayaasha hantidhawrka lagu magacaabay faqrada (2) ee qodobkan waxay awood u leeyihiin inay arkaan dhamaan diiwaanada iyo xogaha la xiriira HDR iyo sharaxaad kasta oo looga baahan yahay gudashadaxilkooda.
4. Wasiirka oo raacaya talada kormeerayaasha hantidhowrka wuxuu soo jeedinayaa talaabo kasta oo haboon si loo saxo dulduleeda maalmulka maaliyada iyo kuwa bedqabka.

5. Hanti- dhowrka Guud ee Qaranku wuxuu xaq u leeyayahy in uu baaritaan ku sameeyo HDR sida hay'adaha kale, waxaa uu joojin karaa hanti-dhowrka uu magacaabayWasiirka.

Qodobka 27aad
Xeerarka Maaliyadda (Financial Provisions)

1. HDR waxay yeelanysaa dakhli iyo miisaniyad u gooni ah. Ilaha dhaqaale ee HDR waxay ka koobanyihiin:
   a Khidmadaha ay ka qaado adeegyada ay ka mid yihiin bixinta, ansixinta iyo cusboonaysiinta shahaadooyinka, leysamada, ruqsadaha iyo dhamaan dukumentiyada kale ee ay HDR bixiso.
   b Khidmadaha laga ururiyo Hay'addaha ay HDR xeer-nidaamiso sida garoomada diyaardaha, xarumaha gooshidda hawada, shirkadaha diyaaradahaIWM.
   c Deeqaha iyo deymaha kayimaada;
   d dawladda.
   e Deeqaha iyo deymaha lagahelo
   f ururada, shakhsiyaadkaiyo
   g shirkadaha ganacsiga.
   h Macaashka laga helo kaydkalacagaha
   i HDR
   j Lacagaha ka soo xeroodailaha
   k dhaqaale een tooska ahayn (e.g.royalties)
   l Khidmadda Bed-qabka ee rakaabka iyoxamuulka:

2. HDR waxay furanaysaa kuna shaqaynaysaa akoono bangi (lacag qalaad iyo Shilin Soomaali) kuwaasoo ay ansixiyeen Guddiga Maamulka (board ofdirectors).

3. HDR waxay lacagaha aanay degdega ugu baahnayn waxay ku maalgashan kartaa mashaariic ganacsi oo Gudiga maamulku (board of directors) ansixiyey.

4. Dawladu waxay HDR siinaysaa miisaaniyad ay ku shaqayso iyo maalgelin mashaariicda waaweyn ee looga baahan yahay hawl-gudashada HDR.

5. HDR waxay furanaysaa sanduuq kayd (Aviation Trust Fund) oo lagu shubo dhamaadka sanad walba lacag macquulah

6. HDR waxay u isticmaalaysaa lacagaha la dhigay sanduuqa kaydka arrimaha soosocda:
   a Fulinta mashaariicda waaweyn sida dhismayaasha iyo iibsiga qalabka casrigaah
   b Mashaariicda khaaska ah ee aae aan soo noqnoqon (non-recurring projects);
   c Mashaariicda wacyigelinta iyo tababarka macaamiishaHDR.
   d Xog ururinta iyo wada-xaajoodka xeer-nidaamiyayaasha;ama
   e Cilmibaarista iyo horumarinta (reseach anddevelopment)

7. HDR oo la tashanaysa Hay'addaha adeega bixiya sida garoomada diyaaradaha, shirkadaha diyaaradaha waxay miisaaniyad u qoondaynaysa tababarda (TrainingFund).

8. Ilaha dhaqaalaha tababarada waxaa ka midah:
   a Kharashka ay bixiyaan Hay'addaha ay HDRxeer-nidaamiso.
   b QoondadaHDR;
   c Deeqaha iyo deymaha laga helo ilokale

9. Habka loo ururinayo loona maamulayo kharashka tababarka waxaa qeexaya xeer-nidaamiyayaashaHDR.

10. HDR waxay u gudanaysaa waajibaadkeeda si waafaqsan nidaamka maaliyada iyadoo si macquul ah kharashka Hay'adda looga bixinayodakhligeeda.

11. HDR marka Guddiga Maamulka ay ogolaadaan waxay:
   a Saami (shares) ka iibsanaysaa shirkadahaganacsiga;
   b Samaynaysaa shirkado ganacsi oo hoos yimaadaHay'adda.
   c Wadaag ganacsi la geleysaa shirkadaha aan ujeedadoodu ka hor imanayn danaha HDR looaasaasay.

12. Marka ay ka dhiman tahay saddex (3) bilood dhamaadka sanad maaliyayeedka (financial year) ayaa Guddiga Maamulku (board of director) bilaabayaa diyaarinta miisaaniyada sanadka soo socda.

13. Madaxyada sanad-maaliyayeedka (budget lines) waxaa ka mid noqonaya:

a Bixinta mushaharooyinka, gunooyinka iyo kharashyada kale ee shaqaalaha HDR iyo Guddiga Maamulka (board of directors).
b Bixinta xuquuqda hawlgabka eeHDR.
c Dayactirka dhismayaasha iyo dhulalkaHDR.
d Dayactirka iyo bedelka, qalabka iyo hantida guurtada ah ee HDR adeegsato.
e Abuurista sanduuq kayd si waafaqsan faqrada 1.17.2 ee xeerkan, si loo bixiyo kharashyada mustaqbalka ee dhacdooyinka lama filaanka ah, caymiska, lacagaha hawlgabka, dhismayaasha, cusboonaysiinta qalabka iyo kharashyada kale ee HDR kuwaasoo Guddiga Maamulku (board of directors) u arko lamahuraan.
f Lacagaha loo qoondeeyo adeegyada gooshidda hawada iyo tababaradashaqaalaha

14. HDRS, ka dib marka ay Guddigeeda Maamulku (Board of Directors) ansaxiyaan waxay miisaaniyada sanadlaha ah u gudbinaysaa Wasaaradda Maaliyadda si la mid ah hay'addaha kale eedowlada.
15. HDR ma geli karto kharash ka badan miisaaniyada lagu ansixiyey faqrada (3) ee qodobkan hadaanay ogolaansho ka helin golaha wasiirada.
16. HDR waxay diyaarinaysaa qorshe hawleed (Business Plan) afar sanadood ah kaasoo dib u eegis lagu samayo sanadwalba;
17. Qorshe hawleedka HDR waxaa ku jira himilooyinka dhaqaale (financial targets) iyo halbeegyada hawl fulinta (performance indicators).
18. Marka la diyaarinayo qorshe-hawleedka waxay HDR tixgelinaysaa:
    a Heerka (standards) bed-qabka (safety) duulistarayidka.
    b Ujeedooyinka iyo siyaasadadawladda;
    c Kharashaadka loo qoondeeyey (funds)HDR;
    d Hantida ay leedahay HDR iyo deymaha lagu leeyahay (assets and liabilities).
19. Qorshe hawleedka iyo in dib u eegista lagu samayo waxa la diyaarinayaa lix (6) bilood ka hor intaanu bilaaban sanad maaliyayeedku.
20. HDR waxay leedahay awooda deyn qaadasho (Borrowing Power):

a. waxay amaahanaysaa haddii loo baahdo lacag deyn ah ama hanti kale ka dib marka uu u ansixiyo wasiirka maaliyadda oo tixraacaya soo jeedinta Guddiga Maamulka.

b. Si waafaqsan mabaadi'da maamul-wanaagga ee hantida dadweynaha kuwaasoo lagu qeexay dastuurka dalka iyo xeerarka kale ee lagu maamulo hantida qaranka Soomaaliya, waxay HDR qaadan kartaa deyn calami ah.

c. Deymaha ay qaadato HDR waxa laga bixinaayaa dakhliga Hay'adda.

21. HDR ma qaadan karto amaah lacageed mana rahman karto hantideeda ma guurtada ah si ka baxsan waxyaabaha lagu qeexay xeerkan.

22. Sanad-maaliyayeedka HDR waa labo iyo toban (12) bilood oo waafaqsan sanad-maaliyadeedka dawaladda(JFS).

23. Guddiga Maamulku (Board of Directors) waxay xaqiijinayaan inay HDR dhaqangeliso buugaga Xisaabaadka ee Dakhliga, Kharashka, Deymaha iyo Hantiyaha kale si waafaqsan Xeer-Xisaabaadka Ganacsi (commercial accountingstandards).

24. Saddex bilood gudahood ka dib marka uu dhamaado sanad-maaliyayeedku, waxay Guddiga Maamulku (board of diretors) u gudbinayaan Hanti-dhawrka Guud ama hanti-dhawre lagu magcaabay faqrada (3) ee qodobkan, xisaabaadka HDR oo lagu lifaaqay:

a) Cadayn-xisaabeed (statement) ay ka muuqato dakhliga iyo kharashka sanadkii dhamaaday;iyo

b) Cadayn-xisaabeed (statement) ay ka muuqato hantida iyo deymaha HDR maalintii ugu dambeysey ee miisaaniyad-sanadeedka (financialyear).

25. Xisaabaadka HDR waxa hanti-dhowr (audit) ku samaynaya Hanti-Dhowraha Guud ama Hanti-dhowr uu magcaabay Guddiga-Maamulka (board ofdirectors).

26. Guddiga Maamulku (Board of Directors) shaqada kama qaadi karaan Hanti-Dhowr la magacaabay hadaanay helin qoraal uu ku aqbalay Hanti-DhowrkaGuud.

27. Hanti-Dhowraha Guud wuxuu Wasaarada u gudbin karaa warbixin khaas ah markii loo baahdo oo taabanaysa qaybaha xiriirka la lehshaqadiisa.
28. Hanti-Dhowruhu guud wuxuu u gudbinayaa warbixintiisa Baarlamaanka FederaalkaSoomaaliya
29. Hanti-dhowr (internal audit) aan ahayn Shaqaale Dawladeed waxaa khidmadiisa bixinayaHDR.
30. Hanti-Dhowraha Guud wuxuu saddex bilood gudahood ku soo diyaarinayawarbixinta HDR ee Sanad-Maaliyadeedkii tegey, asagoo u gudbinaya Wasaarada una sii marinaya Guddiga Maamulka.

CUTUBKA 2AAD
WAAJIBAADKA IYO XUQUUQAHA HDR
Qodobka 28aad
Xeerarka Nabadgelyada HDR

1. Si waafaqsan heshiisyada caalamiga ah iyo lifaaqyadooda HDR waxay abuureysaa waax ama agaasin qaabilsan nabadgelyada heer qaran ee duulimaadyada rayidka ah (National Civil Aviation Security programme -NCASP)
2. HDR waxay samayneysaa xeernidaamiyayaal (regulations) iyo habmaamuleedyo (procedures) lagaga hortegayo faldembiyeedyada iyadoo lala kaashanayo agaasinka nabadgelyada (NCASP)
3. HDR waxay samaynaysaa gudiga amniga ee HDR (Aviation Security Committee), kaasoo uu waajibaadkiisu yahay dhanka amniga, dhamaan shaqooyinka iyo agabyada la xiriira duulista rayidka.
4. HDR waxay xiriirinaysaa agaasinka nabadgelyada duulista rayidka iyo hayadaha amniga dalka hadii loo baahdo.
5. HDR waxay isku xireysaa arimaha sugida amaanka ee garoomada rayidku isticmaalo, rakaabka, duuliyayaasha, shaqaalaha garoomada, dadweynaha, iyo qalabka hagida diyaaradaha.
6. HDR waxay kormeereysaa xil-gudashada shaqaalaha nabadgelyada duulista rayidka sida baaristarakaabka,

boorsooyinka iyo xamuulka kahor inta aanay gaarin meelaha xasaasiga ah (restricted area).

Qodobka 29aad
Tayada iyo Tababarada Shaqaalaha Nabadgelyada Duulista Rayidka ah ee HeerQaran

1. HDR waxay siinaysaa tababar tayo leh hawlwadeenada amaanka duulista rayidka ah, ka hor intaanay shaqo ka bilaabin xarumaha hay'adda si waafaqsan lifaaqa 17aad ee heshiiska Chicago (Annex 17).
2. HDR ayaa mas'uul ka ah fulinta qorshaha heer qaran ee nabadgelyada duulista rayidka ah, waxayna meelmarinaysaa tababarada dhamaan shaqaalahanabadgelyada.

Qodobka 30aad
Shirkadaha Diyaaradaha iyo Garoomada

1. Garoon walba oo diyaaradeed wuxuuu dejinayaa kuna dhaqmayaa qorshe nabadgelyo oo qoran kaasoo laga ansixiyey HDR.
2. Shirkadaha diyaaradaha ee ka hawlgala garoomada Soomaaliya waxa ku waajibay inay layimaadaan ayna dhaqangeliyaan qorshe nabadgelyo oo waafaqsan shuruucda sugida amaanka duulista rayidka eeHDR.
3. Shirkadaha diyaaraduha ee lagu xusay farqada (2) waa inay u gudbiyaan HDR iyo garoonka ay ka hawl galaan nuqul qoraal ah oo muujinaya barnaamijka ay ku sugayaan amaanka hawlaha ay qabtaan.
4. Dhamaan shirkadaha bixiya adeegyada la xiriira duulista rayidka waa inay u hogaan samaan xeerarka sugida amaanka eeHDR.

Qodobka 31aad
Bed-qabka iyo Maamul-wanaagga

1. HDR waxay si waafaqsan lifaaqa 19aad (annex 19) ee ICAO dhaqan gelinaysaa nidaam lagu maamulo bedqabka (safety managementsystem)iyotayada(QMS)dhamaanshirkadahaka

ganacsada adeegyada duulista rayidka ah sida Garoomada, diyaaradaha IWM.

2. HDR waxay isku dubaridaysaa barnaamijka badqabka duulista rayidka ah oo saddex (3) sanadle ah kaasoo dib u eegis lagu sameeynayo sanadwalba.

Qodobka 32aad
Hawl Fududayn(Facilitation)

1. HDR iyadoo la kaashanaysa laamaha kale ee dawlada waxay hirgelinaysaa barnaamij Hawl Fududaynta Gaadiidka Hawada ee Qaranka (National Air Transport Facilitation Programme) oo sahlaya hawlaha gaadiidka cirka sida ambabaxa diyaaradaha, rakaabka, boorsooyinka iyo xamuulka si waafaqsan heshiisyada caalamiga ah.
2. HDR waxay isku dubarideysaa gudi heer qaran oo ka tala bixinaya kana qayb qaadanaya sahlida iyo fududaynta adeegyada duulista rayidka.
3. Garoomada caalamiga ah ee Soomaaliya waxay yeelanayaan barnaamij howl fududayn oo sahlaya dhaqdhaqaaqa rakaabka kahor inta aanay fuulin diyaaradaha(Facilitaion).
4. Gudiga heer qaran ee fududaya safarada gaadiidka cirka (National Air Transport Facilitation Committee) waxay ka koobnaan doonaan: Wasaaradaha Beeraha, Nabadgelyada, Dalxiiska, Gaadiidka, Arimaha Dibedda, Maamulka Garoomada, saraakiisha socdaalka, hawl wadeenada caafimaadka, shirkadaha ka shaqaysta gaadiidka cirka iyo sahaysiintooda iyo saraakiisha la dagaalankamukhaadaraadka.
5. Garoomada caalamiga ah ee Soomaaliya waxay yeelan doonaan gudi ka shaqaya fududaynta safarada gaadiidka cirka.
6. Garoon walba oo caalami ah wuxuu yeelan doonaa guddi hawl-fududayntu oo ka kooban doonaan wakiilada lagu xusay faqradda labaad (1) eeqodobkan.

Qodobka 33aad
Awoodaha Xil-gudasho iyo Kormeerka HDR

1. Sharcigani wuxuu kormeerayaasha iyo baarayaasha HDR u ogolaanayaa awood fulineed oo ay la kaashan karaan Saraakiisha Cadaalada, Amniga, arimaha la xiriira baaritaanada ama/iyo ku xadgudubka qodobada sharcigan ama xeer-nidaamyayaasha iyo go'aanada kale ee laxiriira.

2. Si loo xaqiijiyo in bed-qabka iyo nabadgelyada hawlaha duulista rayidka ah loo guto si waafaqsan xeerkan, fulinta xeer-nidaamiyayaasha iyo lifaaqyada ICAO, waxaa baarayaasha HDR la siiyey awood sharci fulineed oo ay kugelayaan:

3. Diyaarad rayid ah oo ka dhex shaqysa Soomaaliya meelkasta oo ayjoogto.

4. Diyaarad rayid oo ka diiwaan gashan Soomaaliya meelkasta oo ay ka joogtodunida.

5. Meel kasta iyo mar-walba si ay baaritaan iyo tijaabo ugu samayaan shirkadaha diyaaradaha, garoomada diyaaradaha, xarumaha diyaaradaha laga hago, dugsiyada lagu tababaro hawl-wadeenada duulista rayidka, goobaha dayactirka diyaaradah iyo shirkadaha adeega siiya duulista raiyidkaah.

6. Baarayaasha HDR waxay xaq u leeyihiin, iyagoo aan dib u dhac cudur daar la'aan ah samaynin,inay:

   a. Diyaarad ka joojiyaan duulimaad ka dib markay baaraan kuna helaan fal danbiyeed cad.

   b. Gacanta loo geliyo dukuminti shaqadooda la xiriira

   c. Baaraandiyaarad

7. Saraakiisha booliska, Caafimaadka iyo Beeraha iyagoo kaashanaya HDR waxay baaritaan ku samayn karaan diyaarad, qof, borsooyin iyo xamuul si waafaqsan shuruucda u degan wadanka iyo xeer-nidaamiyayaasha duulista rayidkaah.

Qodobka 34aad
Awoodda Joojinta Duulimaadyada

1. HDR waxay awood u leedahay inay shirkad ama duuliye ka joojiso isticmaalka diyaarad rayid marka laga helo ciladaha soo socda.
   a. Diyaarada oon farsamo ahaan duulikarin (not airworthy).
   b. Duuliyaha oon awoodin duulimaad sabab caafimaad amamid caqli awgeed.
   c. Waxyeelo qofeed ama burbur hantiyeed oo ka iman kara hawlgalka.
   d. Duuliyaha ama shirkada diyaarada iska leh oo denbi ama xadgudub xeerkan ka dhan ahgeysatey.
   e. Diyaarada oo laga bixin waayey deyn ay urahmanayd.
   f. Maamul Garoon ama wakiil sharci ah wuxuu xaq u leeyahay inuu daahiyo diyaarad duuli lahayd ilaa waqtiga ilaa ay:
   g. Shirkadda diyaaradda ku shaqysata ay ka bixiso khidmadaha garoonka iyo kharashyada adeegyada looga fidiyey Garoonka, ama
   h. Shirkadda diyaaradda ku shaqysata laga helo damaanad dhamaystiran oo ay aqbaleen saraakiisha garoomadu in lacagtaas la bixinayo.

2. Xaaladaha deg degga ah, HDR iyadoo kaashanaysa laamaha kale ee dawlada, waxay duulista rayidka ku soo rogi kartaa xaalad degdeg ah marka ay lagama-maarmaan u noqoto danta guud iyo bedqabka duulimaadyada rayidka ah. (Tusaale: FAA-9/11).
   a. HDR uma baahna in ay cid ka sugto jawaab la xiriirta dhaqan gelinta xaaladaha degdega ah ee bedqabka duulimaadka rayidka umana baahna ogolaansho maxkamadeed. Waxa ay Maxkamada bilaabeysa kadib marka ay amarka soorogto.
   b. Markay ku haboonaato, HDR waxay joojinaysaa ama waxka bedelaysaa xaaladda degdegah.

3. HDR waxay saamaxaysaa waajibaadyo lagu qeexay xeernidaamiyayaasheeda Hay'adda hadii danta dadweynuhu ku jirto.

a. HDR waxay soo saaraysaa dikareeto lagu joojinayo ama lagu dheqan gelinayo waajibaadyada lasaamaxay.
b. HDR waxay arimaha la joojiyey dhamaantood ku daabacaysaa faafinta rasmiga ah (Aeronautical Information Publications - AIP)SOMALIA.

4. Kala Saarida Awoodaha Shaqo ee HDR; Maamulka hawlaha duulimaadyada rayidka ah waxaa qabanaya HDR iyadoo kaashanyasa waaxyo shaqadoodu kala madax banaan yihiin sida hoos kucad:

a. Waaxda dejinta xeer-nidaamiyayaasha (Regulatory functions) iyo kormeerka hawlaha bedqabka (Safety oversight functions) dulimaadyada rayidkaah.
b. Waaxyaha bixiya adeegyada duulimaadyada rayidka ah, sida Garoomada, adeega hawo marista, dugsiyada tababara xirfadlayaasha duulista rayidka ah,IWM.
c. Qaybihii kale ee loobaahdo.

CUTUBKA3AAD
DIIWAAN-GELINTA IYO HAYBSOOCA/SUMADA (NATIONALITY) DIYAARADAHA
Qodobka 35aad
Diiwaanka Qaranka Ee Diyaaradaha

1. HDR waxay diiwaan-gelinaysaa diyaaradaha rayidka ah marka ay buuxiyaan shuruudaha laga doonayo si waafaqsan lifaaqa 7aad ee heshiiska Chicago (ICAO ANNEX 7 to Chicago concention) iyo xeer-nidaamiyayaasha Hay'adda.

Qodobka 36aad
Shuruudaha Diiwaan-gelinta iyo Lahaanshahadiyaaradaha

1. Waxaa reeban in Soomaaliya lagaga dhex shaqaysto ama hawadeeda lagu duuliyo diyaarad aan la diiwaan gelin. Waxa dhici karta in diyaarad aan diiwaan-gashanayn ay HDR si waafaqsan xeer-nidaamiyeyaasheeda (regulations) siiso

ogolaansho ay ku duusho muddo yar oo lala kala wareegayo lahaan-shaheeda.

2. HDR waxay diiwaan gelinaysaa diyaarad kasta oo laga helo shuruudaha hoos kuqoran.
   a. Diyaaradda waxaa iska leh muwaadin Soomaaliyeed ama ajnabi degenaansho joogta ah laga siiyeey Soomaaliya si waafaqsansharciga.
   b. Diyaarada waxaa iska leh shirkad si sharci ah uga shaqaysata Soomaaliya, marka diyaaradu degan tahay laguna isticmaalaa wadankagudihiisa.
   c. Diyaaradu kama diiwaan gashana wadan kale;ama
   d. Diyaarada waxaa iska leh dawlada Soomaaliya(FGS)
3. Markuu codsado milkiilaha diyaaradu diiwaangelin, HDR way diiwaan-gelinaysaa ka dibna waxay siinaysaa milkiilaha shahaadada diiwaan gelintadiyaaradda.
4. Shahaadada diiwaangelinta waxaa lagu codsanayaa foomam ay ku qoran yihiin xog dhamastiran oo waafaqsan shuruucda Duulista Hawada
5. HDR waxay kala noqonaysaa ama joojinayaa shahaadada diiwaan-gelinta marka milkiiluhu buuxin waayo shuruudihii shahaadada lagu bixiyey.
6. HDR waxay kala noqonayaa ama joojinayaa diiwaan gelinta diyaarad walba oo loo isticmaalay ku xadgudubka shuruucda Soomaaliya.
7. Shahaadadada diiwaan-gelintu » waxay cadaynaysaa hayb sooca diyaarada si waafaqsan xeerarka caalamiga ah, laakiin cadayn uma aha cidda iska lehdiyaarada.
8. Shirkada ama shakhsiga ku shaqaysta diyaarad waa inuu tusaa shahaadada diiwaan gelinta marka ay u baahdaan saraakiisha dawladaSoomaaliya.

Qodobka 37aad
Diiwaan-gelinta Matoorada, Marawxadaha iyo Qalabka Kale ee Diyaaradaha

1. HDR waxay aasaasaysaa nidaam lagu diiwaan-gelinayo matoorada, marawaxadaha iyo qalabka kale ee diyaaraduhu ku shaqayaan iyadoo ujeedadu tahay haybsooca qalabka iyo ilaalinta bedqabka duulista rayidka ah oo keliya.

Qodobka 38aad
Diiwaan-Gelinta Lahaanshaha Diyaaradaha

1. HDR waxay diiwaan gelinaysaa nidaam lagula socdo lahaanshaha iyo lakala wareegida diyaaradaha rayidka ah ee Soomaaliya si waafaqsan sharcigan iyo xeerarka caalamiga ah ee la xiriira maalgashiga (financing) iyo kiraysiga (leasing) diyaaradaha.
2. HDR waxay dhaqangelinaysaa nidaam lagu diiwaan geliyo kirada, ama qandaraasyada saamaynta ku leh lahaanshaha diyaaradaha, qalabka diyaaraduhu ku shaqayaan iyo wax ka bedelka heshiisyadaas.
3. HDR waxay keydinaysaa diiwaanka qalabka kasta oo la joojiyey ama lasii daayey si waafaqsan qodobkan **faqradda1[aad]**.

Qodobka 39aad
Diiwaan ka saarid

1. HDR waxay si degdeg ah diiwaanka uga saaraysaa diyaarad burburtay, mid luntay lagana quustay helideeda iyo diyaarad shaqadii laga joojiyey dibna aan loo isticmaali doonin sida uu cadeeyey milkiilaheedii.

Qodobka 40aad
Sumada diyaaradaha

1. Diyaaradaha Somaaliya ka diiwaan gashan waa inay ka muuqataa sumada (6O) oo ICAO u qoondaysay Soomaaliya iyo haybsooca khaaska u ah diyaaradaas (special registration mark granted to each aircraft when registered.).

Qodobka 41aad
Dhaqangalka qodobka 83 bis heshiiska Chicago

1 Haday Soomaaliya ansixiso qodobka 83 bis ee heshiiskii Chicago wuxuu sharcigani u ogolaanayaa in ay Soomaaliya wadan shisheeye kulaheshiiso:

a In diyaarad Soomaaliya ka diiwangashan mas'uuliaydeeda loo wareejiyo wadan kale.

b Inay Soomaaliya aqbasho lana soo wareegto waajibaadka wadan kale ka saarnaa diyaarad ka diiwaan gashan wadankaasshisheeye.

CUTUBKA 4AAD

HABRAACAGAROOMADA

Qodobka 42aad

Shahaado-siintagaroomada

1. HDR waxay awood u leedahay in ay bixiso shahaado (airport operating certificate) ogolaanaysa in garoomada ay diyaaraduhu isticmaalaan, taasoo lagu sugayo heerka bedqabka hawlgalka garoomada ay ka hawl galaan diyaaradaha rakaabka ee joogtada ah (scheduled) iyo kuwa aan joogtada ahayn(unscheduled).

2. Qof walba ama Hay'addaha dawlada ee doonaya inay isticmaalaan garoon shahaado u baahan sida ku cad faqrada1 (a) ee xeerkan, wuxuu ka codsnayaa HDR shahaado garoonkoodu ku hawl galo (airport operatingcertificate).

3. Hadii ay Hay'addu hesho, baaritaan kadib, in shaqsiga ama shirkada howl-gelinaysa garoonka (airport operator) uu si waafaqsan sharcigan iyo xeer-nidaamiyayaasha loo dejiyey bed-qabka garoomada u hanan karo garoonka, waxa ay Hay'addu siineysaa shahaadada (Airport Operating Certificate).

4. Ruqsada garoomada diyaaradaha (Airport Operating Certificate) ayaa lagu sheegayaa shuruudaha lagu bixiyey iyo nooca diyaaradaha loo ogol yahay inay garoonkaas isticmaalaan si loo sugo bedqabka gaadiidkacirka.

5. Shuruudaha qodabkan lagu sheegay waxaa ka midnoqonayaa:

6. Dayactirka iyo hawlgelinta qalabka bedqabka garoonka sida gawaarida dab-damiska iyo ambalaaska, kuwaasoo deg-deg u gaari kara meelaha diyaardahu ka caga dhigtaan (Runway), ka kacaan ama ku socdaan(Taxiway).

7. Dhabaha diyaaraduhu ka degaan ama ka kacaan inay noqoto mid ku haboon isticmaal si waafaqsan heerka bedqabka eeHDR.

8. HDR waxay shirkadaha maamula garoomada diyaaradaha ka saamaxaysaa shuruudaha fulintoodu aanay suurta galka ahayn dhaqaale ahaan hadaanay wax u dhimeynbedqabka.

Qodobka 43aad
Hawgelinta iyo Dayactirka Garoomada Diyaaradaha

1. Maamul-gobleed walba wuxuu mas'uul ka yahay hawlgelinta iyo dayactirka garoomada ku yaalla gobolkaas isagoo kaashanayanaya HDRS, taasoo ku xiran habka ruqso siinta garoomada ee ku qeexan qodobka 4.1 eexeerkan.

2. Habraaca khidmadahagaroomada.
   a Dhamaan maamulayaasha garoomada waxay HDR u soo gudbinayaan nuqul daabacan oo u furan kormeerka hantidhowrayaasha kaas oo ay ka muuqato qiimaha, khidmadaha iyo kharashyada ay ka qaadaan shirkadaha diyaaradaha si waafaqsan xeer-nidaamiyayaasha la xiriira adeegyadaas.
   b Waxaa ka reeban maamule Garoon inuu qaado ama dalbado khidmad ka bedelan (different) qiimayaasha u degsan Garoonka. Sidoo kale waxa ka reeban maamulayaasha garoomada inay qayb ka mid **ah** lacagtay qaadeen dib ugu celiyaan ama ugu xawilaan shirkadihii bixiyey; waa in si isku mid ah, cadaalad ah oo waafaqsan shuruucda HDR loogu adeegaa shirkadaha isticamaalagaroonka.
   c Xeerkani ma reebayo, iyadoo la tixraacayo shuruudaha HDR u dejisay isticmaalka garoomada, in ay maamulyaasha garoomadu qiime dhimis ama kharash ka cafis u sameeyaan diyaaraha ay isticmaasho dowlada dhexe ama dowlad goboleedyada.
   d Maamuulayaasha garoomada waxa looga baahanyahay 30 (sodon) cisho oo ogeysiis ah haday wax isbeddel ah ku sameynayaan qiimaha, khidmada, ama kharashka ama xeer-nidaamiye saameeyn ku yeelanaya qiimaha adeegyada garoomada. Ogeysiisku waa in uu si cad u qeexaa isbeddelka la damacsanyahay in la sameeyo iyo waqtiga uu dhaqan gali doono.
   e HDR iyadoo eegeysa danta guud, waafajinaysana sharcigan, waxay aqbalaysaa ogeysiiskan muddo ka yar 30-ka cisho ee kor ku qeexan, wayna bedeli kartaa shuruudaha la xiriira qiimayaasha adeega garoomada si kumeel gaar ah, xaalado jira awgood.

3. HDR iyadoo raaceysa habraaca ku xusan sharcigan, qiime, ama kharash kasta oo ay hawlwadeenada garoomadu ka ururiyeen ama ay ku dalaceen shirkadaha diyaaradaha, hadii ay HDR u aragto inuusan cadaalada iyo sinaanta ku dhisnayn, HDR waxa ay go'aaminaysaa qiime waafaqsan sharciga kaasoo dhaqan gelaya marka uu go'aanku soobaxo.
4. HDR markay gudanayso waajibaadkeeda ku aadan goynta qiimaha laga qaado dadka iyo badeecadaha, HDR waxay qadarinaysaa arrimo ay ka mid yihiin qodobada soosocda:
   a Saameeynta qiimayaashaan ku yeelanaayaan dhaqdhaqaagga gaadiidka hawada.
   b Iyadoo la eegayo danta guud, baahida loo qabo in ay hawl-wadeenada garoomadu ku bixiyaan adeegyadooda qiimaha ugu jaban ee u dhigma adeega aybixinayaan.
   c Heerarka iyo tayada adeegga ay bixiyaan hawlwadeenada garoomada in ay yihiin kuwii uu qeexey ama uu amrey sharciga;iyo
   d Hawl-wadeenada garoomadu baahida ay u qabaan dakhli ku filan si ay u bixiyaan adeeg dhamaystiran oo wax ku oolah.
5. Waxa reeban miisaaniyad qaran, oo aan ahayn tan ku qeexan qodobkan, (ha ahaato ama yeysan ahaan mid lala kaashado dawladda dhexe ama dawlag goboleedyada) in la isticmaalo si loogu hanto, lagu asaaso, lagu bedelo, lagu dhiso, lagu dayactiro, ama lagu hawlgeliyo meel ka mid ah dhulka geggidda diyaaradaha loo isticmaalo ama goobaha laga maamulo hawada dalka, hadii aanan ogolaasho qoraal ah laga helin Wasaaradda Maaliyadda.
6. Cid walba oo danaynaya miisaaniyada qaranka inay u isticmaasho goobaha ay degtaan ama laga hago diyaaradaha waxay ka dalbanayaa Wasiirka Maaliyadda, isaga oo raacaya shuruucda loo dejiyey ruqsadaha xiriira dhul kasta oo la soo jeediyey in laga aasaaso, laga dhiso ama loo isticmaalo goobaha laga hago diyaaradaha ama ay degtaan. Ma jiri doonto xuquuq gaar ah oo loo isticmaali karomisaaniyadda qaranka si loogu maal-galiyo goobaha ay degtaan ama laga hago diyaaradaha.

Qodobka 44aad
Qaybinta Maalgelinada

1. Dhammaan lacagaha ay hesho HDR, waa in lagu shubaa koontada ay Bangiga Dhexe ku leedahay Hay'adda Duulista Rayidka, kaasoo lagu asaasey sharcigan, waxaana lagu bixinayaa oo keliya ujeeddada ku xusanxeerarkan

2. Dhammaan lacagaha ay hawlwadeenada garoomada qaadaan sida: kirada, iyo khidmadaha kale ee ay dallacaan iyagoo tixraacaya sharcigan, waa in loo shubaa ama la dhigaa koonto gaar ah oo Bangiga Dhexe ee dowlada ah, si loogu maal-geliyo keliya garoomada diyaaradaha ee hawlaha la xiriira duulista hawada:
   a. Horumarinta garoomada dalka iyadoo ay ku jrto deeqaha laga helay dowlado shisheeye ama ururo calamiah.
   b. Dayactirka dhabbada diyaaradaha ka kacaan iyo agabka Kaaba hagista diyaaradaha.
   c. Horumarinta, Ballaarinta iyo dayactirka dhismayaasha terminaalka;iyo
   d. Arimaha kale ee la xiriira hawlgalada hoosyimaada hay'ada ee ku saabsan habsami u socodka hawlahagaroomada.

3. Buug-Hawleedka Garoonka (Aerodrome Manual).

4. Hawlwadeenada maamula garoomada waxay diyaariyaan, soo saaraayaan, haysanayaan "Buug-Hawleed Garoon", waana inayu soo gudbiyaan HDR, si ay dib u eegis ugu sameeyso. HDR waxay awood u leedahay, in ay wax ka beddesho buug-hawleedkaan, haddii go'aansato inay taasi lagamamaarmaan tahay. Buug-hawleedku waaa in uu ka koobnaadaa, habraacyo, sifooyin (qaababka), iyo faahfaahino waafaqsan xeer-nidaamiyayaasha Duulista Rayidka.

Qodobka 45aad
Ilaalinta Garoomada iyo Deegaanada ku Xeeran

1. Garoonkii haysta shahaaddo (Certified Aerodrome) wuxuu u baahanyahay xayndaab wareegsan in uu yeesho, si loo xaqiijiyo, bad-qabkiisa, nabadgelyadiisa iyo xeer-nidaamin, si waafaqsan (Lifaaqa 14) Annex 14 ee heshiiskiiChicago.

2. Hawlwadeenada garoomadu waa inay isku dubaridaan cadeymo iyo maabab (charts) tilmaamaya xadadka loo calaamadeeyey garoomada (aerodorome protection areas) ayna u gudbinayaan HDR si loogu ansixiyo. Hawlwadeenada garoomada (aerodrome operator) ayaa mas'uul ka ah ilaalinta xuduudaha garoomada. Xadgudub kasta oo lagu samayo xuduudaha garoomada waa in lagu wargeliyaa HDR, iyadoo isla markaasna maamulka garoonku qaadaayo talaabo degdeg ah si loo ilaaliyo bedqabka garoomada dalka iyo diyaaradahaisticmaala.

Qodobka 46aad
Dhul La Wareegis

1. Marka hay'addu ay dhul la wareegayso si ay ugu gudato hawlaheeda,
   a Haddii dhulkaasi uusan ahayn hanti dadweyne, helitaanka dhulkaas waxa loo marayaa wada-xaajood iyo in lagala heshiiyo milkiilaha dhulku u diiwaangashan yahay;ama
   b Hadii dhulku yahay mid dawladeed ama HDR la heshiin kari weydey milkiilaha faqrada (a), waxay Hay'addu arinta u gudbinaysaa Wasiirka mas'uulka ka ah arimaha dhulka si uu Hay'adda uga caawiyo helitaanka dhulkaas si waafaqsan shuruucda dhulka eewadanka.
2. Haddii dhulka uu si khasab ah loogu soo wareejiyo Hay'adda, magdhowga milkiilaha dhulka la siinayo waxaa bixinaya Hay'adda siwaafaqsansharciga.
3. Dhulalka Hay'adda loo soo wareejiyey waxaa loo isticmaali karaa danta guud oo keliya, waxana loo wareejin karaa laamaha dawladda oo keliya.

Qodobka 47aad
Dhul Ama Qalab Xukunkiisa La Hoos Geeyey Duulista Hawada

1. Si loo fududeeyo loona hubiyo amniga iyo badqabka diyaaradaha, garoomada iyo qalabka hawo gooshidda, HDR waxaa awood loo siiyey in ay:
   a Go'aan ka gaarto dhererka dhismayaasha ku dhaw garoomadaaynakusoorogtoamardumisahwaxkastaoo

halis gelinaya habsami u socodka howlaha duulist hawada iyo garoomada.

b. Ka hortagto rakibaadda, ama taagidda xargaha korontada nooc kasta oo ay ahaadaanba oo khatar ama halisba gelin karadiyaaradaha.

c. Amarto in mulkilayaashu calaamadeeyaan (beacon lights) shay kasta oo dheer oo caqabad ku noqonaya ama halis ku ah diyaaradaha.

d. Si loo xaqiijiyo bedqabka diyaaradaha, dadka iyo hantida, HDR ayaa go'aaminaysa cabirka iyo dhererka dhismayaasha iyo siimanka ku dhow garoomada; Sidoo kale waxay HDRxukunkiisa la wareegaysaa dhulalka u dhow garoomada si waafaqsan xeer-nidaamiyayaasha DuulistaRayidka.

e. Magdhow ku dhisan caddaalad oo u dhigma qiimaha suuqa ayaa la siinayaa dadka hantidooda loola wareego dantaguud.

Qodobka 48aad
Fasax Heysasho La Isticmaalo
Ama Wax Laga Dhiso Dhulalka Lagu Fulinayo
Adeega Diyaaradaha

1. Dhismo, guryo dhaadheer, dhir, fiilooyin koronto ama isgaarsiineed, tiirar dhaadheer biyo-xireeno, biyaha kor loo tuuro oo dirjiinooyinka lagu qurxiyo, waxaa la dhisi karaa marka oggolaasha laga heysto HDR
2. Qeybta qoorsheynta dhulka ee HDR waxay dayaarinayaan dhulka HDR isticmaasho ayadoo la raacayo jadwalka ay go'aamisayHDR.
3. Ilaalinta Deegaanka iyo Xanibaadyada la Xiriira Guuxa Diyaaradaha

   Si loo ilaaliyo deegaanka HDR waxay:

   a. La tashanaysaa dowladaha iyo hay'adaha caalamiga ah, waxay dejinayasaa heerarka ugu hooseeya ee diyaaradaha iyo mashiinnada loo isticmaalo gaadiidka hawada ee hoosyimaado HDR;

   b. Hubinaysaa ilaalinta degaankasi looga hortago waxyeelo degaanku u geysto duulimaadyada;iyo

c. Samaynaysaa qorshooyin xaaladaha deg-deg ah oo loogu talagalay in lagu xakameeyo ama lagajawaabomusiibooyinka dabiiciga ah ama khataraha la xiriira gaadiidka hawada.

4. HDR waa in ay go'aamisaa xadka guuxa loo oggol yahay diyaarad, jooga ay ku duusho, xawaaraha, iyo awoooda matoorka diyaaradda si waafaqsan Lifaaqa16aad ee HeshiiskaChicago.
5. HDR waxay hubineysaa in shirkadaha ku shaqaysta diyaaradaha aysan dhaafin xadka ku xusan faqradda 2aad ee qodobkan.Shaqadda waa laga joojin karaa illaa iyo inta maamulka diyaaradu ka qaado tallaabooyin saxitaan ah. Duullimaadka waa la mamnuuci karaa,ciqaabna waa lagu soo rogi karaa haddii aan loo hogaan samin xadka guuxa ee diyaaradda sida ku qoran xeerar nidaamiyayaasha hoos yimaada qodobkan.

Qodobka 49aad
Adeegyada Hawl Fududaynta Ee Duulista Hawl-fududayn, Hawlgelin iyo Xeer-nidaamiyaal

1. HDR waxay iyadoon dhaafin xadka lacagta ay kaydsatayku:
   a. Iibsanaysaa qalab iyo dhismayaal lagu horumarinayo marista hawada mar walba oo ay lagama maarmaannoqoto.
   b. Dayactiraysaa, dhowraysaa dhismayaasha iyo qalabka loo isticmaalo marista hawada. Dayactirka waxaa ka mid ah inuu qalabku cabir sax siiyo diyaaradaha. Ilaalinta waxaa ka mid ah in la xifdiyo amaanka goobaha qalabkuyaalo
   c. adeega hawo maristasi waafaqsan lifaaqyada 11, 3, 10 iyo 15 ee heshiiskiiChicago.
2. Dhaqangelinta Xeer-nidaamiyayaasha ay HDR soo saarrayso waxaa ka mid noqon doona adeegyada soo socda uguyaraan:
   a. Maamulka iyo hagida diyaaradaha hawada Soomaaliya ku goosha
   b. Qalabka isgaarsiinta diyaaradaha (Coommunication), qalabka gooshidda hawada (Navigation) iyo Qalabka lagu arko (surveillance) diyaaradaha hawada ku jira sidaRaadaarada.
   c. Adeega lagu faafiyo xogahaduulista
   d. Adeega Saadaasha hawada ee loo isticmaaloduulista.

3. HDR waxay mas'uul ka tahay xeer-nidaaminta, shahaado siinta iyo kormeerka dhamaan adeegyada hawo gooshidda (air navigation services) iyo cida bixisaadeegaas.
4. Hadii HDR ama shirkad ku xiran ay bixiso adeega hawo gooshidda (air navigation services) waa la kala saaraa (principle of separation of functions) kormeerka (oversight) iyo adeeg bixinta (service provision) sida ku cad qodobada 4.2 iyo 4.14) ee sharcigan.

Qodobka 50aad
Qalabka gooshidda hawada oola qalqaliyo (interference)

1. Munaaradaha iftiinka badan iyo raadiyayaasha ku shaqaya hirarka (frequency) duulista rayidka laguma rakibi karo Soomaaliya iyadoon ogolaansho laga helin HDR.

2. HDR waxay ka raraysaa halka ay yaalaan qalabkasta oo iftiin ama hir (frequency) ku **qalqal gelin** kara garoomada diyaaradaha. HDR waxay kaloo xadidaysaa ama xiraysaa wershadaha, foomooyinka IWM, kuwaasoo qaac aragtida duuliyayaasha wax u dhima ku sii daaya agagaarka garoomadadiyaaradaha.

3. Hay'adaha iyo shaqaalaha ka hawl gala gudaha iyo dibeda garoomada diyaaradaha waxaa ka reeban inay isticmaalaan raadiyayaal ku shaqaya hirarka (frequencies) garoomada diyaaraduhu isticmaalaan iyadoon ogolaansho laga helinHDR.

4. Cidii iska leh ama isticmaasha siiman koronto ama isgaarsiineed (electrical and telecommunication towers) kuwaasoo tashwiishin kara raadiyayaasha iyo qalabka maristahawada waxay u hogaansamayaan talaabooyinka HDR ku ciribtirayso tashwiishinta diyaaradaha.

5. HDR iyadoo la kaashnaysa Hay'addaha kale ee dawladda waxay ka joojin kartaa isticmaalka qalabka korontada iyo isgaarsiinta hadday lagama maarmaannoqoto.

Qodobka51aad
Hagida Diyaaradaha ee Hawada Soomaaliya

1. HDR waxay dejinaysaa qorshe, siyaasad, dikareetooyin, xeernidaamiyayaal ama habka loo gooshayo hawada Soomaaliya si loo sugo habsami u gooshida iy bedqabkadiyaaradaha.
2. HDR iyadoo meelmarinaysa awoodaha sharcigani siiyey, gudanaysana waajibaadka saaran waxay mudnaanta ugu weyn siinaysaa difaaca danta qaranka iyo horumarinta ganacsiga gaadiidka cirka iyo xuquuqda muwaadiniinta Soomaaliyeed u leeyihiin inay dhexmaaxaan hawobedqabta.

Qodobka52aad
Saadaasha Hawada

1. HDR dhexdeeda ama Hay'addaha kale ee xirfada u leh ayaa laga abuurayaa Lana joogteynayaa Adeegga Saadaasha Hawada eeloo isticmaalo duulistahawada.
2. HDR waxay Xeer-nidaamiyayaal u samaynaysaa Adeega Saadaasha Hawada ee duulista rayidka si waafaqsan xeerarka lifaaqa 3aad ee Chicago convention iyo Ururka Saadaasha Adduunka (World Meteorological Organization - WMO).

CUTUBKA 5AAD
SHURUUCDA MARITAANKA HAWADA
Qodobka 53aad
Shuruucda Maritaanka Hawada

1. Iyadoo lawaafajinayo lifaaqa 2 (Annex 2) ee HeshiiskiiChicago Convention, HDR waxay dejinaysaa, ayna dhaqangelinaysaa:
   a Shuruucda, Xeer-nidaamiyayaasha hagidda Dayaradaha, gooshidda hawada, isticmaalka hawada sare iyo ilaalinta rakaabka iyo hantida sarandayaaradaha.
   b Khadadka Duulista diyaaradaha ee Xuduudaha Xawada Soomaliya

Qodobka 54aad
Shuruudaha guud ee laga rabo diyaaradaha

1. Dayaarad kuma duuli karto joog aan loo fasaxin oo ka hooseeya kan ay dejisay HDR, ilaa haddii ay dhacdo xaalad deg deg ah ama ogolaasho lagahaysatoHDR.
2. Diyaarad kasta waxaa ka reeban in ay ku duusho joog hoose, hadii aanay kacayn, degayn, ku jirin xaalad deg deg ah ama ogolaasho kahaysan HDR iyadoon halis gelinayn naf iyomaal.
3. Dayaarad kasta waxaa ka reebanin ay u dhawaato diyaarad kale iyadoo duulimaad ku jirta si aanay khatar ama halis shil u gelin bad-qabkeeda.
4. Duuliye kasta waxa ka reeban inuu u wado diyaarad si masuuliyad darro ah taas oo halis galin karta nolasha dadka iyo hantida.
5. Diyaaradaha sameeya qalaamo rogadka iyo kuwa daadiya waraaqaha xayeeysiiska waxa ka reebaninay duulimaadyo ku sameeyaan Hawada Soomaaliya haddii anay ogolasho ka haysan HDR.
6. Diyaarad kasta waxa ka reeban in ay hawada wax ka soo tuurto ama dhulka wax ku soo buufiso, haddii aanay dhicin xaalad deg deg ah ama ogolaasho lagahelinHDR
7. Waxa ka reeban dadka dallaayadaha (Parachutes) kagasoo booda diyaaradaha duulaya, ayagoon ogolaasho hore uga haysan HDRama aanay jirin xaalad deg degah.
8. Qof kasta oo isticmaalay maan-dooriye ama wax kastoo wiiqi karo awooda gudashada waajibaadkiisa waxa ka reebanin uu duuliyo diyaarad ama uu kamid noqdo shaqaalaha ka adeega diyaarada gudeheeda. (Crewmembers).
9. Diyaaradaha aan cidna wadin (Drone) ama kuwa remote-ka lagu hago (RC airplanes) kuma duuli karaan xuduudaha HawadaSoomaaliya haddaanay fasax ka haysan HDR
10. Diyaarad majiidi karto dayaarad kale haddii aanay fasax ka haysan HDR Diyaaradaha guuxooda aad u sareeyo waa ka mamnuuc in ay dulmaraan deegaanka Soomaaliya iyo in ay kusoo digaan garoomadda ku yaal Soomaaliya ayaga oon fasax khaas ah ka haysan HDR. Fasaxani waxaa lagu cayimayaa Joog iyo xawaaraha uu ku duulayoduuliyaha

Qodobka 55aad
Aagga laga xadiday diyaaraha, kuwa laga mamnuucay iyo kuwa khatarta ku ah

1. HDR waxay ka mamnuucaysaa ama xadidaysaa dayaaradaha dul maro:
   a Aagag ka mid ah deegaanada soomaaliyeed sababo amni darteed ama ilaalinta dantaguud.
   b Sida lagu qeexay qodobada 1 iyo 2 ee go'aanadii heshiiska Chicago ama qeyb kasta ka mid ah xaaladaha gaarka ah ee sababaha la xiriira danahadadweynaha.
2. HDR waxay awood u leedahay in ay sameyso daabacaada aagagga khatarta ah iyo in ay qeexdo hababka la raacayo marka la dulmarayo.

Qodobka 56aad
Walxaha Khatarta iyoHubka

1. Diyaarad, lama saari karo walxaha khatarta ah, ilaa laga helo oggolaasho HDR ayadoo la raacayo Xeerarka, Nidaamka iyo Shuruucda ay dajisay HDR, siwaafaqsan Lifaaqa 17 ee ICAO (Annex 17) kaasoo qeexaya sida ugu bed-qabsan (safe transport) ee xamuul noocan ah lagu qaadi karo. Waxyaabaha khatarta ah waxaa kamidah:
   a. Walxahaqarxa
   b. Hubka iyo rasaasta
   c. Nukliyeerka iyoshucaaca
   d. Gaasaska iyo walxaha kale ee suntaah
   e. Jeermiska
   f. Wax kasta oo kale oo ay go'aamiso hay'addaha ku shaqada leh.
2. Haddii laga dhex helo walxaha halista ah xamuul ama boorsooyin lagu qaadayo diyaarad ganacsi ee caalimiga ah, waxaa masuuuliyadda qaadaya qofka aqbalay in diyaarada lagu raro, ha ahaato dayaarad soo degtay ama ka tagaysa dalka Soomaaliya in xamuulkaa loogu qaado diyaarada si waafaqsan qodobbada Lifaaqa 17 ee ICAO (Annex 17) ee heshiiskii Chicago iyo in la raaco tilmaamaha-ICAO ee la xiriira sidii si nabad ah looguqaadi

lahaa alaabtaa khatarta ah, lana raacayo shuruudaha dheeriga ah la xiriira arintan ee ay soo saartayHDR.

3. Waxaa reeban in uu qof la fuulo diyaarad hub ama walxaha ololka (holaca) sahla ama wax kasto oo loo isticmaali karo in wax lagu burburiyo, argagax galin ama lagu khatar galiyo amaanka iyo nabad-gelyada rakaabka iyo hantida inta lagu jiro duulimaadka. Haddii fasax looga haysto DHR, waxaalaguwareejinayaa hubkiisa shaqaalaha dayaaradda inta duulimaadka lagu jiro waxaana dib loogu wareejinayaa milkilihii marka ay degayodiyaaradda.
4. Waxaa kaliya dayaaradda hub la fuuli kara ciidamadda police-ka iyo ciidamadda nabadsugidda kadib marka uu ogalaado Captain-ka dayaaraddawada.

Qodobka 57aad
Masuuliyadda Duuliyayaasha Diyaarada

1. Captain-ka dayaaradda wuxuu mas'uul kayahay:
   a. In uu u wado dayaaradda sida waafaqsan shuruucda hawadda.
   b. Inuu raaco nidaamka lagu maamulo **gegida** iyo sharciyada gaadiidka hawada.
   c. Inuu raaco dhammaan oggolaanshaha iyo awaamiirta uu bixiyo hagahadayaaradaha.
   d. In uu hubiyo in diyaaraddu wadato shidaal ku filan duulimaadkeeda.
   e. In uu xaqiijiyo duulimaadka in uu yahay mid nabdoon sida waafaqsan shuruucda iyo nidaamyadaduulimaadka
   f. In la hubiyo hannaanka badqabka dayaaradda ka hor intii ayan kicin.

Qodobka 58aad
Qofka Mas'uulka ka ah Diyaaradda Dhexdeeda

1. Captain-ka dayaaradda wada ayaa masuul ka ah hawlgalka, amniga iyo bed-qabka diyaaradda inta duulimaadka lagu jiro, awood asaga ayaa u leh in uu qaado tilaabo ku haboon si loo ilaaliyo nidaamka dayaaraddadhexdeda.

2. Qofkasta oo aan ogolaansho haysan waxa ka reeban faragelin hor istaagi karta hawlgudashada shaqaalaha dayaarada. Qof kasta waxa ka reeban inuu wax ka bedelo qayb ka mid ah ama qalabka dayaaradda ama uu ku kaco fal wax yeeli kara bedqabka diyaaradda amarakaabka.

Qodobka 59aad
Isticmaalka Garoomada iyoRaacida Qorshaha Duulimaadka

1. Diyaarad kuma degi karto garoon aan aheyn kii ay ku qoratay qorshaha duulimaadka (flight plan) marka laga reebo xaalad deg-deg ah iyadoo la raacayo amaradda Hagaha Diyaaradda (ATC) ama oggalaashahaHDR.
2. Diyaarad kasta oo imanaysa ama ka baxaysa xuduudaha Soomaaliya waxay degeysaa ama ka kacaysaa garoon caalami ah, marka laga reebo inay haysato oggolaansho ay kaga gudubto hawada dalka iyadoon degin. Diyaardaha qayb ka mid ah waxaa laga qaadi karaa xayiraadan iyadoo lafiirinayo qaabka hawlgalkeeda ama tixgelin kale. Oggolaanshahaasi wuxuu qeexii doona garoonka ay diyaaraddu degeyso, kay ka baxayso iyo Khadka ayraacayso.
3. Haddii diyaarad caalami ah ka kaceyso, soo dagayso ama dul mareyso wadanka Soomaaliya oo ay ku degto garoon aan aheyn garoon caalami, captain-ka diyaaradda waa in uu si deg deg ah u ogeysiiyo maamulka meesha ka jira una gudbiyo macluumaadka dayaaradda. Duuliyaha ma dajin karo rakaabka iyo xamuulka ilaa uu ka heysto fasaxHDR.
4. Haddii diyaarad ay imanayso, ka baxayso ama ay kormareyso hawada xuduudaha Soomaaliya oo ay ku qasbanaato inay kusoo degto meel ka baxsan Garoomada caalamiga ah, duuliyaha waxaa waajib ku ah inuu sida ugu dhaqsaha badan u soo wargeliyo maamulka dowladda ee goobtaas, waana inuu la wadaagaa macluumaadka duulimaadka iyo diyaaradda ama wax kasta oo kale oo dukumenti ah oo laga dalbado. Haddii arintan oo kale dhacdo, dejinta xamuulka ama rakaabka diyaaradda waa ka reebantahay in lagu dejiyo aaga degitaanka diyaaradahakahor

inta aanay helin ogolaasho ay bixisay Hay'adaha ay khusayso iyadoo la raacayo shuruucda u degsan duulimaadka rayidka ah.

5. Duuliyaha koowaad waxaa waajib ku ah inuu raaco barnaamijka duulimaadka ee ogolaashaha haysta iyo dhamaan amarada kasoo baxay hagaha diyaaradaha (ATC). Waxaa sidoo kale waajib ku ah inaanu ka leexan khadka hawada ee loo ogolaaday marka laga reebo xaaladaha deg-dega ah ee horseeda inuu qaato talaabo deg-deg ah. Hadii xaaladahani dhacaan duuliyaha koowaad waa inuu soo wargeliyaa hagaha diyaaradah ee ku shaqada leh si deg- deg ah, waana inuu helaa ogolaasho cusub hadii loobaahdo.

Qodobka 60aad
U Hoggaansanaanta Sharciyada Dalka

1. Rakaabka, hawl-wadeenada diyaaradaha (crew members), shirkadaha dhoofiya xamuulka iyo wakiiladooda waa in ay u hogaansamaan shuruucda, xeerarka iyo xeer-nidaamiyayaasha lagu dhaqo soo galida, joogitaanka iyo ka bixida xuduudaha dalka Soomaaliya. Sharuucdaas iyo xeer-nidaamiyayaashaas waxaa waajib ah inay iska kaashadaan HDR iyo Hay'addaha kale ee ku shaqada leh sida Hay'adda Socdaalka, Caafimaadka, Maaliyadda ama kuwa kale ee muhiimka ah si waafaqsan lifaaqa sagaalaad ee heshiiska Chicago (ICAO Annex9).

CUTUBKA 6AAD
U-QALANKA DUULISTA EE DIYAARADAHA (AIRWORTHINESS)

Qodobka 61aad
Shahaadada U-Qalanka Diyaaradaha (Certificate of Airwirthiness)

1. Diyaarad Kama shaqo geli karto wadanka Soomaaliya iyada oon haysan shahaado cadeynaysa inay duuli karto diyaaradu farsamo ahaan ruqsadaas oo uu bixiyey ama ansixiyey wadanka ay diyaaradu ka diiwaan gashantahay ama HDR Soomaaliya si waafaqsan lifaaqa 8aad ee heshiiska Chicago (ICAO Annex8).

2. Qofka adeegsanaaya diyaarad ka diiwaangashan Soomaaliya waa in uu cusboonaysiiyaa shahaadada u-qalanka diyaarada si waafaqsan xeerarka HDRSoomaaliya,
3. Hayadda Duulista Rayidka oo kaashanyasa Hay'addaha kale ee Caalamka, waxay soo saaraysaa shuruuc iyo xeernidaamiyaal la xiriira dayactirka qalabka diyaaradaha iyo isticmaalkiisa si loo sugo bedqabka diyaaradaha iyorakaabka.

Qodobka 62aad
Kala Noqoshada ama Hakad Gelinta Shahaadada U-qalanka Diyaarada

1. Hay'adda Duulista Rayidka Soomaaliyedwaxay:
   a Kala noqon kartaa ama hakad gelin kartaa Shahaadada U-Qalanka Duulista diyaarad ka diiwaan gashan Soomaaliya, haddii la ogaado in aanay diyaaradu farsamo ahaan u qalmin inay duulimaadsamayso.
   b ka joojin kartaa diyaarad uu ku socdo baaritaan cilad farsamo ilaa laa hubiyo bedqabkeeda. Arintaas waxaan ku jirin, ogolaansho la siiyey diyaarad inay duusho rakaab la'aan iyadoo la raacayo xeernidaamiyayaal la dejiyey.

Qodobka 63aad
Shirkad Dayactir
(Authorized Maintenance Organization)

1. Cidii ku shaqaysata diyaarad ka diiwaangashan Soomaaliya waa inay ku dayactirto diyaarada motooradeeda, raadiyeyaasheeda iyo qaybaha kale ee diyaarada Shirkad Dayactir oo HDR Soomaaliya siisay ogolaansho (Approved MaitenanceOrganization).
2. Hay'adda Duulistu waa aqbali kartaa shirkad dayactir oo wadani ah ama mid ajnabi ah inay dayactir u sameyso diyaarad ka diiwaan gashan Soomaaliaya. HDR waxay hubinaysaa in dayactir dhamaystiran loo samayeynkaro diyaaradaha, kharashka ku baxa hubintaas waxaa bixinaya shirkada la hubinayo.
3. HDR waxay hakin kartaa ama la noqon kartaa shahaadada shirkad samaysa dayactirta diyaaradaha hadii shirkadaas lagu helo awood yari farsamo ama ay hor istaagto kormeerayaasha HDR inay baaraan xarumaha dayactirka eeshirkadaas.

Qodobka 64aad
Dayactirka Diyaarada Iyo
Diiwaanka Socdaalka (Log Book)

1. Duuliyaha kowaad ee diyaarad kasta oo ka diiwaangashan Soomaaliya taas oo samaynaysa duulimaad waa inuu ku qoraa diiwaanka socdaalka waxyaabaha soosocda.
   a. Waqtiga duulimaadku bilowday iyo saacada uudhamaaday.
   b. Ciladaha farsamo ee diyaarada iyo qalabka saaran lagu arkay mudaday duulimaadka kujirtay.
   c. Saxiixa duuliyaha iyo taarikhda uu xogtaqoray

2. Shirkada ku shaqaysata diyaaradaha ayaa masuulka ah kaydinta xogta farsamo ee diyaaradda, waana in nuqul ka mid ah xogtan lagu hayaa meel ka baxsandiyaarada.

3. Xogta dayactirka matoorada diyaaradda, marawaxadaha iyo macluumaad walba oo farsamo taas oo HDR u baahan tahay waa in lagu qoraa diiwaanka farsamo ee diyaaradaha mudo 7 cisho gudahood ah laga bilaabo maalinta dayactirka la dhamaystiray.

4. Shirkad kasta oo ku shaqaysata diyaarad waa inay kaydisaa xogta dayactirka farsamo ee diyaarada ugu yaraan labo sano ka dib marka diyaarada shaqada lagafariisiyo.

5. Diyaarad walba oo ku duulyasa hawada Soomaalia waa inay sidataa dukumentiyada lagu taxay qodobka 29aad ee hehiiska Chicago iyo tirsiga 8.1 ee sharcigan.

Qodobka 65aad
Shaqo ka Fariisinta Diyaarad Khatar Ah

1. HDR Waxay fariisin kartaa diyaarad kasta oo khatarteedu muuqato kadib marka la siiyo cida iska leh diyaarada fursad ay ku cilad bixiyaan. Hadii diyaarada laga leeyahay wadan shisheeye waxay HDR si dhaqso ah u wargelinaysaa hay'addaha bedqabka eewadankaas.

Qodobka 66aad
Qalabka Diyaaradaha

1. Diyaaradi ma shaqayn karto hadaanay ku qalabaysnayn dhamaan agabkii looga baahnaa gooshidda hawada iyo isbedbedelka cimilida sida ku cad shahaadad duulis u-qalanka iyo lifaaqyada heshiiska Chicago (Chicagoconvention).
2. Hay'addu waxay faraysaa diyaaradaha ka diiwaan gashan wadanka in lagu rakibo qalab dheeri ah, si loo sugo bedqabka diyaaradaha, duuliyayaasha iyo rakaabka, loona fududeeyo hawlaha baadigoobka iyobadbaadada.
3. Hadaanay ku qornayn shahaadada duulis u-qalanka, qalab dheeri ah laguma rakibi karo diyaarad ka diiwaan gashan Soomaaliya iyadoon ogolaansho laga helin HDR.
4. Qalab ku qoran shahadadda duulis-karka lagama furi karo diyaarada iyadoon ogolaansho laga helinHDR.

Qodobka 67aad
Tirada Qalabka Ugu Yar
Ee Diyaaradu Ku Shaqayn Karto

1. Shirkadaha diyaaradahu waxay soo gudbinayaan "tirada ugu yare ee qalab ah" ee diyaarad walba oo ay isticmaalaan ay ku shaqayn karto iyagoo la kaashanaya wershadii samaysay diyaarad kasta. Hadii uu jiro qalab ciladaysan ama isticmaalkiisa la xadiday, waa in ogolaansho laga helaa HDR sidaasna diyaarada lagu hawl geliyaa.

Qodobka 68aad
Koormeerada U Qalanka

1. Kormeerayaasha HDR waxay xaq u leeyihiin inay tijaabiyaan ama cilad baaris kusmayaan, qalabka diyaaradu ku shaqyso sida matoorada, raadiyayaasha IWM, iyagoo hubinaya duulis u-qalankadiyaarada.

2. Kormeerayaasha HDR waxay awood u leeyihiin inay galaan meel kasta oo diyaaradda ka mid ah waqti walbaiyagoo hubinayaa

duulis u-qalanka diyaarada, kharashka ku baxa hawshan waxaa qaba shirkada loo shaqaynayo.

3. HDR waxa ay xaq u leedahay in ay fariimo la xiriira duulis u-qalanka u dirto shirkadahadiyaaradaha.

4. HDR waxay xaq u leedahay inay hakad geliso shahaadada duulis-karka hadii lagu xadgubo qodobada xeerkan.

CUTUBKA 7AAD
DUKUMENTIYADDA IYO DIIWAANADA DIYAARADAHA

Qodobka 69aad
Dukumentiyada laga rabo in ay Diyaaraddu sidato

1. Diyaarad kasta oo ka diiwaan gashan Soomaaliya ma duuli karto hadii aanay wadan dukumentiyada hoos kuqoran.
   a. Shahaadada diiwaangelinta diyaarada (certificate of registration).
   b. Shahaadada duulis u-qalanka lagu cadeeyey in aanay cilad qabin duulina karto (Airworthinesscertificate),
   c. Leysamada duuliyayaasha iyo engineeradadiyaarada
   d. Diiwaanka duulimaadyada ay diyaaradu samaysay iyo aqbalaada guud ee la siiyeyduulimaadka.
   e. Shatiga raadiyayaasha saarandiyaarada.
   f. Buugaga hawlgalka iyo dukumentiyada dayactirka iyo dukumentigii kale ee HDR ubaahato.
   g. Liiska rakaabka, xamuulka, boostada iyo soo gudbinta faahfaahin la xiriirta wixii kale ee diyaaradu waddo.
   h. Nuqulada caymiska oo rasmiah.

2. Duulimaadka Caalamiga ah diyaaradaha wadanka gudihiisa isaga goosha waxa laga rabaa arimaha lagu xusay faqrada (1) ee qodobkan,

3. HDR waxa ay ka khafiifin kartaa qayb ka mid ah shuruudaha diyaarad loo duuliyey tijaabo ama tababarduuliye.

Qodobka 70aad
Tusid Dukumiinti

1. Duuliyaha Kowaad iyo shirkada uu u shaqayo waxay u soo gudbinayaan HDR markay codsato dhamaan dukumentiyada iyo xogaha xeerkan ku qeexan ama xeer-nidaamiyayaasha (regulations) kale eeHDR.
2. Hadii HDR la laabato ogolaansho, shahaado, ama shati ay bixisay, milkiiluhu waa inuu dib ugu soo celiyaa dukumentiga haday HDR codsato.

Qodobka 71aad
Sugida Dukumiintiyada

1. Milkiilayaasha ama shirkadaha diyaaraddaha waxaa ku waajib ah in ay kaydiyaan xogaha diyaaradda iyo dukumentiyada hawlwadeenda diyaaradaha. Xogtaas waa la haynayaa xataa hadii la joojiyo isticmaalka diyaaradaas iyadoo la tixgelinayo arrimaha soosocda.
   a Hadii labo shirkadood diyaarad ka diiwaan gashan Soomaaliya la kala wareegaan iyagoo ku sugan wadanka gudihiisa, waxaa shirkadii horay u haysatay diyaaradda laga doonayaa in ay ku wareejiso shirkada dambe dhamaan dukumentiyada ay ku jiraan kuwa dayactirka IWM.

   b Hadii matoor ama marawaxad helikobtar IWM, loo kala furo labo diyaaradood oo Soomaaliya ka diiwaan gashan waxa laga doonayaa shirkada leh diyaarada qalabka laga furay in ay ku wareejiso cidda iska leh diyaarada dambe dhamaan xogaha iyo dukumentiyada qalabka loowareejiyey.

   c Haddi xubin ka tirsan hawl-wadeenada diyaarad ka diiwaangashan Soomaaliya loo wareejiyo shirkad kale si uu ula shaqeeyo, shirkada hore waa inay gacanta u gelisaa tan dambe xogta qofka la soo wareejiyey. Shirkada cusub waa inay dhawrtaa xogta dukumentiyada loo soowareejiyey.

Qodobka 72aad
Dukumiinti Loo Isticmaalo Si Sharci Daro Ah

1. Waxa reeban falalka soosocda:
   a. Isticmaalka shahaado, shati, ogolaansho ama dukumenti kale oo HDR dib ula noqotay, hakisay ama wax kabedeshay.
   b. U gudbinta shahaado, shati, ogolaansho ama dukumenti kale oo ay bixisay HDR in uu isticmaalo qof aan ahayn kii la siiyey.
   c. Isu ekaysiin qof kale iyadoo ujeedadu tahay in la cusboonaysiiyo ama wax laga bedelo shahaado, shati, ogolaansho ama dukumenti kale, si uu u istismaalo shakhsi aan ahayn kii lasiiyey.
   d. Burburin, tirtiris ama wax ka bedel dukumenti iyo xog hoos imanaysa xeerkan ama in lagu kordhiyo xogkhaldan.
   e. Tirtiris xogta ku qoran liiska xamuulka ama in lagu qorobeen abuur lagu talagalay ama khalad udhacay.

CUTUBKA 8AAD
SHATIYO AMA RUQSADO

Qodobka 73aad
Ruqsadda Hawlwadeenada Duulista Iyo Qiimeyntooda

1. Qofkasta oo ka mid ah hawlwadeenada duulimaadyadda iyo duuliye kasta waa in uu haystaa SHATI iyo qiimeyn (rating) ay siisay ama u ansixisay HDR si waafaqsan xeerkan iyo sharciyada kale ee ku haboon. HDR waxay ku xadidi doontaa xeerarkeeda shuruudaha lagu bixiyo, ansixiyo iyo kuwa lagu ogolaado shati, shahaado ama qiimeyn (rating) xirfadeed si waafaqsan lifaaqa koowaad ee heshiiska Chicago (in conformity with Annex 1 to the Chicago Convention.)

2. Shaqaalaha aan duulin laakiin bixiya adeegyada hawo marista sida kuwa haga diyaaradaha iyo hawlaha la xiriira waxay HDR ku waajibinaysaa inay haystaan shatiyo, shahaadooyin iyo qiimeyn-xirfadeed (rating) si waafaqsan xeerarkaHDR.

Qodobka 74aad
Aqoonsiga Shati Iyo Qiimeyn-Xirfadeed (Rating) Wadan Kale Laga Bixiyey

1. Shatiyadaiyo qiimeyn-xirfadeedka (ratings) duuliyayaasha ama shaqaalaha kale, kuwasoo waddan kale laga bixiyey ama laga aqoonsaday, HDR way ansixin kartaa shatiyadaas hadday u dhigmaan ama ka sarayaan heerarka ku xusan lifaaqa kowaad ee Chicago convention.

Qodobka 75aad
Hakad Gelin iyo La Noqosho Shati

1. Hadii milkiilaha shati u hogaansami waayo xeerkan .iyo shuruucda kale ee la jaalka ah, HDR waxay ku wargelin doontaa milkiilaha shatiga qiima dhaca ku yimid iyadoo u qabanaysa mudo uu ku soo kabto. HDR waxay hakad-gelinaysaa ama shatiga kala noqonaysaa milkiiliha waqtiga loo mudeeyey ku soo kaban waaya. Shati kasta oo la hakiyey ama lala noqday HDR ayaa si degdeg ah loogu soo celinayaa.

2. Wuxuu xeerku qabaa, in HDR si degdeg ah hakad u geliso ama dib ula noqoto shati markay dhacdo xaalad degdeg ah oo saamaynaysa bedqabka (safety) guud iyo arimo gaarah.

3. Hadii loo baahdo in rafcaan laga qaato go'aanada HDR, waxa la raacayaa xeerkan iyo xeerarka kale ee dalka udegsan.

Qodobka 76aad
Machadyada Tababarka DuulistaHawada

1. HDR waxay samaynaysaa xeer-nidaamiyayaal lagu dhaqo Machadyada tababara shaqaalaha Duulista Rayiidka, waxayna ansixin doontaa keliya Machadyada buuxiya shuruudaha loo dejiyey.
2. Waxa ka reeban naadiyada daneynaya duulista, dugsiyada tababara duuliyayaasha, shirkadaha ama shakhsiyaad gaar ah inay bixiyaan tabobar duulimaad IWM, hadaanay ogolaansho ka haysan HDR. HDR waxay ogolaansho tababar lagu bixiyo siin doontaa cidii buuxisa shuruudaha udegsan.

CUTUBKA 9AAD
GANACSIGA GAADIIDKA CIRKA

Qodobka 77aad
Xeer-Nidaamiyayaasha Lagu Maamulo Ganacsiga Gaadiidka Cirka

1. HDR waxay dejineysaa oo kormeeri doontaa siyaasad lagu horumariyo ganacsiga gaadiidka cirka, iyadoo eegaysa koboca dhaqaalaha wadanka waqtiga la joogo iyo kan soosocda.
2. HDR iyadoo kaashanaysa Wasaaradda Arrimaha Dibeda waxay kala xaajoonaysaa wadamada kale heshiisyada isdhaafsiga duulimaadyada diyaaradaha iyo heshiis walba oo calami ah lana xiriira gaadiidkacirka.
3. HDR waxay kormeereysaa kana qayb geleysaa wada-hadalada u dhexeeya shirkadaha wadaniga ah iyo kuwa ajnabiga ah, si ay u gaaraan heshiis maalgashi oo wadajir ah iyo ganacsi walba oo la xiriira gaadiidka cirka si waafaqsan shuruudaha wax isku darsiga eeshirkadahaas.
4. HDR waxay kor-meereysaa dhaqdhaqaaqa shirkadaha dalka ee ku ganacsada gaadiidka cirka, iyadoo siinaysa ogolaansho ay ku hawl galaan, waxaanay HDR aqbashaa ama wax ka bedeshaa magaalooyinka diyaaraduhu u safraan (air routes) iyo tirada duulimaadyada (flight frequency).
5. HDR waxay si dhow ula socotaa dhaqdhaqaaqa shirkadaha ajnabiga ah ee ku ganacsada gaadiidka cirka iyo siday u fuliyeen xuquuqada/waajibaadka ku cad heshiiskii laba geesoodka ahaa ee lala galaywadamadooda.
6. HDR waxay hakad gelisnayaa ama xadidaysaa dhaqdhaqaaqa shirkadaha wadaniga ah ama kuwa shisheeye ee ku ganacsada gaadiidka cirka haday shirkadahaasi ku xadgudbaan shuruudihii lagu siiyey shatiga ama heshiiskii laba geesoodka ahaa ee Soomaliya la gashay wadamadooda ama qodobada sharcigan.
7. HDR waxay ogolaansho siinaysaa shirkadaha dalka ama kuwa ajnabiga ah inay samayaan duulimaadyo aan jadwalka ku jirin iyadoo la tix-gelinayo xaalado gaarah.
8. HDR waxay hubineysaa in tartanka shirkadaha sida joogtada ah uduulaiyokuwaaanjadwalkakujirineeqiimahatigidhadaiyo

kirooyinka diyaaradaha uu noqdo mid ku dhaca si cadaalad ah (fair competition).

9. HDR waxay bixinaysaa ogolaansho ay diyaaradaha shisheeya xafiisyo kaga furtaan wadanka ama ku wakiishaan shirkado wadani ah, halka shirkadaha shisheeye si la mid ah wakiil uga noqdaan wadankooda (principal of reciprocity).
10. HDR waxay ogolaansho siinaysaa shirkadaha wadaniga ah ama kuwa shisheeye ku noqdaan wakiilo ganacsi iyo xamuul wadanka gudihiisa iyadoo dejinaysa xeer-nidaamiyayaal lagu maamulo dhaqdhaqaaqooda.
11. HDR Waxaa ku waajibiya in ay dejiso, tafatirto hirgelisana siyasadda iyo stratejiyadda lagu hormarinayo dulimadyadda rayidka ah ee wadanigaah.
12. HDR waxay wada shaqayn dhow la yeelanaysa shirkaddaha dulimadyadda ee wadaniga ah si kor loogu qaadi laha loona kobcin lahaa adeega dayaradaha, dulimadyadda iyo **warshadaha** guud ahaan.
13. HDR waxay ilaalinaysa xuquuqda shirkaddaha wadaniga ah iyadda oo si buxdda ugu dhowraysa xuquuqda dulimadyadda dalka gudihiisa dibidiisa iyo xuquuqda 5 aad iyo 6 aad ee dulimadyadda.
14. HDR waxay si dhow ula socodsiineysaa ulana wadaageysaa macluumaadka soo kordha ee duulista rayidka, kuna casuumeysaa shirarka looga hadlaayo duulimaadyada rayidka dalka iyodibadiisa.
15. HDR waa inay ilaalisaa fasaxa ay siineyso diyaaradaha Ajnabiga oo toos u imaanaya dalka, iyadoo ilaalineysa xuquuqda diyaaradaha wadaniga, waana inay xadaysaa maalmaha duulimaadka ku imaaneyso, waana inaan loo ogolaanin dalka intiisa kale, ayadoo loo daneynayo diyaaradaha Wadaniga ah, sidda ku cad xeeraraka caalamiga ah.

Qodobka 78aad
Bixinta iyo Hakad-Gelinta Shahaadada Hawlgalka (Operational Certificate) iyo Shaqooyinka Lagu Ogolaaday Shahaadada.

1. Shirkadaha diyaaradaha waxaa ka reeban hawlgelinta diyaarad ilaa ay ka helayaan ruqsad ay ku cadahay nooca shaqo ee HDR u ogolaatay. Shirkadaha diyaaradaha waa inay geeyaan nuqul ka mid ah shahaadadooda xarun walba oo ay ka hawlgalaan
2. Shirkadaha diyaaradaha waxay bedelayaan nooca shaqo ee ay qabtaan (specifications), ka dib markay ogolaanshaha ka helaan HDR.
3. HDR waxay awood u leedahay inay joojiso ama xadido dhaqdhaqaaqa ganacsi ee shirkad diyaaradeed oo wadani ama ajnabi ah, haday ku xadgudubto shuruudihii ruqsada lagu siiyey, heshiiskii u dhexayey Soomaaliya iyo dalka diyaarada laga leeyahay ama qodobadaxeerkan.
4. Tirakoobka (Statistics) GaadiidkaCirka
   a) Shirkadaha dalka laga leeyahay iyo kuwa ajnabiga ah ee ka dhex shaqaya ama kor mara Soomaaliya waa inay HDR u soo gudbiyaan dhamaan macluumaadka ay codsato kuwaasoo ay ku jiraan jadwalka duulimaadyada, tirakoobka hawlgalada iyo tirkoobka guud eeduulista,
   b) HDR waxay la wadaagaysaa xogta tirakoobyada Hay'adda ICAO markii loo baahdo.

Qodobka 79aad
Aasaaska Shirkado Diyaaradeed (Shuruudaha Maaliyadeed Iyo Kuwa Ganacsi)

1. HDR oo xiganaysa sharciga shirkadaha (company law), lana kaashanaysa Wasaaradaha khuseeya dhaqaalaha qaranka waxay soo saaraysaa oo faafinaysaa shuruudaha iyo nidaamka looga baahan yahay aasaasida shirkad diyaaradeed oo doonaysa inay Soomaaliya ka ganacsato. Shatiga Hawlgalka Hawada (AOC) waxaa la bixin karaa marka shirkadda la sameeyo.

CUTUBKA 10AAD
KHIDMADAHA
Qodobka 80aad
Khidmada Laga Qaado Gaadiidka Cirka

1. HDR waxay jaangoyneysaa khidmada diiwaangelinta diyaaradaha, bixinta, oggolaanshaha, cusboonaysiinta, beddelidda shatiyada, shahaadooyinka, oggolaanshaha, iyo kharashka laga qaado shirkadaha isticmaala adeegyadaHDR.
2. HDR khidmada kuma kala takoori karto macaamiisha kala duwan ee isticmaala garoomadda iyo hawadda sida uu dhigayo nidaamka caalamiga eeICAO.

Qodobka 81aad
Khidmad ka dhaafid

1. Diyaaradahansoosocdawaalagadhaafayaakhidmadakorlaguxusay
   a. Diyaaradaha ay leeyihiin laamaha kala duwan ee Dawlada Soomaaliya ee aan samaynayn duulimaadganacsi.
   b. Diyaaradaha ku safraya tixgelin diblomaasiyadeed iyo
   c. Diyaardaha ka qayb qaadanaya baadi goobka iyo samato bixinta (Search and RescueOperations)

CUTUBKA 11AAD
HAWLAHA BAADI-GOOBKA IYO SAMATA-BIXINTA

Qodobka 82aad
Isku dubaridka iyo xeer-nidaamiyayaasha

1. HDR ayaa mas'uul ka ah taakulaynta diyaaradaha iyo rakaabka marka ay diyaarad lunto, burburto ama ay la soo gudboonaato xaalad deg-deg ah ama ay ku dhacdo dhibaatooyin khatar gelinayabed-qabkeeda.
2. HDR waxay u xil saari kartaa hawlaha baadi-goobka iyo samata-bixinta, hay'ad kale oo si buuxda ugu qalabaysan adeegyadaas ama aan ka fogeyn goobta masiibadu ka dhacday.
3. Qofna kama reebana bixinta taageero kasta oo lagama maarmaan u ah hawlaha baadi-goobidda iyo samata-bixinta marka Hay'addaha ku hawlani codsadaangurmad.

Qodobka 83aad
Mas'uuliyadaha baadi-goobka iyo samata-bixinta

1. HDR waxay sameeneysaa xarun laga maamulo hawlaha baadi-goobka iyo samata-bixinta waxayna mas'uul ka noqonaysaa iskuduwidda howlgalada gurmadka si waafaqsan nidaamka Hay'adda Caalamiga ah ee Duulista Rayidka kuna xusan Lifaaq 12aad ee Heshiiskii Chicago.

2. HDR waxay abaabulaysaa kooxaha gurmadka ee heer qaran si ay u noqdaan heegan buuxa iyadoo la raacayo qorshayaasha badbaadada ee hore loodejiyay.

3. HDR waxay qaadaysaa talaabooyinka lama huraanka ah si loola shaqayo loona kaashado hay'adaha badbaadada ee ka yimid dalalka shisheeye hawlaha la xiriira baadi goobida iyo samatabixinta

Qodobka 84aad
Baadi-goobida iyo Samatabbixinta Goobaha aan la Ogoleyn in la Dul Maro

1. HDR, iyadoo kormeeraysa, waxay u oggolaanaysaa dadka iyo diyaaraddaha wada hawlaha baadigoobka iyo samata-bixinta goobaha aan la ogolayn in diyaaadi dulmarto marka lagu tuhmo in shil ka dhacaygoobtaas.

Qodobka 85aad
Magdhow iyoKharash

1. Kharashka baadigoobka iyo samata-bixinta waxaa bixinaya shirkada diyaarada leh ama ceysmiskooda, diyaaradaas oo ah mida la badaadinayo, waxay kaloo bixinaysaa khasaaraha ka dhasha hawsha baadigoobka iyo badbaadada iyo mushahar-maalmeedka shaqaalaha aan samafalkaahayn.

Qodobka 86aad
Magdhowga Hawlgalada Baadi-Goobka iyo samata-bixinta

1. Maxkamadaha Soomaliya waxay qaadayaan dacwadaha magdhaw sheegashada hawlaha baadi-goobka iyo samata-bixinta. Marka shilku ka dhaco wadanka Soomaaliya gudahiis, badahafog-fog ama meel ka baxsan madax banaanidaQaranka.

   a Haddii diyaaradda qabatay hawlaha baadi-goob iyo badbaadinta ay ka diiwaan gashantay wadankaSoomaaliya

   b Haddii qofka dacwoonaya uu yahay muwaadinSoomaaliyeed

   c Haddiidiyaarada shilka gashay la ga helo waddanka soomaaliyagudahiisa

CUTUBKA 12AAD
BAARITAANKA SHILALKA DIYAARADAHA
Qodobka 87aad
Shilalka Diyaaradaha Rayidka ah

1. Wasaarada Gadiidka Cirka iyo Dhulka waxaa waajib kuah:

   a In ay dejiyo shuruuc iyo xeer-nidaamiyayaal lagu dhaqo wargelinta iyo warbixinta shilalka diyaaradaha rayidkaah;

   b In ay baarto shilalka, kana warbixiso xaqiiqda, xaaladaha iyo duruufaha la xiriira shil kasta iyo sababtakeentay;

   c In ay qaado tallaabooyin looga hortegayo shilalka diyaaradaha.

   d Waa inay warbixin sugan ka siiso dadweynaha xaalada shilka iyadoo la ilaalinayo danta guud;iyo,

   e In ay ka gun gaarto waxa ugu wanaagsan ee lagu soo afjari karo ama xadaynayo dib u soo noqoshada shilalka ayadoo samaynaysa cilmibaaris iyo baaritaano ku saabsan arrimaha bed-qabka gooshida hawada iyo ka hortaggashilalka

2. Sarkaakiisha ama shaqalaha u xilsaaran shilalka waxay yeelanayaan awood la mid ah tan maareeyaha HDR xagga xog ururinta amabaaritaanada;

a Sharcigani wuxuu Wasaarada u ogolyahay inuu diyaarad kasta oo shil ku lug yeelata, ku sameeyo baaritaan iyo tijaabo lagama maarmaan ah, xaga matoorada diyaaradda, marawaaxdaha iyo qalabka kasta oo diyaaradu ku shaqayso ama hantida saaran diyaaradda ku lugta leh shilkadhacay.

b Wasaarada waxaa sharcigani u oggol yahay in ay baarto haraaga meydka qof kastaoo rakaabka kamid ah si loo ogaado heybta qofka iyo arrimo muhiim ah la xiriira baaritaanka shilkadiyaarada.

Qodobka 88aad
Baabi'inta Caddeymaha Shilka

1. Diyaarad kasta oo rayid ah, matoorada diyaaradda, marwaxadaha, qalabka lagu hago diyaaraddaha, ama hantida saarandiyaaradda shilka gashay waa in la ilaaliyaa, waxaa reeban in wax laga qaado goobta shilku ka dhacay ilaa iyointa baaritaanku socdo si waafaqsanayn xeerarka shilalka u degsan. Qof kasta oo ku xad gudba qodobkan waadembiile.

2. Waxa reeban in qayb ka mid xogaha shilka la baaray ama warbixinada shilalka ee Wasaaradda in loo isticmaalo cadayn maxkamadeed ama in magdhow laguraadiyo.

3. Wasiirku marka uu codsado, laamaha kale ee dawlada iyo Wasaaradaha kale waxaa sharcigani u ogolaanayaa in ay baaritaan ku sameeyaan shilalka diyaaradaha ayna wasiirka u gudbiyaan xaqiiqda, xaaladaha iyo duruufaha ku xeeran arintaas, waxaana loo oggol yahay in uu warbixinadaas ku go'aansado sababaha suurtagalka ah keenayshilka.

CUTUBKA 13AAD
DEMBIYADA IYO GANAAXYADA
Qodobka 89aad
Dambiyada iyo Ganaaxyada

1. Qof kasta oo si ula kac ah u burburiya, uga qaada meeshii loogu talagaly ama waxyeello u geysta hantida HDR ama hor istaagain hantidan lagu qabto hawshii loogu talagalay wuxuu noqon doonaa eedaysane wuxuuna mutaysanayaa ganaax ay go'aamiso Hay'adda ku shaqadaleh.
2. Qof kasta oo hor istaaga ama caqabad ku noqda sarkaal ama shaqaale ka tirsan HDR kaas oo gudanaya waajibaadkiisa shaqo si waafaqsan qodobada Xeerkan ama xeernidaamiyayaashaboos imanaya wuxuu noqon doonaa eedaysnae wuxuuna mutaysanayaa ganaax ay go'aamiso hay'adda ku shaqaleh.

CUTUBKA 13AAD
DHAQAN-GELIN
Qodobka 90aad
Dhaqangalka Sharciga

1. Dhaqan-gelinta sharciga
2. Sharcigan, kadib dhaqan galkiisa, wuxuu burinayaa dhamaan sharciyadii hore ee dalka uga yaallay duulista rayidka.
3. Sharcigan wuxuu dhaqan galayaa markii uu ansixiyo Baarlamaanka Federaalka Soomaaliya, labadiisa aqal, isla markaana uu saxiixo Madaxweynaha Juhmuuriyadda Federaalka Soomaaliya, laguna soo saaro faafinta rasmigaah.

Qodobka 91aad
Dhamaystirka Sharcigan

1. Qodobada laga waayo sharcigan waxaa loola noqonayaa heshiiska Chicago iyo mucaahadooyinka Soomaaliya ansixisay ee la xiriira duulista rayidkaah.
2. Sharcigan wixii laga waayo waxaa loola noqonayaa sharciyadii ka horeeyay iyo heshiisyada caalamigaah.

XEER MADAXWEYNELr.248 Taariikh:17/02/2020

MAGACAABIS NOOTAAYO

MADAXWAYNAHA J.F.S.

MARKUUARKAY: Qodobka 87aad, Farqadda 1aad, Xarafka'C' iyo Farqadda 2aad ee Dastuurka KMG ah ee J.F.S

MARKUUARKAY: Xeerka Lr. 1 ee soo baxay 02/03/1962kuna saabsan hawlaha Nootaayaha

MARKUUARKAY: Xeerka Lr. 7 ee soo baxay 02/02/1986oo awood u siinaayo Madaxweynaha inuu magacaaboNootaayaha

MARKUUARKAY: Soo jeedinta Wasiirka Cadaaladda, Ref: WC/XW/E-12/431/018

Waxa uu Madaxweynuhu soo saaray Xeerkaan:

Qodobka 1aad

Laga billaabo marka uu Madaxweynuhusaxiixo, Waxaa **Dr. Maxamed Maxamuud Maxamed (Luu)** loo magacaabay inuu noqdo Nootaayo.

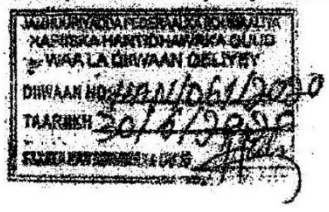
Qodobka 2aad

Waxa uu **Dr. Maxamed Maxamuud Maxamed** ka hawlgelayaa Gobolka Banaadir gaar ahaan Magaalada Muqdisho.

Qodobka 3aad

Waxa uuXeerkan Dhaqangelayaa isla maalinta uu Madaxweynaha J.F.SsaxiixowaxaanalagusoodaabicidoonaaFaafintaRasmigaeeJ.F.S

MUQDISHO: 17/02/2020



Madaxweynaha J.F.S
Maxamed Cabdullaahi Maxamed (Farmaajo)

XEER MADAXWEYNE LR.254 Taariikh:16/03/2020

MAGACAABIS XUBNAHA CUSUB EE GUDDIGA MAAMULKA BANGIGA DHEXE

MADAXWAYNAHA J.F.S

MARKUU ARKAY: Qodobka 87aad, Faqradda 1aad, Xarafka 'C' iyo Faqradda 2aad ee Dastuurka

MARKUU ARKAY: Qodobka 90aad, Xarafka 'K' ee Dastuurka J.F.S

MARKUU ARKAY: Xeer Lr. 130 ee soo baxay 22/04/2012 kuna saabsan Sharciga Bankiga Dhexe ee Soomaaliyeed iyo Hey'adaha Maaliyadda Soomaaliyeed

MARKUU ARKAY: Go'aanka Golaha Wasiirrada SHGW.0092.02.20 Taariikh: 13/02/2020

MARKUU OGAADAY: In ay lagama maarmaan tahay in la magacaabo Xubnaha cusub ee Guddiga Maamulka Bangiga Dhexe

MARKUU TIXGELIYAY: Aqoonta iyo waayo-aragnimada ay leeyihiin mudanayaasha

Waxa uu Madaxweynuhu soo saaray Xeerkaan:

Qodobka 1aad

Laga bilaabo marka uu Madaxweynaha J.F.S. saxiixo Xeerkaan, waxaa Xubnaha Cusub ee Guddiga Maamulka Bangiga Dhexe loo magacaabay xubnaha magacyadoodu hoos ku qoran yihiin:

1.	Prof. Xuseen Axmed Warsame	Xubin
2.	Dr. Aues Abo Scek	Xubin
3.	Dr. Cabdisamad Nuur Looyaan	Xubin
4.	Mr. Sakhaawe-diin Mustafa Maxamed	Xubin
5.	Mr. Cusmaan Salaad Gabeyre	Xubin

Qodobka 2aad

Waxa uu Xeerkaan Madaxweyne Dhaqangelayaa marka uu Madaxweynaha J.F.S saxiixo, waxaana lagu soo daabici doonaa Faafinta Rasmiga ah ee J.F.S

MUQDISHO:16/03/2020

JAMHUURIYADDA FEDERAALKA SOOMAALIYA
KAFIISKA HANTIDHAWRKA GUUD
WAA LA DIIWAAN GELIYEY
DIIWAAN NO: Hanl/060/2020
TAARIIKH 30/6/2020
SAXIIXA HANTIDHAWRKA GUUD

MadaxweynahaJ.F.S
Maxamed Cabdullaahi Maxamed (Farmaajo)

XEER MADAXWEYNE LR:259 Taariikh:06/04/2020

MAGACAABIS LA-TALIYE MADAXWEYNE EE DHINACA SHARCIGA

MADAXWAYNAHA J.F.S

MARKUU ARKAY: Qodobka 87aad ee Dastuurka KMG ah ee Dalka

MARKUU ARKAY: Qodobka 90aad ee Dastuurka KMG ah

MARKUU TIXGELIYAY: Baahida loo qabo magacaabista khabiir la-taliye Madaxweyne ee Dhinaca Sharciga

Waxa uu Madaxweynuhu soo saaray Xeerkaan:

Qodobka 1aad

Laga bilaabo Maanta oo ay taariikhdu tahay 6daAbriil 2020, Madaxweynaha Jamhuuriyadda Federaalka Soomaaliyeed waxa uu u magacaabay **Kaise Said Artan** in uu noqdo La-taliye Madaxweynaha ee dhinaca Sharciga

Qodobka 2aad

Xeerkaan waxa uu Dhaqangelayaa marka uu saxiixo Madaxweynaha Jamhuuriyadda Federaalka Soomaaliya, waxaana lagu soo saari doonaa Faafinta Rasmiga ah ee J.F.S

MUQDISHO:06/04/2020

JAMHUURIYADDA FEDERAALKA SOOMAALIYA
XAFIISKA HANTIDHAWRKA GUUD
WAA LA DIIWAAN GELIYEY
DIIWAAN NO: HHA/052/2020
TAARIIKH 30/6/2020
SAXIIXA HANTIDHAWRKA GUUD

MadaxweynahaJ.F.S
Maxamed Cabdullaahi Maxamed (Farmaajo)

XEER MADAXWEYNE LR.267 Taariikh:20/05/2020

MAGACAABIS AGAASIMAHA HAB-MAAMUUSKA MADAXTOOYADA (CHIEF PROTOCOL)

MADAXWAYNAHA J.F.S

MARKA UU ARKAY: Qodobka 87aad ee Dastuurka KMG ah Faqradda 1aad Xarafkiisa "A"

MARKA UU ARKAY: Qodobka 90aad ee Dastuurka KMG ah

MARKA UU ARKAY: Aqoonta iyo waayo-aragnimada uu leeyahay mudanaha loo magacaabayo xilkan

MARKA UU TIXGELIYAY: Baahida loo qabo magacaabista Agaasimaha Hab-maamuuska

Madaxweynuhu Waxa uu soo saaray Xeerkan Magacaabis:

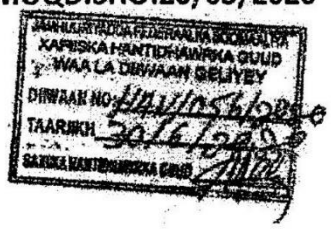
Qodobka 1aad

Laga bilaabo Maanta oo ay taariikhdu tahay 20-ka May 2020, Madaxweynaha Jamhuuriyadda Federaalka Soomaaliyeed waxa uu u magacaabay mudane **Yusuf Hassan Salan** in uu noqdo Agaasimaha Hab-maamuuska Madaxtooyada.

Qodobka 2aad

Xeerkaan waxa uu Dhaqangelayaa marka uu saxiixo Madaxweynaha Jamhuuriyadda Federaalka Soomaaliyeed, waxaana lagu soo saari doonaa Faafinta Rasmiga ah ee J.F.S

MUQDISHO:20/05/2020



MadaxweynahaJ.F.S
Maxamed Cabdullaahi Maxamed (Farmaajo)

XEER MADAXWEYNE LR.273 Taariikh:20/06/2020

MAGACAABIS MAAREEYAHA GUUD EE HEY'ADDA DUULISTA RAYIDKA SOOMAALIYEED

MADAXWAYNAHA J.F.S

MARKA UU ARKAY: Qodobka 87aad iyo 90aad ee Dastuurka KMG ah ee Dalka

MARKA UU ARKAY: Sharciga Lr.28 ee soo baxay 19kii Maajo 2020 kuna saabsan Duulista Rayidka

MARKA UU ARKAY: Soo jeedinta Ra'iisul Wasaaraha Xukuumadda Federaalka Summad: XRW0184/05/2020 kuna saabsan Soo jeedin Magacaabis Maareeyaha Guud ee Hey'adda Duulista Rayidka.

MARKA UU ARKAY: Aqoonta iyo Waayo-aragnimada ay leeyihiin mudanayaasha loo magacaabayo Xilalkan

MARKA UU TIXGELIYAY: Baahida loo qabo in Hey'adda Duulista Rayidka loo magacaabo Maareeye Guud

Madaxweynuhu Waxa uu soo saaray Xeerkan Magacaabis:

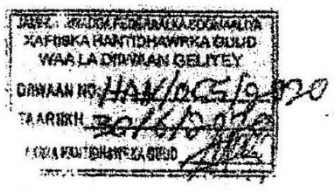
Qodobka 1aad

Laga bilaabo Maanta oo ay taariikhdu tahay 20-ka Juun 2020, Madaxweynaha Jamhuuriyadda Federaalka Soomaaliyeed waxa uu u magacaabay mudane **Axmed Macallin Xasan** in uu noqdo Maareeyaha Guud ee Hey'adda Duulist Rayidka Soomaaliyeed

Qodobka 2aad

Xeerkaan waxa uu Dhaqangelayaa marka uu Madaxweynaha Jamhuuriyadda Federaalka Soomaaliyeed, waxaana lagu soo saari doonaa Faafinta Rasmiga ah ee J.F.S

MUQDISHO: 20/06/2020



Madaxweynaha J.F.S
Maxamed Cabdullaahi Maxamed (Farmaajo)

SHARCI LR.36 Taariikh: 31/12/2020

ANSIXINTA SHARCIGA HESHIISKA MIDOWGA AFRIKA EE LA-DAGAALANKA MUSUQ-MAASUQA

MADAXWAYNAHA J.F.S

MARKUU ARKAY: Qodobka 87aad, Faqradda 1aad iyo Faqradda 2aad ee Dastuurka KMG

MARKUU ARKAY: Qodobka 90aad, Xarafka "q" ee Dastuurka KMG

MARKUU ARKAY: Warqadda Guddoomiyaha Golaha Shacabka GSH/346/2/B-10/20 Taariikh: 29/09/2020 kuna saabsan ansixinta Sharciga Heshiiska Midowga Africa ee La-Dagaalanka Musuq-maasuqa

MARKUU TIXGELIYAY: Baahida loo qabo in la ansixiyo lana meel-mariyo Sharcigan

Waxa Madaxweynuhu soo saaray Sharcigan:

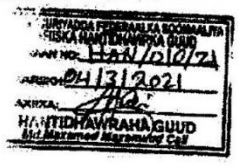
Qodobka 1aad

Laga bilaabo marka uu Madaxweynuhu saxiixo Sharcigan, waxa si rasmi ah loo oggolaaday Sharciga Heshiiska Midowga Afrika ee La-Dagaalanka Musuq-maasuqa

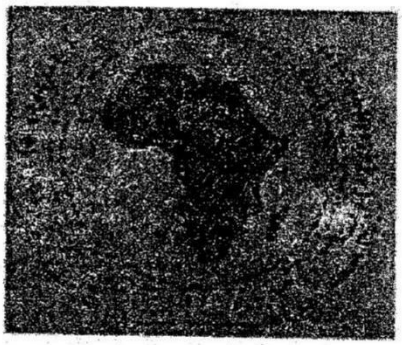
Qodobka 2aad

Marka uu Madaxweynaha JFS saxiixo Sharcigan, waxaa lagu soo daabici doonaa Faafinta Rasmiga ah ee Jamhuuriyadda Federaalka Soomaaliyeed.

MUQDISHO: 31/12/2020



Madaxweynaha J.F.S
Maxamed Cabdullaahi Maxamed (Farmaajo)



Nuqulka Soomaaliga ah

HESHIISKAMIDOWGA AFRIKA
EE KA-HORTAGGA IYO
LA-DAGAALLANKA MUSUQ-MAASUQA

HESHIISKAMIDOWGA AFRIKA EE KA-HORTAGGA IYO LA-DAGAALLANKA MUSUQ-MAASUQA

Hordhac

Qaramada Xubnaha ka ah Midowga Afrika:

Iyagoo tixgelinaya in Xeerka Asaasiga ah ee Ururka Midowga Afrika uu aqoonsan yahay in xorriyadda, sinnaanta, cadaaladda, nabadda iyo sharafta ay yihiin himmilooyin muhiim ah ee gaaritaanka damaca xalaasha ah ee dadyowga Afrika;

Iyagoo sii tixgelinaya in Qodobka 3aad ee Xeerka Asaasiga ah ee la soo sheegay uu farayo Qaramada Xubnaha ah inay iskuduwaan oo ballaariyaan iskaashigooda, midnimadooda, wadajirkooda iyo dadaaladooda lagu gaarayo nolol wanaagsan oo ay helaan dadyowga Afrika;

Iyagoo garwaaqsan xaqiiqda ah in Xeerka Asaasiga ah ee Midowga Afrika, ayna ku jiraan qaar kale (inter alia), ayaa ku baaqaya baahida loo qabo in la horumariyo oo la ilaaliyo xuquuqda aadanaha iyo dadkaba, la xoojiyo hay'adaha dimuqraadiga ah laguna kobciyo dhaqanka dimuqraadiyadda lana hubiyo dawlad-wanaagga iyo talinta sharciga;

Iyagoo ogsoon baahida loo qabo in la ixtiraamo sharafta aadanaha iyo in la dardar-geliyo horumarinta dhaqaalaha, bulshada, iyo xuquuqda siyaasadeed ee la waafajinayo qodobbada Axdiga Afrika ee Xuquuqda Aadanaha iyo Dadka iyo aaladaha kale ee la xiriira xuquuqda aadanaha;

Iyagoo maanka ku haya Baaqa 1990 ee ku saabsan isbedelada asaasiga ah ee aduunka ka dhacaya iyo saameynta ay ku leeyihiin Africa; ajendayaasha Qaahira 1994 ee Loogu Talo-galay Isu-keenidda

Dhaqaale-bulsheedka Afrika; iyo Qorshe Ficil ka dhan ah xasaanadda oo uu qaatay Kal-fadhigii Sagaal iyo Tobanaad ee Golaha Afrika ee Xuquuqda Aadanaha iyo Xuquuqda Dadweynaha ee 1996 sida ku xigta uu ansixiyey Kal-fadhiga Afar iyo Lixdanaad ee kullanka caadiga ah ee Golaha Wasiirrada ee lagu qabtay Yaounde, Cameroon ee 1996 kaas iyo kuwa kale, waxay hoosta ka xarriiqeen baahida loo qabo in la dhawro mabaadi'da dawlad-wanaagga, jiritaanka sharciga, xuquuqda aadanaha, dimuqraadiyadda iyo ka-qeyb-galka caanka ah ee dadka Afrikaanka ah ee geedi-socodka dawladnimada.

Iyagoo dareensan saameynada xun ee musuq-maasuqa iyo ku-lug lahaanshaha xasilloonida siyaasadeed, dhaqaale, bulsho iyo dhaqan ee Dalalka Afrika iyo saamaynta ba'an oo ay ku yeelan karto horumarka dhaqaale iyo bulsho ee dadyowga Afrika;

Iyagoo yaqiinsan in musuq-maasuqu uu wiiqayo isla-xisaabtanka iyo daah- furnaanta maamulka arrimaha bulshada iyo sidoo kale horumarka dhaqan- dhaqaale ee qaaradda;

Iyagoo aqoonsan baahida loo qabo in wax laga qabto sababaha salka u ah Musuq-maasuqa qaaradda;

Iyagoo ka qanacsan baahida loo qabo in la dejiyo oo la raaco, iyadoo ah arrinta mudnaanta la siinayo, siyaasad ciqaabeed caadi ah oo looga gol-leeyahay in bulshada laga ilaaliyo musuq-maasuqa, oo ay kamid yihiin qaadashada sharci- dejin ku habboon iyo tallaabooyin ka-hortag oo ku filan;

Iyagoo go'aansan dhisidda iskaashi ka dhexeeya dawladaha iyo dhammaan qeybaha bulshada rayidka ah, gaar ahaan haweenka, dhallinyarada, warbaahinta iyo waaxyaha gaarka loo leeyahay si loola dagaallamo musuq-maasuqa;

Iyagoo dib u xusuusan Qaraarka AHG-Dec 126 (XXXIV) oo uu ansixiyey kal- fadhigii caadiga ahaa ee Afar iyo Soddonaad ee Golaha Madaxda Qaramada iyo Dawladaha bishii Juun 1998 ee

Ouagadougou, Burkina Faso, kana codsaday Xoghayaha Guud inuu qabto, isagoo la kaashanaya Guddiga Afrika ee Xuquuqda Aadanaha iyo Dadyowga, kulan heer sare ee xeel-dheereyaal oo looga tashanayo qaabab iyo kheyraad looga qaadi karo caqabadaha ku gudban dhaqaalaha, xuquuqda bulshada iyo dhaqanka, oo ay kamid yihiin la-dagaallanka Musuq- maasuqa iyo dembi-qabad-la'aanta iyo soo-jeedin sharci-dejin habboon iyo tallaabooyin kale;

Iyagoo dib u sii xusuusan go'aanka kal-fadhiga 37aad ee caadiga ah ee Golaha Hoggaamiyeyaasha Gobollada iyo Dawladda UMA (OAU) ee lagu qabtay Lusaka, Zambia, bishii Luulyo 2001 iyo sidoo kale Baaqa lagu ansixiyey kal-fadhigii kowaad ee Golaha Midowga ee lagu qabtay Durban, Koonfur Afrika bishii Luulyo 2002, la xiriira Iskaashiga Cusub ee Horumarinta Afrika (NEPAD) oo ku baaqaya dejinta qaab isku-dubaridan si loola dagaallamo musuq-maasuqa.

Waxay ku heshiiyeen sidan soo socota:

Qodobka 1aad
Qeexid

1. Si waafaqsan hadafyada Heshiiskan;

   - "**Guddoomiye Guddiga**" waxaa loola jeedaa Guddoomiyaha Golaha MidowgaAfrika;

   - "**La-wareegid**" waxaa loola jeedaa Ciqaab walba ama Natiijo kama-dambeys ah oo laga gaaray soo-celin hanti, faa'iido ama qalab taasoo ka timid amar Maxkamdeed oo Sharci ah, iyadoo la raacayo faa'iidada in ay la leedahay xiriir fal-dembiyeed ama dembiyo kale lala xiriirinayo ama la xiriira musuq-maasuq;

   - "**Musuq-maasuq**" waxaa loola jeedaa falal iyo Hawlo oo lala xiriiriyey fal- dembiyeed ay ku jiraan kuwa lagu qeexay heshiiskan gudahiisa;

- **"Maxkamad Sharci ah"** waxaa loola jeeda Maxkamad si hab-sami ah loogu dhisay sharci gudaha;
- **"Guddi Fullin"** waxaa loola jeedaa Guddiga Fullinta ee Midowga Afrika;
- **"Xaaraan-ku-hodmid"** waxaa loola jeedaa kor-u-kac muhiim ah ee hantiyeed ee ku aaddan Sarkaal dadweyne ama qof kasta oo aan Sharaxaad Maan-gal ah aan ka bixin karin dakhligiisa;
- **"Ganacsi gaar loo leeyahay"** waxaa loola jeedaa Ganacsiga ee dhaqaalaha Qaranka oo ku hoos jira Milkiyat gaar loo leeyahay taasoo qoondeynta kheyraadka wax-soo-saaritaan uu xakameynayo xoogga suuqa, oo ka duwan Awoodda Dawladda iyo qeybaha kale ee dhaqaalaha taasoo aan hoos iman Ganacsiga Dadweynaha ama Xukuumadda;
- **"Faa'iido musuq-maasuq"** waxaa loola jeedaa Hanti walba Maadi ama Macnawi, Guurto ama Ma-guurto, la taaban karo ama aan la taaban karin, iyo Dokuminti kasta ama aalad qaanuun oo caddeynaya lahaansho ama dano lagu kasbaday hantiyahaas fal musuq-maasuq ah;
- **"Sarkaal Dadweyne"** waxaa loola jeedaa Sarkaal kasta ama Shaqaale dawladeed ama hay'adaha dawladda oo ay ku jiraan kuwa la xushay, la magacaabay, ama loo doortay inay Hawlo qabtaan ama mataia Magaca Dawladda ama u adeega Dawladda heer kasta oo ay Darajadeedu tahay;
- **"Dawladda Xubinta ah ee laga codsaday"** waxaa loola jeedaa dawladda Xubinta ka ah oo laga codsaday in ay soo gudbiso ama bixiso gacan-siin si waafaqsan heshiiskan;
- **"Dawladda Xubinta ah ee codsanaysa"** waxaa loola jeedaa Dawladda Xubinta ka ah oo sameynaysa codsi soo-gudbin ama gacan-siin la xiriira heshiiskan;
- **"Dawladda Xubinta ah"** waxaa loola jeedaa Dawladda xubinta ka ah Midowga Afrika taasoo ansixisay ama qeyb ka noqotay heshiiskan iyo oggolaatay ansixinta qodobbada heshiiskan ama gaaritaanka Guddomiyaha Golaha Midowga Afrika.

2. Heshiiskan gudihiisa, Kali ahaanta waxaa wehliya wadar iyo dhanka kale oo loo rogo (vice versa).

Qodobka 2aad
Himmilooyin

Himmilooyinka Heshiiskan waa in:

1. Gacan laga geysto lana xoojiyo horumarinta Afrika ee Dawlad kasta oo xubin ah, aaladaha looga baahan yahay ka-hortaga, haba-galka ciqaabta iyo baabi'inta musuq-maasuqa iyo Fal-dembiyeedyada lala xiriirinayo, qeybaha Dawladda iyo qeybaha gaar loo leeyahay.

2. Gacan laga siiyo, lana fududeeyo isla markaana la xaqiijiyaa iskaashiga u dhaxeeya Xubnaha Qaramada si loo hubiyo hal-beegyada wax-ku-oolka ah iyo tallaabooyinka ka-hortaga, ka-daba-taga ciqaabta, iyo baab''inta musuq-maasuqa iyo fal-dembiyeedyada la xiriira ee Afrika.

3. La isku-duwo lana turxaan-bixiyo siyaasadaha iyo shuruucda ka dhexeeya Xubnaha Qaramada iyadoo looga gol-leeyahay ka-hortag ka-daba-tag, ciqaab iyo baabi'in Musuq-maasuqa Qaarada oo idil.

4. Gacan la siiyo dhaqan-dhaqaalaha iyadoo la horumarinayo ka-leexinta caqabadaha si loo gaaro baraare dhaqaale iyo bulsho iyo xuquuq-dhaqameed sida ugu wanaagsan ee Xuquuqda Madaniga iyo tan siyaasadda.

5. Asaaso xaalada ugu habboon ee dhiirri-gelinta daah-furnaanta iyo isla- xisaabtanka ee maareynta Arrimaha Dadweynaha.

Qodobka 3aad
Mabaadi'

Qaramada Xubnaha ka ah heshiiskan waxay fulinayaan in ay dhaqan-geliyaanmabaadi'da soo socoto:

1. In ay tixgeliyaan Dimuqraadiyada iyo Hay'adaha, ka-qeyb-galka shacbiga, talintasharciga iyo dawlad-wanaagga.

2. In ay texgeliyaan bini'aadanimada iyo xuquuqda dadka si waafaqsan Axdiga Midowga Afrika oo ku aaddan Bini'aadanka iyo Xuquuqda dadka iyo Heshiisyada kale ee Xuquuqda aadanaha.

3. Daah-furnaanta iyo isla-xisaabtanka ee Maareynta Arrimaha Dadweynaha.

4. Xoojinta Cadaaladda Bulshada si loo xaqiijiyo isku dheelitinnaanta horuminta Dhaqaale-bulsheedka .

5. Dhaleecaynta iyo diidida falalka musuq-maasuqa ah, xad-gudubyada la xiriira iyodembi-qabad-la'aanta.

Qodobka 4aad
Baaxadda Dabaqaada

1. Heshiiskani wuxuu ku dabaqmayaa falalka soo socda ee musuq-maamsuq iyo xad-gudubyada la xiriira:
   b) Ugu-yeerid ama guddoon, si toos ah ama si aan toos ahayn, mas'uul dawladeed ama qof kale, wixii alaab ah oo qiimo lacageed ah ama macaash kale ah, sida hadiyad, adeeg, ballan-qaad, ama faa'iido naftiisa ama Qof kale, ama hay'ad, iyadoo la beddelayo fal kasta ama ka-tagitaan kasta oo lagu fuliyo hawlihiisa dadweyne;
   t) Siinta ama deeq, si toos ah ama si aan toos ahayn, Mas'uul dawladeed ama qof kale, alaabo kasta oo qiimo lacageed ah ama macaash kale ah, sida hadiyad, adeeg, ballan-qaad, ama

faa iido naftiisa, ama qof kale ama hay'ad, iyadoo lagu beddelayo wixii Ficil ama tixgelin gaar ah si loo fuliyo hawlihiisa dadweyne;

j) Bandhig kasta ama badeecad leh qiimo lacageed leh, si toos ah ama aan toos ahayn, Mas'uul Dawladeed ama qof kale ama siin ama waxtar kale dawladeed ama qof kasta oo ujeeddadiisu tahay helitaanka gargaarka sharci-darrada ah ee nafsadiisa ama nafsadeeda ama dhinac saddexaad;

x) U wareejinta shakhsi dawladeed ama qof kale, ula-jeeddooyin aan la xiriirin ujeeddooyinka loogu talo-galay, maslaxadiisa ama faa'iido qof saddexaad, hanti kasta oo Gobolka ama ha'yadeeda, loo wareejiyo hay'ad madaxbannaan ama shaqsi, laga helay mas'uulkii hore ee xafiiskaas;

k) Beecinta ama siinta, ballan-qaadida, codsashada ama aqbalaadda, si toos ah ama si aan toos ahayn, faa'iidooyin kasta oo xad-dhaaf ah oo ka yimaada ama qof kasta oo hagitaan ama u shaqeeya, awood kasta, hay'ad waax gaar ah, naftiisa ama nafteeda ama cid kale , isaga ama iyada inay ku kacdo, ama ka joogso ficil, iyada oo jebinaysa waajibaadkeeda ama waajibaadkeeda;

d- Beecinta, siinta, ballan-qaadida ama aqbalida si toos ah ama saameyn kasta oo aan habooneyn go'aan qaadashada qofkasta oo qabanaya hawlaha qeybta dadweynaha ama waaxda gaarka loo leeyahay iyadoo la tixgelinayo, in faa'iidada aan caadiga ahayn ay tahay mid nafsadeeda ama cid kale, iyo sidoo kale codsi, rasiid ama aqbalaadda deeqda ama ballan-qaad ka faa'iideysigaas, iyadoo la tixgelinayo saameyntaas , in saamaynta la adeegsado ama in kale ama in kale ama saameyntu ay keenayso natiijada la rabay;

r) Xaraan-ku-hodmid;

s) Adeegsiga ama qarinta wixii ka soo baxa fal kasta oo lagu tilmaamay Qodobkan;

Sh) Ka-qeyb-qaadasho maamule ahaan, la-maamule, wakiil, baare, kaalmeeye ama fududayn xaqiiqada kaddib, ama

qaab kale oo kamid ah guddiga ama isku-day guddi, wada-shaqeyn kasta ama shirqool lagu sameeyo, fal kasta oo lagu tilmaamo qodobkan.

2. Heshiiskan wuxuu sidoo kale ku dabaqmayaa heshiis dhexmara labo dhinac ah ama in ka badan oo kamid ah Xubnaha Qaramada ee la xiriira fal kasta ama hawl-qabad kasta ee musuq-maasuq iyo xad-gudubyada la xiriira ee aan lagu xusin Heshiiskan.

Qodobka 5aad

Sharci-dejinta iyo Tallaabooyin kale

Si waafaqsan ujeeddooyinka ku xusan Qodobka 2aad ee Heshiiskan, Xubnaha Qaramada waxay fulinayaan in:

1. Ay qabatimaan sharci-dejin iyo talaabooyin kale ee looga baahan yahay in lagu dejiyo xad-gudubyada, ficillada lagu xusay Qodobka 4aad faqradiisa 1 ee Heshiiskan.

2. Ay xoojiyaan tallaabooyinka kontaroolka qaranka si loo hubiyo in dejinta iyo hawl-gallada shirkadaha shisheeye ee ku sugan dhulalka Xubinta Qaran ay ku xirnaan doonaan ixtiraamka sharciga qaran ee dhaqan-galka ah.

3. Ay dhisaan, gacanta ku hayaan, iyo in ay xoojiyaan hay'adaha madaxa-bannaan ee dawliga ah ee la-dagaallanka musuq-maasuqa ama wakaaladaha.

4. Ay qabatimaan sharci-dejin iyo talaabooyin kale oo abuuri kara, joogtaynaya laguna xoojinayo xisaabinta gudaha, hanta-dhawridda iyo nidaamyada dabo- galka, gaar ahaan dakhliga dadweynaha, risiidhaha dakhli-ururinta iyo cashuuraha, kharashyada iyo hab-raacyada kiraynta, soo-gadashada iyo maareynta badeecadaha iyo adeegyada dawladda.

5. Ay Qabatimaan sharci-dejinta iyo talaabooyinka kalē ee

lagu ilaalinayo dadka xog-bixiyeyaasha ah iyo markhaatiyada musuq-maasuqa iyo xad-gudubyada la xiriira, oo ay ku jiraan ilaalinta aqoonsiyadooda.

6. Ay qabatimaan talaabooyin xaqiijinaya in muwaadiniintu soo sheegaan dhacdooyinka musuq-maasuqa iyagoo aan ka cabsanayn aargudasho.

7. Ay qabatimaan tallaabooyinka sharci-dejinta ee qaranka si loo ciqaabto kuwa sameeya warbixinnada beenta ah iyo kuwa si ku-talo-gal ah u bixiya warbixin ka dhan ah dadka aan waxba galabsan ee musuq-maasuqa iyo xad-gudubyada la xiriira.
8. Ay qabatimaan isla markaana xoojiyaan qaababka kor loogu qaadayo aqoonta bulshada si loo ixtiraamo wanaagga dadweynaha iyo danaha dadweynaha, iyo wacyiga lagula dagaallamayo musuq-maasuqa iyo xad-gudubyada la xiriira, oo ay ku jiraan barnaamijyada waxbarashada dugsiyada iyo wacyi-gelinta warbaahinta, iyo kobcinta jawi karti u leh ixtiraamka anshaxa.

Qodobka 6aad
Dhaqitaanka Faa'iidooyinka Musuq-maasuqa

Xubnaha Qaramadu waxay qabatimayaan sharci-dejintaas iyo tallaabooyinka kale ee lagama-maarmaanka u ah in lagu abuuro xad-gudubyo fal-dembiyeed:

1. Beddelka, wareejinta ama tuurista hantida, iyadoo la ogyahay in hantida noocaas ah uu ka dhasho musuq-maasuq ama xad-gudubyo la xiriira ujeeddadooda qarinta ama ka dhigeysa asalka sharci-darrada ah ee hantida ama caawinta qof kasta oo ku lug leh gelitaanka xad-gudubka inuu ka baxsado cawaaqibka sharciga ah ee falkiisa ama falkeeda.

2. Qarinta ama u ekaanta dabeecada dhabta ah, isha, goobta, dabeecadda, dhaqdhaqaaqa ama lahaanshaha ama xuquuqaha la xiriira hanti ee dhaxalka la xiriira musuq-maasuq ama xad-gudubyada la xiriira;

3. Sheegashada, haysashada ama isticmaalka hantida iyadoo la og yahay waqtiga helitaanka, in hantidaasi la dhaxlay musuq-maasuq ama xad-gudubyo la xiriira.

Qodobka 7aad

La-dagaallanka Musuq-maasuqa iyo Xad-gudubyada la Xiriiraee Adeegga Dadweynaha

Si loola dagaallamo musuq-maasuqa iyo Xad-gudubyada la xiriira ee adeegga dadweynaha, Qaramada Xubnaha ah waxay isku hawlayaan in:

1. Ay weydiistaan dhammaan ama saraakiisha dadweynaha ee la magacaabay inay caddeeyaan hantidooda waqtiga la wareegista xafiiska inta lagu gudo-jiro iyo muddadooda xafiiska adeegga dadweynaha.

2. Ay abuuraan guddi gudaha ah ama hay'ad la mid ah oo loo idmaday inay dejiso xeer-anshaxeed oo ay kormeeraan hirgelintiisa, kuna wacyi-geliyaan kuna tababaraan saraakiisha dadweynaha arrimaha anshaxa.
3. Ay horumariyaan tallaabooyinka anshax-marineed iyo hab-raacyo baaritaan ee ku aaddan musuq-maasuqa iyo xad-gudubyada la xiriira iyadoo lagu keydinayo hannaanka tiknoolojiyada iyo kordhinta taxtar kuwa u xilsaaran arrinkan.

4. Ay hubiyaan daah-furnaanta, sinnaan iyo waxtarka maareynta hab-raacyada qandaraas-bixinta iyo kireynta ee adeegga dadweynaha.
5. Iyadoo la cuskanayo qodobbada sharciga maxalliga ah,

xasaanad kasta oo la siiyo saraakiisha dawladda ma noqon doonto wax carqalad ku ah baarista eedeymaha ka dhanka ah iyo dacwad ku soo oogidda saraakiishaas.

Qodobka 8aad
Xaaraan-ku-hodmid

1. Si waafaqsan xeerarka sharcigooda gudaha, Xubnaha Qaramada ayaa fulinaya in ay qabtimaan tallaabooyinka lagama-maarmaanka u ah in la abuuro sharci jideynaya xad-gudub lid ku ah xaraan-ku-hodmidda.

2. Xubnaha Qaramada ee aasaasay xad-gudub lid ku ah xaraan-kku-hodmidda ee sharcigooda gudaha, xad-gudub noocaas ah waxaa loo tixgelin doonaa fal musuq-maasuq ama xad-gudub la xiriira ujeeddooyinka Heshiiskan.

Qodobka 9aad
Helitaan Macluumaad

Xubin Qaran kasta waxay qabatimaysaa sharci-dejintaas iyo talaabooyin kale si loo dhaqan-geliyo xuquuqaha helitaanka macluumaad kasta ee loo baahan yahay in gacan laga geysto ladagaallanka musuq-maasuqa iyo xad-gudubyada la xiriira.

Qodobka 10aad
Maal-gelinta Axsaabta Siyaasadda

Xubin Qaran kastaa waxay qabatimaysaa sharci-dejin iyo talaabooyin kaleba in:

b) Ay mamnuucaan adeegsiga lacagaha lagu helo iyadoo loo marayo dhaqano sharci-darro ah iyo musuq-maasuq si loogu maal-geliyo axsaabta siyaasadeed;iyo

t) In mabaadi'da daah-furnaanta Lagu daro maal-gelinta axsaabta siyaasadeed.

Qodobka 11aad
Hay'adaha Gaarka ah

Xubnaha Qaramada waxay fulinayaan in:

1. Ay qabatimaan tallabooyinka sharci-dejinta iyo talaabooyinka kale oo looga hortagayo la-dagaallanka falalka musuq-maasuqa iyo xad-gudubyada la xiriira ee ay geystaan hay'adaha qeybta gaarka loo leeyahay.

2. Ay abuuraan aalado lagu dhiirri-gelinayo ka-qeyb-qaadashadooda hay'adaha gaarka loo leeyahay ee la-dagaallanka tartanka caddaalad-darrada, iyadoo la ixtiraamayo hannaanka qandaraasyada iyo xuquuqda hantida gaarka loo leeyahay.

3. Ay qabatimaan talaabooyinkaas kale ee laga yaabo inay lagama-maarmaan u yihiin ka-hortagga shirkadaha inay bixiyaan laaluush si ay ugu guuleystaan qandaraasyadooda.

Qodobka 12aad
Bulshada Rayidka iyo Warbaahinta

Xubnaha Qaramada waxay fulinayaan in:

1. Si buuxda looga qeyb-qaato la-dagaallanka musuq-maasuqa iyo xad-gudubyada la xiriira iyo in la faafiyo heshiiskan, iyadoo si buuxda looga wada qeyb-gelinayo Warbaahinta iyo Bulshada Rayidka ah.

2. Ay abuuraan jawi karaya in uu awood u siinaya bulshada rayidka iyo warbaahinta inay ku hayaan Dawladaha heerarka ugu sarreeya ee daah-furnaanta iyo isla- xisaabtanka ku aaddan maamulka maareynta ee arrimaha dadweynaha.

3. Ay hubiyaan oo bixiyaan ka-qeyb-gelinta bulshada rayidka hannaanka kor- joogteynta iyo la-tashiga bulshada rayidka ah ee hirgelinta heshiiskan.

4. Ay hubiyaan in Warbaahinta loo oggolaado helitaanka

macluumaadka xaaladaha dacwadaha musuq-maasuqa iyo xad-gudubyada la xiriira, iyadoo shuruud looga dhigayo in faafinta macluumaadka noocaas ah aysan saameyn xun ku yeelan habraaca baarista iyo xaqa helitaanka dhegaysiga garsoor caadil ah.

Qodobka 13aad
Ikhtisaaska Maxkamadda

1. Xubin Qaran kasta waxay lahaanaysaa ikhtisaas maxkamadeed oo ku aaddan falalka musuq-maasuqa iyo xad-gudubyada la xiriir marka:

b) xad-gudub lagu sameeyo guud ahaan ama qeyb ahaan gudaha xuduudeeda;

t) uu xad-gudub geysto mid kamid ah muwaadiniinteeda meel ka baxsan xuduudeeda ama uu falkaas ku kaco qof deggan xuduudeeda; iyo

j) dembilaha la tuhunsan yahay uu joogo xuduudeeda oo aysan u gudbinayn qofkaasi dal kale.

x) Marka xad-gudubka, in kastoo lagu galay meel ka baxsan xuduudeeda, uu saameynayo, si ku aaddan aragtidda Qaranka ay khusayso, danihiisa muhiimka ah ama dhaawac leh ama raad-reebyo waxyeello ah ama saameynta xad-gudubyadaas ay ku yeeshaan Xubinta Qaran.

2. Heshiiskani ma reebayo ikhtisaas ciqaabeed kasta oo ay fuliso Xubinta Qaran si waafaqsan shuruucdeeda gudaha.

3. Ka sokow faqradda (1) ee isla Qodobkan, qofna laguma maxkamadayn karo labo jeer isla hal xad-gudubi.

Qodobka 14aad
Damaanad-qaadka Ugu Yar ee Garsoor Xaq ah

Si waafaqsan shuruucda gudaha, qof kasta oo lagu eedeeyo inuu ku kacay falal musuq-maasuq iyo xad-gudubyo la xiriira wuxuu heli doonaa maxkamad caddaalad ah ee dacwadaha ciqaabta si waafaqsan damaanadda ugu yar ee ku tibaaxan Axdiga Afrika ee Xuquuqda Aadanaha iyo Dadyowga iyo wixii kale oo kasta ee la xiriira xuquuqda aadanaha ee caalamiga ah oo ay aqoonsan yihiin Xubnaha Qaramada ay khuseyso.

Qodobka 15aad
Dibu-celin

1. Qodobkan waxaa lagu dabaqayaa xad-gudubyada ay abuureen Xubnaha Qaran siwaafaqsan Heshiiskan.

2. Xad-gudubyada ku jira ikhtisaaska heshiiskan waxaa loo qaadanayaa inay ku jiraan shuruucda gudaha ee Xubnaha Qaran sida dembiyo u baahan dib-u-celin. Xubnaha Qaran waxay xad-gudubyadaas ku darayaan xad-gudubyada u baahan dib-u-celineed oo ku jira heshiisyada dib-u-celinta ee ka dhexeeya ama dhexdooda ah.

3. Haddii Xubin Qaran ka yeesho dib-u-celinta mid shuruud ku xiran ee jiritaanka heshiis dib-u-celin ay hesho codsi dib-u-celin ee ka timid Xubin Qaran oo uusan ka dhexayn heshiis noocaas ah, waxay u tixgelinaysaa heshiiskan inuu yahay aasaas sharci ah ee dhammaan xad-gudubyada uu heshiiskani khuseeyo.

4. Xubin Qaran oo aan sameynayn shardi ku xiran jiritaanka heshiis dib-u-celin waxay u aqoonsanaysaa xad-gudubyo uu heshiiskani ku dabaqmayo sidii xad- gudubyo dib-u-celineed oo iyaga dhexdooda ah.

5. Xubin Qaran kasta waxay fulinaysaa in ay celiso qof kasta lagu soo eedeeyey ama lagu helay xad-gudubyo musuq-maasuq iyo xad-gudubyo la xiriira, oo laga fuliyey xudduda Xubin Qaran oo kale oo dib-u-centiisa uu codsaday Xubinta Qarankaas, si waafaqsan sharcigooda gudaha, heshiis kasta oo dib-u-celin oo ku dabaqmaya, ama is-af-garadyo dib-u-celin ama qorsheyaal jira oo ka dhexeeya ama u dhexeeya Xubnaha Qaran.

6. Marka Xubin Qaran xuduudeeda qof ku sugan lagu eedeeyo ama lagu helo xad- gudubyo oo ay diido in celiso qofkaas si waafaqsan in ay ikhtisaas u leedahay qaadidda xad-gudubyadaas, Xubinta Qaran ee laga codsaday waxaa

waajib ku ah in ay u gudbiso dacwada si aan dib-u-dhac lahayn hay'adaheeda awoodda u leh si maxkamadayn loogu sameeyo, haddii aan si kale loogu raacsanayn Xubinta Qaran ee codsanaya, iyadoo loo soo sheegi doonaa natiijada kama-dambaysta ah Xubinta Qaran ee codsanaysa.

7. Iyadoo la raacayo qodobbada shuruucda waddanka iyo heshiisyada dib-u-celinta ee la dabaqi karo, waxaa u bannaan Xubinta Qaran ee la codsaday, kaddib markay ku qanacdo in duruufaha sidaas u baahan yihiin oo ay yihiin kuwo degdeg ah isla markaana ay codsanayso Xubinta Qaran in gacanta lagu dhigo qof la raadinayo wareejintiisa iyo qof xaadir ku ah dhulkeeda ama la qaado talaabooyin kale oo munaasib ah si loo hubiyo in qofkaasi ku sugan yahay hab- raacyada dacwo ee dib-u-celinta.

Qodobka 16aad

La-wareegidda iyo Hantidda & Hab-raacyadda la Xiriira Musuq-maasuqa

1. Xubin Qaran kasta waxay qabatimaysaa inay qaado talaabooyin sharci- dejinta ee lagama-maarmaanka u ah in awood la siiyo:

b) Mas'uuliyiin karti u leh inay baaraan, aqoonsadaan, raad-raacaan, maamulaan, xayiraan ama qabtaan qalabkii iyo waxyaabihii musuq-maasuqu ku xirnaa inta la sugayo xukunka kama-dambaysta ah;

t) La-wareegidda faa'iidooyin ama hanti, qiimaha u dhigmo faa'iidooyinkaas, laga dhaxlay, si waafaqsan xad-gudubyada lagu sheegay heshiiskan; iyo

j) Mag-dhaw faa'iidada lagu helay musuq-maasuqa.

2. Xubinta Qaran ee laga codsaday waxay, sida uu u oggolaanayo sharcigeedu iyo si ku aaddan Xubinta Qaran ee codsanaysa, qabanaysaa isla markaana la wareegaysaa walax kasta:

b) kaasoo loogu baahan karo caddeyn xad-gudub ee la isweydiinayo; ama

t) kaasoo lagu helay natiijada xad-gudub loogu talo-galay soo-celinta la

codsaday iyo kaasoo, waqtiga qabashada lagu helo dadka sheegatay ama la ogaado markaas kaddib.

3. Waxaa bananan Waxyaabaha lagu sheegay faqradda (2) ee Qodobkan, haddii ay arrinkaas Dalbato Xubinta Qaran in lagu wareejiyo Qarankaas xitaa haddii la diido wareejinta qof la codsaday ama laga cudur-daartay wareejintiisa geeri darteed, la waayo ama baxsado qofka la baadi-goobayo.

4. Marka walaxda la soo sheegay lagu helo qabasho ama la-wareeggid xuduuda Xubinta Qaran ee laga codsaday kan dambe wuxuu karaa, si la xiriirta dacwad taagan ama dacwado ciqaab oo socda, si meel-gaar loo hayo ama loo gudbinayo Xubinta Qaran ee codsatay, oo shardigu yahay in loo celinayo Xubinta Qaran ee laga codsaday.

Qodobka 17aad
Qarsoodida Bankiga

1. Xubin Qaran kasta waxay qabatimaysaa inay qaado tallaabooyinka lagama- maarmaanka u ah ee lagu xoojinayo maxkamadaheeda ama hay'adaha kale ee awoodda u leh soo-saarista amarada la-wareegidda ama qaadashada dhaqaalaha bankiyada ama dukumintiyada ganacsiga oo leh aragti hirgelitaan ee heshiiskan.

2. Qaranka codsanaya ma adeegsanayo macluumaad kasta oo la helay taasoo lagu ilaalinayo sirta bankiga ujeeddo kasta oo aan ka ahayn dacwadda loo codsaday macluumaadkaas, haddii aan oggolaansho looga haysan Xubinta Qaran ee la codsaday.

3. Xubnaha Qaran ma dalban karaan sirta bankiga si ay u sababeeyaan diidmadooda iskaashi la xiriira falalka musuq-maasuqa iyo xad-gudubyada la xiriira ee ku aaddan qiyamka heshiiskan.

4. Xubnaha Qaran waxay iskood isugu hawlayaan inay galaan heshiisyo naftooda ah oo labo-geesood ah, si ay uga—

tanaasulaan sirta bankiyada ee ee xisaabaadka shakiga ku jira, isla markaana u oggolaadaan mas'uuliyiinta awoodda u leh inay ka helaan caddeymo kasta ee bankiyada iyo hay'adaha maaliyadeed, si waafaqsan ku-hoos-jirka Garsoorka, caddeyn kasta oo gacantooda ku jirto.

Qodobka 18aad
Iskaashi iyo Gargaar Qaanuun ee Wadajir ah

1. Si waafaqsan sharciyadooda gudaha iyo heshiisyada dhaqan-galka ah, waa in ay si degdeg ah u bixiyaan iskaashi farsamo iyo wada-shaqeyn suurta-gal ah, marka ay uga soo baahdaan laamaha shaqada ku leh ka-hortagga musuq- maasuqa iyo xad-gudubyada xiriirka la leh, haddii ay ahaan lahayd in laga hortago, la dabo-galo, la baaro, isla markaana la ciqaabo falalka musuq-maasuq iyo xad-gudubyada la xiriira.

2. Haddii labo Xubnood Qaran ama wax ka badan sameystaan xiriir dhexdooda ah iyagoo tixraacaya sharciyo mideysan ama hab-raacyo kale oo gaar ah, waa u bannaan tahay in ay sameystaan xiriir labo dhinac ah, iyagoo aan jebinayn qodobadda heshiiskan.

3. Xubnaha Qaran waxay sameysan karaan iskaashi dhexdooda ah oo ay isku weydaarsanayaan daraasadaha iyo cilmi-baarista ku saabsan sida loola dagaalamo musuq-maasuqa iyo xad-gudubyada xiriirka la leh, sidoo kale khibradaha dhanka ka-hortagga musuq-maasuqa iyo xad-gudubyada xiriirka la leh.

4. Xubnaha Qaran waxay yeelanayaan iskaashi dhexdooda ah marka ay suurta-galka tahay iyagoo iska taageeraya arrimaha farsamadda marka la sameynayo barnaamijyada iyo xeerarka Anshaxa, iyo iyadoo la eegayo danaha hawl-wadeennada in la diyaariyo tababaro iyo aqoon-isweydaarsi ku saabsan la- dagaallanka musuq-maasuqa iyo Xad-guduyada xiriirka la leh.

5. Xeerarka qodobkan ku xusan wax saameyn ah kuma yeelanayso waajibaadka lagu xusay heshiis kale oo labo-geesood ah ama in ka badan kaasoo xaqiijinaya qeyb ahaan ama dhammaan iskaashiga iyo isweydaarsiga sharciga ah ee arrimaha ku saabsan fal-dembiyeedyada.

6. Qodobkani ma xusayo axkaam u diidayso Xubnaha Qaran ka ah heshiiskan in midoodba midda kale u gudbiso kaalmo-sharciyeed ku habboon oo uu oggolaanayo xeerarkooda gudaha.

Qodobka 19aad
Iskaashi Caalami ah

Si loo gaaro iskaashi caalami ah oo mug leh, Xubnaha Qaran waxay:

1. Iskaashi la sameynayaan wadamada asal ahaan u leh shirkadaha jinsiyadaha badan (ka hawl-gala wax ka badan hal dawlad) si ay u caddeeyaan fal-dembiyeedka iyo ciqaabista ku-lug-lahaanshaha lacagaha sida qarsoodida ah la iskugu gudbiyo iyo qaab walbo oo laga dheehan karo musuq-maasuq marka lagu gudo-jiro isweydaarsiga hantida iyo ganacsiga caalamiga ah.

2. Xoojinta iskaashi goboleedka, qaaradeedka iyo midka caalamiga ah si looga reebo musuq-maasuqa hawlaha ganacsiga caalamiga ah.

3. Dhiirri-gelinta dhammaan wadamada si ay u sameystaan habab sharci- dejin oo lagama maarmaan ah si looga reebbo hawl-wadeennada in ay sii haystaan hantida ay ka sameeyeen laaluushka, iyadoo la xirayo akoonadda ay ku leeyihiin bankiyada dibadda iyo in la fududeeyo dib-u-soo-celinta lacagaha la kaayaday (la xaday) ama lagu helay si aan sharci ahayn wadamada asal ahaan lahaa.

4. Si dhow ula shaqeynayaan hay'adaha maaliyadda caalamiga ah, kuwa gobolka iyo kuwa ka farcama gobolka si looga baabi'iyo musuq-maasuqa barnaamijyada dib-u-dhiska iyo iskaashiga, iyadoo la sameynayo hal-beegyo adag oo lagu hubinayo u-qalmidda iyo maamul-wanaagga murashixiinta marka lagu gudo-jiro siyaasadda guud ee horumarinta.

5. Iskaashadaan si waafaqsan axdiyada caalamiga ah ee xiriirka la leh iskaashiga caalamiga ah ee la xiriira arrimaha xad-gudubyada iyadoo ujeedku yahay baaritaannada iyo hababka la xiriira fal-dembiyeedyada ku cad baaxadda heshiiskan.

Qodobka 20aad
Awoodaha Qaran

1. Iyadoo la eegaya ujeeddooyinka iskaashi iyo kaalmada sharci ee la isweydaarsanayo ee ku xusan heshiiskan, Xubin Qaran waxay la xiriiraysaa Madaxa guddiga, xilliga la saxiixayo ama la gudbinayo dokumentiyada oggolaanshaha, ama wakaaladda qaranka u xilsaaran xad-gudubyada lagu caddeeyey Qodobka (4) faqradiisa (1) ee heshiiskan.

2. Dawladda iyo wakaaladaha qaranka waxay mas'uul ka yihiin soo gudbinta iyo la wareegideeda dalabyada ku saabsan kaalmada sharciga iyo iskaashiga lagu xusay heshiiskan.

3. Hay'adaha ama Wakaaladaha Qaran waxay ka yeelanayaan xiriir toos ah, ujeeddooyinka Heshiiskan.

4. Dawladda iyo Wakaaladaheeda Qaran waxaa loo ogol yahay madax-bannaani ku filan, si ay u gutaan waajibaadka loo xilsaaray si wax-ku-ool ah.

5. Xubnaha Qaran waxay sameynayaan tallaabooyinka lagama-maarmaanka u ah hubinta in ay qabsoomaan waajibaadka loo xilsaaray hay'adaha qaranka ee u xilsaaran la-dagaallanka masuq-maasuqa iyo xad-gudubyada xiriirka la leh in ay heleen tababar iyo dhiirri-gelin ku filan si ay u gutaan waajibaadka loo xilsaaraysi wax-ku-ool ah.

Qodobka 21aad
Xiriirka Heshiisyada kale

Iyadoo la ilaalinayo Xeerarka ku cad qodobka (4) faqradiisa (1), Heshiiskani wuxuu ka gacan-sarreynayaa heshiis kasta ama heshiis labo-geesoodka ah ee ku saabsan la-dagaallanka musuq-maasuqa iyo xad-gudubyada xiriirka la leh, oo ka dhexeeya labo dawlad iyo wax ka badan oo ka tirsan Xubnaha Qaramada Heshiiskan.

Qodobka 22aad
Farsamo Dabo-gal

1. Waxaa laga dhisayaa guddi la-talin arrimaha musuq-maasuqa Ururka Midowga Afrika dhexdiisa.

2. Guddigu wuxuu ka koobnaanayaa 11 xubnood oo Golaha Fulinta Ururka ka dooran doono liis xeer-dheerayaal ah oo aan dhana u janjeernin (madax- bannaan), lehna hufnaan iyo hawl-karnimo ku aaddan la-dagaallanka musuq-maasuqa iyo xad-gudubyada xiriirka la leh oo ay soo gudbiyaan Xubnaha Qaramada. Marka la soo xulayo xubnaha guddigan Golaha Fulinta waa in ay xaqiijiyaan metelaad isku-dheeli-tiran labada jinsi (rag iyo dumar) iyo metelaad degaan oo siman.

3. Xubnaha Guddiga iyaga ayaa qabsanaya hawlahooda gaarka ah.

4. Xubnaha Guddiga waxaa la magacaabayaa muddo labo sano ah, lana cusboonaysiin karo hal mar oo keliya.

5. Hawlaha Guddiga waxay noqonayaan:

b) xoojinta iyo dhiirri-gelinta hawl-gallada lagu cirib-tirayo musuq-maasuqa ka jira qaaradda;

t) ururinta xogaha iyo dokumentiyada ku saabsan halka uu marayo musuq- maasuqa iyo xad-gudubyada xiriirka la leh ee ka dhaca gudaha qaaradda Afrika;

j) hormarinta qaababka ugu macquulsan ee lagu falanqeyn karo musuq- maasuqa iyo fal-dembiyeedyada xiriirka la leh, iyo

ka-wacyi-gelinta bulshada saameynta xun ee uu leeyahay musuq-maasuqa iyo xad-gudubyada xiriirka la leh;

x) tallo-siinta dawladaha qaabka ay u xallin karaan dhibaatada uu leeyahay musuq-maasuqa, iyagoo adeegsanaya ikhtisaaska garsoorkooda;

k) ururinta xogaha iyo falanqeynta shaqada shirkadaha jinsiyadaha badan (ka- shaqeeya wax ka badan hal dawlad) ee ka hawl-gala wadamada Afrika, iyo u- gudbinta xogahaas dawladaha sida lagu caddeeyey Qodobka 18 faqradiisa (1) ee heshiiskan;

d- tayaynta iyo xoojinta diiwaanno middeysan oo ay ku qoran yihiin shaqaalaha dawladda;

r) abuurista xiriir iskaashi oo lala yeelanayo Guddiga Xuquuqda Aadanaha ee Afrika, dadweynaha, bulshada rayidka, hay'adaha dawliga ah, kuwa aan- dawliga ahayn (NGOs), iyo urur-goboleedyada si looga wada-hadlo wada-shaqeynta lagu cirib-tirayo musuq-maasuqa iyo xad-gudubyada xiriirka la leh;

s) waxay Golaha Fulinta u gudbinayaan warbixinadda ku saabsan horumarada ay Xubin Qaran kasta sameysay iyo sida ay ugu hoggaansameen qodobadda heshiiskan; iyo

sh) qabashada hawl walba oo ku saabsan la-dagaallanka musuq-maasuqa iyo xad-gudubyada xiriirka la leh oo ay u xilsaaraan laamaha qaabilsan sameynta siyaasadaha ee Midowga Afrika.

6. Guddigu wuxuu raacayaa xeerar u gaar ah ee hab-raac.

7. Xubnaha Qaramada waxay u soo gudbinayaan Guddiga muddo sanad gudihiis ah dhaqan-gelinta heshiiskan, horumarada laga sameeyey fulintiisa. Kaddibna Xubin Qaran kasta iyadoo raacaysa hab-raacyada xiriirka la leh, waxay warbixinadooda sanadkiiba mar u soo gudbinayaan Guddigan inta aysan furmin kulamada caadiga ah ee ay yeelanayaan qeybaha siyaasadda Midowga Afrika.

QODOBO GEBOGABO AH

Qodobka 23aad

Saxiixid, Meel-marin, Kamid-noqosho iyo Dhaqan-gelin

1. Heshiisku wuxuu u furnaanayaa saxiixid, meel-marin ama oggolaansho ee Qaramada Xubnaha ka Midowga Afrika.

2. Heshiiskani wuxuu dhaqan-gelayaa 30 (soddon) maalin gudahooda oo ka bilaabaneysa maalinta loo diiwaan-geliyey oggolaanshahaiyo kamid-noqoshada.

3. Heshiiskani wuxuu ka dhaqan-gelayaa dawlad walba oo dhinac ka ah oo oggolaatay kana mid noqotay loona diiwaan-geliyey dokumentiga 15aad ee oggolaanshaha, kaddibna ay ka soo wareegto 30 (soddon) maalin oo ka bilaabaneyso maalinta ay dawladu soo gudbisay dukomentigeeda o[illegible]aansha iyo kamid-noqoshada.

Qodobka 24aad

Ka-gaabsasho

1. Xubin Qaran kasta waxaa u bannaan in ay soo gudbiso ka-gaabshiyaheeda marka la saxiixayo ama la oggolaanayo waanna in ka-gaabsigaasi noqdaa qodob ama wax ka badan oo kamid ah heshiiskan, waana inuusan ka hor-iman ujeeddooyinka iyo nuxurka Heshiiskan.

2. Xubin Qaran kasta oo qeyb ka ah heshiiskan soonna gudbisay ka-gaabsigeeda, waxaa loo oggol yahay in ay ka laaban karto ka-gaabsashadeeda marka ay u saamaxdo duruufta. Ka-laabashadeeda waxay u soo gudbineysaa Guddoomiyaha Guddiga.

Qodobka 25aad

Wax-ka-bedel

1. Heshiiskan waxaa lagu sameyn karaa wax-ka-bedel, haddii ay Xubin Qaran codsi qoraal ah u soo gudbiso Guddoomiyaha Guddiga.

2. Guddoomiyaha Guddiga ayaa qeybinaya wax-ka-bedeladda ay soo jeediyeen dhammaan Xubnaha Qaran. Wax-ka-bedelada la soo jeediyey ma tixgelin doonaan Xubnaha Qaran inta laga gaarayo 6(lix) bilood oo ka bilaabanaysa taariikhda la qeybiyey wax-ka-bedelka.

3. Wax-ka-bedeladda waxay dhaqan-gelayaan markii ay ansixiyaan 2/3 (seddex- meelood labo meel) Xubnaha Qaramada Midowga Afrika (MA).

Qodobka 26aad
Ka-bixid Heshiis

1. Xubin Qaran kasta oo qeyb ka ah heshiiskan way ka bixi kartaa iyadoo ogeysiinaysa Guddoomiyaha Guddiga, ka-bixista waxay dhaqan-gelaysaa 6 (lix) bilood kaddib marka la guddoomo.

2. Kaddib ka-bixidda, waxaa sii socon doona iskaashiga Xubnaha Qaran qeybta ka ah heshiiska iyo dawladda iskaga baxday ee ku saabsan gacan-siinta iyo soo-wareejinta dembileyaasha inta uusan dhaqan-gelin ka-bixitaanku

Qodobka 27aad
Keydin

1. Guddoomiyaha Guddiga ayaa keydinaya heshiiskan iyo wax-ka-bedelladiisa.

2. Guddoomiyaha Guddiga ayaa gaarsiinaya dhammaan Xubnaha Qaran saxiixyada, oggolaanshaha, kamid-noqoshada, taariikhda dhaqan-galka, codsiyada wax-ka-bedelka ee ay soo gudbiyeen qaramadu iyo sidoo kale ansixinada iyo ka-bixitaanada.

3. Kaddib marka uu dhaqan-gal noqdo heshiiskani, Guddoomiyaha Guddiga wuxuu ka soo diiwaan-gelinayaa Xoghayaha Guud ee Qaramada Midoobey sida uu qabo Qodobka 102 ee Axdiga Qaramada Midoobey.

Qodobka 28aad
Qoraaladda Saxda ah

Qoraaladda asalka ah ee Heshiiskan waxay noqonayaan luqadaha carabiga, ingiriiska, faransiiska iyo bortaqiiska waxaana loo qaadanayaa si siman, iyagoo ku keydsanaan doonaan Guddoomiyaha Guddiga.

IYADOO LA SUGAYO QODOBBADAN KOR KU XUSAN, annagoo ah Madaxda Qaran iyo Dawlad ee Midowga Afrika, ama xubnaha metelaya dalalka waxaan oggolaanay Heshiiskan.

Waxaa lagu meel-mariyey kal-fadhiga labaad ee caadiga ah, ee Golaha Guud ee Midowga Afrika

AFRICAN UNION CONVENTION ON PREVENTING AND COMBATING CORRUPTION

AFRICAN UNION CONVENTION ON PREVENTING AND COMBATING CORRUPTION

PREAMBLE

The Member States of the African Union:

Considering that the Constitutive Act of the African Union recognizes that freedom, equality, justice, peace and dignity are essential objectives for the achievement of the legitimate aspiration of the African peoples;

Further Considering that Article 3 of the said Constitutive Act enjoins Member States to coordinate and intensify their cooperation, unity, cohesion and efforts to achieve a better life for the peoples of Africa;

Cognizant of the fact that the Constitutive Act of the African Union, *inter alia*, calls for the need to promote and protect human and peoples' rights, consolidate democratic institutions and foster a culture of democracy and ensure good governance and the rule of law;

Aware of the need to respect human dignity and to foster the promotion of economic, social, and political rights in conformity with the provisions of the African Charter on Human and People's Rights and other relevant human rights instruments;

Bearing in mind the 1990 Declaration on the Fundamental Changes Taking Place in the World and their Implications for Africa; the 1994 Cairo Agenda for Action Relaunching Africa's Socio-economic Transformation; and the Plan of Action Against Impunity adopted by the Nineteenth Ordinary Session of the African Commission on Human and Peoples Rights in 1996 as subsequently endorsed by the Sixty fourth Ordinary Session of the Council of Ministers held in Yaounde, Cameroon in 1996 which, among others, underlined the need to observe principles of good governance, the primacy of law, human rights, democratization and popular participation by the African peoples in the processes of governance.

Concerned about the negative effects of corruption and impunity on the political, economic, social and cultural stability of African States and its devastating effects on the economic and social development of the African peoples;

Acknowledging that corruption undermines accountability and transparency in the management of public affairs as well as socio-economic development on the continent;

Recognizing the need to address the root causes of corruption on the continent;

Convinced of the need to formulate and pursue, as a matter of priority, a common penal policy aimed at protecting the society against corruption, including the adoption of appropriate legislative and adequate preventive measures;

Determined to build partnerships between governments and all segments of civil society, in particular, women, youth, media and the private sector in order to fight the scourge of corruption;

Recalling resolution AHG-Dec 126(XXXIV) adopted by the Thirty-fourth Ordinary Session of the Assembly of Heads of State and Government in June 1998 in Ouagadougou, Burkina Faso, requesting the Secretary General to convene, in cooperation with the African Commission on Human and Peoples' Rights, a high level meeting of experts to consider ways and means of removing obstacles to the enjoyment of economic, social and cultural rights, including the fight against corruption and impunity and propose appropriate legislative and other measures;

Further Recalling the decision of the 37th ordinary session of the Assembly of Heads of State and Government of the OAU held in Lusaka, Zambia, in July 2001 as well as the Declaration adopted by the first session of the Assembly of the Union held in Durban, South Africa in July 2002, relating to the New Partnership for Africa's Development (NEPAD) which calls for the setting up of a coordinated mechanism to combat corruption effectively.

Have agreed as follows:

Article 1
Definitions

1. For the purposes of this Convention;

"Chairperson of the Commission" means Chairperson of the Commission of the African Union;

"Confiscation" means any penalty or measure resulting in a final deprivation of property, proceeds or instrumentalities ordered by a court of law following proceedings in relation to a criminal offence or offences connected with or related to corruption;

"Corruption" means the acts and practices including related offences proscribed in this Convention;

"Court of Law" means a court duly established by a domestic law;

"Executive Council" means the Executive Council of the African Union;

"Illicit enrichment" means the significant increase in the assets of a public official or any other person which he or she cannot reasonably explain in relation to his or her income.

"Private Sector" means the sector of a national economy under private ownership in which the allocation of productive resources is controlled by market forces, rather than public authorities and other sectors of the economy not under the public sector or government;

"Proceeds of Corruption" means assets of any kind corporeal or incorporeal, movable or immovable, tangible or intangible and any document or legal instrument evidencing title to or interests in such assets acquired as a result of an act of corruption;

"Public official" means any official or employee of the State or its agencies including those who have been selected, appointed or elected to perform activities or functions in the name of the State or in the service of the State at any level of its hierarchy;

"Requested State Party" means a State Party requested to extradite or to provide assistance under this Convention;

"Requesting State Party" means a State Party making a request for extradition or assistance in terms of this Convention;

"State Party" means any Member State of the African Union which has ratified or acceded to this Convention and has deposited its instruments of ratification or accession with the Chairperson of the Commission of the African Union.

2. In this Convention, the singular shall include the plural and vice versa.

Article 2
Objectives

The objectives of this Convention are to:

1. Promote and strengthen the development in Africa by each State Party, of mechanisms required to prevent, detect, punish and eradicate corruption and related offences in the public and private sectors.

2. Promote, facilitate and regulate cooperation among the State Parties to ensure the effectiveness of measures and actions to prevent, detect, punish and eradicate corruption and related offences in Africa.

3. Coordinate and harmonize the policies and legislation between State Parties for the purposes of prevention, detection, punishment and eradication of corruption on the continent.

4. Promote socio-economic development by removing obstacles to the enjoyment of economic, social and cultural rights as well as civil and political rights.

5. Establish the necessary conditions to foster transparency and accountability in the management of public affairs.

Article 3
Principles

The State Parties to this Convention undertake to abide by the following principles:

1. Respect for democratic principles and institutions, popular participation, the rule of law and good governance.

2. Respect for human and peoples' rights in accordance with the African Charter on Human and Peoples Rights and other relevant human rights instruments.

3. Transparency and accountability in the management of public affairs.

4. Promotion of social justice to ensure balanced socio-economic development.

5. Condemnation and rejection of acts of corruption, related offences and impunity.

Article 4
Scope of Application

1. This Convention is applicable to the following acts of corruption and related offences:

   (a) the solicitation or acceptance, directly or indirectly, by a public official or any other person, of any goods of monetary value, or other benefit, such as a gift, favour, promise or advantage for himself or herself or for another person or entity, in exchange for any act or omission in the performance of his or her public functions;

   (b) the offering or granting, directly or indirectly, to a public official or any other person, of any goods of monetary value, or other benefit, such as a gift, favour, promise or advantage for himself or herself or for another person or entity, in exchange for any act or omission in the performance of his or her public functions;

   (c) any act or omission in the discharge of his or her duties by a public official or any other person for the purpose of illicitly obtaining benefits for himself or herself or for a third party;

   (d) the diversion by a public official or any other person, for purposes unrelated to those for which they were intended, for his or her own benefit or that of a third party, of any property belonging to the State or its agencies, to an independent agency, or to an individual, that such official has received by virtue of his or her position;

(e) the offering or giving, promising, solicitation or acceptance, directly or indirectly, of any undue advantage to or by any person who directs or works for, in any capacity, a private sector entity, for himself or herself or for anyone else, for him or her to act, or refrain from acting, in breach of his or her duties;

(f) the offering, giving, solicitation or acceptance directly or indirectly, or promising of any undue advantage to or by any person who asserts or confirms that he or she is able to exert any improper influence over the decision making of any person performing functions in the public or private sector in consideration thereof, whether the undue advantage is for himself or herself or for anyone else, as well as the request, receipt or the acceptance of the offer or the promise of such an advantage, in consideration of that influence, whether or not the influence is exerted or whether or not the supposed influence leads to the intended result;

(g) illicit enrichment;

(h) the use or concealment of proceeds derived from any of the acts referred to in this Article; and

(i) participation as a principal, co-principal, agent, instigator, accomplice or accessory after the fact, or on any other manner in the commission or attempted commission of, in any collaboration or conspiracy to commit, any of the acts referred to in this article.

2. This Convention shall also be applicable by mutual agreement between or among two or more State Parties with respect to any other act or practice of corruption and related offences not described in this Convention.

Article 5
Legislative and other Measures

For the purposes set-forth in Article 2 of this Convention, State Parties undertake to:

1. Adopt legislative and other measures that are required to establish as offences, the acts mentioned in Article 4 paragraph 1 of the present Convention.
2. Strengthen national control measures to ensure that the setting up and operations of foreign companies in the territory of a State Party shall be subject to the respect of the national legislation in force.
3. Establish, maintain and strengthen independent national anti-corruption authorities or agencies.
4. Adopt legislative and other measures to create, maintain and strengthen internal accounting, auditing and follow-up systems, in particular, in the public income, custom and tax receipts, expenditures and procedures for hiring, procurement and management of public goods and services.

5. Adopt legislative and other measures to protect informants and witnesses in corruption and related offences, including protection of their identities.

6. Adopt measures that ensure citizens report instances of corruption without fear of consequent reprisals.

7. Adopt national legislative measures in order to punish those who make false and malicious reports against innocent persons in corruption and related offences.

8. Adopt and strengthen mechanisms for promoting the education of populations to respect the public good and public interest, and awareness in the fight against corruption and related offences, including school educational programmes and sensitization of the media, and the promotion of an enabling environment for the respect of ethics.

Article 6
Laundering of the Proceeds of Corruption

States Parties shall adopt such legislative and other measures as may be necessary to establish as criminal offences:

a) The conversion, transfer or disposal of property, knowing that such property is the proceeds of corruption or related offences for the purpose of concealing or disguising the illicit origin of the property or of helping any person who is involved in the commission of the offence to evade the legal consequences of his or her action.

b) The concealment or disguise of the true nature, source, location, disposition, movement or ownership of or rights with respect to property which is the proceeds of corruption or related offences;

c) The acquisition, possession or use of property with the knowledge at the time of receipt, that such property is the proceeds of corruption or related offences;

Article 7
Fight Against Corruption and Related Offences in the Public Service

In order to combat corruption and related offences in the public service, State Parties commit themselves to:

1. Require all or designated public officials to declare their assets at the time of assumption of office during and after their term of office in the public service.

2. Create an internal committee or a similar body mandated to establish a code of conduct and to monitor its implementation, and sensitize and train public officials on matters of ethics.

3. Develop disciplinary measures and investigation procedures in corruption and related offences with a view to keeping up with technology and increase the efficiency of those responsible in this regard.

4. Ensure transparency, equity and efficiency in the management of tendering and hiring procedures in the public service.

5. Subject to the provisions of domestic legislation, any immunity granted to public officials shall not be an obstacle to the investigation of allegations against and the prosecution of such officials.

Article 8
Illicit Enrichment

1. Subject to the provisions of their domestic law, State Parties undertake to adopt necessary measures to establish under their laws an offence of illicit enrichment.

2. For State Parties that have established illicit enrichment as an offence under their domestic law, such offence shall be considered an act of corruption or a related offence for the purposes of this Convention.

3. Any State Party that has not established illicit enrichment as an offence shall, in so far as its laws permit, provide assistance and cooperation to the requesting State with respect to the offence as provided in this Convention.

Article 9
Access to Information

Each State Party shall adopt such legislative and other measures to give effect to the right of access to any information that is required to assist in the fight against corruption and related offences.

Article 10
Funding of Political Parties

Each State Party shall adopt legislative and other measures to:

(a) Proscribe the use of funds acquired through illegal and corrupt practices to finance political parties; and

(b) Incorporate the principle of transparency into funding of political parties.

Article 11
Private Sector

State Parties undertake to:

1. Adopt legislative and other measures to prevent and combat acts of corruption and related offences committed in and by agents of the private sector.

2. Establish mechanisms to encourage participation by the private sector in the fight against unfair competition, respect of the tender procedures and property rights.

3. Adopt such other measures as may be necessary to prevent companies from paying bribes to win tenders.

Article 12
Civil Society and Media

State Parties undertake to:

1. Be fully engaged in the fight against corruption and related offences and the popularisation of this Convention with the full participation of the Media and Civil Society at large;
2. Create an enabling environment that will enable civil society and the media to hold governments to the highest levels of transparency and accountability in the management of public affairs;

3. Ensure and provide for the participation of Civil Society in the monitoring process and consult Civil Society in the implementation of this Convention;

4. Ensure that the Media is given access to information in cases of corruption and related offences on condition that the dissemination of such information does not adversely affect the investigation process and the right to a fair trial.

Article 13
Jurisdiction

1. Each State Party has jurisdiction over acts of corruption and related offences when:

   (a) the breach is committed wholly or partially inside its territory;

(b) the offence is committed by one of its nationals outside its territory or by a person who resides in its territory; and

(c) the alleged criminal is present in its territory and it does not extradite such person to another country.

(d) when the offence, although committed outside its jurisdiction, affects, in the view of the State concerned, its vital interests or the deleterious or harmful consequences or effects of such offences impact on the State Party.

2. This Convention does not exclude any criminal jurisdiction exercised by a State Party in accordance with its domestic law.
3. Notwithstanding the provision of paragraph I of this Article, a person shall not be tried twice for the same offence.

Article 14
Minimum Guarantees of a Fair Trial

Subject to domestic law, any person alleged to have committed acts of corruption and related offences shall receive a fair trial in criminal proceedings in accordance with the minimum guarantees contained in the African Charter on Human and Peoples' Rights and any other relevant international human rights instrument recognized by the concerned States Parties.

Article 15
Extradition

1. This Article shall apply to the offences established by the State Parties in accordance with this Convention.

2. Offences falling within the jurisdiction of this Convention shall be deemed to be included in the internal laws of State Parties as crimes requiring extradition. State Parties shall include such offences as extraditable offences in extradition treaties existing between or among them.

3. If a State Party that makes extradition conditional on the existence of a treaty receives a request for extradition from a State Party with which it does not have such treaty, it shall consider this Convention as a legal basis for all offences covered by this Convention.

4. A State Party that does not make extradition conditional on the existence of a treaty shall recognize offences to which this Convention applies as extraditable offences among themselves.

5. Each State Party undertakes to extradite any person charged with or convicted of offences of corruption and related offences, carried out on the territory of another State Party and whose extradition is requested by that State Party, in conformity with their domestic law, any applicable extradition treaties, or extradition agreements or arrangements existing between or among the State Parties.

6. Where a State Party in whose territory any person charged with or convicted of offences is present and has refused to extradite that person on the basis that it has jurisdiction over offences, the Requested State Party shall be obliged to submit the case without undue delay to its competent authorities for the purpose of prosecution, unless otherwise agreed with the Requesting State Party, and shall report the final outcome to the Requesting State Party.

7. Subject to the provisions of its domestic law and any applicable extradition treaties, a Requested State Party may, upon being satisfied that the circumstances so warrant and are urgent and at the request of the Requesting State Party, take into custody a person whose extradition is sought and who is present in its territory, or take other appropriate measures to ensure that the person is present at the extradition proceedings.

Article 16
Confiscation and Seizure of the Proceeds and Instrumentalities of Corruption

1. Each State Party shall adopt such legislative measures as may be necessary to enable:

   (a) its competent authorities to search, identify, trace, administer and freeze or seize the instrumentalities and proceeds of corruption pending a final judgement;
   (b) confiscation of proceeds or property, the value of which corresponds to that of such proceeds, derived, from offences established in accordance with this convention;

(c) repatriation of proceeds of corruption.

2. The Requested State Party shall, in so far as its law permits and at the request of the Requesting State Party, seize and remit any object:

   (a) which may be required as evidence of the offence in question; or

   (b) which has been acquired as a result of the offence for which extradition is requested and which, at the time of arrest is found in possession of the persons claimed or is discovered subsequently.

3. The objects referred to in clause 2 of this Article may, if the Requesting State so requests, be handed over to that State even if the extradition is refused or cannot be carried out due to death, disappearance or escape of the person sought.

4. When the said object is liable for seizure or confiscation in the territory of the Requested State Party the latter may, in connection with pending or ongoing criminal proceedings, temporarily retain it or hand it over to the Requesting State Party, on condition that it is returned to the Requested State Party.

Article 17
Bank Secrecy

1. Each State Party shall adopt such measures necessary to empower its courts or other competent authorities to order the confiscation or seizure of banking, financial or commercial documents with a view to implementing this Convention.

2. The Requesting State shall not use any information received that is protected by bank secrecy for any purpose other than the proceedings for which that information was requested, unless with the consent of the Requested State Party.

3. State Parties shall not invoke banking secrecy to justify their refusal to cooperate with regard to acts of corruption and related offences by virtue of this Convention.

4. State Parties commit themselves to enter into bilateral agreements to waive banking secrecy on doubtful accounts and allow competent authorities the right to obtain from banks and financial institutions, under judicial cover, any evidence in their possession.

Article 18
Cooperation and Mutual Legal Assistance

1. In accordance with their domestic laws and applicable treaties, State Parties shall provide each other with the greatest possible technical cooperation and assistance in dealing immediately with requests from authorities that are empowered by virtue of their national laws to prevent, detect, investigate and punish acts of corruption and related offences.

2. If two or several State Parties have established relations on the basis of uniform legislation or a particular regime, they may have the option to regulate such mutual relations without prejudice to the provisions of this Convention.

3. State Parties shall co-operate among themselves in conducting and exchanging studies and researches on how to combat corruption and related offences and to exchange expertise relating to preventing and combating corruption and related offences.

4. State Parties shall co-operate among themselves, where possible, in providing any available technical assistance in drawing up programmes, codes of ethics or organizing, where necessary and for the benefit of their personnel, joint training courses involving one or several states in the area of combating corruption and related offences.

5. The provisions of this Article shall not affect the obligations under any other bilateral or multilateral treaty which governs, in whole or in part, mutual legal assistance in criminal matters.

6. Nothing in this Article shall prevent State Parties from according one another more favourable forms of mutual legal assistance allowed under their respective domestic law.

Article 19
International Cooperation

In the spirit of international cooperation, State Parties shall:

1. Collaborate with countries of origin of multi-nationals to criminalise and punish the practice of secret commissions and other forms of corrupt practices during international trade transactions.

2. Foster regional, continental and international cooperation to prevent corrupt practices in international trade transactions.

3. Encourage all countries to take legislative measures to prevent corrupt public officials from enjoying ill-acquired assets by freezing their foreign accounts and facilitating the repatriation of stolen or illegally acquired monies to the countries of origin.

4. Work closely with international, regional and sub regional financial organizations to eradicate corruption in development aid and cooperation programmes by defining strict regulations for eligibility and good governance of candidates within the general framework of their development policy.

5. Cooperate in conformity with relevant international instruments on international cooperation on criminal matters for purposes of investigations and procedures in offences within the jurisdiction of this Convention.

Article 20
National Authorities

1. For the purposes of cooperation and mutual legal assistance provided under this Convention, each State Party shall communicate to the Chairperson of the Commission at the time of signing or depositing its instrument of ratification, the designation of a national authority or agency in application of offences established under Article 4 (1) of this Convention.

2. The national authorities or agencies shall be responsible for making and receiving the requests for assistance and cooperation referred to in this Convention.

3. The national authorities or agencies shall communicate with each other directly for the purposes of this Convention.

4. The national authorities or agencies shall be allowed the necessary independence and autonomy, to be able to carry out their duties effectively.

5. State Parties undertake to adopt necessary measures to ensure that national authorities or agencies are specialized in combating corruption and related offences by, among others, ensuring that the staff are trained and motivated to effectively carry out their duties.

Article 21
Relationship with other Agreements

Subject to the provisions of Article 4 paragraph 2, this Convention shall in respect to those State Parties to which it applies, supersede the provisions of any treaty or bilateral agreement governing corruption and related offences between any two or more State Parties.

Article 22
Follow up Mechanism

1. There shall be an Advisory Board on Corruption within the African Union.

2. The Board shall comprise 11 members elected by the Executive Council from among a list of experts of the highest integrity, impartiality, and recognized competence in matters relating to preventing and combating corruption and related offences, proposed by the State Parties. In the election of the members of the board, the Executive Council shall ensure adequate gender representation, and equitable geographical representation.

3. The members of the Board shall serve in their personal capacity.

4. Members of the Board shall be appointed for a period of two years, renewable once.

5. The functions of the Board shall be to:

   a. promote and encourage adoption and application of anti-corruption measures on the continent;

   b. collect and document information on the nature and scope of corruption and related offences in Africa;

   c. develop methodologies for analyzing the nature and extent of corruption in Africa, and disseminate information and sensitize the public on the negative effects of corruption and related offences;

   d. advise governments on how to deal with the scourge of corruption and related offences in their domestic jurisdictions;

   e. collect information and analyze the conduct and behaviour of multi-national corporations operating in Africa and disseminate such information to national authorities designated under Article 18 (1) hereof;

   f. develop and promote the adoption of harmonized codes of conduct of public officials;

g. build partnerships with the African Commission on Human and Peoples' Rights, African civil society, governmental. Intergovernmental and non-governmental organizations to facilitate dialogue in the fight against corruption and related offences;

h. submit a report to the Executive Council on a regular basis on the progress made by each State Party in complying with the provisions of this Convention;

i. perform any other task relating to corruption and related offences that may be assigned to it by the policy organs of the African Union.

6. The Board shall adopt its own rules of procedure.

7. States Parties shall communicate to the Board within a year after the coming into force of the instrument, on the progress made in the implementation of this Convention. Thereafter, each State Party, through their relevant procedures, shall ensure that the national anti-corruption authorities or agencies report to the Board at least once a year before the ordinary sessions of the policy organs of the AU.

FINAL CLAUSES

Article 23
Signature, ratification, accession and Entry into Force

1. The present Convention shall be open for signature, ratification or accession by the Member States of the African Union.

2. The Convention shall enter into force thirty (30) days after the date of the deposit of the fifteenth instrument of ratification or accession.

3. For each State Party ratifying or acceding to the Convention after the date of the deposit of the fifteenth Instrument of Ratification, the Convention shall enter into force thirty (30) days after the date of the deposit by that State of its instrument of ratification or accession.

Article 24
Reservations

1. Any State Party may, at the time of adoption, signature, ratification or accession, make reservation to this Convention provided that each reservation concerns one or more specific provisions and is not incompatible with the object and purposes of this Convention.

2. Any State Party which has made any reservation shall withdraw it as soon as circumstances permit. Such withdrawal shall be made by notification to the Chairperson of the Commission.

Article 25
Amendment

1. This Convention may be amended if any State Party makes a written request to the Chairperson of the Commission.

2. The Chairperson of the Commission shall circulate the proposed amendments to all State Parties. The proposed amendments shall not be considered by the State Parties until a period of six (6) months from the date of circulation of the amendment has elapsed.

3. The amendments shall enter into force when approved by a two-thirds majority of the Member States of the AU.

Article 26
Denunciation

1. Any state Party may denounce the present Convention by sending notification to the Chairperson of the Commission. This denunciation shall take effect six (6) months following the date of receipt of notification by the Chairperson of the Commission.

2. After denunciation, cooperation shall continue between State Parties and the State Party that has withdrawn on all requests for assistance or extradition made before the effective date of withdrawal.

Article 27
Depository

1. The Chairperson of the Commission shall be the depository of this Convention and the amendments thereto.

2. The Chairperson of the Commission shall inform all State Parties of the signatures, ratifications, accessions, entry into force, requests for amendments submitted by States and approvals thereof and denunciations.

3. Upon entry into force of this Convention, the Chairperson of the Commission shall register it with the Secretary General of the United Nations in accordance with Article 102 of the Charter of the United Nations.

Article 28
Authentic Texts

The original of this Convention, of which the Arabic, English, French and Portuguese texts are equally authentic, shall be deposited with the Chairperson of the Commission.

IN WITNESS WHEREOF WE, the Heads of State and Government of the African Union, or our duly authorized representatives have adopted this Convention.

Adopted by the 2nd Ordinary Session of the Assembly of the Union

Maputo, 11 July 2003

SHARCI LR.37 Taariikh: 31/12/2020

ANSIXINTA SHARCIGA HESHIISKA CARBEED EE LA-DAGAALANKA MUSUQ-MAASUQA

MADAXWAYNAHA J.F.S

MARKUU ARKAY: Qodobka 87aad, Faqradda 1aad iyo Faqradda 2aad ee Dastuurka KMG

MARKUU ARKAY: Qodobka 90aad, Xarafka "q" ee Dastuurka KMG

MARKUU ARKAY: Warqadda Guddoomiyaha Golaha Shacabka GSH/347/2/B-10/20 Taariikh: 29/12/2020 kuna saabsan ansixinta Sharciga Heshiiska Carbeed ee La-Dagaalanka Musuq-maasuqa

MARKUU TIXGELIYAY: Baahida loo qabo in la ansixiyo lana meel-mariyo Sharcigan

Waxa Madaxweynuhu soo saaray Sharcigan:

Qodobka 1aad

Laga bilaabo marka uu Madaxweynuhu saxiixo Sharcigan, waxa si rasmi ah loo oggolaaday Sharciga Heshiiska Carbeed ee La-Dagaalanka Musuq-maasuqa

Qodobka 2aad

Marka uu Madaxweynaha JFS saxiixo Sharcigan, waxaa lagu soo daabici doonaa Faafinta Rasmiga ah ee Jamhuuriyadda Federaalka Soomaaliyeed.

MUQDISHO: 31/12/2020

JAMHUURIYADDA FEDERAALKA SOOMAALIYA
XAFISKA HANTIDHAMRAHA GUUD
DIWAAN NO: HAG/012/21
TAARIIKH: 04/3/2021
SAXIIXA:
HANTIDHAMRAHA GUUD
Md.Mxamed Maxamuud Cali

Madaxweynaha J.F.S
Maxamed Cabdullaahi Maxamed (Farmaajo)

JAAMACADDA CARABTA

XOGHAYNTA GUUD

HESHIISKA CARBEED EE LA-DAGAALLANKAMUSUQ-MAASUQA

Horudhac:

Wadamada carabeed ee saxiixay Heshiiskan;

Markey ku qanceen dowladaha Arabta dhaamaan, in uu musuqa yahay dambi qaadanaya qaabab fara badan oo saameyn xun ku leh qiyamka, anshaxa, nolosha siyaasadeed, dhaqaalaha iyo bulshada;

Iyaado la tixgeliyey in la dagaallanka musuqmaasuqa uusan ku koobneyn mas'uuliyiinta Dowladda kaliya laakiin sidoo kale ay ku jiraan shaqsiyaad iyo ururada bulshada rayidka ah ee kaalin libaax leh ka qaadan karaan la dagaallankamusuqa;

Iyaado la jeclestay in la hirgeliyo dadaallada carabta iyo kuwa caalamiga ah ee lagula dagaallamayo musuqmaasuqa iyada oo ujeeddadu tahay fududeynta iskaashiga caalamiga ah ee arinkan, gaar ahaan marka loo eego isku soo wareejinta dambiilayaasha, bixinta gargaarka garsoorka ee labada dhinac iyo soo celinta hantida;

Markii lagu qancey in, baahi loo qabo iskaashi Carab ah si looga hortago loona dagaallamo musuqmaasuqa iyadoo la eegayo in musuaqa yahay mid calami ah;

Iyaadoo la ixtiriaamaayo, mabaadi'da diinta iyo akhlaaqda suuban ee diimaha Alle kali kacabsiga ku saleysan, oo ay kujiraan kuwa Ku xusan shareecada Islaamka, sida ay ugu muuqdaan ujeeddooyinka Axdiyada ee Jaamacadda Carabta iyo Axdiga Qaramada Midoobay iyo sidoo kale Carab, heshiisyo caalami ah iyo heshiisyo la xiriira dhinacyada garsoorka, garsoorka iyo iskaashiga amniga si looga hortago la dagaallamo dambiyada la xiriira musuqmaasuqa oo ay waddamada Carabtu qayb ka yihiin, oo ay ka mid yihiin Heshiiska Caalamiga ee Ka-hortagga Musuq-maasuqa (UNCAC).

Waxaa la isku raaceay sida soo socota:

Qodobka 1^AAD
Qeexid

Ujeedada Heshiiskan awgeed waxaa ereyadan iyo oraahyadan soo socda loo qeexay sidan:

1. **Dowladda Xubinta ka ah**: dal kasto oo ka mid ah Jaamacada Arabta oo ansaxiyay ama oggolaaday Heshiiskan hadda jira mise meel mariyay ansaxinta ama meel digay oggalaanshaha Heshiiskan ka qeybgalkiisa la meel digay Xoghayaha Guud ee Ururka jamacada Arabta.

2. **Sarkaal dowladeed:** qof kasta oo ka shaqeeya shaqada loo yaaho dadweynaha ama loo arko mas'uul rasmi ah sida ku xusan shuruucda dalkaas Heshiiskan qeebka ah, ha ku jiro laamaha fulinta, sharci dejinta, garsoorka ama maamulka, in qofkaasi la magacaabo ama loo doorto, si ku meel gaar ah ama si joogto ah, ama mas'uul looga digay shaqada dadweynaha. Doladaha heshiiskan qeeb ka ah, shaqsigaas oo leh ama aan lahayn mushahar.

3. **Sarkaalka dadweynaha ee ajnabiga ah:** qof kasta oo haya jago sharci-dejin, fulin, maamul ama jago garsoor dal shisheeye, in qofkaas loo magacaabo ama loo doorto, si ku-meel-gaar ah ama joogto ah, iyo qof kasta oo qabta xafiis dowladeedoo u adeega dal shisheeye ama hay'ad dowladeed oo shisheeye ama hay'ad.

4. **Sarkaal rasmi ah oo ka socda urur dowladeed caalami ah:** shaqaale dowladeed oo caalami ah ama sarkaal ama qof kasta oo ay magacowdo hay'ad dowladeed oo caalami ah oo wakil ahaan u matalaayaa.

5. **Hanti:** hanti nooc kasta ha noqotee, ha ahaato shey ama wax aan la taban karin, la dhaqaajin karo ama aan la dhaqaajin karin, iyo dhammaan waxyaabaha carbuun galaayo, ama aaladaha sharci ee caddaynaya lahaanshaha hantidaas amaxuquuqda saxda ah.

6. **Faa'iido fal dembiga:** wixii hanti ah oo laga keeno ama laga helo, si toos ah ama si aan toos ahaynba,fulinta ficil kasta oo musuqmaasuq ah oo lagu debi ka digaayo Xeerkan hadda jira.

7. **Ka joojinta dadaqaaqa ama xakamaynta:** ku soo rogista xayiraad ku meel gaar ah wareejinta, isdhaafsiga dhaqdhaqaaqa hantida, ama la soo waregida haynta ama xakamaynta hantida,

iyada oo ku saleysan amar maxkamadeed oo sharci ah ama awood kale oo u awood u leh bixinta amar kaas.

8. **La wareegis:** la weregida hantida si joogto ah katimid amar maxkamadeed amaamar kale oo awood u leh.

9. **Dhib-u-celin la xakameeyay:** in loo oggolaado hawlgallo sharci-darro ah ama laga shakiyo inay ka baxaan dhulalka hal ama dhowr wadan, ama inay ka gudbaan ama galaan, iyagoo ay ogyihiin u hay'adaha awoodda u leh kormeerkoodana, Ujeeddana ay tahay baarista falalka musuqmaasuqa ee lagu ciqaabay qodobbada quseeya Heshiiskan xaadirka ah iyo soo helidda aqoonsiga shakhsiyaadka ku jira gudashada fal dembi ah.

Qodobka 2aad
Ujeeddooyinka
Heshiiskan

Heshiiskan ayaa ujeedadiisu tahay:

- In la dardar galiyo talaabooyinka loga hortagayo, la dagaalanka iyo daahfurka dhammaan noocyada musuqmaasuqa iyo dambiyada kale ee la xiriira fulista dembiga, iyo in dacwad lagu soo oogo dambiilayaasha.
- In la dardar galiyo dacadimo hufnaan, xisaabtan iyo ku dhaqanka sharciga.
- In lagu dhiiri geliyo shakhsiyaadka iyo ururada bulshada rayidka inay kaqeybka qaataan ka hortagga iyo la dagaallanka musuqmaasuqa.

Qodobka 3aad
Ilaalinta madaxbanaanida

1. Xubinta Qaran,waxay sharfi doonaan ballanqaadyadooda sida ku xusan Heshiiskan hadda jira qaab waafaqsan mabaadi'da sinnaanta dowladaha nabadeynta gobolka iyo in aan la faragelin arrimaha gudaha ee dowladaha kale.

2. Sida ku xusan Axdiga hadda jira, majiro dowlad qeeb ka ah Heshiiskan oo u qadan karto in ay awood u leedahay dul dal kale misna ku daqaaqdo howlo ay u xaddidan yihiin masuuliyiinta wadankaa iyadoo la raacayo qawaaniinta dalkaas.

Qodobka 4aad
Dembiyada

Iyada oo la tixgilinaayo in sifeeynta falalka musuqmaasuqa, ee lagu ciqaabayo Heshiiskan hadda jira, ay ku xiran tahay shuruucda Xubinta Qaran, sida ku xusan qawaaniinteeda gudaha, uu ku dhaqmi doono sharciga lagama maarmaanka ah iyo tallaabooyinka kale ee lagu ciqaabayo falalka soo socda markii si ula kac ah loo geysto:

1. Laaluushka sarkaalka dadweynaha.
2. Laalushka ka dhaco shirkadaha aan si gaar loolaheen, shirkadaha wadaaggaah, ururada iyo hay'adaha ka shaqeeya danaha guud ee bulshada.
3. Laluushka ka jiro waaxda gaar looleeyahay
4. Laaluushka saraakiisha u shaqeeya dowladaha ajnabiga ah iyo mas'uuliyiinta ururada caalamiga ah ee dadweynaha, musuaqan oo la xiriira ganacsiga caalamiga ah ee ka socda dowladaha Heshiiskan qeeb ka aha.
5. ka shaqeynta sameyn ku yeleyshada haladaha dowladaha
6. Ku xadgudubka xafiiska dadweynaha.
7. is kobcin sharci daro ah
8. Laabista lacaqta laga faa'iiday fal dembi kadib
9. qarinta wixii ka soo baxa fal-dambiyeedka lagu shaciyey falalka ku xusanHeshiiskan Qodobadiisa.
10. Joojinta nidaamka caddaaladda.
11. Ku-lunsiga hantida dadweynaha iyo si sharci darada ku qabsigeeda
12. Ku-xadgudubka hantida shirkadaha iskaashatada ah, ururada gaarka looleeyahay ee ka sheqqya danta guud iyo shirkadaha gaarka loo leeyahay.
13. Kaqeybgal ama isku daynimada kaqeybgal dambiyada lagu qeexayHeshiiskan Qodobadiisa.

Qodobka 5aad
Mas'uliyada shaqsiyaadka qanuuneed

Xubin Qaran kasta, waxey qaadaaysaa talaabooyinka lagama maarmaanka ah, iyada oo la raacayo qawaaniinta uu dalkaa leeyahay, si loo go'aamiyo masuuliyada dambi, mida madaniga ama mida maamul ee qof kasta oo sharci ah dambiyada oo lagu sheegay Heshiiskan, iyada oo aan laga hor imaanin mas'uuliyadda dambiga ee dadka caadiga ah.

Qodobka 6aad
Dembi ku oogidda iyo maxkamadeenta

1. Xubin Qaran kasta, waxay qaadaysa talaabooyinka lagama maarmaanka ah, iyadaoo la raacayo qawaaniinteeda dalkeeda, si loo hubiyo in hay'adda baaritaanka awooda u leh ama maxkamada xaq u leeh inay xog u hesho ama hesho macluumaad la xiriira akoonnada bangiga markii la baarayo xaqiiqooyinka ku saabsan wixii dambi ah ee ku xusan heshiiskan hadda jira.

2. Marka laga hadlayo dambiyada heshikan lagu qeexey, Xubin Qaran kastaa waxey qaadeysaa talaabooyin ku habboon, sida waafaqsan sharciyadeeda gudaha, inay hubiso joogitaanka dacweysanaha baaritaannada iyo dhageysiga dacwadda, iyadoo la tixgalinayo xuquuqda difaaca.

3. Xubin Qaran Kasta, waxaay qaadeysaa, iyada oo la raacayo qawaaniinteeda gudaha iyo mabaadi'deeda dastuuriga ah, tillaabooyinka lagama maarmaanka u ah in la aasaaso ama lagu ilaaliyo isku-dheelitirka habboon ee u dhexeeya xasaanad kasta ama mudnaan la siiyo mas'uuliyiinta u sheqeeya dawladdaha kalesi ay u fuliyaan waajibaadkooda iyo suurtagalnimada in la qaado, meeshii loo baahdo, baaritaan wax ku ool ah, dacwad oogista iyo maxkamadaynta ficillada lagu ciqaabay heshiskan hadda jira.

4. Xubin Qaran Kasta, waa in aay ciqaabtaa dambi kasto ee lagu soo daro heshiiskanhadda jira iyadoo la tixgilinaayo halista dembiga. Go'aaminta ciqaabta dambiyada aan soo sheegnay waa la kordhin doonaa, sida ku xusan qodobka Xeerka Ciqaabta, haddii ay dhacdo soo noqoshada.

5. Xubin Qaran Kastaah,, si waafaqsan qaanuunkeeda gudaha iyo meeshii loga baahdo, waxay ka tix gelin doonta, inay ku soo rogaan xukun adag ama ciqaab dheeri ah kuwa lagu xukumo dambiyada sida ku xusan Heshiiskan.

6. Xubin Qaran Kasta, waxeey qeexi doonaataa, iyada oo la raacayo qawaaniinteeda gudaha, qaanuun u dhigansan oo xadey naayo wixii danbi ah ee ku xusan Axdiga hadda jira.

Qodobka 7aad
Joojinta Dhaqdhaqaaqa , qabsashada iyo la weregista hantida

1. Intii suurto gal ah, dowlad kasta Heshiiskan xubnaha ka ah, waxey qaadeysaa, iyadaoo la raacayo qawaaniinteeda gudaha, dhammaan tallaabooyinka lagama maarmaanka u ah in ay awood u yeeshaan la wareeggan:

   b) Macaashka ka soo baxda fal dembi ah sida ku xusan Heshiiskan hadda jira, ama hantida qiimahoodu u dhigmayo qiimaha fa'iidada laga helay falk dembiga ah.
   t) Hanti, qalab ama qalab kale oo loo adeegsaday ama loogu talagalay in lagu isticmaalo komishanka dambiga sida ku xusan Heshiiskan hadda jira.

2. Xubin Qaran Kasta, wexey qaadaaysa talaabooyinka lagama maarmaanka u ah aqoonsiga, raadraaca, qabashada, daq daqaaq joojinta mid kasta oo ka mid ah qodobbada ku xusan farqada (1) ee Qodobkan iyada oo ujeedku yahay la wareegitaankooda.

3. Wixii macaash ah oo ka soo baxo fal-dambiyeed, qayb ahaan ama gebi ahaanba, lagu wareejiyo ama lagu beddeshto hanti kale, hantidan, halkii kaliya fa'iidada la soo qaban lahaa, waxaa lagu qaadayaa tallaabooyinka lagu soo saaray qodobka hadda jira, xitaa haddii dambiilaha uu u wareejiyay milkiilinimada hantida kuwa kale.

4. Halk macaashka ka soo baho fal dembi ay isku darsoomaan hanti lagu helay si sharci ah, hantida noocaas ah waxaa lala wareegayaa iyada oo la xaddidaayo qiyaasta qiimaha fa'iidada ka soo baxday falk dembiga ah, iyada oo aan laga hor imaanin wax awood ah oo ku xiran daqdaqaaq joojinta ama xakamaynta.

5. Tallaabooyinka lagu muujiyey Qodobkan sidoo kale waxa lagu dabbaqi doonaan isla qaab isku mid ah sida kuwa macaashka ka soo gala dambiyadu la xiriira dakhliyada ama dheefaha kale ee maaliyadeed ee ka soo baxa macaashka dembiga, ama hantida lagu beddeshtay falkan ama la kala wareejistay, ama hantida macaashka fal dembi la isku qasey.

6. Xubnaha Qaramadda waa in ay tixgeliyaan suurtagalnimada in lagu

qasbo dambiilaha inuu caddeeyo sharcinimada uu ku andacoonaayo macaashka ka soo baxay fal-dambiyeed ama hanti kale oo lala wareegi karo, illaa iyo inta waajibaadkaasi la jaan qaadayo shuruucda dalka gudahiisa iyo nidaamka garsoorka iyo tallaabooyinka kale.

7. Xubin Qaran kasta, waa in aay qaadaan sharciga iyo tilaabooyinka kale ee lagamamaarmaanka u ah in la abaabulo, loo maamulo lana adeegsado joojinta daqdaqaaqa,la werigista, ama hanti la dayacey kuwaas oo laga macaashay fal danbi, iyadoo la raacayo qawaaniinteeda gudaha. Tallaabooyinka noocan oo kale ah waxaa ka mid noqon kara shuruudaha soo celinta hantida ee wali gacanta ugu jirta qofka xaq u leh. Dalalka Heshiiskan hubin ka ah waa in aay tixgaliyaan talaabooyinka maamulka ama isticmaalka hantida la dayacay iyo mudada iyo jaangooyooyinka waqtiyada hantida loo arko in la dayacey.

8. Qodobbada Qodobkan ku jira looma tarjumi doono si loga takhaluso laguna liido xuquuqdaha dhabta ah ee dhinacyada saddexaad.

Qodobka 8aad
Magdhow ka bixinta waxyeelow

Xubin Qaran Kasta waxey bixin doonaan si waafaqsan qaanuunk gudaha, in dhammaan dadkii waxyeelladu ka soo gaartay ficil musuqmaasuq, sida ku xusan Heshiiskan, in ay xaq u leeyihiin in ay keenaan dacwad is aay u ku donayaan magdhow waxyeeladaas soo gaarey awgood.

Qodobka 9aad
Ikhtisaaska Maxkamadda

1. Dembiyada ku xusan Heshiiskan, waxaa ikhtisaaska maxkamadeentooda iskale dalka axdiqan hubna ka ah xaalad kastoo oo ka mid ah xaaladaha soo socda halka:
   b) Dembiga, ama wax kasta oo ka mid ah ficillada caawinaayo falka, oo agu fuliyay dhulka dowlada Heshiiskan xubin ka ah;
   t) Dembiga waxaa lagu geestay markab saaran calanka dalka Heshiiskan hubin ka ah ama diyaarad ka diiwaan gashan dalka sharciyadiisa waqtiga koomishinka falka dembiga dhacey;
   j) Dembiga waxaa laga galay dalka ama mid ka mid ah muwaaddinkeeda ama degenaheeda;

x) Dembiga waxaa geystay mid ka mid ah Muwaadiniinta dalka Heshiiskan hubin ka ah, mise qof sida caadiga ah degan dhulk dalka, ama qof bilaa sharci ah oo si rasmi ah u deggan dhulk dowladaha Heshiiskan qeeb ka ah;

k) Dembigu waa mid ka mid ah ficillada lagu ciqaabay sida uu qabo qodobka 4.6 ee Heshiiskan, waxaana lagu geystaa meel ka baxsan dhulka dalka Heshiiskan hubna ka ah, iyadoo ujeedku yahay in lagu fuliyo fal dambiyeedka gudaha dalkaas;

d- Eedaysanuhu waa muwaadin joogna dhulka dal Heshiiskan hubin ka ah taa oo aan laga soo celin karin.

2. Xubin Qaran Kasta waxey ay qaadeysaa talaabooyinka lagama maarmaanka u ah in ficilada lagu ciqaabo Heshiiskan, iyadoo la racaayo awooda shariciga dalka markii dambiilaha geeystay falka noocan ahi ku sugan yahay dhulk dalHeshiiskan hubin ka ah aan ka jirin heshis isku soo celin.

3. Halka dalka Heshiiskan hubin ka ah, iyado oo adeegsanaysaa awoodeeda hoos timaado qodobkan, la ogeysiiyay, ama uu ku ogaaay qaab kale, in dal kale ee Heshiiskan hubin ka ah ama (dalal kale) wadaan baaris ama dacwad ku qaadid ama ay qaadayaan talaabooyin sharci oo la xiriira isla falkii la geeystay, ka dib Mas'uuliyiinta awooda u leh dalk Heshiiskan xubin ka ah ama dalalk waa inay wada tashi yeeshaan iskuna dubaridaan dhammaan tilaabooyinka la qaadi karo.

Qodobka 10aad

Tallaabooyinka ka hortagga iyo la dagaallanka musuqmaasuqa

1. Xubin Qrana kasta, si waafaqsan qawaaniinteeda, waa in aay dejiyaan, hirgaliyaan oona adkeeyaan siyaasado wax ku ool ah si looga hortago loona dagaallamo musuqmaasuqa. Tan waxaa ka mid noqon doona xoojinta kaqeybgalka bulshada iyo adeegsiga mabaadi'da ku dhaqanka sharciya, maamul wanaaga arimaha bulshada iyo hantida, sharafta, hufnaanta iyo isla xisaabtanka.

2. Xubin Qaran Kasta waa in aay ku dadaalaan in ay dejiyiyan qaab wax ku ool ahoo loga hortago musuqmaasuqa.

3. Xubin Qaran Kasta, waa in uu ku dadaalaa inuu sameeyo qiimeyn xilliyeed ah shuruucda quseeya iyo tillaabooyinka maamul iyada oo

looga gol leeyahay in lagusoo bandhigo wax qabadkooda ku aadan ka hortagga iyo la dagaallanka musuqmaasuqa.

4. Xubin Qaran kasta waxey ku dadaalaysaa, iyada oo la raacayo qawaaniinteeda gudaha, in ay hirgaliso, xoojiso iyo taagyeerto nidaamyo muujinaya daah-furnaan iyo ka hortagga khilaafaadka danaha u dhexeeya shaqaalaha iyo loo shaqeeyaha, ha ahaadaan qaybaha bulshada ama kuwa gaarka loo leeyahay.

5. Xubin Qaran Kasta, wuxuu ku dadaalayaa inuu hirgeliyo, iyada oo la raacayoqawaaniinteeda gudaha iyo nidaamkeeda, haynta diiwaan iyo shuruucda anshaxaee saxda ah si, loo guto shaqada loo hayo dadweynaha si sharaf iyo amaan ku dheehan tahay.

6. Xubin Qaran Kasta, waxaay tixgalin doonaan, iyagoo la kaashanaaya sharciyadooda gudaha, dejinta tillaabooyin iyo nidaamyo si loo fududeeyo soo kud binta warbin, aay soo gudbinaayaan u shaqeeyaasha dadweynanah loona gudbinaayo hey'ad dowladeed, fal walba ee musuqmaasuq ah eey ogaadaan inta ay gudanayaan waajibaadkooda.

7. Xubin Qaran Kasta, wuxuu qaadaa talaabooyinka lagama maarmaanka u ah abuurida nidaamyo ku saleysan daah furnaan iyo tartan wanaag,iyadoo hadafka yahay dejin nidaam sah ah ah oo laxiriira soo wax soo iibsiga dowladeed iyo hanaanka istiraatiijiyadda iyadoo ujeedku tahay ka hortagga musuqmaasuqa.

8. Iyadoo laga duulayo in laga hortago musuqmaasuqa ee waaxda gaarka loo leeyahay, Xubin Qaran Kasta, waaxey qaadaan talaabooyinka lagama maarmaanka ah, iyada oo la raacayo qaanuunkeeda gudaha iyo qawaaniinta xukuma diiwaan haynta, shaacinta xogta maaliyadeed, heerarka xisaabinta iyo dib-u-eegista xisaabaadka, si looga hortago falalkaas oo kale iyada oo ujeedadu tahay in la fuliyo mid kasta oo ka mid ah ficillada lagu ciqaabay sida ku xusan Heshiiskan:

b) Abuuritaanka xisaabaadka buugaagta aan ku jirin.

t) Meesha ka saaridda is dhaafsi ganacsi buugaagta ama iyada oo aan sharraxaadku filan laga bixin.

j) Diiwaangelinta kharashaadka been-abuurka ah

x) Gelitaanka waajibaadka maaliyadeed adigoon si dhab ah ugu faahfaahinujeedadooda.

k) Adeegsiga dukumiintiyo been abuur ah.

d- Si ula kac ah u baabi'inta dukumiintiyada xisaaba inta aan la gaarin waqtigasharciga uu oggol yahay.

9. Xubin Qaran Kasta waa in ay iskaashi yeeshaan dexdooda iyo hay'adaha khuseyso ee caalamiga ah iyo kuwa gobolka sida aay lagama maarmaanka utahay, iyo iyada oo la raacayo shuruucda gudaha, si loo xoojiyo loona horumariyo tillaabooyinka lagu sheegay Qodobkan. Wadashaqeynta noocan oo kale ah waxaa ka mid noqon kara ka qeybgalka barnaamijyada caalamiga ah iyo mashaariicda loga hortagayo musuqmaasuqa.

10. Xubin Qaran Kasta, iyada oo la raacayo qawaaniinteeda gudaha, ayaa hubindoonta jiritaanka hay'ad ama wakaalado, hadba sida loogu baahdo, si looga hortago loolana dagaallamo musuqmaasuqa, sida:

b) hirgelinta siyaasadaha lagu xusay Qodobkan iyo la socodka fulinta sida loo baahan yahay;

t) Kordhinta iyo faafinta aqoonta laxiriirta kahortaga musuqmaasuqa.

11. Xubin Qaran Kasta, sida ku xusan qawaaniinteeda gudaha, waxaay siin doontaa wakaalada ama wakaaladaha ku xusan cutubka kore madaxbanaanida lagama maarmaanka u ah inay awood u siiso in aay kudato/gutaan waajibaadkooda si hufan kana xoroobaan saameyn kasta oo lama huraan ah. Kheyraadka iyo agab eelagama maarmaanka ah iyo shaqaalaha takhasuska u leh waa in ay helaan sidoo kale tababarka loogu baahan yahay shaqaalaha si ay u gutaan waajibaadkooda.

Qodobka 11aad

Kaqeybgalka bulshada rayidka

Xubin Qaran kastaa waxay qaadeysaa talaabooyin ku haboon oo lagu dhiiri galinaayo ururada bulshada rayidka inay si hufan uga qeybqaataan kahortaga iyo la dagaalanka musuqmaasuqa waxeeyna ku taageeri doonaan kaqeybgalkaas tillaabooyin sida:

1. kor u qaadista wacyigalinta bulshada ee la dagaallanka musuqmaasuqa, sababaha iyo halista musuqmaasuqa iyo halista u musuqu u leeyahay danaha bulshada guud ahaanba.

2. qabashada olole warbaahineed oo lagu diidayo musuqmaasuqa iyo sidoo kale barnaamijyo wacyigelin ah, oo ay ku jiraan manhajka dugsiga iyo jaamacadda.

3. in lagu wargaliyo dadka wax ku saabsan wakaaladaha la-dagaallanka musuqmaasuqa ee lagu xusay Heshiiskan iyo in la siiyo dariiq ay kula xiriiraan hay'adahaas si logu wargaliyo dhacdooyin kasta oo loo arki karo inay ka dhigantahay ficil lagu ciqaabey Heshiiskan hadda jira.

Qodobka 12aad
Madaxbannaanida garsoorka iyo Xeer Ilaalinta

Iyada oo la tixgalinayo muhiimadda aay leedahay madaxbanaanida garsoorka iyo doorkeeda muhiimka ah ee la dagaalanka musuqmaasuqa, Xubin Qaran kasta waa in aay, si waafaqsan qaanuunka u dagsan, qaadataa dhamaan dammaanad qaadyada iyo xoojinta madaxbanaanida garsoorka iyo xeer ilaaliyaasha, taageerida daacadnimadooda iyo in la siiyo ilaalin lama huraan ah.

Qodobka 13aad
Xayiraada falalka musuqmaasuqa

Iyadoo oo tixgilin la siinayo xuquuqda ay leyihiin dhinac saddexaad si niyad sami ah, Xubin Qaran kastaa si waafaqsan qaanuunka u dagsan, ayaa sameeynaayo tallaabooyin lagu ciqaabayo musuqmaasuqa. Iyadoo taa la duulaayo, Xubin Qaran kasta waa in aay tixgilin siyaan musuqmaasuqa in uu yahay qodob muhiim ah marka la qaadayo tillaabooyin sharci ah oo lagu burinaayo, ama lagala noqdo heshiis, lagala laabto heshiisyo kale oo la mid ah, ama la qaado wax kasta oo kale oo lagu saxayo.

Qodobka 14aad
Ilaalinta Warbixiyasha, markhaatiyada, khubarada iyodhibanayaasha

Xubnaha Qaramadda waa inay u fidiyaan badbaadada sharciga ee lagama maarmaanka u ah, warbixiyaasha markhaatiyada, khabiirada iyo dhibbanayaashukuwaas oo bixinayaan caddeyn laxiriirta ficillada dembi ee la geeystay ee ku xusan Heshiiskan. Badbaadada waxaa ka mid ah in laga ilaaliyo ehelkooda iyo kuwa ku dhow ehelkooda ficil kasta oo aargudasho ah ama cabsi gelin ah. Talaabooyinkaas oo ay ka mid yihiin:

1. Iyaga oo lagu siinaya difaac meelaha ay deggan yihiin.
2. In aan la bixin macluumaadka la xiriira aqoonsigooda ama meesha ay ku sugan yihiin.
3. warbixiyaasha, marqaatiyaasha, khubarada iyo dhibanayaashu oo bixiyaan caddeyn waa in aay u bixiyaan hab sugaayo amnigooda, sida adeegsiga teknolojiyadda is-gaarsiinta.

4. Qaadista tilaabooyin ciqaab ah qofkasta oo kashifa macluumaadka la xiriira aqoonsiga ama goobta ay ku sugan yihiin warbixiyaasha, markhaatiyada, khabiirada ama dhibbanayaasha

Qodobka 15aad
Taageerada Dhibbanaha

1. Xubin Qaran kastaa waxaay dajinaysaa qawaaniin hanaan ku habboon si aay u siiso dhibbaneyaasha dambiyada lagu soo xusay Heshiiskan oo lasiiyo qaabkii ay u heli lahaayeen magdhow iyo xal.

2. Xubin Qaran kastaa, waxaay siineysaa, si waafaqsan sharcigeeda gudaha, fursad ay dhibbanayaashu ku soo bandhigi karaan aragtidooda iyo in aragtidaas oo la tixgaliyo marxaladaha ku habboon ee dacwadda dambiyada lagu soo oogayo dambiilayaasha, iyada oo aan laga hor joogsanayn xuquuqda difaaca.

Qodobka 16 aad
Iskaashiga ee Hergelinta sharciga

Xubnaha Qaramada, waxey iskaashi ka sameynaayaan si dhaw, iyada oo la raacayo nidaamkooda sharciga iyo maamul ee gudaha, si loo hubiyo dhaqan gelinta sharciga wax ku oolka ah si loga hortago loona la dagaallamo dambiyada ku jira Heshiiskan. Wadashaqaynta noocan ahi waa inay kujirto

1. Isweydaarsiga macluumaadka ee ku saabsan qaababka loo adeegsado in lagu galo ama lagu qariyo dembiyada sida ku xusan Heshiiskan hadda jira, oo ay kujiraan dembiyada la galay iyadoo la adeegsanayo teknolojiyad cusub, iyo in la suurtageliyo ogaanshaha fal dambi inta uusan la galin mark hore.
2. Wadashaqeynta hanaanka baarista ee kusaabsan aqoonsiyada dadka loga shakisan yahay ku lug lahaanshaha dambiyada sida ku xusan Heshiiskan, iyo goobahooda iyo howlahooda, iyo dhaq dhaqaaqa kasoobaxa iyo hantida ka soobaxda gelitaanka dambiyada noocaas ah.
3. Isweydaarsiga khubarada.
4. Wadashaqeynta bixinta kaalmada farsamada si loo diyaariyo barnaamijyada ama loo qabto aqoon isweydaarsiyo wada jir ah, ama kuwa qaas ah hal Xubin Qaran ama Xubnaha Qaraamada sida loogu baahan yahay kuwa ka shaqeeya ka hortaga iyo la dagaallanka dembiyada sida ku xusan Heshiiskan, aragti si loo horumariyo

aqoontooda iyo awooda wax ku oolka ah loona xoojiyo waxqabadkooda.

5. Kalfadhiyo tababar iyo aqoon isweydaarsiyo ku saabsan ka hortagga iyo xakamaynta dambiyada sida ku xusan Heshiiskan hadda jira.
6. Sameynta iyo isweydaarsiga cilmi baarista, daraasadaha iyo khibradaha laxiriira kahortaga iyo xakamaynta dambiyada sida ku xusan Heshiiskan hada jira.
7. Horumarin xogta ee shurucda qaranka, farsamooyinka baarista iyo tababbarka ugu wanaagsan ee la xiriira ka hortagga iyo xakamaynta dambiyada sida ku xusan Heshiiskan hadda jira.

Qodobka 17aad
Iskaashi lala yeesho masuuliyiinta fulinta sharciga

1. Xubin qaran kastaa waxay qaadeysaa talaabooyin munaasib ah si ay ugu dhiiri geliso kuwa qeyb ka ah mise ka mid ahaa gelitaanka dambiga sida ku xusan Heshiiskan in aay bixiyaan macluumaad waxtar leh lasiiyo masuuliyiinta awooda u leh ujeeda oo aay tahay baaritaanka iyo aruurinta cadaynta, iyo in la bixiyo Caawinta wax ku ool ah hay'adaha awooda leh ee gacana ka geysan karaa in laga joojiyo dambiilayaasha ka fa'iida fal-dambiyeedka oo dib loo soo celiyo fa'iidadas.
2. Xubin Qaran kastaa waxaay tixgalin doontaa, duruufaha ku habboon, si laga yareeyo xukunka qof la soo eedeyey oo kaalmo wax ku ool ah ka gaystay baaritaanka ama nidaamka dacwada wax ku saabsan dambi sida ku xusan Heshiiska hadda.
3. Xubin Qaran kastaa waxay tixgalin doonaa suurtagalnimada cafis bedelkii dembi ku oogidda, iyadoo la raacayo qawaaniinteeda gudaha, qof kasta oo ku deeqay kaalmo wax ku ool ah oo ku saabsan baaritaanka ama nidaamka dacwad qaadista marka la eego dembiyada ku xusan Heshiskan hadda jira.
4. Dadka noocaas ah waa la ilaalin doonaa sida ku xusan qodobka 14aad ee heshiskan hadda, iyadoo la tixgalinayo shuruudaha ee duruufaha kaladuwan.
5. Marka qofka sida lagu tilmaamey sadarka (1) ee qodobkan oo uu joogo Xubin Qaran kale isla markaana uu awood u leeyahay inuu siiyo kaalmo wax ku ool ah masuuliyiinta awooda u leh Xubin

Qaran kale, labada Dowladood ay quseysoayaa ka fiirsan doona inay ansixiyaan heshiisyo ama wax isla qabanqabiyaan. , iyada oo la raacayo shuruucdooda gudaha dalalk, si ay awood ugu siiso Xubin Qaran kale in ay u bixiyaan xalka sida ku qeexan cutubyada 2 iyo 3 ee Qodobka hadda jira.

Qodobka 18aad
Iskaashiga u dhaxeeya Mamulada Qaran

Xubin Qaran kastaa, waxey si waafaqsan shuruucda gudaha, qadeysaa talabooyinka laga maarmaanka ah si loo hubiyo wadashaqeynta u dhaxeysa mas'uuliyiinteeda dadweyne, iyo sidoo kale inta u dhaxaysa mas'uuliyiinta dowladeed iyo baarista dambiyada iyo mas'uuliyiinta xeer ilaalinta. Wadashaqeynta noocan ah waxaa ka mid noqon doona:

1. ogeysiinta masuuliyiinta baaritaanka markii ay jiraan sababo lagu rumeysan karo komishinka ficil kasta oo dambi laga digay sida ku xusan qodobka 4aadee Heshiiskan hadda la jira.
2. Bixinta dhammaan macluumaadka lagama maarmaanka u ah maamulada baritaanada marka ay soo codsadaan.

Qodobka 19aad
Iskaashiga u dhaxaysa masuuliyiinta Qaranka iyo waaxda gaarka looleeyahay

1. Xubin Qaran kastaa, si waafaqsan qaanuunkeeda gudaha, waxey qaadeysaa talaabooyinka lagama maarmaanka ah si loo hubiyo wadashaqeynta u dhaxaysa mas'uuliyiinta qaranka ee ku lug leh baaritaanka iyo dacwad ku soo oogidda iyo waaxaha gaarka loo leeyahay, gaar ahaan mas'uuliyiinta maaliyadeed, arrimaha la xiriira komishinka ficillada dambiyada lagu digay sida lagu sheegay Heshiskan hada jira.

2. Xubin Qaran kastaa waxey tixgelinaysa in aay dhiiri geliso muwaadiniinteeda iyo dadka kale ee sida joogtada ah ugu nool dhulkeeda si ay u ogeysiiyaan mas'uuliyiinta qaran ee ay quseyso baaritaanka iyo dacwad ku soo oogidda komishinka fal-dambiyeedka sida ku xusan Heshiiska hadda jira.

Qodobka 20aad
caawinaada Garsoorka ee wadaaga ah

1. Xubnaha Qaraamadda waxey midba midka kale u fidiyaan inta ugu badan ee suurtagalka ah ee caawinta garsoorka wadaagga ah ee

baaritaanka, dacwad-ku qaadista iyo habraacyada garsoorka ee la xiriira dembiyada sida ku xusan Heshiiskan.

2. Caawimaadda garsoorka ee wadaaga ah waa in lagu bixiyaa qaabka ugu dhameystiran ee suurtogalka ah iyadoo la raacayo shuruucda dowladaa Xubinta ah ee laga codsadey iyo heshiisyadeeda, heshiisyada iyo qabanqaabada la xiriirta baaritaanka, dembi ku qaadidda iyo habraacyada garsoorka ee la xiriira dembiga loo haysto qof sharci ah iyadoo la raacayo Qodobka 5aad ee Heshiiskan hadda jiraee lagu codsanayo Doladda Xubinta ah ee laga codsanaayo.

3. Codsi ku saabsan kaalmada garsoorka waxaa lagu sameyn karaa HeshiiskaXilligaan la joogo mid kastoo ka mid ah ujeeddooyinka soo socda:

b) Si loo helo cadeyn ama bayaan marqaati.

t) Bixinta dukumiintiyada garsoorka.

j) In la fuliyo kormeer, qabasho iyo xayiraadda [hantida].

x) Si loo hubiyo walxaha loona baaro goobaha.

k) Si loo bixiyo macluumaad, shey, caddeyn iyo qiimeyn khibradeed.

d- Si loo bixiyo dukumiintiyada asalka ah iyo diiwaannada, oo ay ku jiraan diiwaangelinta dowladda ama bangiyada ama kuwa shirkadaha ganacsiga amatas-hiilaadka, ama nuqul ka mid ah oo la caddeeyay.

r) Si loo go'aamiyo fa'iidida dembiga ama hantida, agabyada ama waxyaabo kale, ama loo raad raaco ujeedo si loo ogaado qimahooda.

s) Si loo fududeeyo soo saariska mutadawiciinta ah ee dadka ee Dowladda Xubinta ah laga codsaneysa.

sh) Caawimaad kale oo kasta oo aan ku xadgudbinayn sharciga gudaha eeDowladda Xubinta ah ee codsansaa.

dh) Siidaynta, hayaridda iyo daba-galidda macaashka soo gala fal dambiga.

c) Dib u soo celinta hantida si waafaqsan qodobka 27aad ee Heshiiska hadda jira.

4. Xubin Qaran walba waxeey qaadan kartaa sharciga ama talaabooyinka kale ee lagama maarmaanka ah, iyadoo la tixraacayo shuruudaha iyo ujeeddooyinka ay u aragto inay ku habboon yihiin, xukun kasta oo horay loogu xukumay eedaysanaha dowladda kale waana tixgalin kartaa iyada oo uu ujeedku yahay in laadeegsado

macluumaadkaas fal-gal dacwadeed la xiriira danbi sida ku xusan Heshiiska hadda jira.

5. Xubin Qaran wablba waxey magacaabeysaa hay'ad dhexe oo leh mas'uuliyadda iyo awoodaha ay ku heli karaan codsiyada kaalmada garsoorka ee labada dhinac ah iyo inay u waafaqaan codsiyadan ama in aay ku wareejin karaan hay'ad awood u leh. Halka Xubin Qaran ay leedahay gobol ama dhul gaar ah oo leh nidaam madax-bannaan oo kaalmaynta garsoorka ah, waxay u magacaabi kartaa hay'ad dhexe oo gooni ah inay ka fuliso isla hawshaas gobolkaas ama dhulalkaas. Maamulka dhexe ayaa hubin doona hirgelinta ama wareejinta codsiyada la helay qaab ugu habboon. Marka ay awooda dhexe u gudbiso dalabka hey'ad karti u leh si talaabo looga qaado, waxay ku dhiiri gelinaysaa awooda ku shuqul leh inay ku shaqeyso codsiga waqti ku habboon si hab sax ah. Xoghayaha Guud ee Urur ka Jaamacadda Carabta ayaa la ogeysiin doonaa magaca hay'adda dhexe ee loogu talagalay ujeeddadan waqtiga uu Xubinta Qaran ay gelinayso aaladda ansixinta ama ka qeyb galka Heshiskan hadda jira. Codsiyada ee caawinta garsoorka ee labada dhinac ah iyo wixii xiriir ah ee la xiriira waxaa loo gudbin doonaa mas'uuliyiinta awooda dhexe ee ay magacawday Xubinta Qaran. Tani waxay noqon doontaa iyada oo aan laga hor tagin xuquuqda ay u leedahay Xubin Qaran kasta in ay caddeeso in codsiyada iyo wada-xiriirka noocan oo kale ah lagu hagaajin doono dariiqa diblomaasiyadeed. Markey jirtu xaaladaha deg-degga ah, marka labada dowaldded ee ay khusayso ay ogolaadaan, waxaa loo gudbin karaa Xafiiska Bilayska Dembiyada Carbeed iyada oo la raacayo xoghaynta guud ee lataliyaha wasiirrada arrimaha gudaha ee Carabtu, markay suurogal tahay.

6. Codsiga caawimaadda garsoorka ee labada dhinac ah waxaa kujira:
   b) Aqoonsiga hey'adda codsanaysaa

   t) Arrinta iyo nooca baaritaanka, dembi ku oogida ama habrac sharci oo laxiriirta codsiga, iyo magaca iyo howlaha hey'adda baaritaanka wado oo ay fuliso, demb ku oogida ama habraaca garsoorka.

   j) Soo koobid xaqiiqooyinka laxiriira arinta, marka laga reebo codsiyada ujeedada loogu adeegayo dukumiintiyada garsoorka.

   x) Sharraxaadda kaalmada la raadinayo iyo faahfaahinta tallaabo kasta oo qaas ah oo Dowladda Xubinta ah ee codsanaysaa ay doonayso in la raaco.

k) Aqoonsiga, goobta iyo dhalashada qof kasta oo ay quseyso, intii ay suuragal tahay.

d- Ujeedada caddeynta, macluumaadka ama tallaabooyinka loo raadinayo.

7. Dowladd Xubinta ah ee laga codsaday waxey codsan kartaa macluumaad dheeri ah markii loo baahdo si loo hirgaliyo codsiga si waafaqsan sharciga gudaha, ama marka ay taasi fududeyn karto fulinta.

8. Codsiga waa in lagu dhaqmaa si waafaqsan sharciga gudaha ee Dowladda Xubinta ah ee laga codsaday iyo sidoo kale iyadoo la raacayo habraacyada lagu qeexay dalabka, meel kasta oo ay suurtagal tahay, illaa iyo intaani aysan khilaafsanayn sharciga gudaha ee Dowladda Xubinta ah ee laga codsaday.

9. Dawladda Xubinta ah ee codsanaysa ma shaacin doonto wax macluumaad ah ama caddeyn ah oo ay siisay Dawladda Xubinta ah ee laga codsaday, ama uma adeegsan karto baaritaannada, dembi ku oogid ama xanaan garsoor aan ahayn kuwa lagu sheegay codsiga, iyadoo aan heshiis hore laga helin Dawladda Xubinta ah ee laga codsaday. barakrafkan kama hortagaayo Dowladda Xubinta ah ee codsanaysaa inta dacwada socoto macluumaad ama caddaynta qofka eedeysanaha wax dembiga loo haysto ka baabinaayo. Xaaladdan oo kale, Dowladda Xubinta ah ee Codsanaysa waxey ogeysiin doontaa Dowladda Xubinta ah ee laga codsaday, kahor int aaysan shaaca ka qaadin, wuxuuna kala tashan doontaa Dowladda Xubinta ah ee laga codsaday, haddii sidaas la weydiiyo. Haddii, gaar ahaan, aysan suurogal ahayn in la sameeyo ogaysiis hore, Xubinta Qaran ee Codsaneysaa waxey ku wargalin doontaa Xubinta Qaran ee laga codsaday sideenta xogta daahid la'aan.

10. Dawladda Xubinta ah ee codsanaysa waxeey u bahanaankartaa Dawladda Xubinta ah ee laga codsaday haynta sirta codsiga iyo waxa ku jira, marka laga reebo xaddiga loo baahan yahay si loo dhaqan geliyo. Hadi Dawladda Xubinta ah ee laga codsaday aaysan awoodin in aay buuxiso shuruudaha qarsoodida, waxey ogeysiin doontaa Dawladda Xubinta ah ee codsanaysa si ku habboon oo aan dib udhac la'aan.

11. Caawinaad dhanka garsoorka ah ee wada jirka ah lama siin karo haddii:

b) Codsiga looma sameynin iyada oo la raacayo sida uu dhigayo Qodobkan hadda jira;

t) Dowladda Xubinta ah ee laga codsaday waxey markay u arakto in fulinta dalabkaasi uu ku xadgudbayo madaxbanaanideeda, amnikeeda, kaladambeynta dadweynaha ama danaha kale ee muhiimka ah.

j) Dowladda Xubinta ah ee laga codsaday markuu sharcigeeda gudaha ah ka mamnuucaayo mas'uuliyeeda inay fuliyaan talaabooyinka la codsaday marka la eego fal kasta oo isku dhow, iyaado dambigaasi nocaas ah lamarsiin karo baaritaan, dembi ku oogid, ama degaysi garsoor lagu qado sida ku xusan ikhtisaaskeeda u gaarka ah.

x) In la kulmiyo codsiga waxey isku dhacaayaaan shuruucda Dawladda Xubinta ah ee laga codsaday.

12. Xubin Qaran uma diidi karto codsi ku saabsan caawimaadda garsoorka ee wadajir ah sababtoo ah dambiga waxaa loo tixgelinayaa inuu la xiriiro arrimaha dhaqaalaha.

13. Asbaabta diidmada wixii kaalmo garsoor ee wada jir ah waa in la bixiyaa.

14. Dowladda Xubinta ah ee laga codsaday waxey hirgalinaysaa codsiga caawinta garsoorka sida ugu dhaqsaha badan iyaado oo la tixgalinaayo sida ugu badan ee suurta galka ah waqtiga mudada ah ay soo jeedisay Dowladda Xubinta ah ee codsanaysa, gaar ahaan sababaha lagu sheegay codsiga laftiisa. Dowladda Xubinta ah ee codsanaysa waxay soo bandhigi karaa weydiimaha macquulka ah si aay u hesho macluumaad ku saabsan heerka talaabooyinka ay qaadeen Dowladaa Xubinta ah ee laga codsaday, in la buuxiyey codsiga iyo horumarka hadda socda. Dowladda Xubinta ah ee laga codsaday waxey ka jawaabi doontaa weydiimaha macquulka ah ee ka imanaya Dowladda Xubintah ah ee codsanaysa ku saabsan heerka codsiga iyo horumarka laga gaadhay in wax laga qabto Dowladda Xubinta ah ee codsanaysa waa in aay si dhakhso leh ugu wargaliyaa Dowladda Xubinta ah ee laga codsaday markii aan loo baahnayn caawimaada la raadinayo.

15. Dowladda Xubinta ah ee laga codsaday waxey dib u dhigi kartaa

caawimaadda garsoorka ee wada jirka ah sabab la xiriirta inuu khilaafsan yahay baaritaannada socda, dacwad-qaadista ama hab raaca garsoorka

b) Dowladda Xubinta ah ee laga codsaday, iyada oo laga jawaabayo codsi caawimaad ah, iyadoo la raacayo qodobka hadda jira haddi aan jirin wax masuuliyad labo fal-dambi laga kala galey labo dal,(dual-Criminality) waxay tixgelin doontaa ujeedooyinka Heshiskan hadda jira sida lagu xusay qodobka 2aad

t) Xubin Qaran waa aay diidi kartaa inay bixiso kaalmo iyada oo la raacayo Qodobka hada jira oo ah fal danbi la aan labda dal laga galin.(dual criminality)Waxay bixin kartaa caawimaad aan ku lug lahayn tallaabo qasab ah waxayna diidi kartaa inay bixiso kaalmadan oo kale markay la xiriirto codsiyo aanqiimo lahayn ama arrimaha la xiriira iskaashiga ama gargaarka ee la raadinayo lagu bixiyey qodobbada kale ee Heshiiskan hadda jira.

j) Xubin Qaran kastaa waxey tixgelin kartaa in aay qaadato tillaabooyin ay u aragto inay lagama maarmaan u tahay inay bixiso caawimaad ballaadhan, sidaku xusan qodobka hadda jira, iyada oo ay jirto xaalad la'aanta laba dambi laga kala galey dalka.(Dual Criminality).

16. Kahor inta aan codsi kasta la diidin, sida ku xusan sadarka (1) 1 ee Qodobka hadda jira, ama dib-u-dhigista fulintiisa, iyada oo la raacayo paragraafka (1,5) ee Qodobka hadda jira, Dowladda Xubinta ah ee laga codsaday ayaa kala tashan doonta Dowladda Xubinta ah ee codsanaysa in aay tixgeliso suurtagalnimada bixinta gargaarka iyada oo ku xidhan shuruudo kasta ama qodobo kasta oo loo arko inay lagama maarmaan tahay. Haddii Dowladda Xubinta ah ee Codsanaysay aqbasho caawimaadan shuruudaysan, waa in aay buuxisaa shuruudahan.

17. Qof kasta oo xiran ama qof kasta oo xukunkiisa ku bixinaayo dal Xubin Qaran kale oo qofkaasi joogitaankiisa ay soo codsato Xubin Qaran kale ujeeddada aay tahay aqoonsashada dadka, bixinta caddeyn ama bixinta kaalmo kale si loo helo caddeyn baaritaan, dembi ku oogid, ama habraac garsoorka ee la xiriira. dembiyada sida ku xusan Heshiiskan hadda jira waa la celin karaa, haddii la buuxiyo labada shuruud ee soosocda:

b) qofka in uu aqbalo si xor ah oona oqoon u leyahay; iyo

t) Mas'uuliyiinta awooda u leh labada Xubnaha Qarramadda waay isku raaceen, iyadoo oo kuxiran yihiin shuruudaha labada

Xubnaha Qarramadda u arkaan inay ku habboon yihiin.

18. Ujeedooyinka Paragraafka (1) 8 ee Qodobka hadda jira

b) Xubinta Qaran ee qofka loo wareejinayo waxaa awood loosiiyey oo waajib ku ah in ay ku sii hayso qofka xabsiga, illaa iyo inta Xubinta Qaran ee qofka laga soo celiyey aan si kale codsan si kale ama aay bixiso ogalaansho si kale;

t) Xubinta Qaran ee qofka loo dhiibayo waa in aay, iyada oo aan la daahin,fulisaa waajibaadka saaran oo ah in aay ku soo celiso gacan ku haynta XubintaQaran ee laga soo celiyey iyadoo la raacayo wixii markii hore lagu heshiiyay, ama qaab kale, oo u dhaxaysa Mas'uuliyiinta awooda u leh labada Xubnaha Qaramada.

j) Xubinta Qaran ee qof lagsoo celiyey dib u warejintisa qofkaas shardi uga ma digi karto bilaawid dhegeysi dacwad ku aadan si loo gacan gelin Xubin Qaran ee laga soo wareejiyay.

x) Waqtiga lagu hayey Xubin Qaran oo so wareejiyay waxaa laga goynayaa xukunka lagu so rogay Xubin Qaran taas oo asaga lag soo wareejiyay.

19. Qofka, dhalasho kasta ha watee, hadi dib loogu soo celiyey si waafaqsan faqradaha 18 iyo 19 ee Qodobka hadda jira lama maxkamadeen karo, lama xiri karo, lama ciqaabi karo ama xorriyaddiisa shakhsiga lama xaddidi karo siyaabo kale markuu joogo dhulalka Xubinta Qaran ee laga soo wareejiyay asabab ficil ama ficilo ama xukun kahor intuusan ka tagin dhulki Dowladda ee laga soo warejiyey, ilaa iyo inta Dowladda ay san ogolaan.

20. Xubin Qaran ma diidi karto in aay bixiso caawimaad garsoor oo wada jir ah iyada oo la raacayo Qodobka hada jira asbaata diidmada ay ku saleysanta qarsoodida bangiyada.

21. Marka uu qofk joogo dhulka Xubin Qaran loona baahado marag furkiisa, marqaati ama khabiir ahaan, horta garsoorka ee Xubin Qaran kale, taasi oo ay suurta gal tahay oona waafaqsantahay sharciga gudaha, Xubinta Qaran ee koowaad, iyada oo la racaayow codsi kaga timid Xubin Qaran labaad, waxeey u oggolaanaysaa dhageysi in la qabato iyada oo loo sii marinaayo tebinta tooska ah, haddii aysan suurta gal ahayn ama lagu talin karin qofka ay quseyso inuu ka soo dhex muuqdo shaqsi ahaan dalabka xubinta Qaran ee codsanaysa.

22. Iyadoo aan laga eexsaneyn sharciga gudaha, mas'uuliyiinta awooda u leh Xubinta Qaran waxay awood u yeelan karaan, iyagooaan la

helin codsi hore, inay u diraan macluumaadka la xiriira arrimaha dambiyada maamulka awooda u leh ee Xubin Qaran kale, markii la rumeysan yahay inay macluumaadkani gacan ka geysan kaaraan maamulka inay fuliyaan ama in si guul leh lagu soo gabagabeeyo baaritaanka dambiyada iyo dacwadaha ama waxay u horseedi kartaa Xubin Qaran kale in aay codsi sameeyso sida ku xusan Heshiiskan hadda jira.

23. Macluumaadka ku xusan parakraafka 5aad ee qodobka hadda jira waxaa loo diri doonaa iyada oo aan laga hor joogsan xaqa baarista dambiyada socdo iyo howlaha Qaranka ee mas'uuliyiintiisa awwod u leh ee bixiya macluumaadka. Mas'uuliyiinta awooda u leh helitaanka macluumaadka waxay u hoggaansamaayaan codsi kasta oo lagu xafidayo macluumaadka sir laga digoxitaa haddii si ku meelgaar ah, ama loo soo rogo xannibaado isticmaalkeeda. Tani, si kastaba ha noqotee, kama hor istaagayso Xubin Qaran oo gudomeyso, iyadoo laga egaayo dacwadeeda, shaacinta macluumaad kaas oo eedaysanaha lagu siidayeenaayo. Xaaladdan oo kale, Qaranka qudoomeeya waxey ogeysiindoontaa Qarak soo diraayo ka hor shaacinta macluumaadka, waana in aay kala tashataa Qarank u diraya haddii la weydiiyo in aay sidaas sameeyso. Haddii, gaar ahaan, aysan suuragal ahayn in lagu jiheeyo ogeysiis hordhac ah, Qarank qudoomaayo waxey ku wargalin doontaa Qaranka dirayo si daahfurnaan daahitaan la'aan ku dheehan tahay.

24. Iyadoo aan loo kala eexanayn parakrafka 20-aadee qodobka hadda jira, marqaati, khabiir ama qof kale oo lamid ah dembi laguma soo oogi karo, mala xabsadeen karo mise mala ciqaabi karo iyadoo lagu saleynayo codsi ka imanaya Xubin Qaran in ay caddeyn ka bixiyo dhageysiga fal- dambiyeedka ama inuu gacan ka geysto baaritaanka dembiyada, dacwad-ku qaadidda. ama dacwadaha ka socda dhulk ay Xubinta Qaran ee codsatay, laguma qaadi karo talaabo kale oo xadidaya xoriyadooda shaqsiyadeed ee dhulkaas sababtoo ah ficil kasta, ka saarid ama xukun ka hor intaysan ka bixin dhulkii ay ka codsadeen Xisbiga Gobolka. Dammaanad-qaadidda xasaanad waxay dhammaan doontaa markii marqaatiga, khabiirka ama qof kale, iskiis u qabsado, uu ku sii ekaado dhulka uu ka codsanayo Xisbiga Gobolka ka dib markii la siiyay fursad uu kaga baxo shan iyo toban maalmood, ama xilli kasta oo ay labadayadu ku heshiiyeen. Xisbiyada Gobollada, laga bilaabo taariikhda ayaa si rasmi ah loogu wargaliyay in jiritaankiisa uma baahna hayadaha garsoorka, ama marka uu ku soo noqdo dhulkan ikhtiyaarkiisa ka dib markii uu ka tagay.

25. Xubin Qaran ee laga codsaday waa in aay kaafisaa kharashaadka caadiga ah ee fulinta codsiga, ilaa labada Qaran ee quseeya ay ku heshiiyaan siyaba kale. Fulinta codsiga hadi ay u baahantahay kharashyo badan ama aan caadi ahayn, labada Qaran ee ay quseyso ayaa ka tashan doona qeexitaanka shuruudaha iyo qodobbada xukuma fulinta codsiga iyo sidoo kale qeybinta culeyska kharashaadka.

a) Dowladda Xubin ah ee laga codsaday waa in aay siisaa Dowladda Xubin ah ee codsanaysa nuqullada diiwaannada, dukumiintiyada ama macluumaadka dowladda ee ay haysato taas oo sharcigeeda gudaha uu oggol yahay in la siiyo dadweynaha.

b) Iyada oo lagu saleynaayo qiimaynteeda, Dowladda Xubinta ah ee laga codsaday waxaa laga yaabaa in aay u keento Dowladda Xubinta ah ee codsanaysa, gebi ahaanba ama qayb ahaan, ama shuruudaha, waxay u muuqataa inay habboon tahay, nuqulo kasta oo diiwaangelin ah, dukumiintiyo ama macluumaad dawladeed oo ay hayso oo sharciyadeeda gudaha aysan u oggolaanaynin in dadweynaha loo lala wadaago.

28. Qodobbada Qodobkan ayaa lagu dabaqi doonaa codsiyada gargaarka sharci ah hadi Qaramadda Xubnaha aysan ku jirin heshiis kaalmad ee garsoor ee wadajir ah. Meesha Xubnaha Qaramada noocaas ah ay ku xukumaan heshiis noocaas ah, qodobbadaasi ayey isku dabbaqmi doonaan halk Xubnaha Qaramadda waxay ku dabaqi doonaan qodobka hadda jira haddii ay fududeeyaan iskaashi.

Qodobka 21aad

Iskaashi ujeedadisu tahay La-wareegidda hanti

1. Dowladda Xubin Qaran ee laga codsaday waxey leedahay awood garsoor oo buuxda oo ku saabsan dambiga uu quseeyo Heshiiskan xaadirka ah waxeyna xaq u leeyahay in aay la wareegdo dhammaan hantidii ku jirtay dhulkeeda iyadoo loo

eegayo wixii kasoo baxo oo fa'iido ah ee dambiga ama hantida ama aaladda ama aaladaha kale ee lagu xusay farqada (1) ee Qodobka 7aad ee Heshiikan hadda jira waxeyna xaq u leeyahay in aay ku kaco talaabo xad-dhaaf ah, oo waafaqsanshuruucda gudaha, mid ka mid ah waxyaabaha soo socda:

b. U gudbinta codsiga masuuliyiinta awooda u leh; si ay u soo

saaraan amar la wareegis oo ay fuliyaan amarkaas mar la soo saaray.

t. U gudbinta mas'uuliyiinta awooda u leh amarka la wareegista ee ay maxakamadu soo saartay dhulkii ay ka Dowladda Xubinta ah ee codsaneysaa ah ujeeddu ay tahay dhaqan galinta.

2. Isla marka ay hesho codsi ka socda Xubin Qaran kale oo leh awood garsoor oo ku saabsan dambiyada uu quseeyo Heshiiskan xaadirka ah, Dowladda Xubinta Qaran ee laga codsaday waxay qaadi doontaa tillaabooyinka lagama maarmaanka u ah in ay kashifto fa'iidada dambiga ama hantida ama aaladda lagu sheegay farqada (1) ee Qodobka 7aad, daba-galkiisa, ama sii-daynta ama haynta iyada oo ujeeddadu tahay la-wareegis iyada oo loo marayo amar ay soosaartay Xubinta Qaran ee codsanaysa ama Xubinta Dowladda ah ee laga codsaday iyada oo la raacayo farqada (1) ee Qodobka hadda.

3. Shuruucda Qodobka 20-aad ee Hishiiskan hadda jira ayaa lagu dabaqi doonaa qodobka hadda jira iyadoo la tixgelinayo kala-duwanaanshaha. Macluumaadkaku xusan cutubka (5) ee qodobka 20, ka sokow
macluumaadka la soo gudbiyey sida ku xusan qodobka hadda jira waxaa ka mid noqon doona kuwa soo socda:

b. marka la eego codsi la xariira barakraafka (1, a) ee Qodobka hada jira ee cadeynaya hantida la la wareegi doono oo ay kujirto goobta hantidaasi iyo qiimahooda la qiyaasay, iyadoon loo eegayn xiriirka iyo ku xirnaanshaha xaqiiqooyinka codsiyada Xubin Qaran ay so xigatay. waxaa ku filan awood u siinta ee Dowladda Xubinta Qaran ee codsaday in ay soo saaraan iyagoo ku xijra xendaabka shuruucda dalk guduhiisa.

t. Marka la eego codsi la xiriira farqada (1, b) ee Qodobka hada jirra, waxa loobaahanyahay waa nuqul sharci ah oo la aqbali karo ee ku aadan amarka la wareegida kaas oo ay codsiggu ku tiirsanyahay taas oo ay soosaartay Dowladda Xubinta ah ee codsanaysa iyo bayaan xaqiiqooyinka iyo macluumaadka lagama maarmaanka u ah fulinta amarada iyo bayaan qeexaya tillaabooyinka ay qaadday Dowladda Xubinta ah ee codsanaysa in la siiyey ogeysiis ku habboon koox seddexaad oo xoqooq leh iyo in la hubiyo ku- hoggaansanaanta hantida sharciga ah iyo bayaan in amar wareejinta waa kama dambeys.

j. Marka laga hadlayo codsi la xidhiidha baaragaraafka (2) ee qodobka hada, qoraal bayaan ah oo ku saabsan xaqiiqooyinka oo Dowladda Xubinta ah ee codsanaysa ay ku tiirsaneed diyaarinta codsigiisa, halka laga heli karo

4. Dowladda Xubinta ah ee laga codsaday waxey qaadan doonaa go'aamada iyo habraacyada lagu sheegay farqada (1) iyo (2) ee qodobka hada jirra, si waafaqsan qaanuunkeeda gudaha iyo qawaaniinta habraaca ama heshiis kasta ama nidaam laba geesood ah ama heshiis laba geesood ah oo ay ka go'an tahay in ay door bidido is aay u ixtiraamto Xubinta Qarran ee codsanaysa iyo sida ku xusan qodobada iyo qawaaniinta la xiriira ama heshiiska ama qabanqaabada.
5. Xubin Qaran kastaa waxey siin doonaa Xoghayaha Guud ee Jaamacadda Carabta nuqulo ka mid ah sharciyadeda iyo qawaaniinteeda ku xusan qodobka hada jira iyo nuqulada wixii isbeddel ah ee lagu soo rogo sharciyada iyo xeerarka noocaas ah ama sharraxaadooda.
6. Haddii Xubin Qaran doorato in ay shardi ka digto tallaabooyinka lagu xusay faqradaha 1aad iyo 2aad ee Qodobka hadda jira jiritaanka heshiis laga gaadhayo arrintaas, Xubin Qaran ayaa u qaddarin doona Heshiikan hada jira in uuyahay heshiis ku-habboon.
7. Waxaa sidoo kale loo oggol yahay in aay diido iskaashi ku saleysan qodobka hadda jira ama ay baajiso tallaabooyinka ku meelgaarka ah haddii Dowladda ah ee laga codsaday aysan helin caddeyn ku filan waqtiga loo caymay, ama halka hantidu qiimahooda yar ku fadhido.
8. Kahor inta aan la joojin tallaabo kasta oo ku meelgaar ah oo la qaadayo sida ku xusan qodobka hadda jira, Dowladda Xubinta Qaran ee laga codsaday ayaa siin doonta Xubinta Qaran ee codsanaysa, halka ay suurtagal tahay, fursadda lagu bixiyo sababaha ay u baahan tahay sii wadidda talabooyinkan.
9. Qodobbada Qodobkan hadda jirra looma turjumi doono si kasta oo wax ugu dhimaya xuquuqda dhinacyada saddexaad.

Qodobka 22 [nd]

wareejinta habraacyada dacwad-ku qaadista

Xubnaha Qarramadda ee Heshiiskan hadda jira waxay tixgelin karaan suurtagalnimada wareejinta habraacyada dacwad-ku qaadista ee ku saabsan ficil dembi looga digay Heshiiskan dhex yaal iyaga oo ujeeddadoodu tahay in lagu soo uruuriyo dabagalka haddii ay tani ku habboon tahay danaha caddaaladda, gaar ahaan markay tani khuseyso dalal badan oo garsoor ah.

Qodobka 23 aad
Dib-u-celinta Dembiilayaasha

1. Dhammaan dambiyada uu quseeyo Heshiiskan hada jirra, waxaa loo tixgeliyaa inay yihiin dambi dambilaha dib-u-celin lagu qaadi karo, sida ku xusan heshiis kasta oo ku saabsan wareejinta dambiilayaasha ee ka dhexeeya Xubnaha Qarramadda. Xubnaha Qarramadda waxey ku qiranayaan inay ku daraan dambiyadaas oo ka mid ah dambiyada ku jira heshiis kasta oo ku saabsan wareejinta dambiilayaasha dhexdooda. Xubin Qaran kasto oo sharcigeedu oggol yahay tani uma tixgelin doonaan mid kasta oo ka mid ah dambiyada uu ku daboolay Heshiiskan xaadirka ah inuu yahay dambi siyaasadeed haddii Heshiiskan xaadirka ah loo qaado asal ahaan wareejinta.

2. Qodobkaan waxaa lagu dabaqi doonaa dembiyada uu quseeyo Heshiiskan xaadirka ah markii qofka dhib-u-celinta quseeyso uu joogo dhulka Dowladda Xubinta ah ee codsanaysa iyada oo shuruudda in ficilk logu talagalay dhi-u-celinta la soo codsadey uu yahay fal dambiyeed sida uu qabo sharciyada gudahaee labada Xubnaha Qarramad ah ee codsanaysa iyo codsaday.

3. Waxaa ka reeban sadarka (2) ee qodobka hada jira, Xubin Qaran kasta oo sharcigeeda gudaha u oggol yahay in la wareejiyo qof lagu soo oogay mid kasta ooka mid ah dambiyada ay ku xusan yihiin Heshiiskan hada jirra, xitaa haddii falk uu yahay fal dembi loga dhigay sharci-hoosaadkeeda gudaha.

4. Codsiga dhib-u-celinta waxaa ku jira dhowr dambiyood oo kaladuwan, kuwaas oo, ugu yaraan, lagu qaado dhib-u-celinta sida ku xusan qodobka hadda jira, iyo halka qaar ka mid ah aan lagu soo oogi karin sabab la xiriirta muddada xabsi lagusoo rogay, laakiin waxay la xiriirtaa dambi uu quseeyo Heshiiskan xaadirka ah, Xubinta Qaran ee laga codsaday waxey ku dhaqangelin kartaa qodobka hada jira marka loo eego dambiyadaas.

5. Hadii Xubin Qaran ee laga codsaday, ka dhigto shuruud dhib-u-celinta dambiilayaasha jiritaanka heshiis - codsanaya dhi-u-celinta qof waddan kale ka yimid oo aan lahayn heshiis dhib-u-celin, waxey u tixgelin kartaa Heshiiskan xaadirka ah inuu yahay aasaas sharci ah oo logu talagalay soo celinta dambiilaha kaas oo Xeerka hadda

jira lagu dhaqmayo.

6. Xubin Qarran Kasta ee shuruuda ka dhigta dhib-u-celin jiritaanka heshiis waxey:
   b. U sheegaan Xog-hayaha Guud ee Jaamacadda Carabta markii ay dhigayaan aaladdii ansixinta ama ka-mid-ahaanshaha Heshiiskan xaadirka ah ee caddeeya haddii loo tixgelin doono Heshiiskan xaadirka ah inuu yahay aasaaska sharciga ah ee iskaashiga arrimaha ku saabsan dhib-u-celinta dhammaan qeybaha Xubnaha Qarramadda ee Heshiiskan hadda jirra.
   t. In la Raadiyo, meeshii ay lagama maarmaan tahay, si Xubnaha ula saxiixdid heshiisyada is dhib-u-celinta ee lala galayo dhammaan Xubnaha Qarramadda hadda jira iyada oo ujeedadu tahay in lagu dhaqaaqo qodobka jira marka Heshiiskan hadda jiraa uusan ahayn aasaas sharciyeed ee iskaashi ku saabsan arrimaha dhib isku celinta.

7. Xubinta Qaran ee aan shardi ka dhigaynin jiritaanka heshiis dhib-u-celin ah waxay u tixgelin karta dembiyada ku xusan qodobka hadda jira inay u yihiin dembiyo u oggolaanaya xubnaha Qaramadda in ay dhib isku celin karaan.

8. Dhib-u-celint waxey ku xirantahay sharciga gudaha ah ee Xubinta Qaran ee laga codsaday ama heshiiska dhib-u-celinta oo ay kujiraan shuruudaha la xiriira ciqaabta ugu yar ee shardi u ah dhib-u-celinta iyo sababaha Xubinta Qaran ee codsanaysa in ay u isticmaali karto inay diido dhib u soo-celinta.

9. Xubinta Qaran waxey raadin doontaa, sida uu qabo sharciga gudaha, in aaydardar geliso habraaca dib-u-celinta isla markaana dardar-geliso dhammaan caddaymaha loga baahan yahay Qodobka hadda jira.

10. Xubinta Qaran ee laga codsaday waxey iyado oo ku salaynaysa sharcigeeda gudaha iyo heshiisyada dhib-u-celinta iyo sida ku xusan codsi ka yimid Xubin Qaran ee codsanaysa, waxey hayneysaa qofka dib-u-celintiisa la raadinayo kaas oo ku sugan xubinta Qaran dhulkeeda, sido kale waxey qaadi karta tallaabooyin kale oo ku habboon si loo hubiyo jiritaankiisa iyo hanaanka dhib-u-celinta mar hadii lagu qanco inay jiraan duruufu iyo inay duruufaho ay yihiin kuwa adag.

11. Haddii ay dhacdo in Xubin Qaran ay ku guul darreysato in dhib-u-celiso dambiilaha oo joogo dalkeeda, dembiyada lagu galay Qodobka hadda jira, sababla xiriirta oo keliya inuu ka mid yahay muwaadiniinteeda, Xubinta Qaran wax ku saleysanaysa yahay dhib-u-celinta Xubinta Qaran ee codsanaysa, Xubinta Qaran waxey u gudbi doonta arrinta si habsan ah masuuliyiinta u xilsaaran si tallaabo dheeri ah u qadaan. Hay'adaha kartida u leh ayaa go'aan ka qaadan doona oo ay qaadayaan tillaabooyinka ay sida caadiga ah uga qaadaan dembiyada ay qodabkoodu u arkan mid halis u ah sharcigeeda gudaha. Xubnaha Qarramaddaah ee ay quseyso waa ay iska kaashan doonaan.

12. Meesha sharciga gudaha ee Xubin Qaran ka mamnuucayo dhib-u-celinta mid ka mid ah muwaadiniinteeda ama u oggolaato ciqaabtaas oo kale iyadoo shuruud lagu xidhayo in laguso celiyo dhulka Xubinta Qaran si uu ugu dhameesto xukunkiisa ka dib maxkamadaynta ama habraacyada laga codsaday in lagu dhiibo qofkaas iyo Dalkani wuxuu la jaan qaadayaa Dowladda Xubinta Qaran ee codsaday ka gudbinta doqeeda iyo shuruudo kasta oo kale oo ay u arkaan inay ku habboon yihiin, dhib-u-soo celinta ku xiran shuruuddan waxaa loo tixgelinayaa inay ku filan tahay fulinta waajibaadka ku qeexan cutubka (11) ee Qodobka hadda.

13. Marka codsiga dib-u-celinta ee ujeeddada lagu hirgalinayo xukun garsoor lagu diido sababaha ku saleysan in dambiilaha uu yahay muwaadin u dhashay Dowladda Xubinta Qaran ee laga codsaday, waa in, haddii sharcigiisa gudaha uu oggol yahay oo waafaqsan shuruudaha sharcigaas, tixgalin siisa si waafaqsan codsi ka yimid Dowladda Xubinta Qaran ee codsanays inay fuliso xukunka loosoo gudbiyey iyadoo la raacayo sharciga gudaha ee Dowladda Xubinta Qaran ee codsanaysa ama waxa ka soo haro.

14. Qof kasta, oo lagula kaco dacwadaha noocaas ah iyadoo laga tixraaco mid ka mid ah dambiyadii lagu soo qaaday qodobkan hadda jira, wuxuu ku raaxeysanayaa hab maamuus iyo sharaf leh dhammaan heerarka hab raciyadda, wuxuuna ku raaxaysan doonaa dhammaan xuquuqaha iyo dammaanadda laga siiyay shuruucda gudaha ee Xubinta Qaran halka qofk joogo.

15. Qodobkan hada jira laguma qeexi karo in aay yihiin mid lagu soo rogayo balanqaad dib-u-celin hadii Dowladda Xubinta Qaran ee codsaday uu haystosababa ku filan in lagu aamino in dalabka dhib-

u-celinta ulajeeddadiisa tahay in lagu cadaadiyo ama lagu ciqaabayo sabab qofka asalkiisa, jinsi ahaan, diintiisa, dhalashadiisa, asalka qowmiyada, aragtida ama mowqifka siyaasadeed, ama haddii u hogaansanaanta dalabkaas ay waxyeelo u geysan karto heerka qofkaas sababahan midkood.

16. Xubinta Qaran ma diidi doono codsi dhib-u-celin sabab laxiriirta in dambiga loo arko inuu yahay dambi maaliyadeed

17. Kahor diidmada dhib-u-celinta, Dowladda Xubinta Qaran ee laga codsaday waa inay la tashataa, markii loo baahdo, iyadoo Dowladda Xubinta Qaran ee codsanaysa aay siiso fursad buuxda oo uu ku soo gudbisato aragtideeda oo aay ku bixinayso macluumaad aay ku taageeraso codsigeeda.

Qodobka 24 aad

Dhib-u-celinta dadyoowga la xukumay

Xubnaha Qarramadda waxay xaq u leeyihiin inay iska fiiriyaan saxeexa heshiisyada laba geesoodka ah ama labada dhinac ama qabanqaabada ku saabsan dhib-u-celinta shakhsiyaadka lagu xukumay xukun xabsi ama qaabab kale oo loga takhaluso xorriyadooda sababta oo ah gelitaanka falalka lagu ciqaabayo Heshiiskan xaadirka ah ee xuduudahooda in shaqsiyaadkaas ay ku dhameysan karaan mudadooda xabsi halka.

Qodobka 25aad

Baadhitaannada wadajirka ah

Xubnaha Qaramadda waa inay tixgeliyaan ansixinta heshiisyada laba geesood ama heshiisyo dhinacyo badan leh ama diyaarin u oggolaanaya mas'uuliyiinta karti u leh inay sameystaan guddiyo baaritaan wada jir ah ka sameeya arrimaha baaritaanka ama nidaamka garsoorka ee hal ama dhowr dowladood, halka aan heshiisyadaas ama qaban qaabadaas oo kale jirin, waxaa loo oggolaanayaa inay Waxay ku fuliyaan baaritaanno wada jir ah iyagoo u maraya heshiisyo waafi ah iyo kiis kiis ku saleysan iyo Xubinta Qaran ay quseyso waxey qaadaysaa inay si buuxda u ixtiraamo madaxbanaanida Xubinta Qaran oo dhulkeeda baaritaanka lagu fulin doono.

Qodobka 26aad

Qaababka Baadhitaanka khaaska ah

1. Ujeedka la dagaalanka musuqmaasuqa hab wax ku ool ah, Xubin

Qaran Kasta, iyada oo la raacayo qawaaniinteeda gudaha iyo kartideeda, ayaa qaadi doonta tallaabooyinka lagama maarmaanka ah si ay awood ugu siiso masuuliyiinta karti u leh in ay u adeegsadaan habka kormeerka dhib-u-celinta hab ku habboon iyo sidoo kale, goorta ku habboon, in la raaco tillaabooyinka baaritaanka sida dabagalka elektarooniga ah iyo noocyo kale oo ilaalin ah oo kiisaska sirta ah loga helo adeegsiga habboon gobolka. Sidoo kale, maxkamadaha sharciga ayaa aqbali doona waxa ka soo baxa hababka baaritaanka noocaas ah marka la eego caddaynta.

2. Baaritaanka dembiyada uu Heshiikan hadda jira tabanaayo, Xubnaha Qarramadda waxey dhiirrigelinayaan ansaxinta, markii loo baahdo, heshiisyada laba geesoodka ah ama heshiisyo dhowr ah ama heshiisyo ku habboon isticmaalka habab baarista khaaska ah, tan marka la eego iskaashiga heerka caalamiga ah; Heshiiska ama heshiisyada noocan oo kale ah waa in la ansaxiyaa laguna dhaqangeliyaa si waafaqsan u hoggaansanaanta mabda'a madax-bannaanida loo simanyahay iyadoo la fulinayo loona hoggaansamayo qawaaniinta heshiisyada ama heshiisyadaas si adag.

3. Meel aan heshiis ama nidaam noocan oo kale ahi ka jirin sida lagu xusay faqradda (2) ee Qodobka hadda jira, go'aanno ayaa laga gaari doonaa iyada oo la adeegsanayo qaababka baaritaanka gaarka ah ee caalamiga ah iyadoo loo maraayo kiis kiis; meeshii loo baahdo, qabanqabada maaliyadeed iyo heshiiska ku saabsan ikhtisaaska garsoorka waxaa sameyn doona Xubnaha Qaramadda ah ee ay quseyso.

4. Markii aay oggolaadaan Xubanaha Qaramadda ay quseyso, go'aamada la xiriira isticmaalida habka kormeerka dhb-u-ceinta waxaa laga yaabaa in lagu gaaro heerka caalamiga ah, sida dhexda u galida badeecada ama lacagaha iyo go'aanka in loo ogolaado qaar in aay si nabadeed u gudbaan ama la iska indha tiro ama la beddelo gabi ahaanba ama qayb ahaan.

Qodobka 27[aad]
Soo celinta Hantida

Soo celinta hantida ayaa waxaa loo arkaa inay tahay mabda'a aasaasiga ah ee Heshiiskan hadda jira iyo Xubnaha Qaramadda waxay isku siin doonaan midba midka kale caawinaad iyo taageero arrinkaas aawgeed.

Qodobka 28aad
Ka Hortagga iyo kashifida Gudbinta ee fa'iidooyinka Dembiyada

1. Xubin Qaran kastaa waxey qaadaysa dhamaan talaabooyinka lagama maarmaanka u ah iyadoo la raacayo qawaaniinteeda gudaha si logu qasbo masuuliyiinta maaliyadeed ee ka shaqeysa awoodeeda si ay u baaraan aqoonsiga macaamiisha iyo inay qaadaan tillaabooyin macquul ah oo ay ku muujinayaan aqoonsiga milkiilayaasha ka faa iideysanaya lacagta lagu shubay akoonada ee qiimo sare leh iyo in la sameeyo baaritaano faahfaahsan oo ku saabsan akoonada loo baahan yahay in aay furtaan ama lagu hayo ama lagu matalayo shakhsiyaad loo xilsaaray ama horay loogu xilsaaray in ay qabtaan xafiisyada dadweynaha ee muhiimka ah ama xubnaha qoysaskooda ama shakhsiyaadka xiriir dhow la leh . Baadhitaanka faahfaahsan ee noocan oo kale ah waa in loo qorsheeyaa qaab macquul ah oo u oggolaanaya tilmaanta heshiisyada shakiga kujira si loo ogeysiiyo mas'uuliyiinta karti u leh iyaga, looma baahna in loo fasirto sidii loga hortegi lahaa masuuliyiinta maaliyadeed inay la macaamilaan macmiil sharci ah.

2. Xubin Qaran kastaa, si waafaqsan shuruucdeeda gudaha iyo sido oo kale ay hagayaan dadaallada la xiriira ee ay qaadeen ururrada gobolka iyo kuwa caalamiga ah si loola dagaallamo lacagta laabista:
   b. Bixinta tilmaamaha ku saabsan noocyada dadka dabiiciga ah iyo kuwa sharciga ah ee ku hoos jira ikhtisaaskeeda iyo arrimaha la xiriira maamulka maaliyadeed ee akoonadooda laga filayo inay si sax ah u xisaab hubiyaan iyo noocyada akoonada iyo wax isdaafsiga ee la filayo inay ka bixiyaan taxadir oo ku aadan tallaabooyinka la qaadi doono marka la eego furitaanka akoonnada iyo keydinta buugaagta akoontiga, iyada oo maskaxda lagu hayo tillaabooyinka la filayo in la qaado ee la xiriira akoonadaas.
   t. in aay wargaliyaan masuuliyiinta maaliyadeed ee hoos yimaada ikhtisaaskeeda, markii loo baahdo iyo codsi ka yimid Xubin Qaran, ee aqoonsiga qof caadi ah ah ama shaqsi qanuneed, waxaana laga filayaa hay'adahan inay si fiican u baaraan akoonadooda marka lagu daro kuwa ay mas'uuliyiinta maaliyadu awood u yeelan karaan in aay cadeeyaan qaab kale.

3. Xubin Qaran kastaa waxey hubin doontaa in mas'uuliyiinta maaliyadeed ay hayaan, muddo ku habboon, diiwaangelinta akoonnada iyo isdaafsiga ganacsi la xiriira shakhsiyaadka aan kor

lagu soo xusnay ee barakraafka (1) ee Qodobka hadda jira, waa haddii ay diiwaannadaas ku jiraan ugu yaraan aqoonsiga qofka macmiilka iyo macluumaadka ugu badan ee suuragalka ah milkiilaha dhabta ah.

4. Iyada oo ujeedadu tahay ka hor taggida iyo daahfurka habdhaqanka wareejinta dakhliyada sharci darrada ah, sida lagu qeexay Heshiiskan hada jira, Xubin Qaran kastaa waxey qaadi karaan talaabooyin wax ku ool ah oo ku habboon oo loga hortagayo, iyadoo lala kaashanayo hay'adaha kormeerka, sameynta bangiyo aan la heen Jiritaan dhaqaale ama aan ka mid ahayn koox maaliyadeed oo hoos timaad kormeer. Intaa waxaa dheer, Xubnaha Qaramadda waxay tixgilin doonaan in aay amraan mas'uuliyintooda maaliyadeed inay diidaan sameynta ama daba-gashada xiriir ganacsi oo kasta oo ay la yeeshaan bangiyada xiriir la leh ayna ka fogaadaan inay galaan ganacsi kasta oo ay la galaan hay'adaha maaliyadeed ee shisheeye ee u oggolaanaya bangiyada iyagoon haysan dhaqaale oo aan qayb ka ahayn kooxda dhaqaalaha si loo isticmaalo akoonadooda.

5. Xubin Qaran kastaa waxey tixgelin sinaysa soosaarista qaabab wax ku ool ah oo loogu dhawaaqo bayaannada maaliyadeed, iyadoo la raacayo qawaaniinteeda gudaha, markii laga hadlaayo shaqaalaha dawladda oo loo dejiyo ganaaxyo munaasib ah oo ku saabsan u hoggaansan la'aanta. Xubin Qaran kastaa waxey tixgelinaysa inay qaadato tillaabooyinka u oggolaanaya mas'uuliyiinteeda karti u leh inay macluumaadka la wadaagaan mas'uuliyiinta awoodda u leh qaybaha kaleee Xubnaha Qaramadda markii loo baahdo in la baaro dakhliyada sharci darrada ah, sida ku xusan Heshiikan hadda jira, lagana soo kabsado dakhliyadaas.

6. Xubin Qaran kastaa waxey tixgelin doontaa qaadashada tillaabooyinka lagama maarmaanka ah, iyada oo la raacayo qawaaniinteeda gudaha, in lagu qasbo shaqaalaha dawladda ee ay khusayso kuwaa ku leh akoona bangi ee dalal shisheeye ama awood saxeex ama diiwaangelin sax ah oo la xidhiidha xisaabaadka noocan ah si loogu wargaliyo masuuliyiinta kartida u leh arrintan iyohayso diiwaanada saxda ah ee ku habboon. Tallaabooyinkan waxaa ka mid noqondoona ciqaabta u hoggaansan la'aanta.

Qodobka 29 aad

Iskaashiga Gaarka ah

Xubin Qaran kastaa waxey raadin doontaa, iyada oo aan wax u dhimin sharciyadeeda gudaha, inay qaadato tillaabooyin awood u siinaya inaay u gudbiso, iyada oo aan wax u dhimeynin baaritaanadeeda ama hab raaciyadeeda sharciga ah,warbixin kusaabsan fa'iidoyinka dembiga, sida ku xusan Heshiiskan aay u gudbiso Xubin Qaran kale iyadoo aan codsi hore jirin. Waa hadii ay u aragtaa in shaacinta macluumaadka noocaas ah ay ka caawin karto Xubin Qaran ee Codsanaysa in aay gaarto gunaanad ama ay sameeyso baaritaanno ama dacwad sharciyeed ama uu ka caawiyo in Xubinta Qaran in aay gudbiso codsi sida ku xusan qodobka Qodobkan hadda jira.

Qodobka 30 aad

Soo kabashada iyo qubida hantida

1. Hantida ay kala wareegeen Xubinta Qaran qodobbada 7aad iyo Qodobkan hadda jira ee Heshiiskan hadda waaxey ku soo celin karan Xubinta Qaran si milkiilaha sharciga ah logu warejiyo, sida ku xusan cutubka (3) ee Qodobka hadda jira, sida ku xusan Heshiikan hadda jira iyo sharcigeeda gudaha.

2. Xubin Qaran kastaa waxey ansaxinaysaa, iyada oo la raacayo qawaaniinteeda, sharciga iyo talaabooyinka kale ee awood u siinaya mas'uuliyiinteeda awooda u leh, markii ay qaadayaan talaabo gaar ah markay soo codsato Xubin Qaran ee codsanaysa, in ay soo celiyaan hantida lagala wareegey sida ku xusan qodobka hadda jira, iyada oo la ilaalinayo. xuquuqaha saxda ah ee dhinacyada saddexaad.

3. Sida ku xusan qodobka 20aad iyo 21aad ee Heshiskan hadda jira iyo baaragaraafyada (1) iyo (2) ee qodobka hadda jira, Dowladda Xubinta ah eecodsanaysa waxey:
   b. Haddii ay dhacdo lacaq labista ama lunsashada lacagaha dadweynaha, sida ku xusan cutub-hoosaadka (h), (k) iyo (l) ee Qodobka 4-aad ee Heshiiskan hadda jira, markii wareejinta la samaeynaayo si waafaqsan qodobka 21-aad laguna saleynaayo go'aanka kama dambaysta ah ee ay soo saarto Dowladda Xubinta ah ee codsanaysa, Dowladda Xubinta ah ee laga codsaday waxaa waajib ku ah inay iska saarto oo ku soo celiyaan hantidii la la wareegey Dowladda Xubinta Qaran ah ee codsanaysa.

t. Haddii ay dhacdo dakhliyada laga helo qaabab kale oo sharci darro ah, sida ku xusan Heshiiskan hada jira, marka la wareejin la daqan galinaayo sida ku xusan qodobka 21aad ee Heshiiskan hadda jira oo ku saleysan go'aankii ugu dambeeyay ee ka soo baxey Dowladda Xubinta Qaran ah ee Codsanaysa Dowladda Xubita Qaran ah ee laga codsaday waxaa waajib ku ah in aay iska saarto iyo ku celiso hantida la la wareegay Dowladdan Xubinta Qaran ah ee codsanaysa, waa haddii mida dambe si macquul ah u caddeynayso lahaansha hore ee hantida la la wareegey Dowladda Xubinta Qaran ah ee Codsanaysa. Ama markay xubinta Qaran ee codsanaysa ay qirayaal ka bixiso waxyeelada kasoo gaadhay xubinta Qaran ah ee condsanaysa asal ahaan inay u soo celiyo hantida la wareejiyay.

j. Xaaladaha kale oo dhan, in laga fiirsado iyada oo ahmiyad la siinayo soo celinta hantida la wareejiyay ee ku saabsan Xubinta Qaran ah ee codsanaysa ama ku soo celinta hantidaas milkiileyaasheedii hore ee sharciga ah, ama magdhaw dhibanayaashii ay ka heleen oo dhanba.

4. Dowladda Xubinta Qaran ah ee codasanysa ayaa laga yaabaa, markii loo baahdo iyo haddii kale oo aay oggolyihiin Xubnaha Qaramadda kale, in ay ka jaraan kharashyada macquulka ah ee la galay inta baaritaannada lagu gud jiray ama dacwaddii sharciga ee horseeday soo celinta hantida la wareegey ama lagu maareynayo iyada oo la raacayo Heshii hadda jira.

5. Xubnaha Qaramadda, markii loo baahdo, waxay si gaar ah u tixgelin donaan gabagabada heshiisyada kiis- kis ku salaysan, si loogu fiirsado hantida kamadambaysta ah ee la wareejiyey.

Qodobka 31aad

Tababar iyo Caawinaad Farsamo

1. Xubin Qaran kastaa waxey soo kordinaysaa, horumarisaa ama kor uqaadaa barnaamijyada tababarka ee loogu talagalay saraakiishooda la tacaasho musuq- maasuqa. Barnaamijyada tababarka ee noocan ah waxaa ka mid noqon kara:
   b. Qaadashada tillaabooyin wax ku ool ah oo looga hortagayo, daahfurka, baaritaanka, ciqaabta iyo la dagaallanka musuqmaasuqa iyadoo la adeegsanayo dhammaan qaababka caddaymaha-ururinta iyo baaritaanka.
   t. Dhisidda kartida hormarinta iyo qorshaynta istiraatiijiyadda la-dagaallanka musuqmaasuqa.
   j. In lagu tababaro masuuliyiinta awooda u leh in ay diyaariyaan codsiyada caawimaada garsoorka ee wadajirka ah iyadoo laraacaayo shuruudaha Heshiiskan.
   x. Qiimaynta iyo taageerida xarumaha, waaxaha adeegyada bulshada iyo waaxaha lacagta dawlada oo ay ku jiraan soo iibsi dowladeed iyo ganacsiga gaarka loo leeyahay.
   k. Ka hortagga iyo la-dagaallanka qarinta dakhliga sharci-darrada ah sida ku xusan Heshiiskan hadda jira iyo dhib usoo celinta dakhliyadaas.
   d- Baadi goobka iyo Hayirada dhakhliga sharci darada ah
   r) Soo saarista dakhliga sharci darada ah iyo xeeladaha loo adeegsado in laguqariyo.
   s) Adeegsiga farsamooyinka maamul iyo sharci ee ku habboon iyo taatikada si loo fududeeyo soo celinta dakhliga sharci darrada ah, iyo
   sh) Adeegsiga dariiqooyinka lagu ilaaliyo dhibbanayaasha iyo marqaatiyaasha lashaqeya mas'uuliyiinta garsoorka.
2. In Lagu tawabaro hirgelinta shuruucda iyo qawaaniinta qaranka iyo kuwacaalamiga ah.
3. Xubnaha Qaramadda waa inay tixgeliyaan, markii loo baahdo, inay iscaawiyaan midba midka kale sameynta qiimeyn, daraasado iyo cilmi-baaris ku saabsan noocyada, sababaha, saameynta iyo kharashyada musuqmaasuqa ee ka jira dalalkooda iyada oo ujeeddadu tahay in la diyaariyo qorshayaasha la-dagaallanka musuqmaasuqa ee ka-qeybgalayaan masuuliyiinta kartida u leh iyo bulshada rayidka ah.

4. Xubnaha Qaramadda, ayaa midba midka kale siin kara qoraalada khubarada si aay gacan uga geystan fududeynta soo celinta dakhliyada sharci-darrada ah.

Qodobka 32 aad
Ururinta, Beddelka iyo Falanqaynta Macluumaadka la xiriiraMusuqmaasuqa iyo Xogta

1. Xubin Qaran kastaa waxey raadin doontaa in aay falanqeeyso musuqmaasuqa baahsan ee ka jira dhulkeeda iyo duruufaha ku xeeran dambiyada musuqmaasuqa.

2. Xubnaha Qaramaddu waa inay tixgeliyaan horumarinta macluumaadka, khibradda falanqaynta iyo macluumaadka la xiriira la-dagaallanka musuqmaasuqa oo ay la wadaagaan xogta noocaas ah, khibradda falanqaynta iyo macluumaadka iyada oo loo marayo ururada caalamiga ah iyo kuwa gobolkaiyada oo ujeeddadu tahay in la caddeeyo tallaabooyinka wadaagga ah iyo hababka in la is waafajiya iyo hababka ugu wanaagsan ee looga hortago lana dagaallamo musuqmaasuqa.

3. Xubin Qaran kastaa waxey tixgalinaysa hirgalinta talaabooyinkiisa iyoistiraatiijiyaddiisa la-dagaallanka musuqmaasuqa iyo qiimeynta hufnaanta iyo wax ku ool nimada tallaabooyinka iyo istiraatiijiyadaha noocaas ah.

Qodobka 33 aad
Shirka Xubinta

1. Shirka Xubnaha Qaramadda ee heshiiskan hada jira ayaa looga golleeyahay hagaajinta awoodda Xubinta Qaramadda iyo kobcinta iskaashigooda si loo gaaro himilooyinka halkan ku xusan.

2. Xoghayaha Guud ee Jaamacadda Carabta ayaa isugu yeeraayo shirweynayaa Xubinta hal sano ka dib markii la dhaqan galiyo Heshiiska hadda jira. Kadibna shirarka caadiga ah ee xubnaha waxaa loo qaban doonaa iyada oo la raacayo qawaaniinta habraaca Shirka.

3. Shirka Xubnaha wuxuu ansaxin doonaa Xeerarkiisa nidaamka iyo qawaaniinta kale ee xukuma howlaha ku xusan qodobka hadda jira oo ay ku jiraan xeerarka oggolaanshaha goobjoogayaasha, xubin ka ahaanta, iyo maalgelinta howlahooda.

4. Shirka Xubnah ayaa go'aaminaya barnaamijkiisa waxqabad, cabiraayo iyo qaabablagu gaaro himilooyinka oo ay ku jiraan:
   b. Fududeynta isweydaarsiga macluumaadka ka dhex jira qeybaha Xubnaha Qaramada ee ku saabsan noocyada iyo isbeddelada musuqmaasuqa iyo ku guuleysiga dhaqannada looga hortago iyo la dagaallama, iyo soo celinta dakhliga sharci darrada ah iyagoo faafiya macluumaadka la xiriira.
   t. Wadashaqayn lala yeesho ururada caalamiga ah iyo kuwa gobolka ee ku habboon iyo ururada aan dawliga ahayn.
   j. Adeegsiga macluumaadka laxiriira ee ay diyaariyeen hayadaha caalamiga iyo kuwa gobolka si loola dagaallamo lagana hortago musuqmaasuqa;
   x. Dib-u-eegid lagu sameeyo hirgalinta heshiiskan haatan jira ee ay gaareen Xubnaha Qaramadda.
   k. Qaadashada talooyinka si kor loogu qaado hirgelinta Heshiiska hadda jira.
   d- Aqoonsiga kaalmada farsamo ee ay u baahan yihiin Xubnaha Qaramadda si loo dhaqan galiyo heshiiska hada jira iyo soo jeedinta talaabooyinka looga baahan yahay arintaan.

5. Shirka Xubnaha wuxuu heli doonaa warbixinno ku saabsan tillaabooyinka ay qaadaan Xubnaha Qaramadda si ay u meel mariyaan heshiiska hadda jira iyo dhibaatooyinka ay la kulmaan, iyada oo loo marayo warbixinnada qarankooda iyotallaabooyinka dib-u-eegista ee dhammaystirka ah ee ay soo bandhigeen Shirka Xubnaha.

6. Xubin Qaran kastaa waxey siinysaa Xubnaha Qaramadda kale barnaamijyadeeda,qorshayaasheeda iyo wax qabadkeeda sidoo kale talaabooyinkeeda maamul iyo sharci dejinta ee loo qaaday hirgalinta Heshiiskan hada jira, sida looga baahan yahay Shirka Xubnaha. Sidoo kale, Shirka Xubnaha wuxuu tixgelin doonaa sida ugu wanaagsan ee lagu heli karo macluumaad loona qaado tillaabooyinka ku saleysan, oo ay ku jiraan macluumaadka laga helay Xubnaha Qaramadda iyo ururada caalamiga ah iyo Shirka Xubnaha wuxuu sida oo kale tixgelin karaa tabarucaadka NGO-yada ay khusayso iyaado la ansixinaayo sida ku cad talaabooyinka Shirweynaha Xubnaha ku ansaxi karaan.

7. Shirka Xubnaha wuxuu - haddii ay u arkaan in ay ku habboon tahay – ay aasaasayaan farsamo kasta oo lagu kaalmaynayo fulinta wax ku ool le Heshiiskan.

Qodobka 34
Xoghaynta

1. Xoghaynta Guud ee Ururka Jaamacadda Carabtu wuxuu noqon doonaa xoghaynta Shirka Xubnaha.
2. Xoghayntu waxey:
   b. Ku caawinta Shirka Xubnaha sidii loo horumarin lahaa waxqabadyada loogu talagalay xaqiijinta himilooyinka Heshiiskan hada jira, iyo in la qabto qaban- qaabada lagama maarmaanka u ah si la iskugu yeero Shirka Xubnaha iyo bixinta taageerada loo baahan yahay.
   t. U soo gudbinta macluumaadka Shirka Xubnha iyada oo la raacayo baaragaraafyada (4), (5) iyo (6) ee qodobka 33 ee Heshiiskan hadda jira; iyo
   j. Wadashaqayn lala yeesho xoghaynta hayadaha caalamiga ah iyo kuwa gobolkaee ay khusayso.

Qodobka 35-aad
Qodobada ugu dambeeya

1. Mas'uuliyiinta karti u leh Xubnaha Qaramadda waxay qaadi doonaan dhammaan tallaabooyinka lagama maarmaanka u ah hirgelinta iyo in la siiyo daqan gelin Heshiiskan hadda jira.

2. Ka mid noqoshada Heshiiskan hadda jira wuxuu u furan yahay dhammaan waddamada carabta si loo ansixiyo ama oggalasho dokumintiyadasna waxaa lagu keydin doonaa Xoghaynta Guud ee Jaamacadda Carabta ugu badnaan muddo 30 maalmood ah oo ka bilaabata maalinta la ansixinayo ama la oggalaaday. Xoghaynta guud waxey ogeysiinaysaa dhamaan Xubnaha Qaramadda iyo xoghaynta wasiirada carabta ee arimaha gudaha iyo cadaalada dokumeentiyokasto iyo taariikhda la keydiyey.

3. Heshiiskan hadda jira wuxuu dhaqan gelayaa 30 maalmood kadib markii ayansaxiyaan toddobo (7) dowladood oo Carab ah.

4. Xubin kasta oo ka mid ah Jaamacadda Carabta oo aan saxeexnayn Heshiiskan hadda ah waxey ansaxin kartaa ka dibna xubin ayuu ka noqon karaa 30 maalmood ka dib markii la galiyo dokumentiyada ka mid noqoshada ama ansixinta Xoghaynta Guud ee Jaamacadda Carabta.

5. Xubnaha Qaramada waxay tixgelin karaan, meeshii ay lagama maarmaan tahay, meelmarinta heshiis kasta oo laba geesood ah ama mid dhinacyo badan ah ama qabanqaabooyin hab maamuus leh si loogu adeego ujeeddada Heshiiskan hadda jira lana hirgelin karo laguna taageerayo ujeeddooyinkeeda.

6. Dhinac Xubin Qaran kasta oo ka mid ah Heshiiskan hadda jira waxey soo jeedin kartaa wax ka beddeliddiisa. Soo jeedinta wax ka beddelka waxaa loo gudbin doonaa Xoghaynta Guud ee Jaamacadda Carabta oo markaa usi gudbin doona Shirka Xubna oo tixgelin doona kuna dadaali doona sidii si wada jir ah loogumeel marin laha.

7. Wax ka beddelka lagu ansixiyay sida ku xusan faqradda (6) ee qodobka hadda waxaa la marinayaa ansixinta,aqbalida, iyo oggalanshaha xubnaha Qaramadda. Markii lagu ansixiyo Shirka Xubnaha, wax-ka-beddelka noocan ah wuxuu ku qasbanaanayaa dhammaan Xubnaha Qaramadda.

8. Xubin Qaran kastaa waa aay ka bixi kartaa Heshiiskan hada jira, iyadoo soo gudbinaysa codsi qoraal ah oo kus socoto Xoghaynta Guud ee Jaamacada Carabta, ka noqoshadaasina waxay dhaqangelaysaa 6 bilood laga bilaabo xiliga codsiga ka bixitaanka la soo gubiyey. Qodobadda Heshiskan hadda jira wuxuu ahaanayaa mid jiri doonaa Xubinta Qaran dhammaan muddada ku xusan qodobkan hada jira.

Heshiiskan hada jira waxaa lagu diyaariyay Carabi Qaahira (Masar) 21ka Diseembar 2010, hal (1) Nuqul oo asal ah oo lagu kaydiyey Xoghaynta Guud ee Jaamacadda Carabta (Xoghaynta Farsamada ee Wasiiradda Caddaaladda Carbeed) iyo nuqul la hubo ayaa la marin doonaa. Waxaa lagu keydin doonaa Xoghaynta Guud ee Jaamacadda Carabta (Xoghaynta Farsamada ee Wasiiradda Arrimaha Gudaha), iyo nuqul kale oo la hubo ayaa loo gudbin doonaa Xubin Qaran kasta.

iyadoo la sugayo qodobbadan kor ku xusan iyagoo oo mudan Qadarin iyo sharaf Wasiirrada Carbeed ee Arrimaha Gudaha iyo Caddaaladda waxay saxeexeen Heshiiskan hadda jira iyagoo ka wakiil ah Dowladooda

LEAGUE OF ARAB STATES
General Secretariat

ARAB ANTI-CORRUPTION CONVENTION

Preamble:
The signatory Arab states,

Convinced that corruption is a crime that takes many forms with negative impacts on moral values, political life, the economy and society;

Considering that fighting corruption is not limited to Government authorities but also includes individuals and civil society organizations which shall play an effective role in this regard;

Desirous to put into effect Arab and international efforts to fight corruption with the aim of facilitating international cooperation in this field, particularly with regard to the extradition of offenders, the provision of mutual judicial assistance and the restitution of assets;

Convinced of the need for an Arab cooperation to prevent and fight corruption in view of its transnational nature;

Committed to the religious and moral principles of the monotheistic religions, including the those enshrined in Islamic *sharia*, as they appear in the aims of the Charter of the League of Arab States and the United Nations Charter as well as in Arab, regional and international treaties and conventions in the fields of judiciary, judicial and security cooperation to prevent and fight corruption-related crime and to which the Arab States are party, including the UN Convention Against Corruption (UNCAC).

It has been agreed as follows:

Article 1 Definitions

For the purposes of the present Convention, the following words and phrases are defined as follows:

1. **State party:** any State Party of the League of Arab States which has ratified or acceded to the present Convention and deposited the ratification or accession instruments at the General Secretariat of the League.

2. **Public official:** any person who works in public employment or who is considered a public official according to the laws of the State Party in the executive, legislative, judicial or administrative fields, whether such person is appointed or elected, temporarily or permanently, or charged with public service in the State Party, with or without remuneration.

3. **Foreign public official:** any person who holds a legislative, executive, administrative or judicial position in a foreign country, whether such person is appointed or elected, temporarily or permanently, and any person who holds a public office serving a foreign country or a foreign public body or institution.

4. **Official of an international public organization:** any international civil servant or official or any person appointed by an international public organization to act on its behalf.

5. **Property:** any kind of asset, whether material or intangible, movable or immovable, and all such securities or legal instruments that prove ownership of such assets or a right thereon.

6. **Proceeds of crime:** any assets derived or obtained, directly or indirectly, from the commission of any act of corruption criminalized under the present Convention.

7. **Freezing or restraint:** the imposition of a temporary ban on the transfer, exchange, disposal or movement of property, or the temporary assumption of custody or control of property, on the basis of order made by a court of law or such other competent authority.

8. **Confiscation:** the permanent removal of property by order of a court of law or such other competent authority.

9. **Controlled extradition:** allowing illegal or suspicious operations to leave the territory of one or several states, or to pass through or enter, with the knowledge of the competent authorities and under their supervision, with the

aim of investigating acts of corruption punished by the relevant provisions of the present Convention and discovering the identity of the persons involved in their commission.

Article 2
Aims of the Convention

This Convention aims to:
— Foster measures to prevent, fight and uncover all forms of corruption and other offences related to its commission, and the prosecution of its perpetrators.
— Foster integrity, transparency, accountability and the rule of law.
— Encourage individuals and civil society organizations to take an active part in preventing and fighting corruption.

Article 3
Protection of sovereignty

1 — State Parties shall honour their commitments under the present Convention in a manner that agrees with theprinciples of equality of state sovereignty, regional peace and non-intervention in the internal affairs of other states.
2 — Under the present Convention, no State Party is allowed to assume jurisdiction on the territory of another state and perform functions that are limited to the authorities of that state according to its domestic legislation.

Article 4 Criminalization

Considering that the description of acts of corruption, criminalized by the present Convention, is subject to the laws of the State Party, each state, according to its domestic legislation, shall adopt the necessary legal and other measures to criminalize the following acts when committed intentionally:
1 — Bribery of a public official.
2 — Bribery in public sector companies, joint-stock companies, associations and institutions of a public interest nature.

3 — Bribery in the private sector.

4 — Bribery of foreign public officials and officials of public international organizations in connection with international trade within a State Party.

5 — Influence-peddling.

6 Abuse of public office

7 Illicit enrichment

8 — Laundering of proceeds of crime.

9 — Concealing of proceeds of crime obtained from the acts stipulated in the present Article. 10 — Obstructing the course of justice.

11 — Misappropriation of public property and its unlawful acquisition.

12 — Misappropriation of the property of joint-stock companies, public-interest private associations and in the private sector.

13 — Participation or attempt in the offences stipulated in the present Article.

Article 5
Liability of legal persons

Each State Party shall adopt the necessary measures, in accordance with its domestic legislation, to determine the criminal, civil or administrative liability of any legal person for the offences stipulated in the present Convention, without prejudice to the criminal liability of physical persons.

Article 6
Criminal prosecution and trial

1 — Each State Party shall take the necessary measures, in accordance with its domestic legislation, to ensure the competent investigative authority or court has the right to access or obtain any data or information related to bank accounts when investigating the facts regarding any offence under the present Convention.

2 — With respect to those offences provided for under the present Convention, each State Party shall take the appropriate measures, in accordance with its domestic legislation, to ensure the presence of the

accused at investigative and trial proceedings when he is at liberty, while taking into account the rights of the defence.

3 — Each State Party shall take, in accordance with its domestic legislation and constitutional principles, the necessary measures to establish or maintain an appropriate balance between any immunity or privilege granted to public officials for the sake of performing their duties and the possibility of undertaking, where necessary, effective investigation, prosecution and trial of acts punished under the present Convention.

4 — Each State Party shall prosecute any offence included in the present Convention subject to penalties that take into account the seriousness of the offence. Determined penalties for the mentioned offences shall be increased, according to the provision of the Criminal Code, in case of relapse.

5 — Each State Party, in accordance with its domestic legislation and where required, shall consider imposing any secondary or additional punishment on those convicted of offences under the present Convention.

6 — Each State Party shall define, in accordance with its domestic legislation, a statute of limitation for any offence under the present Convention.

Article 7
Freezing, seizure and confiscation

1 — As far as possible, each State Party shall adopt, in accordance with its domestic legislation, all necessary measures to enable the confiscation of:

a) The proceeds of crime deriving from offences under the present Convention, or assets whose value isequivalent to the value of those proceeds.

b) Property, equipment or other instruments used or intended to be used in the commission of an offence under the present Convention.

2 — Each State Party shall take the necessary measures for the identification, tracking, seizure, freezing of any of the things indicated in paragraph (1) of the present Article with the aim of their confiscation.

3 — Where the proceeds of crime, in part or in whole, are transferred or exchanged for other property, this property, rather than the proceeds, shall be subject to the measures provided under the present Article, even if the offender has transferred ownership to others.
4 — Where the proceeds of crime are mixed with property acquired lawfully, such property shall be subject to confiscation within the limits of the estimated value of these proceeds, without prejudice to any power connected to their freezing or restraint.
5 — The measures indicated in the present Article shall also apply in the same fashion and to the same extent asfor the proceeds of crime to revenues or other financial benefits derived from the proceeds of crime, or from the property into which these proceeds were been converted or exchanged, or from the property with which these proceeds have been mixed.
6 — State Parties may consider the possibility of obliging an offender to prove the legitimacy of alleged proceeds of crime or other property subject to confiscation, to the extent that this obligation conforms with domestic laws and the nature of judicial and other measures.
7 — Each State Party shall adopt the legal and other measures necessary to organize, administer and use frozen, seized, confiscated or abandoned property which is the proceeds of crime, in accordance with its domestic legislation. Such measures shall include criteria for the return of property which is still under the disposal of the person who has a right to it. Each State Party shall also consider measures for the administration or use of abandoned property and the length and standardization of time periods for property to be deemed abandoned.
8 — The provisions of the present Article shall not be interpreted so as to prejudice the rights of *bona ñide* third parties.

Article 8
Compensation for damage

Each State Party shall provide in its domestic legislation that all those that suffered damage as a result of an act of corruption, under the present Convention, shall have the right to bring an action for compensation for such damage.

Article 9
Jurisdiction

1 — Offences under the present Convention are subject to the jurisdiction of the State Party in any of thefollowing circumstances where:

a) the offence, or any of its material supporting acts, is committed on the territory of the State Party;

b) the offence is committed on board a ship under the flag of the State Party or an aircraft registeredunder its laws at the time of the commission of the offence;

c) the offence is committed against the State Party or one of its nationals or residents;

d) the offence is committed by one of the nationals of the State Party, a person ordinarily resident in its territory or a stateless person ordinarily resident in its territory;

e) the offence is one of the acts punished under Article 4.6 of the present Convention and is committed outside the territory of the State Party with the intent of committing the criminal act within its territory;

f) the accused is a national present on the territory of a State Party which shall not extradite him.

2 — Each State Party shall adopt the measures necessary to make the acts criminalized by the present Convention subject to its legal jurisdiction when the perpetrator of such acts is present on its territory and it will not extradite him.

3 — Where the State Party, exercising jurisdiction under this provision, has been notified, or has come to know inany another way, that another State Party or Parties is (are) conducting investigations or prosecution or taking legal measures regarding the same conduct, then the competent authorities in that State Party or Parties shall consult together and coordinate all such steps that may have to be taken.

Article 10
Measures for prevention and fight against corruption

1 — Each State Party shall, in accordance with its laws, lie down,

implement and consolidate effective and coordinated policies to prevent and fight corruption. This shall include the strengthening of community participation and the application of the principles of the rule of law, good administration of public affairs and property, integrity, transparency and accountability.

2 — Each State Party shall endeavour to establish effective means to prevent corruption.

3 — Each State Party shall endeavour to carry out periodic assessments of relevant laws and administrative measures with a view to reporting on their performance in preventing and fighting corruption.

4 — Each State Party shall endeavour, in accordance with its domestic legislation, to adopt, consolidate and support systems that institute transparency and prevent conflicts of interest between employees and their employers, be they in the public or private sectors.

5 — Each State Party shall endeavour to implement, in accordance with its domestic legislation and system, record-keeping and codes of conduct for the correct, honourable and safe discharge of public office.

6 — Each State Party shall also consider, in accordance with its domestic legislation, establishing measures and systems to facilitate the reporting, by public officials, to the relevant authorities, of any act of corruption that came to their knowledge in the course of their duties.

7 — Each State Party shall take the necessary steps to create systems based on transparency, competition and objective standards in connection with public procurement and tendering procedures with the aim of preventing corruption.

8 — With a view to prevent corruption in the private sector, each State Party shall take the necessary measures, in accordance with its domestic legislation and regulations governing record-keeping, disclosure of financial data, audit standards and review of accounts, to prevent any such deeds with the intention of committing any of the acts punished under the present Convention:

a) Creating accounts off the books.

b) Executing transactions off the books or without adequate explanation.

c) Recording fabricated expenditure.

d) Entering into financial obligations without explaining their purpose truthfully.

e) Using forged documents.

f) Deliberate destruction of accounting documents before the lapse of the time permitted at law.

9 — State Parties shall cooperate with each other and with relevant international and regional organizations as may be necessary, and in accordance with their domestic legislations, to strengthen and develop the measures referred to under the present Article. Such cooperation may include participation in international programmes andprojects for the prevention of corruption.

10 — Each State Party, in accordance with its domestic legislation, shall ensure the existence of an agency or agencies, as needed, to prevent and fight corruption, by means such as:

a) implementation of the policies referred to in the present Article and monitoring of implementation as required;

b) increasing and circulating knowledge related to the prevention of corruption.

11 — Each State Party, in accordance with its domestic legislation, shall grant the agency or agencies referred tounder paragraph above the necessary independence to enable it/them to discharge its/their duties effectively andfree from any undue influence. The necessary material resources and specialist staff shall be provided as well as the training needed for the staff to carry out their duties.

Article 11
Civil society participation

Each State Party shall take appropriate measures to encourage civil society organizations to participate effectively in the prevention and combating corruption and shall support such participation by measures like:

1 — raising awareness among society on the fight against corruption, the causes and seriousness of corruption and the threat it represents to the interests of society at large.

2 — conducting media campaigns to reject corruption as well as awareness programmes, including school and university curricula.

3 — informing people about the competent anti-corruption agencies

referred to in the present Convention and providing them with means to contact those agencies so as to inform them of any incidents which may be seen as constituting an act criminalized by the present Convention.

Article 12
Independence of the judiciary and public prosecution

Considering the importance of independence of the judiciary and its decisive role in fighting corruption, each State Party shall, in accordance with its domestic legislation, adopt all that guarantees and strengthens the independence of the judiciary and prosecutors, support their integrity and provide them with the necessary protection.

Article 13
Sanctions for acts of corruption

While giving due consideration to the rights acquired by *bona fide* third parties, each State Party shall, in accordance with its domestic legislation, adopt measures to punish corruption. In this context, State Parties may take corruption into consideration as an important factor when taking legal steps to cancel or revoke a contract, withdraw a concession or other similar arrangements, or taking any other remedial measure.

Article 14
Protection of informers, witnesses, experts and victims

State Parties shall provide the necessary legal protection to informers, witnesses, experts and victims who give evidence relating to the acts criminalized by the present Convention. This shall include protecting their relatives and those closely connected to them from any possible act of revenge or intimidation. Such means shall include: 1— Providing protection in their places of residence.

2 — Not disclosing information relating to their identity or location.

3 — Informers, witnesses, experts and victims giving evidence in a fashion that ensures their safety, such as by the use of communications technology.

4 — Taking punitive measures against anyone who discloses information relating to the identity or location of informers, witnesses, experts or victims.

Article 15

Victim support

1 — Each State Party shall lay down appropriate procedural rules to provide victims of the offences included in the present Convention with the means to obtain compensation and remedy.

2 — Each State Party shall give, subject to its domestic legislation, the chance for victims to air their views and for those views to be taken into account at the appropriate stages of the criminal proceedings instituted against offenders, without prejudice to the rights of the defence.

Article 16

Cooperation in law enforcement

State Parties shall cooperate closely, in accordance with their domestic legal and administrative systems, in order to ensure the effective enforcement of law to prevent and combat the offences included in the present Convention. Such cooperation shall include:

1 — Exchange of information on the means and forms used to commit or conceal offences under the present Convention, including offences committed by using new technology, and to enable early detection.

2 — Cooperation in investigative procedures concerning the identities of persons suspected of involvement in offences under the present Convention and their locations and activities, and the movement of proceeds and property derived from the commission of such offences.

3 — Exchange of experts.

4 — Cooperation in the provision of technical assistance to prepare programmes or hold joint training workshops,or those particular to one State Party or a group of State Parties as required for those working in the field of prevention and fighting of the offences under the present Convention, with a view to develop their knowledge and practical capacities and enhance their performance.

5 — Training sessions and seminars on the prevention and

suppression of the offences under the present Convention.
6 — The undertaking and exchanging research, studies and expertise related to the prevention and suppression of the offences under the present Convention.
7 — Development of a database of national laws, investigation techniques and best practice relating to the prevention and suppression of the offences under the present Convention.

Article 17
Cooperation with law enforcement authorities

1 — Each State Party shall take appropriate measures to encourage those who are, or have been, party to the commission of an offence under this Convention to provide useful information to the competent authorities for the purposes of investigation and collection of evidence, and to provide specific effective assistance to the competentauthorities which may help to deprive offenders of the proceeds of crime and restore these proceeds.
2 — Each State Party shall consider, in the appropriate circumstances, alleviating the sentence of an accused person who offered substantial assistance in the investigative or prosecution process with respect to an offence under the present Convention.
3 — Each State Party shall consider the possibility of an amnesty from prosecution, in accordance with its domestic legislation, for any person who offered substantial assistance in the investigative or prosecution processwith respect to an offence under the present Convention.
4 — Such persons shall be protected as stipulated under Article 14 of the present Convention, taking account of the requirements of different circumstances.
5 — When the person referred to in paragraph (1) of the present Article is present on the territory of a State Partyand is able to offer substantial assistance to the competent authorities of another State Party, the two State Parties concerned may consider ratifying agreements or arrangements, in accordance with their domestic legislations, to enable the other State Party to provide the treatment as specified in paragraphs 2 and 3 of the present Article.

Article 18
Cooperation between national authorities

Each State Party shall, in accordance with its domestic legislation, take the necessary measures to ensure cooperation between its public authorities, and also between its public officials and its criminal investigation and prosecution authorities. Such cooperation shall include:

1 — notification of investigative authorities when there are reasons to believe that any of the acts criminalized under Article 4 of the present Convention was committed.

2 — provision of the investigative authorities with all the necessary information at their request.

Article 19
Cooperation between national authorities and the private sector

1 — Each State Party shall, in accordance with its domestic legislation, take the necessary measures to ensure cooperation between the national authorities concerned with investigation and prosecution and private sector entities, in particular financial authorities, in matters related to the commission of acts criminalized under the present Convention.

2 — Each State Party shall consider encouraging its citizens and other people regularly residing on its territory to inform the national authorities concerned with investigation and prosecution of the commission of an offence under the present Convention.

Article 20
Mutual judicial assistance

1 — State Parties shall extend each other the maximum possible mutual judicial assistance in investigations, prosecutions and judicial procedures connected with offences under the present Convention.

2 — Mutual judicial assistance shall be provided in the most complete form possible under the laws of the requested State Party and under its relevant treaties, agreements and arrangements in connection with

investigations, prosecutions and judicial procedures pertaining to offences for which a legal person may be held to account in pursuance of Article 5 of the present Convention in the requesting State Party.

3 — A request for judicial assistance may be made under the present Convention for any of the following purposes:

a) To obtain evidence or witness statements.

b) To serve judicial documents.

c) To execute inspection, seizure and freezing [of assets].

d) To check objects and examine locations.

e) To provide information, material, evidence and expert assessment.

f) To provide relevant original documents and records, including government or banking records or those of commercial companies or facilities, or certified copies thereof.

g) To determine the proceeds of crime or property, instruments or other things, or to trace them forprobative purposes.

h) To facilitate the voluntary production of people in the requesting State Party.

i) Any other kind of assistance which does not infringe the domestic legislation of the requested StateParty.

j) Disclosure, freezing and tracking of the proceeds of crime.

k) Restitution of property in accordance with Article 27 of the present Convention.

4 — Each State Party may adopt the necessary legal or other measures, according to the conditions and purposes it deems appropriate, for any previous conviction against the accused in another state to be taken into account, with a view to using that information in criminal proceedings related to an offence under the present Convention.

5 — Each State Party shall designate a central authority with the responsibility and powers to receive requests for mutual judicial assistance and accommodate these requests or transfer them to a competent authority for action. Where the State Party has a particular region or territory with an independent system of mutual judicial assistance, it may designate a separate central authority to undertake the same task in that region or territory. The central authorities shall ensure the implementation or transfer of received requests in a timely and appropriate fashion. When the central authority transfers the

request to a competent authority for action, it shall encourage that competent authority to act on the request in a timely and correct fashion. The Secretary-General of the League of Arab States shall be notified of the name of the central authority designated for this purpose at the time when the State Party deposits the instrument of its ratification or accession to the present Convention. Requests for mutual judicial assistance and any related correspondence shall be directed to the central authorities designated by the State Parties. This shall be without prejudice to the right of any State Party to stipulate that such requests and correspondence be directed via diplomatic channels. In urgent cases, when the two concerned State Parties agree, they may be directed via the Arab Criminal Police Bureau under the auspicesof the General Secretariat of the Counsel of Arab ministers of interior, where possible.

6 — A request for mutual judicial assistance shall include:

a) The identity of the requesting authority.

b) The matter and nature of the investigation, prosecution or legal proceeding relating to the request, and the name and functions of the authority undertaking the investigation, prosecution or judicial process.

c) A summary of the facts related to the matter, with the exception of requests for the purpose of serving judicial documents.

d) A description of the assistance sought and details of any specific measures that the requesting State Party wishes to be followed.

e) The identity, location and nationality of any concerned person, where possible.

f) The purpose for which evidence, information or measures are sought.

7 — The requested State Party may request further information when necessary to implement the request in accordance with its domestic legislation, or when that might facilitate such implementation.

8 — The request shall be acted upon in accordance with the domestic legislation of the requested State Party as well as in accordance with the procedures specified in the request, wherever possible, as long as this does not conflict with the domestic legislation of the requested

State Party.

9 — The requesting State Party may not disclose any information or evidence provided by the requested State Party, or use it in investigations, prosecutions or judicial proceedings other than those stated in the request, without prior agreement from the requested State Party. This paragraph does not prevent the requesting State Party from disclosing in its proceedings information or evidence that acquits an accused person. In this case, the requesting State Party shall notify the requested State Party, prior to disclosure, and shall consult with the requested State Party if so asked. If, exceptionally, it is not possible to make prior notification, the requesting State Party shall inform the requested State Party of the disclosure without delay.

10 — The requesting State Party may require that the requested State Party maintain the confidentiality of therequest and its contents, with the exception of the amount needed to implement it. If the requested State Party is unable to fulfil the condition of confidentiality, it shall notify the requesting State Party accordingly without delay. 11 — Mutual judicial assistance may not be granted where:

a) the request is not made according to the provisions of the present Article;

b) the requested State Party deems that implementing the request infringes its sovereignty, security, public order or other vital interests;

c) the requested State Party's domestic legislation forbids its authorities from implementing the requested measure with respect to any kindred offence, were that offence to be subject to investigation, prosecution or judicial proceedings in the context of its own jurisdiction;

d) meeting the request conflicts with the domestic legislation of the requested State Party.

12 — The State Party may not refuse a request for mutual judicial assistance simply because the offence is considered to be related to financial matters.

13 — Grounds for any refusal of mutual judicial assistance shall be given.

14 — The requested State Party shall implement the request for mutual judicial assistance as quickly as possible and take into consideration to the greatest extent possible the time periods proposed by the

requesting State Party, preferably with the reasons being stated in the request itself. The requesting State Party may present reasonable inquiries to obtain information about the status of the measures taken by the requested State Party to meet the request and current progress. The requested State Party shall respond to reasonable inquiries from the requesting State Party as to the status of the request and progress achieved in dealing with it. The requesting State Party shall promptly inform the requested State Party when there shall be no more need for the assistance sought.

15 — The requested State Party may postpone mutual judicial assistance on the grounds that it conflicts with ongoing investigations, prosecutions or judicial procedures.

16 — (a) The requested State Party, in response to a request for assistance, pursuant to the present Article in the absence of dual criminality, shall take into consideration the aims of the present Convention as stated under Article 2.

(b) The State Party may refuse to provide assistance pursuant to the present Article for lack of dual criminality. It may offer assistance that does not involve a compulsory measure and it may refuse to offer such assistance when it is related to frivolous requests or matters in which the cooperation or assistance sought is provided under other provisions of the present Convention.

(c) Each State Party may consider adopting measures it may deem necessary to be able to provide broader assistance, pursuant to the present Article, in the case of a lack of dual criminality.

17 — Before any request is refused, pursuant to paragraph (1)1 of the present Article, or the deferment of its implementation, pursuant to paragraph (1,5) of the present Article, the requested State Party shall consult with the requesting State Party to consider the possibility of offering assistance dependant on any conditions or provisions it may deem necessary. If the requesting State Party accepts this conditional assistance, it shall fulfil these conditions.

18 — Any detained person or any person serving his sentence on the territory of a State Party whose presence in another State Party is requested for the purposes of identifying persons, giving evidence or offering other such assistance to obtain evidence for investigations, prosecutions or judicial proceedings related to offences under the

present Convention may be extradited, provided the following two conditions are satisfied:

a) the person freely and knowingly agrees; and
b) the competent authorities in the two State Parties agree, dependant on the conditions the two State Parties deem appropriate.

19 — For the purposes of paragraph (1)8 of the present Article:

(a) The State Party to which the person is to be transferred is authorized and obliged to keep him in detention, as long as the State Party from which the person has been extradited has not requested otherwise or given permission otherwise.

(b) The State Party to which the person is to be extradited shall, without delay, carry out its obligation to return him to the custody of the State Party from which he was extradited in accordance with what was initially agreed, or in any other fashion, between the competent authorities of the two State Parties.

(c) The State Party to which the person has been extradited may not make the return of this person conditional on the initiation of extradition proceedings by the State Party from which he had been transferred.

(d) The time spent in detention in the State Party to which he has been transferred shall be deducted from the sentence imposed in the State Party from which he has been transferred.

20 — A person, of any nationality, by the extradited person in accordance with paragraphs 18 and 19 of the present Article may not be prosecuted, detained, punished or have his personal liberty restricted in any other wayon the territory of the State Party to which he has been transferred because of an act or acts or a conviction prior to his leaving the territory of the State from which he was transferred, as long as such State does not agree.

21 — A State Party may not refuse to provide mutual judicial assistance pursuant to the present Article on grounds of banking confidentiality.

22 — When a person is present on the territory of a State Party and his oral testimony is required, as a witness orexpert, before the judicial authorities of another State Party, and that that is possible and in conformity with the domestic legislation, the first State Party may, on

the basis of a request made by the second State Party, allow a hearing to be held him by means of direct broadcast, if it is not possible or advisable for the concerned person to appear in person on the territory of the requesting State Party.

23 — Without prejudice to domestic legislation, the competent authorities of a State Party can, without having received a prior request, send information related to criminal matters to the competent authority in another State Party, when it is believed this information might assist that authority to undertake or successfully conclude criminal investigations and proceedings or might lead to the other State Party making a request pursuant to the present Convention.

24 — Information pursuant to paragraph 5 of the present Article shall be sent without prejudice to ongoing criminal investigations and proceedings in the State of the competent authorities which provide the information. The competent authorities receiving the information abide by any request to keep the information secret, even if temporarily, or to impose restrictions on its use. This, however, shall not prevent the receiving State Party, in the context of its proceedings, from disclosing information to acquit an accused person. In this case, the receiving State Party shall inform the sending State Party before the disclosure of the information, and shall consult with the sending State Party if it is asked to do so. If, exceptionally, it is not possible to direct advanced notice, the receiving State Party shall inform the sending State Party of this disclosure without delay.

25 — Without prejudice to paragraph 20 of the present Article, no witness, expert or other similar person may be prosecuted, detained or punished on the basis of a request from a requesting State Party to give evidence in criminal proceedings or to assist in criminal investigations, prosecutions or proceedings in the territory of the requesting State Party, nor may they be subjected to any other measure that restricts their personal freedoms in that territory because of any act, omission or conviction prior to their leaving the territory of the requested State Party. This guarantee of immunity shall end when the witness, expert or other person, at his own volition, remainson the territory of the requesting State Party after he has been given the opportunity to leave for fifteen days, or any period agreed to by the two State Parties, starting from the date he was officially notified that his

presence was no longer required by the judicial authorities, or when he returns to this territory of his own volition after having left it.

26 — The requested State Party shall meet the ordinary expenses of implementing the request, unless the two State Parties concerned agreed otherwise. If meeting the request requires large or unusual expenses, the two State Parties concerned shall consult to define the conditions and provisions governing the implementation of therequest as well as the distribution of the burden of costs.

27 — (a) The requested State Party shall provide the requesting State Party with copies of the records, documents or governmental information in its possession that its domestic legislation allows to be made availableto the public.

(b) Based on its assessment, the requested State Party may furnish to the requesting State Party, wholly or partially, or on the conditions it deems appropriate, copies of any records, documents or government information in its possession that its domestic legislation does not allow to be made available to the public.

28 — The provisions of the present Article shall apply to requests for legal assistance in cases where such State Parties are not bound by a treaty of mutual judicial assistance. Where such State Parties are bound by such a treaty, the provisions thereof shall apply and the State Parties shall apply the present Article if it facilitates cooperation.

Article 21

Cooperation for the Purposes of Confiscation

1. The requested State Party has full judicial mandate on a crime covered by the present Convention and has the right to confiscate all assets on its territory in terms of criminal proceeds or assets or instruments or other tools mentioned in paragraph (1) of Article 7 of the present Convention and has the right to carry out to an extreme measure, within its domestic laws, any of the following:

    a. To forward the request to its competent authorities; have them issue an order of confiscation and carry out that order once issued.

b. To forward to its competent authorities the confiscation order issued by the court on the territory of the requesting State Party with the purpose of enforcing it.

2. As soon as it receives a request from another State Party that has judicial mandate over the crimes covered by the present Convention, the requested State Party shall take the necessary measures to expose the criminal proceeds or assets or instruments referred to in paragraph (1) of Article 7, pursuing it, or freezing it or detaining it with the purpose of confiscation via an order issued by the requesting State Party or the requested State Party according to paragraph (1) of the present Article.

3. The provisions of Article 20 of the present Convention shall apply to the present Article taking into consideration differences. In addition to the information referred to in paragraph (5) of Article 20, the requests submitted according to the present Article shall include the following:

   a. In the case of a request related to paragraph (1, a) of the present Article identifying the assets to be confiscated including the location of those assets and their estimated value, regardless of the relationship and depending on the facts that the requesting State Party relied on, it is enough for theempowerment of the requested State Party to issue the order within the framework of its domestic laws.

   b. In the case of a request related to paragraph (1, b) of the present Article, what is needed is a legallyacceptable copy of the order of confiscation upon which the request relies and that is issued by the requesting State Party and a statement of the facts and information necessary for the carrying out the order and a statement that sets out the measures taken by the requesting State Party to issue a suitable notification to a *bona fide* third party and to ensure abiding by legal assets and a statement that the confiscation order is final.

c. In the case of a request related to paragraph (2) of the present Article, a statement of the facts that the requesting State Party relied on in preparing its request, where available.

4. The requested State Party shall take the decisions and procedures referred to in paragraphs (1) and (2) of the present Article, in accordance with its domestic legislation and rules of procedure or any agreement or dual arrangement or multilateral agreement it is committed to in favour of the requesting State Party and according to the relevant provisions and regulations or the agreement or arrangement.

5. Every State Party shall provide the Secretary-General of the League of Arab States with copies of its laws and regulations that domesticate the present Article and copies of any changes introduced subsequently to such laws and regulations or a description of them.

6. If the State Party chooses to condition the measures referred to in paragraphs 1 and 2 of the present Article to the availability of a treaty on that matter, that State Party shall consider the present Conventionas a sufficient treaty basis.

7. It is also allowed to refuse cooperation on the basis of the present Article or cancel temporary measuresif the requested State Party does not receive enough evidence on time, or where the assets are of little value.

8. Before stopping any temporary measure taken according to the present Article, the requested State Party shall grant the requesting State Party, where possible, the chance to offer the reasons it has that require continuing this measure.

9. The provisions of the present Article shall not be interpreted in any manner that affects the rights of *bona fide* third parties.

Article 22
Transfer of Prosecution Procedures

State Parties to the present Convention may consider the possibility of transferring prosecution procedures concerning an act criminalized by the present Convention among them with purpose of concentrating this pursuit if this shall be in the interest of justice, especially when this concerns several judicial countries.

Article 23
Extradition of offenders

1. All the crimes covered by the present Convention are considered crimes in which the criminals can be delivered, according to any treaty for the extradition of criminals between State Parties. These shall avow to include these crimes among the crimes that are covered in each treaty of extradition ofoffenders concluded among them. A State Party whose law allows this shall not consider any of the crimes covered by the present Convention as a political crime if the present Convention is taken as a basis for the extradition.

2. This Article shall apply to the crimes covered by the present Convention when the person object of extradition is located in the territory of the requested State Party with the condition that the act for which extradition is requested is a criminal act according to the domestic legislations of both the requesting and the requested State Parties.

3. As an exception to paragraph (2) of the present Article, the State Party whose laws allow the extradition of a person charged with any of the crimes covered by the present Convention, even if the act is criminalized by its domestic legislation.

4. Where the request for extradition includes a number of separate crimes, one of which, at least, is subject to extradition according to the present Article, and where some of them may not be subject to extradition because of the period of imprisonment imposed on it, but is related to a crime covered by the present Convention, the requested State Party may enforce the present Article in respect of those crimes.

5. Where a requested State Party, which conditions extradition of offenders on the existence of a treaty – requests extradition of a person from another state with which it has no extradition treaty, it mayconsider the present Convention as a legal basis for extradition of any offender to which the present Convention applies.

6. The State Party that conditions extradition to the existence of a treaty shall:

   a. Inform the Secretary-General of the League of Arab States when it deposits its instrument of ratification or accession to the present Convention clarifying whether it shall consider the present Convention as its legal basis for cooperation on matters of extradition to all State Parties to the present Convention.

   b. Seek, where necessary, to sign extradition treaties with all the States Party to the present Convention with the purpose of activating the present Article when the present Convention is not the legal basis for cooperation on matters of extradition.

7. State Parties which does not condition extradition on the existence of a treaty to that effect may consider the crimes covered by the present Article as offences that allow extradition between State Parties.

8. Extradition is subject to domestic laws of the requested State

Party or the extradition treaty abided by including the conditions associated with minimum punishment conditional to extradition and the reasons that the requesting State Party can use to deny extradition.

9. The State Party shall seek, according to its domestic legislation, to speed up the procedures of extradition and expedite all evidential requirements thereto concerning any crime covered by the presentArticle.

10. The requested State Party may, based on its domestic legislation and its extradition treaties and according to a request received from the requesting State Party, detain the person whose extradition is sought and who is present on its territory, as it may also take other suitable measures to ensure his presence and the extradition procedures once it is convinced that circumstances require it and that they are pressing circumstances.

11. In the event that the State Party where the offender is located fails to extradite him, for offences committed under the present Article, for the mere reason that he is one of its citizens, that State Party shall, based on the extradition request of the requesting State Party, refer the matter without delay to its competent authorities for further action. The competent authorities shall make a decision and take the measures they usually take on offenses considered serious by its domestic legislation. The State Partiesconcerned shall cooperate.

12. Where the domestic legislation of the State Party prohibits the extradition of one of its citizens or allows such extradition on condition that he shall be returned to that State Party to serve his sentence after trial or the procedures that it was requested to deliver that person for and this country agrees with the State Party that requested his extradition on this choice and on any other conditions they see fit, this conditional extradition is considered enough to fulfil the obligation specified under paragraph (11) of the present Article.

13. Where the extradition request for the purpose of enforcing a judicial sentence is refused on the groundsthat the offender is a citizen of the requested State Party, it shall, if its domestic legislation so allows and according to the requirements of that legislation, consider according to a request from the requesting State Party to carry out the sentences delivered according to the domestic legislation of the requesting State Party or what remains of it.

14. Any person, against whom such proceedings are taken in respect of any of the crimes to which the present Article applies, shall enjoy decent and dignified treatment at all stages of the procedure, and shall enjoy all the rights and guarantees that are provided in the domestic legislation of the State Party where the person is located.

15. No provision of the present Convention may be construed as imposing a commitment to extradite if the requested State Party has enough reasons to believe that the request was submitted for the purpose of persecuting or punishing a person because of his race, sex, religion, nationality, ethnic origin, opinion or political stance, or if the compliance to the request may cause harm to the status of that person for any of these reasons.

16. The State Party shall not refuse a request for extradition on the pretext that the offence is considered acrime of a financial nature.

17. Before refusing extradition, the requested State Party shall consult, when necessary, with the requesting State Party and give it the full chance to submit its opinions and to offer information insupport of its request.

Article 24
Extradition of Sentenced Persons

State Parties are entitled to look into the signing of dual or multilateral treaties or arrangements concerning the extradition of

individuals who are handed over a prison sentence or other forms of deprivation of liberty because of their commission of acts criminalized under the present Convention in their territories so that those individuals may complete their term of imprisonment there.

Article 25
Joint Investigations

State Parties shall consider the ratification of dual or multilateral agreements or arrangements that allow competent authorities to establish committees for joint investigation on matters under investigation or judicial procedures in one or several States and, where no such treaties or arrangements exist, they shall be allowed to carry out joint investigations through ad hoc agreements and on a case by case basis and the State Party concerned shall undertake to fully respect the sovereignty of the State Party on whose territory the investigation shall be carried out.

Article 26
Methods of Private Investigation

1. For the purpose of combating corruption in an effective manner, every State Party shall, in accordance with its domestic legislation and its capacities, take the necessary measures to enable its competent authorities to use the method of monitored extradition in a suitable manner and also, when suitable, to follow measures of investigation such as electronic surveillance and other kinds of surveillance and in secret cases find a suitable use in its region. Also, the courts of law shall accept what results from such methods of investigation in terms of evidence.

2. In the investigation of the offences covered by the present Convention, State Parties shall encourage the ratification, where necessary, of bilateral or multilateral conventions or agreements suitable to the use of methods of private investigation, this in the context of cooperation on the

international level; such treaties or agreements shall be ratified and enforced in full compliance with the principle of equal sovereignty while implementing it in strict adherence to the rules of such treaties or agreements.

3. Where no such treaty or arrangement exist in the manner referred to in paragraph (2) of the present Article, decisions shall be made concerning using the methods of international private investigation on a case by case basis; where necessary, financial arrangements and agreement on judicial jurisdictionshall be made by the State Parties concerned.

4. Upon approval of the State Parties concerned, decisions relating to the use of the method of monitored extradition may be made on the international level, such as the interception of the goods or funds and the decision to allow same to move on safely or ignore them or exchange them totally or partly.

Article 27
Return of assets

The return of assets is considered a basic principle in the present Convention and State Parties shall offer to oneanother help and assistance in that respect.

Article 28
Prevention and Divulgence of Referral of Criminal Proceeds

1. Every State Party shall take all the necessary measures in accordance with its domestic legislation to force financial authorities that operate under its jurisdiction to investigate the identity of the clients and totake sensible steps to uncover the identity of owners who benefit from the money deposited in accounts of high value and to carry out detailed investigations on the accounts that are required to be opened by or kept by or on behalf of individuals assigned or were previously assigned to carry out important public offices or the members

of their families or individuals closely associated with them. Such detailed investigation shall be designed in a reasonable manner that allows pinpointing the suspicious dealings so as to inform the competent authorities about them, it is not required that they be construed as preventing financial authorities from dealing with any legal client.

2. Every State Party, in accordance with its domestic legislation and guided by the related initiatives taken by regional and international organizations to combat money laundering by:

    a. Issuing instructions regarding the types of natural and legal persons which fall under its jurisdiction and regarding the financial authorities whose accounts they are expected to accurately audit and the types of accounts and transactions they are expected to give due concern to the measures to be taken in terms of the opening of accounts and the keeping of the books of these accounts, bearing in mind the measures it is expected to take regarding such accounts.
    b. Informing the financial authorities under its jurisdiction, when required and upon a request by another State Party, of the identity of specific natural or legal persons, and it is expected from these institutions to thoroughly examine their accounts in addition to those that the financial authorities can identify in another way.

3. Each State Party shall ensure that its financial authorities keep, for a suitable period, records of the accounts and transactions relevant to the afore-mentioned persons in paragraph (1) of the present Article, provided that these records include at least the identity of the client and as much information as possible on the beneficial owner.
4. With the aim of preventing and unveiling the practices of transfer of illicit revenues, as defined in the present Convention, each State Party shall adopt effective and appropriate measures to prevent, withthe aid of its supervisory

and monitoring agencies, the establishment of banks which have no financial presence and not are not part of a financial group subject to supervision. Moreover, State Parties may consider instructing their financial authorities to refuse making or pursuing any business relationship with a correspondent bank with these institutions and to refrain from entering into any business dealing with foreign financial authorities that allow banks without financial presence and not part of financial group to use its accounts.

5. Each State Party may consider drawing-up effective methods for financial statement declaration, in accordance with its domestic legislation, in respect of public employees and set proper penalties for non-compliance. Each State Party may consider adopting measures allowing its competent authorities to share information with the competent authorities of other State Parties when necessary to investigate illicit revenues, according to the present Convention, and recover such revenues.
6. Each State Party shall consider adopting the necessary measures, in accordance with its domestic legislation, to oblige the public servants concerned who have bank accounts in foreign countries or power of signature or by proper records relevant to such accounts to inform the competent authorities of this relation and keep the relevant proper records. These measures shall include penalties for non- compliance.

Article 29
Private Cooperation

Each State Party shall seek, without prejudice to its domestic legislation, to adopt measures that enable it to transmit, without tampering with its investigation or legal proceedings, information about criminal proceeds, according to the Convention, to another State Party without prior request, if it sees that the disclosure of such information may help the requested State Party to reach conclusions or conduct inquires or legal proceedings or help that State Party file a request under the provisions of the present Article.

Article 30
Recovery and disposal of assets

1. Assets confiscated by a State Party under Articles 7 and current of the present Convention may be returned by that State Party to its legitimate owner, as provided under paragraph (3) of the present Article, according to the present Convention and its domestic legislation.
2. Each State Party shall approve, in accordance with its domestic legislation, legislation and other measures to enable its competent authorities, when taking a specific action upon request by another State Party, to return the confiscated property under the terms of the present Convention, while safeguarding the rights of *bona fide* third parties.
3. According to Articles 20 and 21 of the present Convention and paragraphs (1) and (2) of the present Article, the requested State Party shall:
    a. In case of embezzlement or laundering of public funds, as referred to in sub-paragraphs (h), (k)and (l) of Article 4 of the present Convention, when the confiscation is carried out according toArticle 21 and based on a final decision issued by the requesting State Party, the requested State Party shall be in duty bound to exclude and return the confiscated property to the requesting State Party.
    b. In case of revenues acquired by other illegal means, as indicated in the present Convention, when the confiscation is enforced according to Article 21 of the present Convention and based on a final decision issued in the requesting State Party, the requested State Party shall be in duty bound to exclude and return the confiscated property to the requesting State Party, provided the latter reasonably proves its previous ownership of the confiscated property to the requesting State Party. Or when the requesting State Party acknowledges the damage inflicted upon the

requesting State Party as a basis to return the confiscated property.

c. In all other cases, to consider as a matter of priority the return of the confiscated property to therequesting State Party or return back these assets to their previous legal owners, or compensates the victims thereof.

4. The requesting State Party may, when so required and unless otherwise approved by State Parties, deduct reasonable expenses incurred in investigations or legal proceedings leading to the return of the confiscated property or managing them by virtue of the present Convention.
5. The State Parties, when required, may specifically consider the conclusion of agreements on a case-by-case basis, for a final disposal of the confiscated property.

Article 31
Training and Technical Assistance

1. Each State Party shall introduce, develop or improve training programmes for their officers dealing with corruption. Such training programmes may include:

a. Adopting effective measures to prevent, uncover, investigate, punish and fight corruption using all methods of evidence-gathering and investigation.
b. Building capacities in developing and planning anti-corruption strategies.
c. Training the competent authorities to prepare requests for mutual judicial assistance in line with the Convention's requirements.
d. Evaluating and supporting institutions, public services departments and public funds departmentsincluding public procurement and the private sector.
e. Preventing and fighting the concealment of illegal revenues according to the present Convention and

returning such revenues.

f. Discovering and freezing illegal revenues.
g. Discovering illegal revenues and the tactics used to conceal them.
h. Using proper and effective administrative and legal techniques and tactics to facilitate the return of illegal revenues.
i. Applying methods to protect victims and witnesses co-operating with the judicial authorities.
j. Training on the enforcement of national and international laws and regulations.

2. State Parties shall consider, when so required, helping each other in the conduct of assessments, studies and research on the types, causes, effects and costs of corruption in their countries with theaim of drawing up anti-corruption plans of action with the participation of the competent authorities and civil society.
3. The State Parties may provide each other with memos of experts who may help in facilitating the return of illegal revenues.

Article 32
Collection, Exchange and Analysis of Corruption-related Information and Data

1. Each State Party shall seek to analyse rampant corruption in its territory and the circumstances surrounding the corruption crimes.

2. State Parties shall consider developing data, analytical experience and information relevant to the fight against corruption and share such data, analytical experience and information via international and regional organizations with the aim of identifying joint measures and harmonised methodologies and best practices to prevent and fight corruption.

3. Each State Party shall consider enforcing its anti-corruption measures and strategies and evaluating the efficiency and effectiveness of such measures and strategies.

Article 33
Conference of the Parties

1. The Conference of State Parties to the present Convention aims at improving the capacity of State Parties and foster their cooperation to achieve the goals herein indicated.
2. The Secretary-General of the League of Arab States convenes the Conference of the Parties one year after the entry into force of the present Convention. Then regular meetings of the Conference of the Parties are held according to the Rules of procedure of the Conference.
3. The Conference of the Parties shall approve its Rules of procedure and such other regulations governing the activities indicated in the present Article including rules for the approval of observers, membership, and financing of its activities.
4. The Conference of the Parties shall determine its programme of activities, measures and methods to achieve the goals of the Convention including:
   a. Facilitating the exchange of information among State Parties on types and trends of corruption and the successful practices to prevent and fight it, and returning the illegal `revenues by disseminating the relevant information.
   b. Co-operating with the relevant international and regional organizations and non-governmental organizations.
   c. Using the relevant information prepared by the international and regional agencies to fight and prevent corruption.
   d. Reviewing the implementation of the present Convention by the State Parties.
   e. Adopting recommendations to improve the implementation

of the present Convention.

f. Identifying the technical assistance needed by the State Parties for the implementation of the present Convention and recommending measures required in this regard.

5. The Conference of the Parties shall receive reports on the measures taken by the State Parties to implement the present Convention and the difficulties they face, through their national reports and the complementary review measures presented by the Conference of the Parties.

6. Each State Party shall provide the other State Parties with its programmes, plans and practices as well as its administrative and legislative measures taken for the implementation of the present Convention as required by the Conference of the Parties. Also, the Conference of the Parties shall consider the best ways to receive information and take the measures based on it, including the information received from the State Parties and the international organizations and the Conference of the Parties may also consider the contributions of the relevant NGOs approved according to the actions that the Conference of the Parties may approve.

7. The Conference of the Parties may – if it deems it appropriate – establish any mechanism to assist it in the effective implementation of the Convention.

Article 34
Secretariat

1- The General Secretariat of the League of Arab States shall be the secretariat of the Conference of the Parties.

2- The Secretariat shall:

a- Assist the Conference of the Parties to develop activities for the realization of the aims of the present Convention and take the necessary arrangements to convene the Conference of the Parties and provide the necessary support.

b- Provide information to the Conference of the Parties in accordance with paragraphs (4), (5) and (6) of Article 33 of the present Convention.

c- Co-ordinate with the secretariat of the relevant international and regional organizations.

Article 35

Final provisions

1. The competent authorities of the State Parties shall take all the necessary measures to implement and give effect to the present Convention.
2. Membership of the present Convention is open to all Arab States for ratification or accession and instruments thereof shall be deposited at the General Secretariat of the League of Arab States within a maximum of 30 days as from the date of ratification or accession. The General Secretariat shall inform all State Parties and the secretariats of Arab ministers of interior and justice of every deposition of instruments and the date of deposition.
3. The present Convention shall enter into force 30 days after its ratification by seven Arab States.
4. Any member of the League of Arab States which is not a signatory of the present Convention may ratify it and then become a Party to it 30 days after its depositing of the instrument of accession or ratification at the Secretariat General of the League of Arab States.
5. The State Parties may consider, where necessary, enacting any bilateral or multilateral convention or protocol arrangements to serve the purpose of the present Convention and put it into effect and support its objectives.
6. Any State Party to the present Convention may suggest any amendment to it. Proposals for amendment shall be transmitted to the Secretariat General of the League of Arab States who shall then forwardthem to the Conference of the Parties which shall consider them and strive to adopt them unanimously.

7. Amendments approved according to paragraph (6) of the present Article shall be subject to ratification, approval or acceptance by the State Parties. Once approved by the Conference of the Parties, such amendments shall become binding on all State Parties.
8. Any State Party may withdraw from the present Convention by a written request addressed to the Secretariat General of the League of Arab States and such withdrawal shall become effective 6 months from of the withdrawal application. The provisions of the present Convention shall remain applicable to the State Party throughout the duration indicated in the present Article.

The present Convention is drawn up in Arabic in Cairo (Egypt) on 21st December 2010, in one (1) original copy deposited at the Secretariat General of the League of Arab States (Technical Secretariat of Arab Justice Ministers) and an authenticated copy thereof shall be deposited at the Secretariat General of the League of Arab States (Technical Secretariat of Arab Ministers of Interior), and another authenticated copy shall be remitted to each State Party.

In witness whereof, their Highness and Excellency Arab Ministers of Interior and Justice signed the present Convention on behalf of their Governments.

The Signatures of their Royal Highness and Excellency Arab Ministers of Interior and Justice on the ArabConvention against Corruption

State Party	*Royal Highness or Excellency Arab Ministers of Interior*	*Royal Highness or Excellency Arab Ministers of Justice*
Hashemite Kingdom of Jordan	For His Highness/Hisham El Tal	His Highness/Hisham El Tal
United Arab Emirates	For His Highness/ Hadef Bin Go'an Alzahiry	His Highness Dr. Hadef Bin Go'an Alzahiry
Kingdom of Bahrain	His Highness Lieutenant General Sheikh Rashed Bin Abdullah Al Khalifa	His Highness Sheikh Rashed Bin Abdullah Al Khalifa
Tunisian Republic		His Highness Mr./Alazhar Bo 'Awny
The People's Democratic Republic of Algeria	H.E. Mr Dahou Ould Kablia	H.E. Mr Dahou Ould Kablia
Republic of Djibouti	*Signed*	-
Kingdom of Saudi Arabia	Royal Highness Prince/ Naif Bin Abdel Aziz	H.E. Dr./Mohammed Bin Abd El Karim Bin Abdel Aziz Al'ssa
The Republic of Sudan	H.E. Engineer/ Mahmoud Hamed	H.E. Mr./Mohammed Bishara Dossa
Arab Republic of Syria	H.E. Major General/Sa'id Samour	H.E. Mr./Mohammed Bishara Dossa
Somali Republic	-	-
Iraqi Republic	H.E. Mr./Gowad Tayeb Al Molany	H.E. Mr./Dara Nour El Din Bahaa Al Din
Sultanate of Oman	H.E. Mr./Se'oud Bin Ibrahim Bin Man'oud Al Borsa'idy	His Highness Sheikh/ Mohamed Bin Abdullah Bin Zaher Alhanany
State of Palestine	H.E. Dr./Sa'id Abdel Rahman Ahmed Abu Ali	H.E. Dr./Ali Khshan
State of Qatar	His Highness Sheikh/Abdullah Bin Nasser Bin Khalifa Al Thany	H.E. Mr./Hassan Bin Abdullah Al Ghanem
United Republic of the Comoros	-	-
State of Kuwait	His Highness Sheikh Lieutenant General/Gaber Khaled El Sabah	H.E. Counsellor/Rashed Abdel Mohsen Al Hamad
Lebanese Republic	-	-
Libyan Arab Jamahiriya	H.E. Major General/Mawtaher Rashad Al Masry	H.E. Judge/Moustafa Mohammed Abdel Galil
Arab Republic of Egypt	H.E. Mr./Habib Ibrahim El Adly	H.E. Counselor/Mamdouh Mohy Al Din Marei
Kingdom of Morocco	H.E. Mr./Al Tayeb Alsharqawy	H.E. Mr./Mohammed Al Nassery
Islamic Republic of Mauritania		H.E. Mr./Abdeen Wild al Kheir
Republic of Yemen	H.E. Major General/Motaher Rashad Al Masry	H.E. Dr./Ghazy Shaeef Al Aghbary

SHARCI LR.38 Taariikh: 31/12/2020

ANSIXINTA SHARCIGA HESHIISKA QARAMADA MIDOOBEY EE LA-DAGAALANKA MUSUQ-MAASUQA

MADAXWAYNAHA J.F.S

MARKUU ARKAY: Qodobka 87aad, Faqradda 1aad iyo Faqradda 2aad ee Dastuurka KMG

MARKUU ARKAY: Qodobka 90aad, Xarafka "q" ee Dastuurka KMG

MARKUU ARKAY: Warqadda Guddoomiyaha Golaha Shacabka GSH/348/2/B-10/20 Taariikh: 29/12/2020 kuna saabsan ansixinta Sharciga Heshiiska Qaramada Midoobay ee La-Dagaalanka Musuq-maasuqa

MARKUU TIXGELIYAY: Baahida loo qabo in la ansixiyo lana meel-mariyo Sharcigan

Waxa Madaxweynuhu soo saaray Sharcigan:

Qodobka 1aad

Laga bilaabo marka uu Madaxweynuhu saxiixo Sharcigan, waxa si rasmi ah loo oggolaaday Sharciga Heshiiska Qaramada Midoobay ee La-Dagaalanka Musuq-maasuqa

Qodobka 2aad

Marka uu Madaxweynaha JFS saxiixo Sharcigan, waxaa lagu soo daabici doonaa Faafinta Rasmiga ah ee Jamhuuriyadda Federaalka Soomaaliyeed.

MUQDISHO: 31/12/2020

JAMHUURIYADDA FEDERAALKA SOOMAALIYA
XAFISKA HANTIDHAWRKA GUUD
DIWAAN NO: H.H/01/21
TAARIIKH: 04/3/2021
SAXIIXA:
HANTIDHAWRAHA GUUD
Md.Maxamed Maxamuud Gaal

Madaxweynaha J.F.S
Maxamed Cabdullaahi Maxamed (Farmaajo)

HESHIISKA QARAMADA MIDOOBAY EE LA-DAGAALLANKA MUSUQ-MAASUQA

Waxaa Turjumay: Wasaaradda Cadaaladda iyo Arrimaha Garsoorka *2020*

CUTUBKA I
QODOBBO GUUD

QODOBKA 1AAD
UJEEDDADA HESHIISKAN

Ujeeddada Heshiiskan waa:

(a) in kor loo qaado lana xoojiyo tallaabooyinka looga hortagayo la- dagaallanka musuq-maasuqa si hufan oo wax-ku-ool ah;

(b) in kor loo qaado loona taageero iskaashiga caalamiga ah iyo farsamada Caawinta ka hortagga iyo la-dagaallanka musuq-maasuqa, oo ay ku jirto dib u soo-celinta hantida; iyo

(c) in kor loo qaado hufnaanta, isla-xisaabtanka iyo maareyn hab-sami leh ee arrimaha dadweynaha iyo hantida dadweynaha.

QODOBKA 2AAD
QEEXID

Si waafaqsan ujeeddooyinka Heshiiskan, waxaa ereyadan soo socda lagu qeexayaa:

(a) "Sarkaalka dadweynaha" waxaa loola jeedaa: (i) qof kasta oo haya xafiis sharci-dejin, fulin, maamul ama garsoor ee Dawlad Xubin ah , ha ahaado qof la magacaabay ama la doortay, mid ku-meel-gaar ah ama mid joogta ah, qof lacag qaadanaya ama qof aan lacag qaadan, iyadoo aan loo eegin qofkaas darajadiisa; (ii) qof kasta oo kale oo qabta shaqo guud, oo ay ku jiraan hay'ad dawladeed ama shirkad dadweyne, ama bixiya adeeg dadweyne, sida lagu qeexay sharciga gudaha ee Dawladda Xubinta ah iyo sida loogu dabaqay qeybta ku habboon ee sharciga Dawladda Xubinta ah; iyo (iii) qof kasta oo kale oo lagu qeexay inuu yahay "sarkaal dawladeed" sharciga gudaha ee Dawlad Xubin ah. Si kastaba, si waafaqsan ujeeddooyinka qaar kamid ah tallaabooyinka gaarka ah ee ku xusan Cutubka II ee Heshiiskan, "sarkaal dawladeed" waxaa lagu macnayn karaa qof kasta oo qabta hawl dadweyne ama bixiya adeeg dadweyne sida lagu qeexay sharciga gudaha ee Dawladda Xubinta ah iyo sida loogu dabaqay sharciga ku habboon ee Dawladda Xubinta ah;

(b) "Sarkaal Dadweyne ee Shisheeye" waxaa loola jeedaa qof kasta oo haya jago sharci-dejin, fulin, maamul ama jago garsoor dal shisheeye, ha ahaado mid la magacaabay ama la doortay, si ku-meel-gaar ah ama joogto ah,

iyo qof kasta oo qabta shaqo dadweyne, sida hay'ad dadweyne ama ama shirkad dadweyne;

(c) "Sarkaal dadweyne ee urur caalami ah" waxaa loola jeedaa shaqaale dadweyne oo caalami ah ama sarkaal ama qof kasta oo ay magacowdo hay'ad caalami ah, isagoo u matalaya wakiil ahaan.

(d) "Hanti" waxaa loola jeedaa hanti nooc kasta oo ay tahay, walax la taaban karo ama aan la taaban karin, guurto ama ma-guurto, iyo dokumentiyo qaanuuneed ama aalado caddeynaya lahaansho ama dan la xiriirta hantidaas;

(e) "Faa'iidooyin fal-dembiyeed" waxaa loola jeedaa wixii hanti ah oo ka yimaada ama lagu helay fal-dembiyeed, toos ama dadab, loo maray gelitaanka xad-gudub;

(f) "Xannibaad" ama "Xayiraad" waxaa loola jeedaa ku-soo-rogid xayiraad ku-meel-gaar ah, wareejinta, caddeyn, dhaqdhaqaaq hanti, ama gacan-ku-hayn ku-meel-gaar ah ama ilaalin hanti, si ku saleysan amar maxkamadeed ama hay'ad kale oo awood u leh;

(g) "La-wareegid" waxaa loola jeedaa la-wareegid hanti si joogta ah amar ka soo baxay maxkamad ama hay'ad kale oo awood u leh;

(h) "Xad-gudub dahsoon" waxaa loola jeeda dembi kasta oo ka dhasha Faa'iidooyinka laga helo fal-dembiyeed in uu noqonayo xad-gudub sida ku qeexay Qodobka 23aad ee Heshiiskan;

(i) "Gudbin xakameysan" waxaa loola jeedaa farsamada u oggolaanaysa shixnadaha sharci-darrada ah ama tuhun ku jiro inay ka gudbaan, gudaha ama galaan hal waddan ama in ka badan, iyadoo la raacayo aqoonta iyo kormeerka hay'adaha awoodda u leh, iyadoo aragtidu tahay baaritaan Xad-gudub iyo aqoonsiga shakhsiyaadka ku lugta leh gelitaanka xad-gudubka

QODOBKA 3AAD
BAAXADDA HESHIISKAN

1. Iyadoo la dabaqayo Heshiiskan iyo si waafaqsan qodobbadiisa ku saabsan Baarista, dacwad-oogista ee musuq-maasuqa, xannibaada, xayiraada, la-wareegidda iyo dib-u-soo-celinta hantida laga faa'iiday fal-dembiyeed si waafaqsan Heshiiskan.

2. Si waafaqsan ujeeddooyinka lagu hirgelinayo Heshiiskan, ma ahan lagama-maarmaan, marka laga reebo in si kale loogu sheego halkan, si ku aaddan xad-gudubyada ku xusan isaga dhexdiisa in laga dhaxlo waxyeello ama dhaawac hantida dawladda.

QODOBKA 4AAD
ILAALINTA MADAX-BANNAANIDA

1. Dawladaha Xubnaha ah waxay u fulinayaan waajibaadkooda si ku aaddan Heshiiskan ee qaab waafaqsan maabaadi'da sinnaanta madax-bannaanida iyo in aan la faro-gelin arrimaha gudaha ee Dawladaha kale.

2. Ma jiraan wax Heshiiskan dhexdiisa ah oo u jideynaya Dawlad Xubin ah in ay ka qabato xuduuda Dawlad kale fulinta ikhtisaas iyo waxqabad shaqooyin si buuxda loogu gaar-yeelay hay'adaha Dawladaas kale si waafaqansan sharcigeeda gudaha.

CUTUBKA II
HAL-BEEGYO KA-HORTEGITAAN
QODOBKA 5AAD
SIYAASADO IYO WAXQABADYO KA-HORTIGITAAN EE LA-DAGAALLANKA MUSUQ-MAASUQA

1. Dawlad kasta oo xubin ah waxay, si waafaqsan mabaadi'da asaasiga ah ee nidaamka qaanuunkeeda, horumarinaysaa oo hirgelinaysaa ama adkeynaysaa si wax-ku-ool ah, siyaasado la-dagaallan musuq-maasuq oo iskuduwan oo kor u qaadaya ka-qeyb-qaadashada bulshada iyo adeegsiga mabaadi'da talinta sharciga, maareyn hab-sami leh ee arrimaha dadweynaha iyo hantida dadweynaha, hufnaan, daah-furnaan iyo isla-xisaabtan.

2. Dawlad kasta oo xubin ah waxay ku dadaalaysaa dejinta qaab wax-ku-ool ah oo looga hortagayo musuq-maasuqa.

3. Dawlad kasta oo xubin ah heshiiskan, waxay ku dadaalaysaa sameynta qiimeyn-xilliyeed shuruucda khuseysa iyo tallaabooyin maamul, iyadoo looga gol-leeyahay in lagu go'aamiyo ku-filnaanshahooda ku aaddan ka-hortagga iyo la-dagaallanka musuq-maasuqa.

4. Dawladaha Xubnaha ah waxay, si ku habboon oo waafaqsan mabaadi'da asaasiga ah ee nidaamka qaanuunkooda, iska kaashanayaan dhexdooda iyo si khuseysa ururrada caalamiga ah iyo kuwa gobolkeed si kor loogu qaado oo loo horumariyo hab-beegyada lagu tilmaaman Qodobkan. In iskaashiga ay kamid noqonayaan ka-qeyb-galka barnaamijyada iyo mashaariicda caalamiga ah ee looga gol-leeyahay hortagga musuq-maasuqa.

QODOBKA 6AAD
GUDDI AMA GUDDIYO KA-HORTEGID LA-DAGAALLAN MUSUQ-MAASUQ

1. Dawlad kasta oo Xubin ah waxay, si waafaqsan mabaadi'da asaasiga ah ee nidaamka qaanuunkeeda, xaqiijinaysaa jiritaanka Guddi ama Guddiyo,

sida ugu habboon, oo ka hortaga musuq-maasuqa si ku aaddan hannaankaas sida:
(a) Dhaqan-gelinta siyaasadaha lagu xusay Qodobka 5aad ee Heshiiskan iyo, halka ku habboon, kor-joogteynta iyo iskuduwidda hirgelinta siyaasadahaas; iyo
(b) Kordhinta iyo faafinta aqoonta ku saabsan la-dagaallanka musuq-maasuqa.

2. Dawlad kasta oo Xubin ah waxay siinaysaa Hay'adda ama Hay'adaha ku xusan Faqradda 1aad ee isla Qodobkan madax-bannaanida lagama-maarmaanka u ah, si waafaqsan mabaadi'da asaasiga ah ee nidaamka qaanuunkeeda, si awood loogu siiyo Guddigaas ama Guddiyaashaas in hawlahooda u gutaan si wax-ku-ool ah kana xor ah saameyn kasta oo aan loo baahnayn, waxaana loo baahan yahay in loo oggolaado helidda agab iyo shaqaale takhasus leh, sidoo kale waxyaabaha ay u baahan yihiin shaqaalahaas oo uu kamid yahay tababar si ay waajibaadkooda ugu gutaan sida looga baahnaa.

3. Dawlad kasta oo Xubin ah waa in ay gaarsiisaa Xoghayaha Guud ee Qaramada Midoobay magaca iyo cinwaanka Hay'adda ama Hay'adaha hay'adda ama mas'uuliyiinta laga yaabo in ay ka caawiyaan dawladaha kale ee xubnaha ka ah heshiiskan hormarinta iyo hirgelinta tallaabooyinka gaarka ah oo looga hortagayo musuq-maasuqa.

QODOBKA 7AAD
QEYBTA DADWEYNAHA

1. Dawlad kasta oo xubin ah waxay, halka ku habboon iyo si waafaqsan mabaadi'da asaasiga ah ee nidaamka qaanuunkeeda, ku dadaalaysaa in ay dejiso, sugto, oo xoojiso nidaamyada ku aaddan shaqaaleysiinta, qoridda, haynta, dallacsiinta iyo hawl-gabnimada shaqaalaha rayidka ah iyo, halka ku habboon, saraakiisha dadweynaha ee kale ee aan la dooran:
(a) Taasi waxay ku saleysan tahay mabaadi'da wax-ku-oolnimo, daah-furnaanta, shuruuda hadafka sida mudnaanta, sinnaanta iyo kartida;
(b) Waxay isugu jirtaa hab-raacyo ku habboon xulashada iyo tababarka shakhsiyaadka si loogu wareejiyo jagooyinka dawliga ah ee loo tixgelinayo in ay tahay musuq-maasuq si gaar ah iyo in la hubiyo in loo magacaabay jagooyinka markii loo baahnaa;

(c) Waxay ku dhiirri-gelinaysaa in ay helaan mushaar ku filan oo si siman loo bixiyey iyadoo la raacayo heerka horumarka dhaqaale ee Dawladda Xubinta ah; iyo

(d) Waxay ku dhiirri-gelinaysaa in loo sameeyo aqoon-kororsi iyo tababar si ay ugu suurto-gasho shaqaalahaas in ay u gutaan waajibaadkooda shaqo oo ay u hayeen bulshada sida saxda ah, sharaf leh, waxqabad wanaagsan, iyo in loo oggolaado in ay helaan tababar gaar ah oo ku habboon si ay u helaan wacyi-gelin buuxda khatarta musuq-maasuqa ka dhex-jira shaqadooda Barnaamijyada noocan ah waxay noqon karaan tixraac iyo hal-beegyo wanaagsan meelaha looga dhaqmo sharcigan.

2. Dawlad kasta oo xubin ah waa in ay tixgelisaa qaadashada sharci-dejin ku habboon iyo tallaabooyin maamul oo waafaqsan ujeeddadooyinka heshiiskan iyo si waafaqsano mabaadi'da asaasiga ah ee sharcigeeda gudaha, si loo qeexo shuruuda khuseysa musharaxnimada iyo doorashada xafiis dadweyne.

3. Dawlad kasta oo xubin ka ah heshiiskan waa in ay tixgelisaa qaadista tallabooyin sharci-dejin iyo maamul ee ku habboon si joogta ah iyadoo raacaysa ujeeddooyinka heshiiskan iyo si waafaqsan mabaadi'da asaasiga ah sharcigeeda gudaha, si kor loogu qaado daah-furnaanta maal-gelinta musharaxiinta ee loo doortay xafiis dadweyne iyo, halka ku habboon, maal-gelinta axsaabta siyaasadeed.

4. Dawlad kasta oo xubin ah si waafaqsan mabaad'ideeda asaasiga ah ee shuruucda dalkeeda waxay isku dayeysaa in ay qaadato,joogteyso oo xoojiso nidaamyada dhiirri-gelinaya daah-furnaanta iyo ka-hortagga khilaafaadka danahooda

QODOBKA 8AAD

XEERARKA ANSHAXA EE SARAAKIISHA DADWEYNAHA

1- Si loola dagaalamo musuq-maasuqa, Dawlad kasta oo Xubin ah waxay ka shaqeyneysaa hormarinta daah-furnaanta, amaanada iyo si ay ku dheehan tahay mas'uuliyad shaqaalaheeda dhexdooda si waafaqasan mabaad'ideed asaasiga ah ee shuruucda dalkeeda.

2- Si gaar ah Dawlad kasta oo Xubin ah waxay ku dadaaleysaa in ay ku dabaqdo nidaamyadeeda hay'adeed iyo mid sharciyeed ,xeerarka iyo hal-beegyada wanaagsan si ay u gutaan waajibaadkooda shaqo oo ay u hayeen bulshada sida saxda ah

3- Ujeeddada fulinta faqradaha qodobkan Dawlad kasta oo Xubin ah iyadoo raacaysa mabaad'ideeda asaasiga ah ee shuruucda dalkeeda in ay fiiro gaar ah u yeelato dadaalada xiriirka la leh oo ay qaadanayaan ururada gobolka iyo gobolada kala duwan sida xeerka anshaxa-marinta caalamiga ah ee shaqaalaha dawladda oo ku jira lifaaqa qaraarka guud ee dib-u-heshiisiinta 15/59 12/ December 1996.

4- Dawlad kasta oo Xubin ah iyadoo raacaysa mabaad'ideeda asaasiga ah ee shuruucda dalkeeda, waa in ay tixgelisaa abuurista tallaabooyin iyo nidaamyo lagu fududeenayo soo-gudbinta mas'uuliyiinta Dawladda ee ku dhaqaaqa musuq-maasuqa ,hay'adaha awoodda uleh, marka ay falalka noocaan oo kale ah ay ku ogaadaan gudashada waajibaadkooda.

5- Dawlad kasta oo Xubin ah waxay ku dadaaleysaa si waafaqsan mabaad'ideeda asaasiga ah iyo shuruucda dalkeeda in ay dejiso hal-beegyo iyo nidaamyo ku waajibinaayo shaqaalaha dawladdaas loogu muujiyo hay'adaha loo xilsaaray waxyaabo qaarkood oo ay ku jiraan waxqabadkooda dibadda, maal-gashiga, tabarucaada, faa'iidooyin badan oo u horseedi kara isku-dhac danta shaqadooda shaqaale dawladeed ahaan.

6- Dawlad kasta oo Xubin ah waxay ku dadaaleysaa si waafaqsan mabaad'ideeda asaasiga ah iyo shuruucda dalkeeda in ay qaado anshax-marin iyo tallaabooyin kale oo ka dhan ah shaqaalaha dawladda kuwaasoo ku xad-gudbay xeerarka iyo hal-beegyada lagu asaasay xeerkan si waafaqsan qodobkan.

QODOBKA 9AAD

SOO-GADASHO GUUD IYO MAAREYNTA DHAQAALAHA DADWEYNAHA

1. Dawlad kasta oo Xubin ah si waafaqsan mabaadi'deeda asaaasiga ah iyo shuruucda dalkeeda, waxay qaadeysaa tallaabooyinka lagama-maarmaanka ah si loo abuuro nidaamyada ku habboon wax-soo-gadashada, kuna saleysan daah-furnaanta, tartanka iyo ujeeddada dhabta ah ee go'aan-qaadashada, kuwaasoo wax-ku-ool ah, kana hortegayo musuq-maasuqa, nidaamyada noocaan ah oo tixgelin kara qiimeynta heerka ugu habboon ee codsigooda, waxaa kamid ah arrimaha soo socda:

(a) qeybinta xogta la xiriirta hab-raacyada iyo heshiisyada wax-gadashada oo ay ku jiraan warbixinnada ama dukumintiyada xiriirka la leh heshiisyada, casuumaadaha ka-qeyb-galka, warbixinnada la xiriira heshiiska ama bixinta qandaraasyada, oggolaashaha suurto-galka ah ee qandaraasleyaasha iyadoo la siinayo waqti ku filan oo ay ku diyaariyaan kuna soo gudbiyaan qandaraasyadooda;

(b) in horay loo sii sameeyey loona baahiyey shurudaha ka-qeyb-galka oo

ay kamid yihiin xulashada iyo shuruudaha abaal-marinta ‹xeerarka hindisaha yareynta;

(c) adeegsiga ujeeddooyinka iyo shuruudaha horay loo qorsheeyey si loo qaato go'aan la xiriira wax-soo-gadashada dawladeed,oo loo fududeeyo xaqiijinta adeegsiga saxda ah ee xeerarka ama hab-raacyada;

(d) in la sameeyo Nidaam wax-ku-ool ah oo dib-u-eegis gudaha ah, oo ay ku jirto nidaamka rafcaan-qaadashada, si loo hubiyo waddo sharci ah oo lagu gudbiyo cabashada iyo dib-u-hagaajinta haddii ay dhacdo in la raaci waayo xeerarka ama hab-raacyada loo dejiyey sida ku xusan faqraddan; iyo

(e) in la qaado tallabooyin wax-ku-ool ah markii loo baahdo si loogu habeeyo arrimaha xiriirka la leh shaqaalaha mas'uulka ka ah soo gadashada, sida in la ogeysiiyo maslaxad kasta oo ku jirta in dawladda ay soo gadato waxyaabo gaar ah iyo hab-raaca baaritaannada iyo baahiyaha tababarka.

2. Dawlad kasta oo Xubin ah waxay qaadeysaa si waafaqsan mabaadi'deeda asaasiga ah iyo shuruucda dalkeeda tallaabooyinka ku habboon si kor loogu qaado daah-furnaanta iyo isla-xisaabtanka maamulka maaliyadeed ee dawladda. Tallaabooyinka noocan oo kale ah waa inay ka kooban yihiin waxyaabahan soo socda:

(a) hab-raacyada ee ku tiirsan tahay miisaaniyadda dawladda;

(b) In si ku-meel-gaar ah looga warbixiyo dakhliga soo galay iyo kharashaadka ka baxay ;

(c) Nidaamka xisaabaadka iyo hal-beegyada heerarka xisaabinta iyo kormeerka la xiriira;

(d) Nidaamyada wax-ku-oolka ah ee saameynta leh ee la xiriira maareynta halista ah iyo xakameynta gudaha; iyo

(e) in ay qaado markay ku habboon tahay, tallaabo sixitaan ah oo ku saabsan dacwadaha lagu guul-daraysto in loo hoggaansamo shuruudaha lagu asaasay faqraddan 3.dawlad kasta oo xubin ah waxay qaadaysaa talaabooyin madani iyo mid maamul intaba, iyadoo la raacayo mabaadi'da asaasiga ah ee shuruucda dalkeeda , si loo ilaaliyo bad-qabka buugaagta xisaabaadka, diiwaannada, bayaannada maaliyadeed ama dukumiintiyo kale ee la xiriira kharashka dawladda iyo dakhliga iyo in laga hortago been-abuurka dukumintiyada noocan oo kale ah.

QODOBKA 10AAD
WARBIXINTA DADWEYNAHA

Iyadoo la tixgelinayo baahida loo qabo la-dagaallanka musuq-maasuqa, Dawlad kasta oo xubin ka ah heshiiskan, si waafaqsan mabaadi'deeda asaasiga ah ee shuruucda dalkeeda, waxay qaadeysaa tallabooyinka lagama-

maarmaanka u ah in kor loogu qaado daah-furnaanta maamulkeeda dawladeed, oo ay kamid tahay qaabka ay u nidaamineyso hawlaheeda, shaqaaleysiinta iyo go'aan-qaadashadeeda iyadoo la tixraacayo markii loo baahdo tallaabooyinka noocan oo kale ah waxaa kamid noqon kara:

(a) ku-tiirsanaanta hab-raacyo ama xeerar u oggolaanaya dadka oo dhan in ay helaan, macluumaad ku saabsan qaabka ay u nidaamineyso hawladeeda, shaqaaleysiinta iyo go'aan-qaadashadeeda ,iyadoo la tixraacayo markii loo baahdo Tallaabooyinka noocan oo kale ah , shaqeynta iyo geedi-socodka go'aan-qaadashada ee maamulkeeda iyadoo la ixtiraamayo ilaalinta macluumaadka gaarka ah iyo macluumaadka shakhsiga, go'aanada iyo ficillada sharciga ee walaac ka muujinaya xubnaha dadweynaha;

(b) fududaynta nidaamyada maamul, markii loo baahdo, si loogu fududeyo dadweynaha gaaritaanka hay'adda awoodda uleh ee go'aanka qaadaneysa; iyo

(c) baahinta macluumaadka, oo ay kujirto warbixino xilliyeed oo kusaabsan halista Musuq-maasuqa uu ku leeyahay maamulkiisa dawladeed.

QODOBKA 11AAD
HAL-BEEGYADA LA XIRIIRA GARSOORKA IYO ADEEGYADA DACWAD-OOGISTA

1. Iyadoo maanka lagu hayo madax-bannaanida Garsoorka iyo tallaabooyinka muhiimka ah ee la-dagaallanka musuq-maasuqa, dawlad kasta oo xubin ah waxay si waafaqsan Mabaadi'da Asaasiga ah ee Nidaamkeeda sharci ee aan ka hor-imaanaynin madax-bannaanida Garsoorka, waxay qaadaysaa tallaabooyin lagu xoojinayo ee looga hortagayo fursadaha musuq-maasuqa ee xubnaha Garsoorka. Tallaabooyinka noocan oo kale ah waxaa kamid noqonaya Xeererka la xiriira Anshaxee Xubnaha Garsoorka.

2. Tallaabooyinka la qaaday iyadoo la raacayo faqradda (1) ee qodobkan, waxaa lagu soo bandhigayaa laguna dabaqayaa adeegga dacwad-oogista ee Dawladaha Xubnaha ah taasoo aysan kamid aheyn qeybta Garsoorka laakiin waxay xaq u yeelanayo madax-bannaani la mid ah Adeegga Garsoorka.

QODOBKA 12AAD
HAY'ADAHA GAARKA AH

1. Dawlad kasta oo xubin ah waxay qaadaysaa talaabooyin ku saleysan mabaadi'da asaasiga ah ee shuruucdeeda, si looga hortago musuq-maasuqa la xiriira hay'adaha gaarka ah, xoojinta xisaabinta iyo hal-beegyada hanti-

dhawridda ee hay'adaha gaarka ah iyomarka ay ku habboon tahay bixinta wax-ku-ool ah ee saami-qeybsiga iyo ganaaxyada madaniga ah, maamulka ama ciqaabta fal-dembiyeedyadaciqaabta dembiyada ee ku guul-dareysiga u hoggaansanaanta tallaabooyinka noocaas ah.

2. Tallaabooyinka lagu gaarayo ujeeddooyinkan waxaa kamid noqonaya:-
(a) dhiirri-gelinta wada-shaqeynta hay'adaha sharci-fulinta iyo hay'adaha gaarka
ah;
(b) dhiirri-gelinta horumarinta hal-beegyada iyo hab-raacyada loogu tala-galaydhowridda Hufnaanta hay'adaha gaarka ah oo ay ku jiraan Xeerarka anshaxa ee dhaqan-galka ah, sharafta iyo wax-qabadka saxda ah ee hawlaha ganacsiga iyo dhammaan xirfadaha la xiriira iyo ka-hortagga khilaafaadka danaha, iyo sare u-qaadista adeegsiga dhaqamada ganacsiga wanaaga ee ganacsatada dhexdooda iyo xiriirka qandaraas ee ganacsatada Dawladda;
(c) dhiirri-gelinta daah-furnaanta hay'adaha gaarka ah oo ay ku jirto marka ay ku habboon tahay tallaabooyinka la xiriira aqoonsi sharci iyo dadka caadiga ah ee ku lug leh Asaasidda iyo maareynta Iskaashiga hay'adaha;
(d) ka-hortagga si xun u adeegsiga nidaamyada lagu maamulayo hay'adaha gaarka ah oo ay ku jiraan habr-aacyada ku saabsan kaabida iyo shatiyadaay siiso dawladdu hawlaha Ganacsiga;
(e) ka-hortagga khilaafaadka danaha soo rogaya xayiraad, sida ku habboon ee waqtiga macquulka ah, hawlaha xirfadeed ee saraakiishii hore ee dadweynaha ama shaqaaleysiinta saraakiisha dadweynaha ee hay'adaha gaarka ah kaddib marka ay is casilaan ama hawl-gab noqdaan, marka ay hawlahaas ama shaqooyinkasi toos ula xiriiraan Hawlaha ay hayaan ama kormeerayaan saraakiisha dadweynaha muddadii ay xilka haayeen;
(f) hubinta hay'adaha gaarka ah iyagoo tixgelinayo qaab-dhismeedka iyo cabirka ay leeyihiin kontarool hanti-dhawra gudaha ah oo ka caawinayso ka-hortagga iyo oggaanshaha falalka musuq-maasuqa iyo akoonnada iyo warbixinnada maaliyadeed ee loo baahan yahay ee hay'adaha gaarka ah oo ay ku xiran yihiin hanti-dhawridda ku habboon iyo hab-raacyada shahaadada.

3. Si looga hortago musuq-maasuqa, dawlad kasta oo xubin ah waxay qaadaysaa tallaabooyinka ku habboon, iyadoo la raacayo shuruucdeeda iyo Xeer- hoosaadyadeeda la xiriira dib-u-habeynta dukumintiyada iyo diiwaannada, saacinta warbixinada maaliyadeed iyo xisaabinta iyo hal-beegyada hanti-dhawridda, si loo reebo falalka soo socda ee lagu fuliyey

ujeeddada mid kamidah dembiyadii lagu asaasay si waafaqsan heshiiskan.

(a) asaasidda xisaabaadka ka baxsan buugaagta;

(b) saameynta buugaagta ka baxsan ama aan ku filnayn macaamil ganacsi lacageed;

(c) diiwaan-gelinta kharashaad aan jirin;

(d) soo-gelitaanka deymo leh aqoonsi aan sax aheyn ee sheeyadooda;

(e) adeegsiga dukumiintiyada beenta ah; iyo

(f) u burburinta si ula kac ah dukumiintiyada keydsan ee horay sharcigu u sheegay.

4. Dawlad kasta oo xubin ah waxay u diidaysaa canshuur-dhimista kharashyada inay noqdaan laaluush, tan waa mid kamid ah waxyaabaha tiirarka u ah dembiyada lagu asaasay si waafaqsan qodobbada 15 iyo 16 ee heshiiskan iyo, marka ay ku habboon tahay, kharashyada kale ee la xiriira wanaajinta anshaxa.

QODOBKA 13AAD
KA-QEYB-GALKA BULSHADA

1. Dawlad kasta oo xubin ah waxay qaadaysaa talaabooyinka ku habboon oo waafaqsan mabaadi'da asaasiga ah ee shuruucdooda, si kor loogu qaado ka-qeyb-galka shakhsiyaadka firfircoon iyo kooxaha ka baxsan hay'adaha dadweynaha, sida bulshada rayidka, ururada aan-dawliga ahayn iyo ururada ku saleysan bulshada ee ka-hortagga iyo la-dagaallanka musuq-maasuqa iyo in kor loo qaado wacyi-gelinta dadweynaha ee xiriirta jiritaanka, sababaha iyo baaxadda iyo khatarta uu leeyahay musuq-maasuqa. Ka-qeyb-galeyaasha waa in lagu xoojiyaa tallaabooyinkan:

(a) Kobcinta daah-furnaanta iyo kor-u-qaadista ka-qeyb-galka dadweynaha ee Hawlaha go'aan-gaarista;

(b) Hubinta in dadweynuhu ay si wax-ku-ool ah u helaan xogta;

(c) Qadashada macluumaadka hawlaha dadweynaha ee ka-qeyb-galka dulqaad-la'aanta musuq-maasuqa iyo sidoo kale barnaamijyada waxbarashada dadweynaha, oo ay ku jiraan manhajka dugsiyada iyo jaamacadaha;

(d) Ixtiraamka, kobcinta iyo ilaalinta xorriyadda raadinta, helitaanka, Daabicidda iyo faafinta macluumaadka khuseeyo musuq-maasuqa. Xoriyaddaas waxaa laga yaabaa inay ku xirnaato xannibaado gaar ah, laakiin kuwan waxaa kaliya oo ay noqon karaan kuwa sharcigu siiyey oo lagama-maarmaanka ah:-

(i) in la ixtiraamo xuquuqaha ama sharafta dadka kale; iyo
(ii) Ilaalinta amniga qaranka ama dib-u-dhac ku yimid ama caafimaadka guudama akhlaaqda.

2. Dawlad kasta waxay qaadaysaa tallabooyinka ku habboon si loo hubiyo in guddiga la-dagaallanka musuq-maasuqa ee lagu xusay heshiiskan inay og'yihiin dadweynaha iyo bixinta waxyaalaha ay heli karaan guddigaas, marka ay ku habboon tahay warbixinta oo ay iskugu jirta si qarsoodi ah, dhacdooyin kasta oo loo arki karo inay yihiin fal-dembiyeed lagu asaasay si waafaqsan Heshiiskan.

QODOBKA 14AAD
HAL-BEEGYADA LOOGA HORTAGAYO LACAG-DHAQIDA

1. Dawlad kasta oo xubin ah waxay sameynaysaa:
(a) nidaamyo sharci-dejin oo dhammeystiran iyo nidaam kormeer oo loogu talo-galay bankiyada iyo hay'adaha maaliyadeed ee aan ahayn bankiyada, oo ay ku jiraan shakhsiyaadka caadiga ah ama kuwa sharciga ah ee bixiya adeegyo rasmi ah ama aan rasmi ahayn xagga gudbinta lacagta ama qiimaha iyo, marka ay ku habboon tahay, guddigayd kale gaarka ah ee u nugul lacag-dhaqida oo aan u laheyn Awood-xirfadeed, si looga hortaggo loona ogaado dhammaan noocyada lacag-dhaqida, marka la xoojinayo shuruudaha macaamilka iyo marka ay ku habboon tahay, aqoonsiga milkiilaha wax-tarka leh, diiwaan-gelinta iyo soo-gudbinta warbixinta macaamil ganacsi laga shakiyey; iyo
(b) iyadoo aan ku xad-gudbeyn qodobka 46aad ee Heshiiskan, inay hubiso maamulka, sharciyada, fulinta sharci iyo awoodaha kale u heellan la-dagaallanka lacag-dhaqida (oo isugu jirto, marka ay ku habboon tahay shuruucdooda Awoodaha Garsoorka) waxay awood u yeelanayaan iskaashi iyo is-dhaafsi macluumaadka heer Qaran iyo kuwa caalamiga ah marka loo eego shuruudaha u dagsan shuruucdeeda, waxay tixgelinaysaa asaasidda Qeyb Sir-doon-maaliyadeed oo u adeegaysa sidii xarun Qaran oo loogu talo-galay ururinta, falanqeynta iyo faafinta macluumaadka la xiriira lacag-dhaqida.

2. Dawladaha Xubnaha ah waxay tixgelinaysaa hirgelinta hab-beegyada macquul ah oo lagu ogaanayo laguna kormeerayo dhaqdhaqaaqa lacagta caddaanka ah iyo aaladaha gorgortanka ku habboon ee laga gudbinayo xuduudahooda, iyadoo dhawraysohubinta adeegsiga macluumaadka saxda ah oo aan wax

loogu dhimeyn dhaqdhaqaaqa raasamaalka sharci dhan kasta. Hal-beegyada noocan oo kale ah waxaa kamid noqonaya shuruud ah shakhsiyaadka looga baahan yahay iyo ganacsatada iyo in ay ka soo warbixiyaan ka gudbinta xuduud lacag fara badan oo caddaan ah iyo aaladaha gorgortanka ku habboon.

3. Dawladaha Xubnaha ah waxay tixgelinayaan hirgelinta hal-beegyada loogu baahan yahay hay'adaha-maaliyadeed, oo ay ku jiraan kuwa xawaaladaha lacagta:
(a) Ku darista foomamka wareejinta elektarooniga ee lacagaha iyo wixii la xiriira
farriimaha saxda ah iyo macluumaad macno leh oo asal ah;
(b) In la ilaaliyo macluumaadkaas inta lagu gudo-jiro silsiladda bixinta; iyo
(c) Isticmaalidda baaritaan kor loogu qaadaayo wareejinta lacagaha aan ku jirin
macluumaad dhammeystiran oo ku saabsan asalkii.

4. Asaasidda nidaamyo sharci iyo kormeerid iyadoo la raacayo qodobkan iyo qodobbda kale ee heshiiskan, Dawladaha Xubnaha ah waxaa loogu yeerayaa in ay u isticmaalaan hagidda dadaallada la xiriira gobolka, inta u- dhaxeeysa gobolada iyo ururro badan ee ka shaqeeya la-dagaallanka lacag-dhaqida.

5. Dawladaha Xubnaha ah waxay ku dadaalayaan horumarinta iskaashiga caalamiga ah, gobolka iyo iskaashiga laba dhinac ee Garsoorka, fulinta sharciga iyo sharci-dejinta maaliyadeed si loola dagaallamo lacag-dhaqida.

CUTUBKA III
DEMBIYEYNTA IYO FULINTA SHARCIGA

QODOBKA 15^AD
LAALUUSHKA SARAAKIISHA DADWEYNAHA EE QARANKA

Dawlad kasta oo Xubin ah waxay qaadaysaa sharci-dejin kasta iyo hal-beegyada kale ee ku habboonee lagu caddeynayo fal-dembiyeed marka si ula kac ah loo geysto:
(a) Ballan-qaadkala siinayo sarkaal dadweyn, si toos ah ama si aan toos ahayn, faa'iido aan caadi aheyn, sarkaalka naftiisa ama nafteeda ama qof kale ama hay'ad, in uu noqdo fal rasmi ama ka fogaado falka. inta uu ku gudo-jiro isaga ama ayada waajibaadkooda rasmiga ah; iyo
(b) codsiga ama oggolaansaha sarkaal dadweyne, si toos ah ama si dadban, Faa'iido aan caad ahayn, sarkaalku nafsdiisa ama nafteeda ama qof kale ama

hay'ad, si uu u noqdo fal rasmi ah ama ka fogaado falka inta uu ku gudo-jiro isaga ama ayada waajibaadkooda rasmiga ah.

QODOBKA 16AAD
LAALUUSHKA SARAAKIISHA DADWEYNAHA EE SHISHEEYE IYO SARAAKIISHA DADWEYNAHA EE URURRADA CAALAMIGA AH

1. Dawlad kasta oo xubin ah waxay qaadaysaa sharci-dejin kasta iyo halbeegyada kale ee ku habboon ee lagu caddeynayo fal-dembiyeed marka si ula kac ah loo galo, ballan-qaadka la siinayo sarkaal dadweyn ee shisheeye ama sarkaal ka tirsan ururrada caalamiga ah, si toos ah ama si dadban, faa'iido aan caadi ahayn, sarkaalku nafsadiisa ama nafsadeeda ama shakhsi kale ama hay'ad, si uu falka u noqdo rasmi ama ka fogaado falkainta uu ku guda jirto isaga ama ayada waajibaadkooda rasmiga ah, si uu u helo ama u sii haysto ganacsi ama faa'iidooyinka kale ee aan caadi ahayn oo la xiriira dhaqanka Caalamiga ah.

2. Dawlad kasta oo xubin ah waxay tixgelinaysaa sharci-dejin kasta iyo halbeegyada kale eek u habboon ee lagu caddeynayo fal-dembiyeed, markii si ula kac ah loo galay, codsashada ama oggolaanshaha sarkaal dadweyn shisheeye ama sarkaal ka tirsan hay'ad caalamiga ah, si toos ah ama si dadban, faa'iido aan caadi ahayn, sarkaalka naftiisa ama nafteeda ama shakhsi kale ama hay'ad, si uu u noqdo falka rasmi ah ama ka fogaado falka inta uu ku guda-jiro isaga ama iyada waajibaadkooda rasmiga ah.

QODOBKA 17AAD
KHAYAANO LUNSASHO AMA WAREEJIN KALE EE HANTI UU LEEYAHAY SARKAAL DADWEYNE

Dawlad kasta oo xubin ah wuxuu qaadaysaa sharci-dejin kasta iyo halbeegyada kale ee ku habboon, ee lagu caddeynayo fal-dembiyeed, markii si ula kac ah loo galo, khayaano, lunsasho ama wareejin kale ee sarkaal dadweyne isaga ama iyada faa'iido ama faa'iido qof kale ama hay'ad, hanti kasta ee guud ama hanti gaar ah ama amniga ama wax kasta oo qiimo leh oo lagu aaminay sarkaalka dadweyne, iyadoo loo maleynayo jagadiisa isaga iyo iyada Samofale.

QODOBKA 18AAD
SAAMEYNTA GANACSIGA

Dawlad kasta waxay tixgelinaysaa qaadista sharci-dejin kasta iyo hal-beegyada kale ee ku habboon ee lagu caddeynayo fal-dembiyeed markii si ula kac ah loo geysto:

(a) Ballan-qaadka, la siinayo sarkaal dadweyne ama qof kale, si toos ah ama si dadban, faa'iido aan caadi aheyn uu amray sarkaal dadweyne ama qof lagu xad-gudbay isaga ama iyada ama saameyn suurta-gal ah, iyadoo ujeeddadu tahay in la helo maamul ama awood dawladeed ee dawlad xubin ka ah faa'iidooyin aan caadi ahayn oo ku saabsan falka asalka ah ama qof kasta oo kale; iyo

(b) Codsashada ama aqbalaadda sarkaal dadweyn ama qof kale, si toos ah ama si dadban, faa'iido aan caadi ahayn naftiisa ama nafteeda ama qof kale uu amray sarkaal dadweyn ama qof lagu xad-gudbay isaga ama iyada ama saameyn suurta-gal ah, iyadoo ujeeddadu tahay in laga helo maamul ama awood dawladeed ee dawlad xubin ka ah faa'iido aan caadi ahayn.

QODOBKA 19AAD
KU XAD-GUDUBKA SHAQOOYINKA

Dawlad kasta oo xubin ah waxay tixgelinaysaa sharci-dejint kasta iyo hal-beegyada kale ee ku habboon ee lagu caddeynayo fal-dembiyeed, marka si ula kac ah loo galo, ku xad-gudubka shaqooyinka ama boosaska, taasi waa, waxqabadka ama ku guul-dareysiga saameyn fal, ku xad-gudubka shuruucda, ee sarkaal dadweyne marka laga saaro shaqadiisa isaga ama iyada, ujeeddaduna tahay helitaanka faa'iido aan caadi ahayn naftiisa ama nafteeda ama qof kale ama hay'ad.

QODOBKA 20AAD
SAAMEYNTA SHARCI-DARRADA AH

Iyadoo la tixraacayo Dastuurka iyo mabaadii'da asaasiga ah ee nidaamkeeda sharciga, Dawlad kasta oo xubin ah, waxay tixgelinayaa sharci-dejin kasta iyo hal-beegyada kale ee ku habboonee lagu caddeynayo fal-dembiyeed markii si ula kac ah loosoo galo, Saameynta Sharci-darrad ah, taasi waa siyaado kasta oo muhiim ah Hantida ee sarkaal dadweyne isaga ama iyada si macquul ah uma sharxi karto macluumaad ku saabsan dakhligiisa sharciga ah isaga/iyada.

QODOBKA 21AAD
LAALUUSHKA HAY'ADAHA GAARKA AH

Dawlad kasta oo xubin ah waxay tixgelinaysaa sharci-dejint kasta iyo hal-beegyada kale ee ku habboon ee lagu caddeynayo fal-dembiyeed, marka si ula kac ah loogu galo hawlaha dhaqaalaha, maaliyada ama hawlaha ganacsiga:

(a) Ballan-qaadka, la siinayo, si toos ah ama si dadban faa'iido aan caadi aheyn qof

kasta oo hagaya ama ka shaqeyanaya, awoodiisiinta hay'ad gaar ah, qofka naftiisa ama nafteeda ama qof kale, si uu u jebiyo waajibaadkiisa ama u joojiyo fal; iyo

(b) Codsashada ama aqbalaadda, si toos ah ama si dadban, faa;iido aan caadi aheyn qof kasta oo hagaya ama ka shaqeeya, awood-siinta hay'ad gaarka ah qofka laftiisa ama nafteeda ama qof kale, si uu u jabiyo waajibaadkiisa, ama u joojiyo fal.

QODOBKA 22AAD
LUNSASHADA HANTIGA SHIRKADAHA GAARKA LOO LEEYAHAY

Dawladda Xubinta ah Heshiiska waxay tixgelinaysaa dhaqan-gelinta Shuruucda iyo hal-beegyada kale oo ku habboon in la asaaso xad-gudubyada Dembileyaasha oo kale, marka lagu galay si Caalami ah xaalada dhaqaale, Maaliyadeed ama hawlo ganacsi, uu lunsaday Shakhsiga Agaasimaha ka ahaa ama ka shaqeeynayey, Awood kasta, hanti kasta oo ay laga leedahay Hay'ad Sharci ku dhisan, hanti gaar ah ama mid Amni, iyo walxo kale oo qiimo leh oo lagu aaminay asaga/iyada oo looga faa'iideystay Xilkiisa ama xilkeeda.

QODOBKA 23AAD
DHAQIDA FAA'IIDADA LAGU HELAY FAL-DEMBIYEEDKA

1. Dawlad kasta oo xubin ah waxay dhaqan-gelinaysaa si waafaqsan Mabaadi'da asaasiga ah ee Xeerarka dalka sida Shuruuxda iyo hal-beegyada kale oo ku habboon in la asaaso falal Xad-gudub ahmarka lagu galo si caalami ah:

a) (i) heshiiska ama Xawilaada Hantida iyagoo xog ogaal loo yahay hantidaas in laga faa'iidey fal-dembiyeed ujeedadiisu tahay in la qariyo, ama lagu dhex-mile hantida Asalka ah mida Sharci-darada ah si looga caawiyo qof kasta oo qeyb ka ah Amarada falalka fal-dembiyeedka laga dhigay, si uu uga fogaado natiijada tallaabada sharci .

(ii) qarinta ama ku dhex-melida si qaab sax ah, Ilaha, goobta, hab-dhaqanka, dhaqdhaqaaqa ama Xuquuqda milkiilaha ay ku jirto Xushmada Hantida iyadoo la ogaanayo hantidaas in laga faa'iiday fal-dembiyeed;

b) Nuxurka oo lagu saleyey u-hoggaansanka nidaamka Sharciga;

(i) Soo gadshada iyo Milkiyada ama isticmaalka Hantida, iyadoo la ogyahay Mudda qoraalka qaan-sheega la qaatay, hantidaas oo ah faa'iido lagu helay fal-dembiyeed;

(ii) Ka-qeyb qaadashada, lala xiriiriyey ama shirqool la galay, isku day galid dembi, ama gacan kasiin, fududeyn ama qarinta lagu galay Xad-gudubyo oo fal-dembiyeed ka dhigaya sida ku xusan qodonkan,

2. Iyadoo ujeeddadu tahay dhaqan-gelinta faqradda (1) ee qodobkan: Dawlad kasta oo xubin ah waxay dhaqan-gelinaysaa Faqradda (1) ee Qodobkan si loo faafiyo Xaddiga fal-dembiteedka loo cuskaday

a. Dawladda Xubnaha aka ah waxay kusoo darayaa fal-dembiyeedyada lo cuskaday ugu yaraan Darajada wadajirka ah ee Xad-gudubyada Dembeelaha taasoo lagu xusay heshiiskan;

b. Iyadoo ujeeddadu tahay faqrad-hoosaadka (b) ee kore fal-dembiyeedka ee loo cuskaday waxaa in fal-dembiyeed la galay labo jeer si wadjir ah iyo meel ka baxsay Xuduud-dhuleedka Dawladda Xubnaha ka ah iyadoo ka dhigayo Fal-dembiyeed loo cuskaday oo kaliya marka lala xiriiriyo hab-dhaqan ee fal-dembiyeedka si waafaqsan Shuruucda dalka lagu galay Fal-dembiyeedka oo ay tahay in loo tixgeliyo Fal-dembiyeed si waafaqsan Shuruucda Dalka ee Dawladda xubinta ka ah Heshiiska, dhaqa-gelinta iyo dabaqaada qodobkan sidii fal-dembiyeedka uu halkaas ka dhacay oo kale:

c. Dawlad kasta oo xubin ah, waxay siinaysaa nuqul shuruucdeeda kamid ah siismadaas waxay saameynaysaa qodobkan iyo Xaaladaha isbeddelaya ee ku addan shuruucdaas iyo tilmaamaha kazoo baxa Xoghaye Guud ee Qaramada Midoobay:

d. haddii loo baahdo Mabaadi'da asaasiga u ah shuruucda Dalka ee Dawladda xubinta ka ah Heshiiska waa suurta-gal ah inay keento fal-dembiyeedyada ku xusan faqradda (1) ee qodobkan laguma dabaqayo shakhsiyaadka galay Fal-dembiyeedka asalka ah.

QODOBKA 24AAD

QARIN

Iyadoo aan wax loo dhimeynin faqradaha Qodobka 23aad ee heshiiskan, Dawlad kasta oo xubin ah waxay tixgelinaysaa Dhaqan-gelinta Shuruudahaas iyo Hal-beegyada kale oo ku habboon oo si fal-dembiyeed looga dhigo, marka lagu galo si niyad, marka la galo fal-dembiyeed oo dembi ka dhigayo si waafaqsan Heshiiskan, iaydoo aan la haynin cid ka qeyb-qaadatay fal-

dembiyeedka, Qarinta ama la xiriira hantida la lunsaday, marka shakhsiga qeybta ka ah ogyahay hantidaas tahay faa'iiday lagu helay fal-dembiyeed, sida ku xusan heshiiskan.

QODOBKA 25AAD
IS-HORTAAGA GEEDI-SOCODKA CADAALADDA

Dawlad kasta oo Xubinta ah waxay dabaqaysaa Shuruucdaas iyo hal-beegyadooda taasoo ku habboon ee Dembi ka dhigida fal-dembiyeedka haddii loo galo si ku tallo-gal ah:

(a) isticmaalka Awood-jireed ah ama hanjbaad, cabsi-gelin, Balan aaddan Mudnaan aan Xaq loo yeelan, soo-bandhgid ama bixinta Ballan-qaad ku aaddan in la galo Markhaati-beenaad, iyo in faro-gelin lagu sameeyo gudasho markhaatiga ama gubinta Caddeymo in lagal hab-raacyo xiriir la leh falal laga dhigay dembi si waafaqsan heshiiskan:

(b) isticmaal Awood-jireed, handadaad iyo cabsi-gelin in la faro-gelin lagu sameeyo hawlaha Shaqaale Garsoor, ama saraakiisha Fuliyeyaasha Sharciga oo lala xiriiriyo galay Fal-dembi laga dhigayu si waafaqsan Heshiiskan, iyadoo aan wax loo dhimeynin faqrad hoosaadkan, Dawladda xubinta ka ah Heshiiska waxay xaq u yeelanaysaa in ay sameystaa Shuruuc, taasoo ilaalinaysa Xubnaha kala duwan ee Shaqaalaha Dadweynaha ah.

QODOBKA 26AAD
MAS'UULIYADA SHAKHSIYAADKA SIFO SHARCI LEH

1. Dawlad kasta oo xubin ah waxay dabaqeysaa hal-beegyadan sida ku habboon, mabaadi'da Sharci oo lagu kalsoonaan, in Mas'uuliyada Shakhsiyaadka sifo sharci leh oo ka qeyb-qaatay fal-dembiyeedka laga dhigo fal-dembiyeed si waafqsan Heshiiskan.

2. Mabaadi'da Sharci ee Dawladda Xubinta aka ah waxay u hoggaansameysaa I Shakhsiyaadka Sifo sharci leh ay qaadayaa Mas'uuliyad ay suurta-gal tahay in ay noqdaa Dembeele galay kiis Madini ah ama Maamul;

3. Mas'uuliyeed waxaa laga reebayaa Mas'uuliyda Fal-dembiyeedka uu galo shakhsi caadi ah;

4. Dawlad kasta oo xubin ah, waxay si gaar ah u hubinaysaa in Shakhsiyaadka leh sifo sharci ay u hogaasameen Mas'uuliyada si waafaqsan qodobkan si wax ku-ool ah Dembiyada Ciqaabta ah iyo kuwa aan ahayn iyo sidoo kale Dembiyada Maaliyadeed.

QODOBKA 27AAD
KA-QEYB-QAADASHADA IYO ISKU-DAYGA

1. Dawlad kasta oo xubin ah waxay dhaqan-gelinaysaa Shuruucdan iyo hal-beegyada kale oo ku habboo dembi ka dhigaya fal-dembiyeeka si waafqsan Shuruucda dalka, ka –qeyb qaadashada awood kasta ah, gacan-kasiin, caawin, ama ku boorin, fal-dembi laga dhigay si waafaqsan heshiiskan.

2. Dawlad kasta oo xubin ah waxay dhaqan-gelinaysaa shuruucdan iyo hal-beegyada kale oo ku habboon oo ka dhigaya Fal-dembiyeed si waafaqsan shuruucda Dalka, isku-day kasta oo lagu galo fal-dembiyeed oo laga dhigay dembi si waafaqsan Heshiiskan.

3. Dawlad kasta oo xubin ah waxay dhqan-gelinaysaa shuruucdan iyo hal-beegyada kale eek u habboon oo dhigaya fal-dembiyeed si waafaqsan Shuruucda Dalka u diyaar-garoobida galid Fal-dembiyeed fal-dembi laga dhigay si waafaqsan Heshiiskan.

QODOBKA 28AAD
OGAANSHAHA IYO NIYADA UJEEDKA TIIRARKA FAL-DEMBIYEEDKA AHAAN

Ogaanshaha, niyada ama ujeedka waxay Caddeyn u noqonayaan dhacdooyinka laga shakisan yahay haddii lagu helo tiirarka Caddeymaha in la galay fal dembi laga dhigay si waafaqsan Heshiiskan.

QODOBKA 29AAD
XAALADDA XADDIDITAANKA

Dawlad kasta oo xubin ah, waxay is waafajinayaa shuruucdeeda iyo falalka dembiga laga dhigay si waafaqsan Shuruucda dalka marka Xaaladaha Xaddidan ay kala fog tahay waxaa laga bilaabayaa Hab-raacyada Fal-dembiyeedka laga dhigay si waafqsan heshiiskan , waxaanna la Xadidayaa Muddo dheer haddii uu Dembiluhu ka fakaday Cadaaladda iyadoo dib loo dhigayo Dacwadda si waafaqsan Heshiiskan.

QODOBKA 30AAD
DEMBI-OOGISTA, GAR-NAQIDA IYO CIQAABTA

1. Dawlad kasta oo xubin ah, waxay ka dhigayaan gelitaan Falalka dembiga laga dhigay si waafqsan Heshiiskan kana ratibmeyso mas'uliyad Ciqaabeed si loo ilaaliyo culeyska uu Dembigaas leeyihiin,

2. Dawlad kasta oo xubin ah, waxay raacaysaa hal-beegyadaas sida ku habboon si loo ilaaliyo si waafaqsan nidaamka Sharciga, iyo Mabaadi'da Dastuurka

iswaafajinta isku-dheeli tirnaanta u dhaxeysa Xasaalanadaha ama Mudnaata Garsoorka oo ay siinayso Shaqaalaheeda si ay wax uga qabtaan Hawlahooda una gutaan waajibaadkooda sidaugu habboon, si wax-ku-ool ah, Baarinaanka, Dembi-oogista, ama Garsoorida oo ku aaddan Falalka Dembiga laga dhigay si waafaqsan Heshiiskan.

3. Dawlad kasta oo xubin ah waxay damaanad qaaadayaan Saameynta waxyaalaha uu sharciga oggolaanayo iyadoo la tixgelinaayo Shuruucda dalka oo ku aaddan Baritaanka shakhsiyaadka galay falka Dembiga laga dhigay si waafaqsan Heshiiskan, si loo hubiyo in ay fuliyeen Hay'adaha Sharci-fulinta hab-raaca laga qaadanayo fal-dembiyeedka, iyadoo la tixgelinaayaa baahida loo qabo awgeed in laga waantoobo galitaanka fal-dembiyedka sidaan oo kale ah.

4. Xaaladaha Falka Dembiga laga dhigay si waafqsan heshiiskan, Dawlad kasta oo xubin ah waxay qaadaysaa hab-raaca ku habboon si waafaqsan huruucda Dalka, iyadoo la tixgelinayo Xuquuqda Difaaca , si loo hubiyo Dammaanad-qaadka Shardiga looga dhigay in lagu daayo ilaa laga gaarayo Muddada maxkamadeynta ama racfaanka iyadoo lagama-maarmaan ay tahay joogitaanka eedeysanaha si loo raaco Hab-raaca fal-dembiyeedka.

5. Dawlad kasta oo xubin ah, waxay qaadaysaa ciqaabta ugu culuska ah ee Fal-dembiyeedka ay khuseyso, haddii la tixgelinaayo suurta-galnimada sii-deynta ama Sharciga looga dhigay Shakhsiyaadka ku eedeysan gelitaanka Dembiydaas.

6. Dawlad kasta oo xubin ah, inay is waafigiyaan Mabaadi'da asaasiga ah ee nidaamka Sharciga, iyadoo la tixgelinayo hab-raacyada ku aaddan Shaqaalaha Dadweynha kuwaas oo lagu eedeeyey Falalka Dembiga looga dhigay si waafqsan Heshiiskan ama in laga joojiyo shaqada ama la beddelo, ama ay casilaan hay'ad awood u leh iyadoo la tixgelinaayo Mabaadi'da Dembi-la'aanta.

7. Dawlad kasta oo xubin ah waxay tixgelinaysaa marka uu culus yahay fal-dembiyeedka waa in la is waafjiyaa mabaadi'da asaasiga ah ee nidaamka Sharci, iaydoo la raacayo hab-raacyada Mas'uuliyad ka qaadida ee amar-maxkamadeed ama macna kale oo u dhigma, muddada ay xadiday shuruucda Dalka, ee ashqaasta ku eedeysan Fal-dembi laga dhigay in la galay si waafaqsan Heshiiskan waana sida soo socota:

a) haynta Xafiis dadweyne; iyo
b) haynta Xafiis ganacsi qeybi kamid ah ama gabi ahaanba ay leedahay dawladda.

8. Iyadoo aan faqradda (1) ee qodobkan wax loo dhimeynin in la isticmaalo Awood anshax-marin ee Ha'adaha Awoodda u leh ee lidka Shaqaalaha Rayidka ah.

9. Kamid ma ahan heshiiskan wax saameyn ku yeelanaya mabaadi'da Garsoorka, inuu noqdo fal-dembi laga dhigay si waafqsan heshiiskan iyo in lagu dhaqan-gelin karo tilmaamaha difaaca Sharci ama ilaalinta Mabaadi'da kale ee sharciga ee dhawraya hannaanka Shuruucda Dalka ee Dawladda xubinta ka ah Heshiiskan, iyadoo ay jiraan Baaritaan iyo Ciqaabta dembiga si waafqsan shrcigaas.

10. Dawladda xubinta ka ah Heshiiska, waxay ku dhiiri-gelinaysaa in dib-loogu soo celiyo bulshada shakhsiyaadka lagu eedeeyey gelitaanka fal-dembi laga dhigay si waafaqsan heshiiskan.

QODOBKA 31AAD
XAYIRAAD, XANNIBAAD IYO LA-WAREEGID

1. Dawlad kasta oo xubin ah waxay qaadaysaa si ugu soor-galmida ah ee ugu habboon nidaamkeeda Sharci ee Dalka hab-raacyadaas taasoo ku habboon la-wareegid:
a) faa'iido fal-dembiyeed lagu helay eek u aaddan falal heshiiskan uu dembi ka dhigay, ama a hantida qiimihiisa ku dhigma qiimaha Faa'iidada laga helay fal-dembiyeedka; iyo
b) hantida, Agabka, aaladaha kale oo loo isticmaalay ama loo diyaariyey in loo isticmaalo fal-dembiyeed si waafqsan heshiiskan.
2. Dawladda xubinta ka ah Heshiiska waxay qaadayaan hal-beegyada si ku habboon si loo suurta-geliyo aqoonsiga, daba-galka, Xayiraada ama Xannibaada ee Agabyada oo ku xusan faqradda (1) ee qodobkan oo ay ujeedadu tahay la-wareegid kama-dambeys ah.

3. Dawlad kasta oo xubin ah waxay dhaqan-gelinaysaa si waafqsan Shuruucda dalka, Shuruucdaas, iyo Hal-beegyada kale oo ku habboon taasoo suurta-gal ay tahay in ay nidaamiyaan Maalmulka ha'adah Awoodda u leh xayiraada, Xannibaada ama la-wareegidda hantida sida ku xusan Faqradaha (1) iyo (2) ee qodobkan.

4. Haddii faa'iidada lagu helay fal-dembiyeedka la wareejiyo ama la beddelo qeyb kamid ah ama gabi ahaan hanti kale, hantida lagasoo beddelay faa'iidada lagu helay fal-dembiyeed waxay u hoggaasamaysaa hal-beegyada ku xusan qodobkan.

5. faa'iidada lagu helay fal-dembiyeedka haddii lagu dhex-milo hanti lagu helay si sharci ah, hantidaas waxay u hogaasameysaa xayiraa, xannibaad iyo la-wareegid qiimaha lagu milay ee faa'iidad lagu helay fal-dembiyeedka, iaydoo aan wax loo dhimeynin hantida kale ee lagu helay si sharci ah.

6. Dakhliga ama faa'iidada kale oo lagu beddelay faa'iidada lagu helay fal-dembiyeedka oo lagu dhex-milay hantida lagu helay fal-dembiyeedka waxay u hoggaansamayaan sida ku xusan qodobkan isku si iyo isku qiimo oo u dhiganta faa'iidada fal-dembiyeedka lagu helay.

7. Ujeeddada qodobkan iyo qodobka 55aad heshiiskan, Dawlad kasta oo xubin ah, waxaa awood loo siinayaa Hay'adaha awoodda u leh sida maxkamadaha in ay amraan Bankiga, Maaliyadda, ganacsiga, diiwaalka in uu noqdo mid la heli karo, ama la xanibi karo,

8. Dawladda xubinta ah ma diidi karto fulinta faqradaha Qodobkan iyadoo salka ku haysa sirta Bankiga.

9. Dawladda Xubinta ah, waxay tixgelinaysaa suurto-galnimada inuu caddeeyo dembiilaha ilaha dhaqaale ee lagu helay si sharci ah, oo lagu eedeynyo in laga helay fal-dembiyeed iyo hanti kale oo ay tahay in lala wareego iyadoo la raacayo Mabaadi'da Asaasiga ah ee shuruucda dalka iyo Hab-raacyada kale ee Garsoor iyo hab-raacyada kale.

10. faqradaha qodobkan laguma fasiri karo Xuquuqda dhinaca seddexaad si nayad wanaag ah.

11. Qodobkan kamid ma ahan mid raad ku yeelanaya mabaadi'da Garsooka, iyadoo la fulinayo hab-raacyada la tilmaamay lana waafajinayo Shuruucda

dalka ee Dawladaha Xubnaha ka ah kuwaas ay tahay inay u hoggaansamaan qodobadan.

QODOBKA 32AAD
ILAALINTA MARKHAATIGA, KHUBARADDA IYO DHIBANEYAASHA

1. Dawladda kasta oo xubin ah, waxay qaadaysaa hal-beegyo ku habboon si waafqsan heshiiskan iyo nidaamka Shuruucda dalka iyadoo u jeeddadu tahay in la siiyo ilaalin wax-ku-ool ah Markhaatiyaasha iyo Xeel-dheereyaasha kuwaas oo ku markhaati furaya Falalka Dembiga laga dhigay si waafaqsan heshiiskan, sidoo kale, qaraabadooda iyo shakhsiyaadka xiriirka la leh in laga ilaaliyo aar-gudasho iyo cabsi-gelin kasta oo suurta-gal ah, iyadoo aan wax loo dhimeyn Hal-beegyada faqradda (1) ee qodobkan, ee ku aaddan Xuquuqda eedeysanaha iyadoo ay ku jirto xaqa geedi-socodka Garsoorka:
   a) abuurida hab-raaca ilaalinta jireed ee shakhsigaas si ku habboon iyo in loo oggolaasho meel ay degaan haddii suurta-gal tahay , inaan la faafinin Macluumaadka aqoosigooda iyo meesha ay degan yihiin iyo in shardi lagu xiro faafinteeda; iyo
   b) siinta xeer-hoosaad bixinta caddeynta Marag-furka iyo Khubaradda taasoo lagu ilaalinayo bad-qabkooda sida in loo oggolaado inay isticmaalaam Xiriirka teknoolijiyada sida Vedios ama waxyaalaha kale oo la adeegsado.

2. Dawlad kasta oo Xubinta ka ah, waxay tixgelinaysaa inay gasho heshiis amahhal-beegyo ee Dawladaha kale ee xubnaha ka ah, ee ku aaddan beddelida meelaha ay joogaan shakhsiyaadkaas sida ku xusan faqradda (1) ee qodobkan.

3. Faqradaha qodobkan waxaa lagu dabaqayaa dhibaneyaasha, marka ay yihiin Markhaatiyaal.

4. Dawlad kasta oo xubin ah waxy u hoggaansamaysaa Shuruucda dalka iyo suurta-galnimada aragtida ku aaddan dhebaneyaasha iyo ina tixgeliso marxalaha ku habboon hab-raacyada Garsoor ee lidka ku ah Dembileyaasha iyadoo aan wax loo dhimeynin xaqa difaaca.

QODBKA 33AAD
ILAALINTA SHAKHSIYAADKA WARBIXIYEYAASHA

Dawlad kasta oo xubin ah, waxay tixgelinaysaa iyadoo la kaashanaysa nidaamka Sharci ee Dalka hal-beegyo ku habboon oo la siinayo ilaalo ku aaddan dhaqan kasta oo aan loo baahnayn, oo ku aaddan shakhsi kasta oo sabab wax-ku-ool ah ku wargeliya Hay'adaha ay khuseyso si niyad-wanaag ah

dhacdo kasta oo ku saabsan Falalka dembiga laga dhigay si waafaqsan Heshiiskan.

QODOBKA 34AAD
CAWAAQIBTA FALALKA MUSUQ-MAASUQA

Iyadoo la tixgelinayo xuquuqda dhinaca seddexaad awgeed, si niyad-wanaag ah, dawlad kasta oo xubin ah, waxay qaadaysaa ha-beegyo si waafqasan Mabaadi'ada asaasiga ah ee Shuruucda dalka, oo lagula tacaalayo caqabadaha Musuq-maasuqa. Sidaas darteed, Dawladaha Xubnaha ah waxay texgelinaysaa musuq-maasuqa inuu yahay hawlaha ugu muhiimsan oo la qaadanayo hab-raac sharci si loo baabi'iyo ama loogala noqdo heshiiska am aka qaadida Mudnaanta ama Xasaanada iyo wixii la mid ah sida Jeegaga, iyo qaadashada hab-raacyo kale oo cadaaladeed.

QODOBKA 35AAD
MAG-DHAW-KA-BIXINTA WAXYEELLO

Dawlad kasta oo xubin ah waa inay ku dartaa shuruucda dalkeeda in mag-dhaw la siiyo qof walbo oo waxyeello ka soo gaarto fal-dembiyeedyada ku xusan heshiiskan, marka uu dacwad gudbisto.

QODOBKA 36AAD
HAY'ADAHA AWOODDA U LEH

Dawlad kasta oo xubin ah waa inay ku dartaa shuruucda dalkeeda hay'ad, Gollo ama shakhsiyaad awood u leh ka-hortagga Musuq-maasuqa ee fulinta sharciga. Hay'ad, Gole ama shakhsiyaad u madax-bannaan si waafaqsan shuruucdeeda Dawladda xubinta ka ah Heshiiska, si ay awood uguyeeshaan gudshada shaqooyinkooda si hufan iyadoo wax saameyn ku yeelanin shakhsiyaadka ama shaqaalaha waxaa lagama-maarmaan ah inay helaan Hay'adaha ama Golaha tababar sare iyo agab ay ku fuliyaan.

QODOBKA 37AAD
ISKAASHIGA HAY'ADAHA FULINTA SAHARCI

1. Dawlad kasta oo xubin ah waxay qaadeysaa tallaabo ku habboon si loo dhiirri-geliyo qof kasta oo fal-dembiyeed ka qeybqaatayn sida ku xusan heshiiskan, si ay u helaan macaluumaat faa'iido leh hay'adaha awoodda u leh iyadoo u jeeddada tahay hannaanka barista caddeynta iyo ka-gacansiinta Hay'adaha awaooda u leh oo ka qeybqaadanaysaain laga-xaninbo dembiilayaasha faa'iidada ay ka heleen fal-dembiyeedka iyo dib-u-soo-celinta faa'iidadaas.

2. Dawlad kasta oo xubin ah waa in ay qaadataa suurta-galnimada, dacwadaha ku habboon si loo yareeyo ciqaabta eedeysanaha soo bandhiga iskaashi la taaban karo oo ku aaddan baaritaanka ama dacwad-oogidda dembiga si waafaqsan heshiiskan.

3. Dawlad kasta oo xubin ah heshiiskan waa in ay tixgelisaa In la siiyo xasaanad dacwad-ku-qaadidda, iyadaoo la raacayo mabaadi'da asaasiga ah ee sharcigeeda, qof kasta oo siiya iskaashi muhiim ah baaritaanka ama dacwad ku soo oogidda dembi gaar ah iyadoo la raacayo heshiiskan.

4. Badbaadinta dadkaas iyadoo la ilaalinayo kala-duwanaashada xaaladaha, sida ku xusan Qodobka 32aad ee heshiiskan.

5. Haddii lagu helo qof sida ku cad farqada (1) ee qodobkan joogana dawlad kamid ah dawladaha Xubnaha ah waxay iskaashi wax-ku-ool ah kasiinaysaa Hay'adaha Awoodda u leh ee dawladda kale, Dawladaha Xubnaha ah ay quseyso waxay tixgelinayaan gelitaanka heshiisyada ama sida ay ukala-horeyaan si waafaqsan sharuucda dalkooda, ee ku aaddan suurto-galnimada ay siinayaan dawladda kale wada-shaqeynta sida ku xusan faqradaha (2) iyo (3) ee qodobkan.

QODOBKA 38AAD
ISKAASHIGA U DHEXEEYA HAY'ADAHA QARAN

Dawlad kasta oo xubin ah waxay qaadanaysaa tallaabo lagu dhiirri-geliyo, si waafaqsan shuruucdooda, iskaashiga ka dhexeeya hay'adaha Qaran, sida sarkaal dadweyne iyo dhinaca kale, Hay'adaha mas'uulka ka ah baarista dembiyada ciqaabta iyo dacwo-oogidda. Waxaa kamida iskaashiga sidan:

b) wargelinta kama-dambaysta ah ee hay'adaha, inay jiraan sababo maan-gal ah oo la aaminsan yahay in dembiyo kasta oo ku xusan qodobbada 15aad, 21aad iyo 23aad ee heshiiskan; ama

t) hay'adaha waxay siinayaan dhammaan macluumaadka lagama-maarmaanka ah marka laga soo codsado.

QODOBKA 39AAD
ISKAASHIGA U DHEXEEYA SHIRKAD DADWAYNE IYO SHIRKAD GAARKA LOO LEEYAHAY

1. Dawlad kasta oo ee xubin ah waxay qaadanaysaa tallaabo lagama-maarmaanka u ah in lagu dhiirri-geliyo, iyadoo raacayso shuruucdeeda,

iskaashiga ka dhexeeya Hay'adaha baaritaanka iyo Maxkamadaha Qaran, shirkadaha gaarka loo leeyahay iyo urrurada ganacsi ee arrimaha ku aaddan galitaanka fal-dembiyeedyada ku xusan heshiiskan.

2. Dawlad kasta oo xubin ah waxay tixgelinaysaa iyadoo dhiirri-gelinayso ilaalinta muwaadiniinteeda iyo dadka kale ee leh deganaanshaha dhulkeeda si loo ogeysiiyo muwaadin hay'adaha baarista iyo dacwad-oogidda galitaanka fal-dembiyeed sida ku xusan heshiiskan.

QODOBKA 40AAD
SIRTA BANKIYADA

Dawlad kasta oo xubin ah waxay hubinaysaa xaladaha baaritaan ee dembiyada ka dhaca dalkeeda sida ku xusan heshiiskan, xeer-nidaamiyaha dalkeeda markay jiraan aallado ku habboon oo suurta-gelinaya in laga gudbo caqabadaha ka imaan kara dhaqan-gelinta shuruucda sirta bankiyada.

QODOBKA 41AAD
DIIWAANKA DEMBIGA

Dawlad kasta ee xubin ah waxaa u bannaan in ay qaadato waxa kaga aaddan hal-beegyada sharci-dejinta iyo hal-beegyada kale isla markaana ilaalinaysa waxyaabihii hore ee dawladda kale, iyadoo ay tahay ujeeddada si loo adeegsado macluumaadka ee looga gol-leeyahay sida ugu habboon. Hab-raaca ciqaabta ee la xiriira dembiyada ku xusan heshiiskan.

QODOBKA 42AAD
IKHTISAAS

1. Dawlad kasta oo xubin ah waxay qaadanaysaa hal-beegayada kaga aaddan asaasidda iyo Ikhtisaaska dembiyada ku xusan heshiiskan haddii ay dhacaan labadan arrin:

a) haddii fal-dembiyeedka lagu galo dhul ay leedahay dawlad xubin ka ah heshiiskan; iyo

b) haddii uu fal-dembiyeedka uu ka dhaco markab dushiisa uu ka taagan yahay calanka dawladda xubinta ka ah heshiiskan, ama diyaarad ku diiwaan-gashan si waafaqsan shuruucda dalkaas, xilliga dembiga uu dhacay.

2. Iyadoo ilaalinaysa Qodobka 4aad ee heshiisakan Dawlad kasta ee xubin ah sidoo kale waxaa u bannaan inay Go'aan ka gaarto ikhtisaaka Maxkamadaha dembi kasta oo sidaan oo kale:

a) haddii uu galo dembiga qof kamid ah muwaadiniinta dawlad xubin ka ah ama;

b) haddii uu galo dembiga qof kamid ah muwaadiniinta dawlad xubin ka ah, ama qof si joogta ah u dagan ama qof jinsiyad-laawe ah oo ka haysta degenaansho joogta ah dalkeeda;

c) fal-dembiyeedyada ku xusan faqradda (1) xarafkeeda (b) (ii) qodobka 23aad ee heshiiskan, haddii fal-demiyeedka lagu galo meel ka baxsan dhulkeeda tahayna u jeedada galid fal-dembi sida ku xusan faqradda (1) (a) ama (ii) (b) (i) ee Qodobka 23aad dhulkeeda dhaxdiisa si waafaqsan heshiiskan; ama

d) haddii dembiga laga galay dawlad xubin ka ah Heshiiskan.

3. Ujeeddada Qodobka 44aad ee heshiiskan, dawlad kasta oo xubin ah waxay qaadanaysaa talloobooyin kaga aaddan go'aanka ikhtisaaska Garsooraha dembiyada ku xusan heshiiskan markuu eedeysanaha joogo dhulkeeda ayna dhiibin qofkaas kaliya sabtoo ah wuxuu kamid yahay muwaadiniinteeda.

4. Waxaa u bannaan sidoo kale dawlad kasta oo xubin ah inay qaadato go'aanka ikhtisaaska dembiyada ku xusan heshiiskan markuu eedeysanaha joogo dhulkeeda aysan dhiibin.

5. Haddii ay ogaato Dawladda Xubinta ah waxay qaadanaysaa ikhtisaaska sida ku xusan faqradda (1) ama (2) ee qodobkan, ama ku ogaatay qaab kale, dawlad kasta oo Dawladaha Xubnaha ah waxay sameynayaan baaritaan iyo hab-raaca dacwad-oogid ee la xiriirta isla arrintaan, hay'adaha awoodda u leh ayaa qaadayaan ee dawladahaas xubinta ah, sida loogu baahado, waa inay ka fadhadaan ujeeddada hab-raaca garsoor.

6. Iyadoon wax loo dhimayn hal-beegga xeerka calamiga ah kama reebayso heshiiskan ikhtisaas kasta oo dembi oo lagu asaasay shruucda Dawladda Xubinta ah.

CUTUBKA IV
ISKAASHIGA CAALAMIGA AH
Qodobka 43aad
Iskaashiga Caalamiga ah

1. Dawladaha Xubnaha ah waxay iska kaashanayaan arrimaha dembiyada sida ku xusan qodobbada 44aad ilaa 50aad ee heshiiskan. Sida ugu habboon oo la jaan-qaadi kara shuruucda dalalkooda. Dawladaha Xubnaha ah

waxay tixgelinayaan inay iska caawiyaan hab-raaca baarista arrimaha ku aaddan madaniga iyo maamulka ee la xiriira Musuq-maasuqa.

2. Arrimaha iskaashiga calimaga ah, marakasta ay jiraan dembiyo kala duwan ay tahay shardi, waxaa loo qaadanayaa in la fuliyey iyadoo loo fiirinayo shuruucda Dawladda xubinta ka ah Heshiiska ee laga codsaday in ay isku si u qiimeynayaan faldembiyeedka ama eray-bixin la mid ah Dawladda xubinta ka ah Heshiiska ee soo codsatay, haddii uu yahay falka mid ku saleysan dembi ay iska caawinayaan waa fal-dembiyeed sida uu qabo shuruucda labad dawladood.

Qodobka 44aad
Wareejin

1. Qodobkan waxaa lagu daaqaayaa dembiya ku usan heshiiskan haddii ay arrinta tahay qofka codsiga dib-u-celinta uu joogo dhulka Dawladda xubinta ka ah Heshiiska ee laga codsaday, waxaa loo shardinayaa dembiga codsiga wareejinta waxaa lagu ciqaabayaa sida uu qabo sharciyada dawladda laga codsaday iyo dawladda codsatay.

2. Iyadoo aan la qaadanayn faqradda (1) ee qodobkan, dawladda xubinta ah ee sharci ahaan u oggolaanaya inay wareejiso qof kasta oo kamid ah dembiyada ku xusan heshiiskan oo aan lagu ciqaabi karin sharuucda dalkeeda.

3. Haddii codsiyada wareejintu ay ku jiraan dembiyo kala duwan, oo ugu yaraan mid kamid ah lagu soo wareejin karo sida ku xusan qodobkan qaarna aan lagu soo wareejin karin sabab la xiriirta muddadooda xabsiga balse la xiriira dembiyada ku xusan heshiiskan, waxaa u bannaan dawladda laga codsaday inay dabaqdo qodobkan sidoo kale wixii la xiriira dembiyadaas.

4. Dembiyo kasta oo qodobkan lagu dabaqo waxaa loo qaadanayaa in lagu soo daro sidii dembi ciqaab ah oo lagu wareejiyo heshiis kasta oo wareejin ka dhexeysa Dawladdaha. Dawladuhu waxay ballan-qaadayaan inay ku daraan dembiyada sida dembiyada lagu wareejinayo ee heshiis kasta oo is dhaafsi ah oo lagu dhammeeyo dhexdooda. Dawladda xubinta ah oo uu sharcigeedu sidaas oggol yahay, haddii ay dhacdo in ay u adeegsato Heshiiskan inuu yahay asaaska wareejin, looma tixgelinayo mid kamid ah dembiyadii lagu asaasay iyadoo la raacayo heshiiskan inuu yahay dembi siyaasadeed.

5. Haddii dawlad xubin ah sameyso wareejin shardi ku ah jiritaanka heshiiska uu ka helo codsi wareejin dawladda kale oo aan lahayn heshiis wax-is- dhaafsi ah, waxaa loo qaadanayaa heshiiskan inuu yahay asaaska sharciga ee wareejinta marka loo fiiriyo wixii dembi ah ee qodobkan lagu dabaqayo.

6. Dawladda xubinta ah haddii ay sameyso ku wareejin shuruudo ku saabsan jiritaanka heshiiskan waa:
b) Wakhtiga la dhigayo ansixinta, aqbalaadda ama oggolaanshaha ama helitaanka heshiiskan, loo sheegayo Xoghayaha Guud ee Qaramada Midoobay waxa loo qaadanayaa Baaqaani inuu yahay asaaska sharciga ee iskaashiga ku saabsanaan dawladaha kale ee xubinta ka ah heshiiskan; iyo
t) Haddeysan u qaadanin heshiiskan mid salka ku haya sharci iskaashi ku saabsan wareejin, in la raadiyo, meesha ku habboon, si loo soo gabagabeeyo heshiisyada ku saabsan wareejinta dawladaha kale ee xubnaha ka ah Heshiiskan si loo hirgeliyo qodobkan.

7. Dawladaha xubnaha ah ee aan sameyneyn shuruudaha wareejinta jiritaanka heshiiska waxay qaadayaan dembiyada uu qodobkani u adeegsanayo dembiyada wareejinta ay is-dhaafsanayaan dhexdooda.

8. Wareejinta waxay ku xirnaanaysaa shuruudaha ku xusan Sharciga dawladda xubinta ah ee laga codsaday ama heshiisyada ciqaabta ee lagu dabaqayo, oo ay ku jiraan, inta u dhexaysa, shuruudaha la xiriira ciqaabta ugu yar ee looga baahan yahay wareejinta iyo sababaha dawladda laga codsaday oo diidi karta wareejinta.

9. Dawladaha Xubnaha ah waa in ay ku dhaqmaan sharuucda dalkooda, iyna ku dadaalaan in ay dedejiyaan hab-raacyada wareejinta iyo in ay fududeeyaan shuruudaha caddeynta ee la xiriira fal kasta oo qodobkan lagu dabaqayo.

10. Iyadoo ilaalinaysa shuruucda dalkeeda iyo heshiisyada wareejinta, waxaa u bannaan dawladda xubinta ah ee laga codsaday, markay ku qanacdo in ay tahay duruufaha ay sababayaan oo ay degdeg yihiin oo ay codsanayaan Dawladahaas xubnaha ah, qaadashada qof loo codsaday wareejinta eedeyntiisa qofkaas oo jooga dhulkeeda ama la hayo ama la qaado tallaabooyin kale oo ku habboon si loo hubiyo hab-raaca wareejinta.

11. Dawlad xubin ah ee dhulkeeda uu joogo dembile la sheegay, haddii ay dhacdo looma gudbin karo qofkaas ee la xariira dembiga iyadoo la ilaalinayo dhaqan-gelinta qodobkan ku saleysan yahay oo keliya ama kamid yahay muwaadiniinteeda, markuu codsiga dawlad xubin ah oo codsanaysa wareejin, waxaa waajib ku ah inay soo gudbiso dacwada iyadoo aan dib-u-dhac ku imaan hay'adaha awooddo u leh ay tahay ujeeddada dacwad-qaadista, hay'adaha waxay qaadanayaan go'aan hab-raaca dacwada qaab la mid ah sida fal-dembiyeed kale oo dabiici ah marka loo eego Dawladda Xubinta ah shuruucda dalkeeda, Dawladaha Xubnaha ah oo ay khusayso waa inay iskaashi yeeshaan, gaar ahaan dhinacyada hab-raaca iyo caddeymaha, si loo hubiyo wax-ku-oolnimada dacwadan oo kale.

12. Markasta oo dawlad xubin ah oo loo oggol yahay sida ku cad sharciga dalkeeda inay wareejiso ama haddii ay dhiibto mid kamid ah muwaadiniinteeda keliya shuruuda ah in qofka lagu soo celinayo dalkaas si uu ugu qaato xukunka u harsan ama dacwadda lagu soo oogay ama si loo dhammeystiro hab-raaca ee wareejinta qofka la codsaday ee Dawladda Xubinta ah ama ogaalto wareejinta iyo dawladda kale ee soo wareejinta qofka iyo ikhtiyaarka heshiisyo kale oo ay u aragto inay ku habboon yihiin, shuruudaha ku xiran wareejinta dembiilayaasha ah ama la wareejinayo ma tahay mid ku filan gudashada waajibaadka sida ku xusan faqradda (11) ee qodobkan.

13. Haddii wareejinta, loo raadsaday ujeeddooyin meel-marin xukun, sababtoo ah qofkaas wuxuu yahay muwaadin ka tirsan dawladda laga codsaday, haddii uu qabo sharcigeeda gudaha si loo waafaqo codsiyada sharcigan, marka ay dabaqayso dawaladda xubinta ah ee codstay. Iyadoo ay tahay waajib-ahaanshaha fulinta ciqaabta shariciga dalkeeda codsashada ama wixii ka haray.

14. Qof kasta oo khuseeya hab-raaca dacwadaha lagu qaadayo fal-dembiyeed kasta oo qodobkani dabaqayo waxaa loo dammaanad-qaadayaa in si cadaalad ah loola dhaqmayo dhammaan heerarka dacwadaha, oo ay kujiraan dhammaan xuquuqaha iyo dammaanadda sida uu qabo sharciga Dawladda xubinta ah ee uu joogo dhulkeeda qofkaasi.

15. Wax Heshiiskan ah looma fasirayo in lagu soo rogay waajib ka-saarid wareejin haddii dawladda xubinta ah ee la codsaday uu leeyahay

sababo xoojinayo oo maan-gal ah in codsigan loo sameeyey ujeeddo maxkamadayn ama ciqaabid qofka sabab la xiriirta jinsi ahaan, sinjigiisa, diintiisa, dhalasho, asal ama fikrado siyaasadeed ama u-hoggaansanaanta codsiga waxay u horseedaysaa nacaybka qofka ee mid kamid ah sababahan dartood.

16. Dawladaha xubnaha ah uma bannaana inay diidaan codsi ku aaddan wareejin iyadoo ku saleyneysa oo keliya in dembigu sidoo kale uu ku lug leeyahay arrimo dhaqaale.

17. Ka hor diidmada wareejinta, Dawladda xubinta ah waxay, haddii ay habboon tahay, la-tashanaysaa Dawladda xubinta ah ee codsatay si ay u siiso fursad ku filan oo ay ku soo bandhigto fikradeeda iyo inay soo gudbiso macluumaadka la xiriira cedeynta.

18. Dawladaha Xubnaha ah waa in ay isku dayaan in ay soo gabagabeeyaan heshiisyo laba-geesood ah iyo heshiisyo dhinacyo badan leh ama habka loo fulinayo ama kor loogu qaadayo wareejin wax-ku-ool ah.

QODOBKA 45AAD
WAREEJINTA XUKUMANEYAASHA

Dawladaha Xubnaha ah waxay tixgelin karaan gelitaanka heshiis laba-geesood ah ama in ka badan oo ku saabsan wareejinta dadka lagu xukumay ciqaab xabsi ama ciqaab kale oo xoriyad-ka-qaadis ah, in ay galeen falal-dembiyeed si waafaqsan Heshiiskan si ay halkaas ugu dhammeystaan muddada xabsiga lagu xukumay.

QODOBKA 46AAD
ISKAASHIGA SHARCI EE WADAAGGA AH

1. Dawladaha Xubnaha ah waxay qaarkood qaarka kale siin karaan taalmo sharci oo wadaag ah xilliga lagu jiro baaritaanka, daba-galka iyo maxkamadeynta la xiriirta fal-dembiyeedyada lagu xusay Heshiiskan.

2. Iskaashiga Sharci ee wadaagga ah waxaa loo bixinayaa sida ugu fiican iyadoo la raacayo shuruucda dawladda xubinta ah ee codsigaas heshay iyo heshiisyada, axdiyada la xiriira arrintan. Marka la joogo baaritaanka, daba-galka iyo maxkamadeynta gaarka ah ee fal-dembiyeedyada ay bannaan tahay in lagu qaado qofka sharciga ah, si waafaqsan Qodobka 26aad ee heshiiskan, ee dawladda xubinta ah ee codsanaysa.

3. Waxaa la oggol yahay in la codsado kaalmo sharci ee wadaag ah marka lagu bixinayo si waafaqsan qodobkan, ee ujeeddooyinkan soo socda:

(a) helidda caddeymo ama marag-fur dad;

(b) gaarsiinta dokumentiyada Garsoorka;

(c) fulinta hawlaha baaritaan, xannibaad, iyo xayiraad;

(d) baaritaanka walxaha iyo goobaha;

(e) bixinta xogaha, walxaha, caddeymaha iyo qiimeynta xeel-dheereyaasha;

(f) bixinta asalka iyo nuqulada la xiriira oo ay ku jiraan diiwaanada dawladda, kuwa maaliyada iyo bankiyada diiwaanada shirkadaha, xarumaha ganacsiga;

(g) caddeynta faa'iidooyinka laga helay fal-dembiyeedyada, hantida, walxaha, agabyada kale, ama waxyaabaha kale ee ujeeddada tahay in wax lagu caddeeyo;

(h) fududeynta soo-taagidda dembileyaasha si iskood ah dawladda xubinta ah ee codsatay;

(i) hab walba oo iskaashi ah oo aan ka hor-imaanayn shuruucda gudaha ee dawladda xubinta ah ee heshay codsiga;

(j) caddeynta faa'iidooyinka fal-dembiyeedka sida ku cad qodobbada Cutubka 5aad ee heshiiskan, xannibaadda iyo raad-raaca; iyo

(k) dib-u-soo-celinta Hantida sida ku cad Qodobka 5aad ee heshiiskan.

4. Iyadoo aan wax loo dhimeyn shuruucda gudaha ee dawladda xubinta ah Laamaha u xilsaaran dawladda xubinta ah iyadoo aan helin wax codsi ah waxay u diri kartaa xogaha la xiriira fal-dembiyeedyada laamaha u xilsaaran ee dawladda kale ee xubinta ah, marka ay u aragto in xogahaasi gacan ka siin karaan dawladaasi in ay sameyso baaritaan iyo maxkamadeyn ku dhammaanaysa si guul ah, ama ay keento in loo gudbiyo dawladda xubinta ah ee kale codsi waafaqsan Heshiiskan.

5. Laamaha ay khuseyso ee helaysa xogaha waa in ay qarisaa xogahaasi, si ku-meel-gaar ah, ama waxay ku soo rogeysaa xadidaad isticmaal ka xogahaasi. Waxaase ka reebneyn dawladda xubinta ah ee codsiga heshay in ay faafiso xogahaasi si ay u bariyeesho qof eedeysane ah, marka ay halkaasi joogto dawladda xubinta ee heshay codsiga waxay gaarsiinaysaa dawladda kale ee xubinta ah ee soo dirtay codsiga inta aysan faafineyso xogahaasi, waxay la tashaneysaa dawladda xubinta ah ee soo dirtay codsiga haddii sidaa laga soo codsado. Haddii ay ku dhici weyso sidaas xaalad gaar ah awgeed,

Dawladda Xubinta ah ee heshay codsiga waxay gaarsiineysaa dawladda xubinta ah ee soo dirsatay codsiga faafinta xogahaasi si daahid-la'aan ah.

6. Axkaamta ku xusan qodobkan ma taabanayso waajibaadka ka dhalanaya heshiis kale, oo labo-geesood ah ama in ka badan ee xukumaya ama xukumi doona qeyb ahaan ama dhammaan iskaashiga sharciga ee wadaagga ah.

7. Faqradaha 9aad ilaa 20aad ee qodobkan ayaa lagu dabaqayaa codsiyada lagu soo gudbiyo si waafaqsan qodobkan, haddii dawladaha xubnaha uu khuseeyo aysan ku xirneyn heshiis is-dhaafsi kaalmo sharci. Haddii ay dawladaha xubnaha ku xiran yihiin heshiis noocaasi ah, waxaa waajib ku ah in ay dhaqan-geliyaan axkaamta ku aaddan ee heshiiskaas, haddii aysan dawladaha xubnaha isku raacin dhaqan-gelinta faqradaha 9aad ilaa 29aad ee qodobkan bedelkiisa. Waxaa si adag loogu boorinayaa dawladaha xubnaha ah in ay dhaqan-geliyaan faqradahaan haddii ay u sahlan tahay.

8. Dawladaha Xubnaha ah, waxaa ka-reebban in ay diiidaan bixinta kaalmo sharciga ee wadaagga ah, si waafaqsan qodobkan iyagoo xujo ka dhiganaya qarsoodidda Bankiyada.

9. (a) Dawladda xubinta ee heshay codsiga rabtana inay aqbasho codsiga kaalmada sharciga, si waafaqsan qodobkan iyadoo ka maran is-dhex-gelinta fal-dembiyeedyada, waxay isha ku haynaysaa ujeeddada Heshiiskan sida lagu soo caddeeyey Qodobka 1aad ee heshiiskan; iyo

(b) Dawladda xubinta ah, waxaa u bannaan inay diido bixinta kaalmada sharci iyadoo la dhaqan-gelinayo is-dhex-galka dembiyada sida ku cad qodobkan.

10. Waxaa la oggol yahay wareejinta qof walba oo xayiran ama looga xukumay ciqaab dhul dawlad xubin ah lagana doonayo inuu yimaado dawlad xubin ah oo kale si loo aqoonsado ama uu u bixiyo marag-fur, ama uu gacan ka geysan karo sidii loo heli lahaa caddeymo looga gol-leeyahay baaritaan, dabagal ama maxkamadeyn ku saabsan fal-dembiyeedyada ku jira heshiiskan, haddii labadan shardi ee soo socda la helo:

(a) oggolaanshaha qofkaasi si xor iyo oggaal leh; iyo

(b) heshiiska laamaha ay khuseyso ee labada dawladood oo xubnaha ah, iyagoo ku xiraya shuruudaha ay u arkaan inay ku habboon yihiin.

11. Ujeeddooyinka faqradda 10aad ee Qodobkan:

(a) dawladda xubinta ah ee laga soo wareejiyey qofka waxay u xilsaaran tahay kuna waajib ah inay hayso, haddii aysan dawladda xubinta ah ee laga soo wareejiyey qofkaasi diidin ama laga oggolaansho-weydiin;
(b) dawladda xubinta ah ee laga soo wareejiyey qofka waa inay u fulisaa si aan dib-u-dhac lahayn waajibka ka saaran dib-ugu-celinta gacanta dawladda xubinta ah ee laga soo wareejiyey sida horey la iskugu raacay ama si walba oo kale. Laamaha ay khuseyso ee labo dawladood oo xubino ah;
(c) dawladda xubinta ah ee lagu soo wareejiyey qofka waxaa ka-reebban inay shardi uga dhigto dawladda xubinta ah ee wareejisay bilaabista hab-raaca la-wareegidda si dib loogu celiyo qofkaas; iyo
(d) waxaa lagu tirinayaa muddada uu qofka ku xiran yahay dawladda xubinta ah ee lagu soo wareejiyey inay ku jirto muddada ciqaabta lagaga xukumay dawladda kale ee xubinta ah ee laga soo wareejiyey.

12. Ma bannaana in la daba-galo qofka lagu soo wareejiyo si waafaqsan faqradaha 10aad iyo 11aad ee qodobkan, jinsiyada uu rabo ha wato, ama in la xayiro, ama la ciqaabo ama in lagu soo rogo xadidaad xoriyad-ka-qaadis dhulka dawladda xubinta loo wareejiyey, sabab ah fal ama eedeyn hore oo ah ka-bixid dhulka dawladda xubinta ah ee loo wareejiyey. Haddii aysan oggolaan dawladda xubinta ah ee loo soo wareejiyey.

13. Dawlad walba oo xubin ah waxay magacaabeysaa awood dhexe oo qaadata mas'uuliyada iyo qabashada codsiyada kaalmo sharci oo wadaag ah, sidoo kale fulinta codsiyadaas iyo u gudbinta laamaha ay khuseyso fulinteeda. Haddiise dawladda xubinta ah leedahay goob gaar ah ama gobol gaar ah oo leh nidaam madax-bannaan ee kaalmo sharci oo wadaag ah waxaa u bannaan dawladdaas inay magacaabato kaligeed awood dhexe oo qabata isla hawlaha ay qabtaan gobolkaas, dawladda dhexena waxay qaadaneysaa fulinta codsiyada ay heshay iyo inay si degdeg u gudbiso hab munaasib ah. Dawladda dhexe waxay u gudbineysaa codsiga laamaha ay khuseyso fulinta codsigaas. Iyadoo ku dhiiri-gelinaysa laamaha ay khuseyso fulinta codsigaas sida degdeg ah oo nabad ah. waxaa la gaarsiinayaa Xoghayaha Guud ee Qaramada Midoobay iyadoo loo marayo laanta dhexe eek u magacaaban ujeedkan waqtiga ay dawladda xubinta ah gudbineyso dukumentiyadeeda meel-marinta heshiiskan ama aqbalaadda ama oggolaanshaha ama kamid-noqoshada. Codsiyada kaalmada sharciga ee wadaaga ah iyo dhambaalada la xiriiira waxaa lagu hagaajinayaa ama loo dirayaa laamaha dhexe oo ay soo magacaabayaan dawladda xubinta ah. Codsiyadan wax uma dhimayaan xaqa dawladda xubinta ee ah inay ku shardiso ku hagaajinta codsiyada iyo

dhambaalda iyadoo loo marayo marinnada diblamaasiyadeed. Xaaladaha degdega ah haddii ay labada dawladood ee xubinta ah isku-raacaan inay isku mariyaan ururka Booliska caalamiga eek a hortagga dembiyada, haddii ay suurta-gal tahay.

14. Codsiyada waxaa lagu soo-gudbinaa iyagoo qoraal ah, ama haddii ay suurta-gal tahay hab kale oo abuuri kara dukumenti qoraal ah, luqada laga oggol yahay dawladda xubinta ah ee codsiga loo diray sidoo kale inuu qoraalka noqdo mid ay dawladda xubinta hubin karto sax ahaanshihiisa. Waxaa loogu gudbinaa Xoghayaha Guud ee Qaramada Midoobay luqad ama luqadaha laga oggol yahay dawladaha xubnaha ah marka ay gudbineyso warqada oggolaanshaha heshiiskan ama aqbalidda ama sixiixidda ama kamid-noqoshada. Xaaladaha degdega ah marka labo dawladood isku waafaqaan sidaas waxaa la oggol yahay in codsiyada laga soo gudbiyo si hadal ah (oral) kaddibna laga dhigo qoraal.

15. Codsiga kaalmada sharciga wadaagga ah wuxuu ka koobnaanayaa:
(a) Aqoonsiga dawladda codsiga gudbineysa;
(b) Mawduuca iyo nooca baaritaanka, dacwad-qaadista ama hab-raaca garsoorka ee la xiriira iyo magaca maamulka qabanaya baaritaanka, dacwad-qaadista iyo hab-raaca garsoorka;
(c) Qoraal kooban oo la xiriira mawduuca, marka laga reebo waxyaabaha ku saabsan codsiyada lagu soo gudbiyey ujeeddo ah gaarsiinta dekumentiyada garsoorka;
(d) Sharraxaad kaalmada la sheegay iyo faahfaahinta hab-raacyada gaarka ah oo ay dawladda xubinta ah ee codsanaysa rabto inay raacdo;
(e) Aqoonsiga qofka ay khuseyso, halka uu joogo iyo jinsiyadiisa, marka ay suurta-gal tahay; iyo
(f) Ujeeddada laga doonayo caddeymaha, xogta ama hab-raacyada.

16. Dawladda xubinta ah, oo codsiga heshay waxaa loo oggol yahay inay dalbato xogaha dheeriga ah marka ay u aragto inuu yahay lagama-maarmaan fulinta codsiga si waafaqsan shuruucdeeda gudaha, ama suurta-gal tahay inay fududeyso fulinteeda.

17. Codsiyada waxaa loo fulinayaa si waafaqsan shuruucda gudaha ee dawladda xubinta ah ee heshay codsiga, iyo sidoo kale si waafaqsan hab-raaca lu xaqiddan codsiga, marka ay u suurta-gal tahay haddii uusan ka hor-imaanayn shuruucda gudaha ee dawladda xubinta ah ee heshay codsiga.

18. Haddii qof jooga dhulka dawlad xubin ah, lagana rabo in la maqlo marag-furkiisa, ama xeel-dheere looga baahdo inuu horyimaado laamaha garsoorka dawlad kale oo xubin ah ayna suurta-gal tahay lana jaan-qaadaysa mabaadi'da asaasiga ah ee shuruucda gudaha dalkaas, waxaa u bannaan dawladda xubinta ah ee kowaad inay oggolaato, iyadoo fulinaysa codsiga dawladda xubinta ah ee kale. Qabashada fadhi dhageysi iyadoo la adeegsanayo fogaan-arag (video) haddii ay adkaato hor keenista qofka garsoorka dawlad xubinta ah ee codsiga leh, waxaa u bannaan labada dawladood ee xubnaha ah inay isku raacaan maamulidda fadhiga gar-maqalka laanta garsoorka ee dawladda xubinta ah ee codsiga wadata ayna goobjoog ka noqdaan laamaha garsoorka ee dawladda xubinta ah ee heshay codsiga.

19. Dawladda Xubinta ah ee codsiga leh uma bannaana in xogaha iyo caddeymaha ay ka heshay dawladda xubinta ee codsiga heshay inay u isticmaasho baaritaano iyo maxkameyn aan ku jirin codsiga ay soo gudbisay iyadoo aan oggolaansho hore ka haysanin dawladda xubinta ah ee codsiga loo gudbiyey. Faqraddan kuma jiro wax u diidayo dawladda xubinta ee codsiga gudbisay inay faafiso hab-raacyada, xogaha iyo caddeymaha barriyeelayo qof eedeysane ah. Marka halkaas marayso dawladda xubinta ah ee codsanaysa inta aysan faafinta xogaha iyo caddeymaha waa inay ogeysiisaa kana tala-gelisaa dawladda xubinta ee codsiga heshay marka laga dalbado. Haddii ay suura-geli weyso iyadoo jirto xaalad gaar ah waxay ogeysiinaysaa dawladda xubinta ah ee codsiga heshay inay faafiso si tartiib ah.

20. Waxaa u bannaan dawladda xubinta ah ee codsiga leh inay ku shardiso dawladda xubinta ah ee codsiga heshay inay ilaaliso sir ahaanshaha codsiga iyo ujeedkiisa, marka laga reebo inta lagama-maarmaanka u ah fulintiisa. Haddii ay noqon weyso dawladda xubinta ah ee codsiga heshay waa inay u hoggaansantaa shardiga qarsoodida, waxaa waajib ku ah gaarsiinta dawladda xubinta ah ee codsiga leh si degdeg ah.

21. Waxaa bannaan diidmada bixinta kaalmada sharciga ee wadaagga ah haddii ay jiraan arrimahan soo socda:

a) Haddii aan lagu soo-gudbin si waafaqsan axkaamta qodobkan;
b) Haddii ay dawladda xubinta ah ee heshay codsiga u aragto fulintiisa mid wax-u-dhimaya madax-bannaanideeda, nabadgelyadeeda, nidaamkeeda guud iyo danaheeda asaasiga ah;

c) Haddii uu shuruucda gudaha ee dawladda xubinta ah ee codsiga heshay ka reebayo laamaheeda inay fuliyaan hab-raacyada laga codsaday ee ku saabsan fal-dembiyeedyada la mid ka ah, xitaa haddii uu fal-dembiyeedkaasi ku jiro gacanta laamaha garsoorka si baaritaan, iyo daba-gal loogu sameeyo; iyo
d) Haddii ka-jawaabista codsiga ay ka hor-imaanayso nidaamka sharci ee dawladda xubinta ah ee codsiga heshay inta ku saabsan kaalmada sharci ee wadaagga ah.

22. Dawladda xubinta ah uma bannaana inay u diido codsiga kaalmada sharciga ee wadaagga ah inuu la xiriiro arrimo maaliyadeed awgeed.

23. Waa in la sheegaa sababaha diidmo walba oo ku saabsan kaalmada sharci ee wadaagga ah.

24. Dawladda xubinta ah ee heshay codsiga waxay fulinaysaa codsiga kaalmada sharci ee wadaagga ah xilliga ugu sokeeya ee suurta-galka ah, waxay ilaalinaysaa waqtiga ugu gaaban oo ay codsatay dawladda xubinta ah, waxaa la rabaa in sababaha lagu sheego codsiga, dawladda xubinta ah ee codsiga leh waxaa u bannaan inay u soo gudbiso weydiimaheeda maan-galka ah si ay u hesho xoggo ku aaddan hab-raacyada ay u martay dawladda xubinta ee codsiga heshay ka-jawaabidda codsigeeda iyo hormaradda ay ka sameysay arrintaas. Dawladda xubinta ah ee heshay codsiga waa inay kaga jawaabta weydiimahaas iyo horumarka laga gaaray fulinta codsiga. Dawladda xubinta ah ee codsanaysa waxay si degdeg ah u gaarsiinaysaa codsigeeda ah baahida ay u qabto kaalmo sharci.

25. Dawladda xubinta ah ee heshay codsiga waxaa u bannaan inay dib u dhigto kaalmada sharci ee wadaagga ah inay ka hor-imaanayso baaritaanada iyo hab-raaca garsoor ee socda awgeed.

26. Ka hor inta aan la diidin codsiga sida ku cad faqradda 21aad ee qodobkan ama aan dib loo dhigin sida ku xusan faqradda 25aad ee qodobkan, dawladda xubinta ah ee heshay codsiga waxay la tashan doontaa dawladda xubinta ee gudbisay codsiga si ay uga fiirsato ay bixin karta caawinaad sharci, iyadoo ay ku xiran tahay shuruudaha iyo shuruudaha sida ay u aragto in loo baahan yahay. Haddii dawladda xubinta ah ee codsanaysa ay aqbasho caawinnaadda ku saleysan shuruudahaas, waa inuu u hoggaansamaa leh shuruudaha.

27. Iyadoo aan wax loo dhimmeyn dabaqaadda faqradda 12aad ee qodobkan, ma bannaano in la daba-galo, la soo xiro ama la ciqaabo markhaati ama xeel-dheere ama qof kale, iyadoo laga duulayo codsiga dawladda xubinta ah ee codsiga leh iany soo gudbiso marag-furkeeda hab-raaca garsoor, ama in ay gacan ka geystaan baaritaanka iyo daba-galka iyo hab-raaca garsoorka ka jira dhulka dawladda xubinta ah ee codsatay.

28. Dawladda xubinta ah ee codsiga heshay waxay qaadaneysaa bixinta lacagaha caadiga ah ee ku baxa fulinta codsiga, haddii aysan labada dawladood ee xubnaha ah aysan isku raacin si kale. Haddiise fulinta codsiga uu ku baxayo kharash fara badan labada dawladood ee xubnaha ah ay khuseyso arrinta ayaa ka wada-tashanayo xadididda iyo fulinta qodobada iyo shuruudaha lagu heshiiyey, iyo sidoo kale qaabka loo bixinayo kharashaadkaas.

29. Dawladda Xubinta ah ee laga codsaday:

(a) waxay siinaysaa dawladda xubinta ah ee codsiga soo gudbisay nuqullo kamid ah diiwaanada, dekumentiyada iyo xogaha dawladeed ee u oggolaanayo shuruucda dalkaas inay helaan dadweynahooda;

(b) dawladda xubinta ah ee heshay codsiga waxaa loo oggol yahay inay siiso dawladda xubinta ah ee soo gudbisay codsiga dhammaan ama qeyb kamid ah shuruudaha ay u aragto inay habboon yihiin, nuqullo kamid ah diiwaanada, dekumentiyada iyo xogaha dawladeed ee u oggolaanaya shuruucda dalkaas inay helaan dadweynahooda.

30. Dawladaha Xubnaha ah waxay tixgelinayaan, haddii ay lama-huraan tahay, suurta-galnimada in ay dhammeystiraan heshiisyo iyo af-garadyo labo-geesood ah ama ka badan oo u adeegaya ujeeddooyinka dhaqan-gelinta Qodobkan ama horumarinta axkaamtiisa.

QODOBKA 47AAD
WAREEJINTA DACWADAHA FAL-DEMBIYEEDYADA

Dawladaha Xubnaha ah waxay tixgelinayaan suurta-galnimada isu-wareejinta dhexdooda ee maxkamadaynta fal-dembiyeed lagu abuuray si waafaqsan Heshiiskan ee dacwadaha wareejintaas loo tixgelinayo in ay noqdaan kuwo ku saleysan danaha maamul hab-sami leh ee cadaalad, gaar ahaan dacwadaha ay ku shuqlan yihiin dhawr ikhtisaas, oo looga gol-leeyahay in diirrada la saaro maxkamadeynta.

QODOBKA 48AAD
ISKAASHIGA FULINTA SHARCIGA

1. Dawladaha Xubnaha ah waxay yeelanayaan iska-kaashi adag oo dhexdooda ah, si ku aaddan nidaamyadooda gudaha ee sharci iyo maamul, si ay u horumariyaan waxtarnimada falka fulinta sharciga si looga hortago fal-dembiyeedyada ku xusan Heshiiskan. Dawalada Xubnaha ah waxay, si gaar ah, u qaadayaan tallaabooyin waxtar leh:
   (a) In la horumariyo iyo, haddii ay lama-huraan tahay, in la abuuro marino xiriir ee hay'adahooda awoodda leh, wakaaladaha iyo adeegyada si loo fududeeyo is-dhaafsiga xogaha si nabdoon oo degdeg ah dhammaan qeybaha fal-dembiyeedka ee ku xusan Heshiiskan, sida, haddii ay dawladaha xubnaha ah ee ay khusayso la habboonaato, isku-xirnaansho hawlaha fal-dembiyeed ee kale;
   (b) In la kaashado dawladaha kale ee xubnaha ah, si loo fuliyo baaritaano la xiriira fal-dembiyeedyada ku xusan Heshiiskan ee khuseeya:
      (i) Aqoonsiga dadka looga shakisan yahay inay gacan ku leeyihiin fal-dembiyeedka iyo meelaha laga heli karo iyo hawlahooda, sidoo kale goobaha ay ku sugan yihiin dadka kale ee uu khuseeyo;
      (ii) Dhaqdhaqaaqa faa'iidada laga helay fal-dembiyeedka iyo hantida laga helo gelidda fal-dembiyeedka; iyo
      (iii) Dhaqdhaqaaqa hantida ama agabka ama qalabka kale ee loo isticmaalay ama ujeeddada ahayd in lagu galo fal-dembiyeed;
   (c) Sameynta marka lagama-maarmaanka ay tahay in la bixiyo noocyada iyo tirada walxaha iyadoo ujeedka yahay falanqeyn iyo baaritaan;
   (d) Dawladaha Xubnaha ah waxay yeelanayaan isweydaarsi xogaha marinnada iyo hababka loo isticmaalo fal-dembiyeedyada ku xusan heshiiskan, sidoo kale isticmaalka dhalashooyinka been-abuurka ah iyo dukumentiyada been-abuurka ah iyo hababka kale ee qarinta hawlaha;
   (e) Si loo fududeeyo isku-duwid wax-ku-ool ah oo u dhexeysa mas'uuliyiinta awoodda u leh, wakaaladaha iyo adeegyada si loo dardar-geliyo is-weydaarsiga saraakiisha iyo xeel-dheereyaasha kale, si waafaqsan heshiisyada labo-geesoodka ah ama heshiisyada u dhexeeya Dawladaha Xubnaha ah; iyo
   (f) In la is-weydaarsado macluumaadka iyo isku-duwidda hawlaha maamul, iyo hab-raacyada ku habboon ee loo qaadayo iyadoo ujeeddada tahay ka-hortagga fal-dembiyeedyada ku xusan heshiiskan;

2. Iyadoo la dhaqan-gelinayo heshiiskan, Dawladaha Xubnaha ah waxay gelayaan heshiisyo iyo is-af-garad labo-geesood ah ama in ka badan si ay iskaashi toos ah u yeeshaan laamaha ay khuseyso fulinta sharciga. Marka wax-

ka-bedel lagu saameynayo heshiiska iyo af-garadka jiro. Haddii uusan jirin heshiis iyo af-garad u dhexeeya Dawladaha Xubnaha ah oo ku saabsan iskaashiga sharci waxaa u bannaan dawladda xubinta ah inay heshiiskan ka dhigto mid bud-dhig u ah iskaashiga sharci ee wadaagga ah marka la fulinayo sharciga ujeedkiisa yahay fal-dembiyeedyada ku xusan heshiiskan. Dawladaha Xubnaha ah waxay ka faa'ideysanayaan heshiisyada iyo af-garadka, ayna ku jiraan hay'adaha caalamiga ah iyo kuwa gobolka si loo adkeeyo xiriirka iskaashi ee dawladaha ay khuseyso.

3. Dawladaha Xubnaha ah waxay yeelanayaan iskaashi inta ay awoodooda gaarsiisan tahay si ay uga hortagaan fal-dembiyeedyada ku xusan heshiiskan ee lagu galay aaladaha casriga ah.

QODOBKA 49^AAD
BAARITAANNADA WADAAGGA AH

Dawladda xubinta ah waxay eegaysaa gellida heshiisyo iyo af-garadyo labo-geesood ah ama ka badan oo u oggolaanayo laamaha ay khuseyso inay asaasaan hay'ado baaritaan oo wadaag ah, daba-gal iyo garsoor u dhexeeya dawlad iyo wax ka badan. Marka aysan wax heshiis ah ama is-af-garasho oo arrintan ku saabsan waxaa la oggol yahay sameynta baaritaan wadaag ah sida ay tahayba. Dawladaha Xubnaha ah oo ay khuseyso waxay damaanad-qaadayaan ilaalinta iyo ixtiraamka madax-banaanida dawladda xubinta ah ee baaritaannada ka wada dhulkeeda.

QODOBKA 50^AAD
HAB-RAACYADA BAARITAANKA GAARKA AH

1. Si loola dagaallamo musuq-maasuqa si hufan, Dawlad kasta oo Xubin ah, Awoodda oggolaansho ee mabaadi'da asaasiga ah ee sharciyadeeda iyadoo la raacayo shuruudaha uu farayo sharcigeeda, qaado tallaabooyinkan oo kale sida loogu baahan yahay, iyadoo loo adeegsanayo, in loo oggolaado adeegsiga munaasib ah Mas'uuliyiinta karti u leh gaarsiinta la xakameeyey iyo, meeshii ay u aragto inay ku habboon tahay, mid kale farsamooyinka baarista gaarka ah, sida elektiroonigga ama qaabab kale oo ka war-haynta iyo baadhitaan hawleed, gudaha dhulkiisa, iyo in loo oggolaado oggolaanshaha gudaha maxkamadda caddeynta laga soo saaray halkaas.

2. Ujeeddada baarista dembiyada kooban ee Heshiiskani gaaray, Dawladaha Xubnaha ah waxaa lagu dhiirri-gelinayaa inay soo gabagabeeyaan, marka lagama-maarmaanka ay tahay, heshiisyada, dhinacyo badan ama

qabanqaabooyin loo adeegsanayo baaritaanka noocaas ah hab-raacyada macnaha guud ee iskaashiga heerka caalamiga ah. Heshiisyada noocan oo kale ah ama qabanqaabooyinka waa in la soo gabagabeeyaa lana hirgeliyaa si buuxda u-hoggaansanaanta mabda'a sinnaanta madax-bannaanida dawladaha, waa in si adag loogu fuliyaa iyadoo la raacayo shuruudaha heshiisyadaas.

3. Marka aanu jirin heshiiska ku xusan faqradda (2) ee qodobkan, go'aannada loo adeegsado hab-raacyada baarista khaaska ah ee Heerka caalamiga ah waa in lagu saleeyaa kiis-kiis iyadoo ay suurta-gal tahay, markii loo baahdo, tixgeliyaana abaabulka dhaqaale iyo fahamka si qaddarin leh Ku dhaqmidda awoodda Dawladaha Xubnaha ah.

4. Go'aannada loo adeegsado keenista la xakameynayo heerarka caalamiga ah, waxaa oggolaanaya Dawladaha Xubnaha ka ah heshiiska, waxaa kamid ah habab ay kamid yihiin go'aannadata iyo u oggolaanshaha badeecadda ama lacagaha inay sii socdaan ama laga saaro ama lagu beddelo gabi ahaan.

CUTUBKA V
SOO-CELINTA HANTIDA MUUQATA

QODOBKA 51AAD
XUKUN GUUD

Soo-celinta hantida sida ku xusan cutubkan waa mabda' asaas u ah heshiiska, iyo Dawladaha Xubnaha ah waa inay midba midka kale u awoodi karo iskaashi dhinacan oo kale ah.

QODOBKA 52AAD
KA-HORTAGGA IYO OGAANSHADA WAREEJINTA FAA'IIDOOYINKA FAL-DEMBIYEEDKA

1. Iyadoon ka marnayn qodobka 14aad ee heshiiskan, Dawlad kasta waxay qaadaysaa talaabooyinka loo baahdo, si waafaqsan shuruucdeeda, hay'adaha maaliyadda u baahan xaddiddaada si loo xaqiijiyo aqoonsiga macaamiisha, inay qaadaan tallaabooyin suurta-gal ah, si loo go'aamiyo aqoonsiga milkiilayaasha ka faa'iida Lacagta lagu shubay xisaabaadka qiimahoodu sareeya iyo in la sameeyo kor-joogteyn kor loogu qaadayo akoonadaas oo la dalbaday laguna matalayo shakhsiyaadka, ku aaminay shaqooyin caan ah oo bulshada ka tirsan iyo xubnaha qoyskooda iyo xiritaan dhow iskaashatada.

Baaritaanka la xoojinayo waa in loo sababeeyaa si suurta-gal ah ee loogu talo-galay in lagu ogaado shaki macaamil ganacsi oo loogu talo-galay in lagu wargaliyo mas'uuliyiinta kartida leh mana aha inay ahaato waxaa loo dhisay sidii looga niyad-jebin lahaa ama looga mabnuuci lahaa hay'adaha maaliyadeed inay ganacsi sameeyaan oo ay la jiraan macaamiil sharci ah.

2. Si loo fududeeyo fulinta qorshaha qoran ee faqradda (1) ee qodobkan, Dawlad kasta, si waafaqsan shuruucdeeda, waxa dhiirri-geliyey dadaallo ku habboon oo ka socda gobolka, dhex-dhexaadin iyo dhinacyo badan ururada ka dhanka ah lacagta la dhaqay.
   (a) Bixinta tallaabooyinka ku saabsan noocyada shakhsiyad qaanuuneed, xisaabaadka hay'adaha maaliyadeed ee ku jira xaddidiisa sharciga ayaa la filayaa inay ku dabaqaan kor-u-qaadida kormeerka, noocyada xisaabaadka iyo macaamil ganacsiyeedka si gaar ah loogu bixiyo feejignaan iyo furitaan xisaabeed oo munaasib ah, dayactir iyo diiwaan-geliin tallaabooyin la qaado oo la xiriira xisaabaadkaas; iyo
   (b) Gaarsiinta hay'adaha maaliyadda ka tirsan ikhtsaasyeyada garsoorka marka xukunka lagu dhisayo codsi Dawlad xubin ka ah oo kale ama iskiis u gaar ah, ee aqoonsiga khaas ahaan kuwa dabiiciga ah ama kuwa sharciga ah oo akoonnada ay hay'addu yeelan doonto lala xisaabtami doono, waxaa la rajeynayaa in lagu dabaqo baaritaan kor loo qaaday, marka lagu daro kuwa dhaqaalaha haysta Hay'aduhu haddii kale way garan karaan.
3. Sida ku cad faqradda (2)(b) ee qodobkan, Dawlad kasta waxay yeelanaysaa fulin tallaabooyin lagu hubinayo in hay'adda maaliyada ay ilaalin ku filan diiwaan-geliyaan, muddo ku habboon oo waqti ah, akoonnada iyo macaamillada ku lug leh shakhsiyaadka lagu sheegay faqradda (1) ee qodobkan, oo ay ugu yar tahay, waxaa ku jira macluumaad la xiriira aqoonsiga macmiilka, iyo inta suurta-gal ah, milkiilaha waxtarka leh.

4. Ujeeddada laga leeyahay ka-hortagida iyo ogaanshaha wareejinta faa'iidooyinka fal-dembiyada lagu asaasay si waafaqsan hesiiska, Dawlad kasta waxay yeelanaysaa qorsha tallaabooyin ku habboon oo wax-ku-ool ah si looga hortago, iyadoo la kaashanayo hayadaha sharciga ah iyo kormeerka, saameynta maamullo aan lahayn Jiritaankaas oo aan ku lug lahayn ururo maaliyadeed nidaamsan. Waxaa intaa dheer, Qeybaha Dawladaha ayaa laga yaabaa inay tixgeliyaan inay u baahan yihiin hay'adaha maaliyadeed inay diidaan inay galaan in la sii wado ama la sii socodsiiyo xiriir banki oo xiriir la leh.

5. Dawlad kasta waxay tixgelin doontaa asaaska, si waafaqsan sharcdeeda, in la unko nidaam wax-ku-ool ah oo maaliyadeed looguna talo-galay shaqaalaha guud ee rasmiga ah. Dawlad kasta oo xubin ah waxay sidoo kale tixgelinaysaa qaadista tallaabooyinka sida lagama-maarmaanka u ah oggolaanshaha awoodaheeda gaarka ah inay macluumaadkaas la wadaagaan mas'uuliyiinta kartida u leh Qeybaha kale ee Dawladaha Xubnaha ah marka ay lagama-maarmaan tahay in la hubiyo faa'iidooyinka laga helay fal-dembiyeedka, si waafaqsan heshiiskan.

6. Dawlad kasta waxay tixgelinaysaa qaadidda tallaabooyinkaas, iyadoo waafaqsan shuruucdeeda, laguna waajib yeelo shaqaalaha guud Saraakiisha dano ka leh koonto maaliyadeed oo waddan shisheeye ah looga warbixiyo xiriirkaas inuu la leeyahay mas'uuliyiinta ku habboon iyo diiwaannada habboon ee la xiriira xisaabaadkooda.

QODOBKA 53AAD
TALLAABOOYINKA DIB-U-SOO-CELINTA TOOSKA AH EE HANTIDA

Dawlad kasta waa inay waafajisaa shuruucdeeda in ay:

a. Qaado tallaabooyin lagama-maarmaan u ah inay u oggolaato Dawlad dhinac kale in lagu oogo dacwad madani ah maxkamadda horteeda si loo caddeeyo lahaansho hanti lagu helay fal-dembiyeedka la asaasay iyadoo la raacayo heshiiskan, ama si loo caddeeyo milkiyadahaas;
b. Qaado tallaabooyin lagama-maarmaan u ah in ay maxkamadda oggolaato si loo amro kuwa galay fal-dembiyadka, si waafaqsan heshiiskan in ay magdhaw bixiso dawladda dhinaca ka ah waxyeelada ka dhalatay fal-dembiyeedkaas;
c. Qaado qorshaha waajibka ah si ay u oggolaato maxkamaddeeda ama awoodeheeda gaarka ah, marka ay go'aansato qaadashada arrimaha soo baxay, si ay u aqoonsato dalabka dawlad dhinac kale ah ay la wareegto hantida laga helay fal-dembiyeed lagu asaasay si waafaqsan heshiiskan.

QODOBKA 54AAD
HAB-RAACYADA DIB-U-SOO-CELINTA HANTIDA IYADOO LOO MARAYO ISKAASHI CAALAMI AH EE DHINACYADA WADA-SHAQEYNTA LEH

1. Dawlad kasta, si uu u bixiyo iskaashi sharciyeed wadajirka ah sida ku xusan Qodobka 55aad ee heshiiskan oo la xiriira hantida laga helay fal-dembiyeedka uu galy iyadoo la waafajinayo heshiiskan ama la xiriirta hawsha, si waafaqsan shuruucdeeda waa in ay:

(a) Qaado waxa ku waajibinaya qorshaha saamaxaada, si awoodda gaarka ah loo fuliyo ama amarka la-wareegista ee ay soo saartay maxkamad Dawlad dhinac kale ah;

(b) Qaado waxa ku waajibinayo qorshaha saamaxaada, marka ay tahay ikhtisaaska garsooraha, inay amarto la-wareegista hantida asal ahaan shisheeye ah, iyadoo loo xukumayo arrimo fal-dembiyeed lacag dhaqis ah ama dembiyo kale, taa oo ka tirsan ikhtisaaskeeda garsoor ama hab-raacyo kale oo loo oggol yahay shuruucdeeda; iyo

(c) Iyadoo loo eegayo qaadista qorshaha saamaxaadda ka soo baxday la wareegidda hantidaas iyadoo aan dembi lagu xukumin dacwadaha suurto-galka ahayn sabab taasoo la xiriirta geeri, ama ka-carar, ama ka-maqnaansho ama xaalad kale oo munaasib ah.

2. Dawlad kasta oo xubin ka ah, si ay u suurawdo horudhac iskaashi sharci taasoo ku dhisan dalab la soo qadimayo iyadoo la dhaqan-gelinayo faqradda (2) ee qodobka (55) ee heshiiskan, si waafaqsan shuruucdeeda, waa in ay:

(a) Qaado waajibnimadka qorshaha saamaxaada awoodeheeda gaarka ah ee xannimaada ama xayiraad hantiyadeed, iyadoo lagu dhisayo amarka xannibaada ama xayiraada ka soo baxda maxkamada ama awoodda gaarka ah ee dawlad xubin ka ah asaaska suurta galka ah ee keenaya codsiga dawlad xubin ka ah oo la aamino iyadoo ay kala kulantay codsi, sababahaas oo dhammays tirayo qaadashada qorshaha qabiilkan in hantidaas ay u quduucdo si qaado ah amarka la-wareegista ah ujeeddooyinka faqradda (1)(b) ee qodobkan;

(b) Qaado waajibnimadka qorshaha saamaxaada awoodeheeda gaarka ah ee xannimaada ama xayiraad hantiyadeed, iyadoo lagu dhisayo amarka xannibaada ama xayiraada ka soo baxda maxkamada ama awoodda gaarka ah ee dawlad xubin ka ah asaaska suurta-galka ah ee keenaya codsiga dawlad xubin ka ah oo la aamino iyadoo ay kala kulantay codsi, sababahaas oo dhammays tirayo qaadashada qorshaha qabiilkan in hantidaas ay u quduucdo si qaado ah amarka la-wareegista ah ujeeddooyinka faqradda (1)(b) ee qodobkan;

(c) Iyadoo la eegayo qaadashada qorshahan laguna biirinayo saamaxaada si awoodeeda gaarka ah ay oogu ilaaliso hantidaas oo lala wareegayo awgeed, iyadoo lagu dhisayo tusaalahan ama tuhmo fal-dembiyeed la xiriira xayiraada hantidaas.

QODOBKA 56AAD
WADA-SHAQEYN GAAR AH

Iyadoo aan loo kala eexaneyn sharciga wadanka, dawlad kasta oo qeyb ka ah heshiiskan waxay ku dadaaleysaa inay qaado tallaabooyin ay ugu

oggolaaneyso inay ku gudbiso, iyadoo aan laga hor-imaanin baaritaankeeda, dacwad-qaadista ama nidaamka garsoorka, macluumaadka ku saabsan ka-hortagga dembiyada lagu asaasay si waafaqsan heshiiskan, dawladaha kale ee qeybta ka ah iyadoo aan horay loo sii sheegin codsi hore, marka ay u aragto siidaynta macluumaadka oo ay ka caawin karto dawladaha gobolka bilaabida ama sameynta baaritaannada, dacwad-qaadista ama habsami-u-socodka garsoorka, ama wax kasta oo ay codsadaan dawladaha gobolka ee lagu xusay cutubyada heshiiskan.

QODOBKA 57AAD
SOO-NOQOSHADA IYO TUURISTA HANTIDA

1. Hantida lagu wareejiyey dawladaha gobolka iyadoo la raacayo Qodobka 31 ama 55 ee heshiiskan, oo ay ku jiraan soo-celinta hantiyeed dawladaha gobolku usooceliyaan milkiilayaashii hore ee sharciga, waa in la siiyaa iyadoo la raacayo faqradda (3) ee Qodobkan, dawladaha gobolka iyadoo la raacayo qodobbada lagu sheegay qodobkan lagu heshiiyey Heshiis iyo sharciga. Dawlad kasta oo qeybta ka ah waxay asaasay sharci-dejin iyo talaabooyin kale ee lagama-maarmaanka u ah, iyadoo la raacayo mabaadi'da asaasiga ah ee sharcigeeda, si awood loogu siiyo mas'uuliyiinta awoodda u leh inay soo celiyaan hantida la la wareegay, iyagoo raacaya codsiyada ay soo gudbiyeen dawladaha kale ee qeybta ka ah, iyadoo la raacayo heshiiskan, lana tixgelinayo xuquuqda dhinac saddexaad si niyad-wanaag leh.

2. Sida ku xusan qodobbada 46aad iyo 55aad ee heshiiskan iyo faqradda (1) iyo (2) ee qodobkan, dawladaha qeybta ka ah waxaa laga codsanayaa: (a) Dhacdada lunsiga hantida dadweynaha ama ku-takri-falidda hantida guud sida ku xusan qodobbada 17aad iyo 23aad ee heshiiskan. Marka la wareejiyo sida ku xusan qodobka 55aad iyo ku saleysan xukunka kama dambaysta ah ee laga codsaday dawladaha gobolka, waxaa lagama-maarmaan ah in laga codsado dawladaha qeybta ka ah, iyaga oo ku celinaya hantida la wareejiyey ay codsaden dawladaha kale ee xafladda; (b) Marka laga hadlayo wixii ka soo baxa fal-dembiyeed kasta oo lagu xusay heshiiskan, wareejinta fulinta si waafaqsan qodobka 55aad ee heshiiskan iyadoo ku saleysan xukunka kama dambaysta ah ee looga codsanayo dawladaha Gobolka, shuruudaha looga tanaasuli karo dawladaha Gobolka codsiyadooda, soo-celinta hantida lala wareegay ee dawladaha Gobolka. Dhinacyada codsanaya, markay codsanayaan dawladaha qeybta ka ah inay si macquul ah u muujiyaan lahaanshiyaha hantida la la wareegayo ee dawladuhu codsadeen, iyo goorta la codsaday ama la aqoonsaday waxyeelada ka imaanaysa codsiga dawladaha oo ah asaaska soo-celinta hantida la wareejiyey; (c) si wadajir ah.

3. Xaaladaha kale, kala hormarinta ku soo-celinta hantida la gu wareejiyey codsigii dawladda, soo-celinta hantidaas milkiilayaashii hore ee sharciga lagu susay ama mag-dhaw dhibanayaasha dembiga laga galay.
4. Dawladaha qeybta ka ah heshiiskan ee laga codsaday waxay awood u leeyihiin, markasta oo loo baahdo, haddii aysan labada dawladood go'aan kale ka gaarin, in laga jaro kharashaadka macquulka ah ee la xiriira baaritaanka, tijaabooyinka, ama nidaamka garsoorka ee keenaya soo-celinta ama tuurista hantida la wareejiyey sida ku xusan qodobka 5aad, Dawladaha Xubnaha ah waa inay sida ku habboon u tixgeliyaan gaar ahaan xilliga heshiisyada ama qabanqaabada la aqbali karo ee labada dhinac, iyadoo loo eegayo xaalad-xaalad, ugu dambayntii ku-wareejinta hantida la wareejiyey.

QODOBKA 58AAD
QEYBTA SIR-DOONKA DHAQAALAHA

Dhinacyada dawladaha qeybta ka ah heshiiskan waa inay iska kaashadaan midba midka kale ujeeddooynka ka-hortagga iyo la dagaalanka wareejinta lacagaha ka soo baxay dembiyada cayiman sida ku xusan heshiiskan iyo in la dhiiri geliyo dariiqyada iyo qaababka dib loogu soo celinayo hawlahan, ilaa iyo dhammaadka, waxay tixgelinaysaa saameynta waax sir-doon maaliyadeed oo loo idmaday. Waxayna mas'uul ka tahay helitaanka, falanqaynta iyo daabacaadda warbixinnada macaamil ganacsi oo laga shakiyey ee mas'uuliyiinta awoodda u leh.

QODOBKA 59AAD
HESHIISYO LABO-GEESOOD AH IYO HESHIISYO DHINACYO BADAN LEH

Dhinacyadu waa inay tixgeliyaan heshiis labo-geesood ah iyo heshiisyo dhinacyo badan leh iyo in la diyaariyo laguna xoojinayo wax-ku-oolnimada iskaashiga caalamiga ah ee la qabta ka ah iyadoo la raacayo cutubka heshiiskan.

CUTUBKA VI
CAAWIMAAD HEER SARE AH IYO IS-WEYDAARSI MACLUUMAAD

QODOBKA 60AAD
TABABAR IYO TAAGEERO FARSAMO

1. Dawlad kasta oo qeyb ka ah heshiiskan waxay u istaageysaa sida ugu macquulsan bilaabida hormarinta ama hagaajinta barnaamijyo tababaro gaar ah oo loogu talo-galay shaqaalaheeda ka mas'uulka ah ka-hortagga iyo la-dagaallanka musuq-maasuqa. Barnaamijyada tababbarka ayaa laga yaabaa inay wax ka qabtaan, iskana kaashadaan, qeybaha soo socda:

a) Tallaabooyin wax-ku-ool ah oo looga hortagayo, laguna ogaanayo, baarista, ciqaabanaha iyo la-dagaallanka musuq-maasuqa, oo ay ku jiraan adeegsiga cadaymaha-ururinta iyo hababka baaritaanka;
b) Awood-dhisidda dejinta iyo qorsheyn siyaasad istiraatiijiyadeed oo lagula dagaallamayo musuq-maasuqa;
c) Tababbarashada mas'uuliyiinta awoodda u leh diyaarinta codsiyada kaamo sharci ee labada dhinac ah kaasoo fulinaya shuruudaha heshiiskan;
d) qiimeynta iyo xoojinta hay'adaha, maareynta hawlaha guud, iyo maareynta lacagaha dadweynaha, oo ay ku jiraan soo iibsi dawladeed, iyo waaxda gaarka loo leeyahay;
e) Ka-hortagga iyo la-dagaallanka soo-celinta lacagaha, fal-dembiyeedyada la cayimay si waafaqsan heshiiskan iyo dib u soo-celinta lacagahaas;
f) Ogaanshaha iyo ku keydinta wareejinta lacagaha dembiyada la cayimay oo loo asaasay si waafaqsan heshiiskan;
g) La-socoshada dhaqdhaqaaqa lacagaha dembiga lagu qeexay heshiiskan iyo qaababka loo adeegsado wareejinta, qarinta ama qarsashada hawlahan;
h) Qaabab sharci oo hufan iyo hab maamul si loogu fududeeyo soo-celinta natiijooyinka dembi ee lagu aqoonsaday si waafaqsan heshiiskan;
i) Qaababka loo ilaaliyo dhibbaneyaasha iyo markhaati-foreyaasha la shaqeeya hay'adaha garsoorka; iyo
j) Tababbarka xeerarka qaranka iyo kuwa caalamiga ah, luqadaha.

2. Dawlad kasta oo qeybka ah waa inay tixgelisaa, sida ay awood uguleeyihiin, midba midakale uguna deeqdo heerka ugu sareeya ee xagga farsamo ku caawinta, gaar ahaan ka faaiidaysiga wadamada soo koraya, qorshayaasha iyo barnaamijyada lagula dagaallamayo musuq-maasuqa, waxaa kale oo kamid ah taageero dhaqaale iyo tababbar si waafaqsan faqradda (1) ee qodobkan, iyo isweydaarsiga labada dhinac khibradaha iyo aqoon isweydaarsi gaar ah, taas oo fududeyneysa iskaashiga caalamiga ah ee ka dhexeeya dhinacyada gobolka ee is-dhaafsada kaalmada sharci ee labada dhinac ah.

3. Dawladaha qeybta ka ah heshiiskan waxaa lagama-maarmaan ah sare-u-qaadidda dadaallada lagu kordhinayo hawlaha hawl-galka iyo tababarada inta ugu badan ee macquulka ah ee hay'adaha caalamiga ah iyo kuwa gobolka, qaab dhismeedka heshiisyada iskaashi ee labada dhinac iyo abaabullada.

4. Dawladaha qeybta ka ah waa inay tixgeliyaan caawinta dhexdooda, marka la codsado, iyagoo fulinaya qiimeynta, daraasadaha iyo cilmi-baaris la xiriirta noocyadooda, sababaha iyo saameyntooda.

5. Kharashaadka musuq-maasuqa ee dalalkooda, iyadoo ujeedadu tahay in la horumariyo istiraatiijiyadaha la-dagaallanka musuq-maasuqa iyo qorshayaasha waxqabadka iyadoo ay ka qeyb-gelayaan mas'uuliyiin karti u leh iyo bulshada.

6. Si loo fududeeyo soo kabashada natiijooyinka dembiyada lagu asaasay si waafaqsan heshiiskan, Gobollada waxay iska kaashan karaan bixinta midba midka kale magacyada khabiiro gacan ka geysan kara gaarista ujeeddadaas.

7. Dawladaha qeybta ka ah heshiiskan waa inay tixgeliyaan adeegsiga shirar-hoosaadyo, iyadoo lala soconayo inay dhaqaale ku biiriso dadaalada wadamada soo koraya iyo wadamada xaaladaha kala-guurka ah ku jira si loogu dabaqo heshiiskan barnaamijyada caawinta iyo farsamooyinka.

8. Dawlad kasta oo xubin ah waxay taabo-gelinaysaa xafiiska Qaramada Midoobay ee la-dagaallanka Maan-dooriyaha iyo Dembiyada ujeedkoodu yahay kobcinta, iyadoo loo marayo Xafiiska, barnaamijyada iyo mashaariicda ka socota waddamada soo koraya iyadoo ujeeddadu tahay hirgelinta heshiiskan.

QODOBKA 61AAD
URURINTA IS-DHAAFSIGA IYO FALANQAYNTA MACLUUMAADKA LA XIRIIRA MUSUQ-MAASUQA

1. Dawlad kasta oo qeyb ka ah heshiiskan waa inay tixgelisaa falanqaynta, iyadoo lagala tashanayo khubaro ku xeel-dheer isbeddelada musuq-maasuqa ee ka jira dhulkeeda, sidaa soo kale waxaa la mid ah duruufaha ay sababeen dembiyada musuq-maasuqa.

2. Dhinacyada Dawladaha Qeybta ka ah heshiiskan waa inay tixgeliyaan saameynta tirakoobka iyo wadaagida qeybaheeda kale iyadoo ay tiro koobayaan ururo caalami ah iyo kuwa gobolka, is-dhaafsiga khibradaha falanqeynta la xiriira musuq-maasuqa iyo macluumaadkiisa, in wax waliba la wadaago iyadoo la sameynayo qeexitaan wadajir ah sida ugu macquulsan, sidoo kale macluumaad ku saabsan dhaqamada wanaagsan ee looga hortago musuq-maasuqa.

3. Dawladaha qeybta ka ah heshiiskan waa inay tixgeliyaan la-socodka siyaasadiisa iyo tallaabooyinka lagula dagaallamayo musuq-maasuqa iyo saameynta qiimeynta waxtar iyo hufnaan.

QODOBKA 62AAD
TALLAABOOYIN KALE: HIRGELINTA HESHIISKA IYADOO LOO MARAYO HORUMARINTA DHAQAALAHA IYO KAALMADA FARSAMADA

1. Dawladaha qeybta ka ah heshiiskan waa in ay qaadaan talaabooyin ku habboon dhaqan-gelinta heshiiskan, sida ugu macquulsan, iyadoo loo marayo iskaashi heer caalami ah, si loo maareeyo saameynta xun ee musuq-maasuqa ku yeeshay bulshada guud ahaan, iyo gaar ahaanba horumarka joogtada ah.

2. Dawladaha qeybta ka ah heshiiskan waa in ay qaadaan dadaalo wax-ku-ool ah, sida ugu macquulsan una wada shaqeyn karaan midba mida kale, sidoo kale ururada caalamiga iyo kuwa gobolka:

(a) In la xoojiyo iskaashiga heerarkiisa kala duwan ee wadamada soo koraya, iyadoo la eegayo xoojinta awoodaha dambe ee ka-hortagga la-dagaallanka musuq-maasuqa;

(b) Si kor loogu qaado kaalmo maaliyadeedka iyo agabyada lagu taageerayo dadaallada wadamada soo koraya, si loola dagaallamo musuq-maasuqa iyo caawin wax-ku-ool ah, si loo meel-mariyo heshiiskan;

(c) Waxay taageero farsamo siineysaa wadamada soo koraya iyo kuwa kujira xilliga kala-guurka, si looga caawiyo baahiyahooda hirgelinta Heshiiskan. Si taas loo gaaro, dhinacyada Dawladaha xubnaha ah waxay ku dadaalayaan in ay ku taageeraan dhaqaale ku filan oo joogto ah, sidoo kale waxaa lagu bixinayaa qaab-xisaabeed si gaar ah loogu cayimay habka maal-gelinta Qaramada Midoobay. Dawladaha Gobolka sidoo kale waxay bixinayaan caawimaad hab-raac gaara leh, iyadoo adeegsanaysa sharciyadeeda iyo qodobbada heshiiskan, in gacan laga geeysto qoondada lacagta ama lacag la mid ah oo ka soo baxda macaashka dembiga ama hantida la wareejiyey si waafaqsan qodobbada heshiiskan; iyo

(d) In la dhiirri-geliyo lagana dhaadhiciyo Dawladaha kale iyo hay'adaha maaliyadeed sida ugu habboon, dadaallada lagu sameeyey si waafaqsan Qodobkan, gaar ahaan iyadoo la siinayo barnaamijyo badan oo ay kamid yihiin tababar iyo qalab casri ah, wadamada soo koraya si looga caawiyo inay gaaraan ujeeddooyinka heshiiskan.

3. Tallaabooyinkan ma aha inay kala soocaan, intii suurta-gal ah, waajibaadka kaalmada shisheeye ama abaabullada kale ee iskaashiga maaliyadeed ee labo-geesoodka ah, heer gobol ama caalami.

4. Dawladaha qeybta ka ah waxey soo gabagabeynayaan heshiisyo labo-geesood ah ama heshiisyo dhinacyo badan leh ama qabanqaabo ku saabsan agabka iyo kaalmada saadka, iyadoo la tixgelinayo hab maaliyadeedka lagama-

maarmaanka u lah habka iskaashiga caalamiga ah ee lagu fulinayo heshiiskan si uu u noqdo mid waxtar u leh ka-hortaga iyo xakameynta musuq-maasuqa.

CUTUBKA VII
QAABABKA HIRGELINTA

QODOBKA 63AAD
SHIRKA WADA-TASHIGA DAWLADAHA QEYBTA KA AH HESHIISKAN

1. Shirweynayaasha Dawladaha Qeybta ka ah Shirka ayaa lagu wadaa in lagu asaasay halkan si kor loogu qaado awoodda Dawladaha, iyo iskaashi kasta si loo gaaro himmilooyinka ku xusan iyo iskaashiga ka dhexeeya dhinacyada Dawladaha si loo gaaro ujeeddooyinka ku xusan heshiiskan, iyo in la dardar-geliyo hirgelintooda Iyo dib-u-eegistooda.

2. Waxaa lagu casuumayaa Xoghayaha Guud ee Qaramada Midoobay Shirweynayaasha Dawladaha inuu qabto ugu dambeyn hal sano kaddib dhaqan-gelida heshiiskan. Intaa kaddib, Shirka Wadatashiga Gobollada waa la qabanayaa iyadoo la raacayo qawaaniinta iyo hab-raacyada Shirku ansaxiyey.

3. Shirweynaha dawladaha qeybta ka ah heshiiskan wuxuu asaasayaa qawaaniin iyo hab-raacyo xukumaya falalka ku xusan Qodobkan, ay kamid yihiinxeerka la xiriira aqbalida, ka-qeyb-galeyaasha, kormeerayaasha iyo bixinta kharashaadka ku baxaya fulinta hawlahan.

4. Shirka dawladaha qeybta ka ah heshiiskan waa inay ka heshiiyaan hawlaha, hab-raacyada iyo qaababka shaqada si loo gaaro ujeeddooyinka ku xusan faqradda(1) ee qodobkan, sida soo socota:

(a) Fududeynta hawlaha dawladaha qeybta ka ah ee hoos yimaada qodobbada 60 iyo 62 iyo cutubyada II to V ee heshiiskan, oo ay ku jiraan dhiirri-gelinta abaabulka iyo deeq-bixiyeyaasha;

(b) Fududeynta isweydaarsiga macluumaadka u dhexeeya labada dhinac ee ku saabsan qaababka iyo isbeddelada musuq-maasuqa, dhaqangalinta ku guuleysiga ka-hortagga iyo la-dagaallanka iyo soo-celinta natiijooyinka fal-dembiyeedyada, iyadoo loo marayo, faafinta macluumaadka la xiriira sida ku xusan qodobkan.

(c) Wada-shaqeynta ururada caalamiga ah iyo kuwa gobolka sida ugu habboon iyo farsamooyinka, iyo ururada aan-dawliga ahayn;

(d) Adeegsiga ku habboon macluumaadka la xiriira saareenta habka caalamiga ah iyo midka gobolada kale soo-jeedinlanka ka-hortaga musuq-maasuqa si looga fogaado in shaqada aan la beddelin;
(e) Dib-u-eegis xilliga ku-meel-gaarka ah oo lagu dhaqan-gelinayo heshiiska ay gaareen gobollada heshiisku ka dhexeeyo;
(f) Soo-jeedinta talooyinka si loo hagaajiyo heshiiska iyo dhaqan-gelintiisa; iyo
(g) Iyadoo la tixgelinayo baahiyaha kaalmada farsamo Dawladaha Qeybta ka ah heshiiskan ee la xiriira dhaqan-gelinta Heshiiskan iyo soo-jeedinta ficil kasta oo loo arko inuu lagama-maarmaan u yahay arrinkan.

5. Ujeeddooyinka faqradda (4) ee qodobkan, shirka dawladaha qeybta ka ah waxay helayaan aqoonta lagama-maarmaanka u ah tallaabooyinka ay qaadayan dawladaha gobolku si loo meel-mariyo heshiiskan, sidoo kale dhibaatooyinka ay kala kulman marka ay soo bandhigayaan macluumaadka iyo hababka dib-u-eegista dhammeystirka ee Shirweynaha dawladaha qeybta ka ah ee lagu dhisayo.

6. Dawlad kasta oo qeybka ah heshiiskan waxay bixineysaa warbixin ku saabsan barnaamijyadeeda, qorshayaasheeda iyo dhaqan-gelintooda, sidoo kale tallaabooyinka sharci-dejinta iyo maamulka si loo meel-mariyo heshiiskan, sida uu farayo xeer hoosaadyada dawladaha gobolka, heshiiska Dawladaha qeybta ka ah waa in ay eegaan habka ugu wax-ku-oolsan ee loo helayo macluumaadka, ay kamid yihiin, macluumaadka laga helo qeybaha Dawladaha iyo ururrada caalamiga ah ee kartida u leh. Waxyaabaha ka soo baxa ururrada aan-dawliga ahayn oo ay quseyso arrimahaan sharciga ahaan looguna aqoonsaday sifo sharci ah iyadoo loo marayo hab-raacyada ay go'aaminayaan hashiisyada dawladaha qeybta ka ah.

7. Iyadoo la raacayo faqrooyinka 4 ilaa 6 ee qodobkan, Shirarka Dawladaha qeybta ka ah heshiiskan, way dhisayaan haddii ay isla qaataan inay lagama-maarmaan tahay, asaaska hannaan kasta oo macquul ah ama hay'ad kasta oo gacan ka geysaneysa hirgelinta iyo fulinta heshiiskan.

QODOBKA 64AAD
XOGHEYNTA

1. Wuxuu maamulayaa Xoghayaha Guud ee Qaramada Midoobay u diyaarinta Adeegyada Xogheynta lagama-maarmaanka u ah ee Shirka Dawladaha Xubnaha ah Heshiiskan.

2. Xoghayuhu wuxuu qabanayaa Arrimaha soo socda:

a. Kaalmada Dawladaha ka qeyb-gelaya Shirka iyadoo lafiirinayo wax-qabadka uu tilmaamayo Qodobka 63aad ee Heshiiskan iyo qaadashada kala hormarinta fulinta fadhiyada Shirka Dawladaha ka qeyb-gelaya, iyo u diyaarinta Adeegyada lagama-maarmaanka ah;

b. Kaalmada Dawladaha ka qeyb-gelaya marka ay ka codsadaan Warbixinta ay u soo gudbiyaan Dawladaha Shirka ka qeyb-gelaya sida ku cad Faqradda 5aad iyo 6aad ee Heshiiskan; iyo

c. Xaqiijinta isku xirka lagama-maarmaanka ah iyadoo xoghaya Dawliga ah iyo kuwa heer-gobol ah oo ay xiriir leeyihiin.

CUTUBKA 8AAD
QODOBBO GEBOGABO AH

QODOBKA 65AAD
FULINTA HESHIISKA

1. Dawlad walba oo ka qeyb-gashay Shirka waxay yeelaneysaa iyadoo la waafajinayo Mabaadi'da asaasiga u ah Qaanuunkeeda gudaha ah iyo wixii lagama-maarmaan u ah Hab-raacyada ku habboon taas oo kamid tahay tallaabooyin sharci ah iyo mid maamul sidii loo heli lahaa kalsoonida fulinta waxa ka dhalanaya heshiiskaas.

2. Waxaa u bannaan Dawlad walba oo ka qeyb-gashay shirka in ay cuskato hab-raacyada cadcad ama aad loo adkeeyey oo ah hab-raacyada lagu caddeeyey heshiiskaas si loo joojiyo Musuq-maasuqa loolana dagaallamo.

QODOBKA 66AAD
BAABI'INTA DOODAHA AMA IS-QABQABSIGA

1. Dawladaha Shirka ka qeybgalay waxey u Suxul-duubayaan joojinta Doodaha la xiriira Caddeynta ama dhaqan-gelinta heshiiskan hab wada-hadal ah.

2. Wuxuu soo bandhigayaa dood walba oo ka billaabato labo Dawladdood ama wax ka badan oo kamid ah dawladaha heshiiska qeybta ka ah xaaladda fasiraadda heshiiska ama dhaqan-gelintiisa, waxaana la adkeynayaa ku dhammeynta muranka hab wada-hadal muddo kooban gudaheed oo meel-mar ah ah. Sidaas darteed, waxaa lama-huraan ah in loo xukuntamo Maxkamadaha iyadoo lagu dhisayo Arrinkaas codsi ay soo gudbiso Dawlad kamid ah Dawladahii ku heshiiyey Shirkaas, haddeysan u suurta-gelin Dawladaha ka qeyb-galay Shirka 6 bilood kaddib taariikhdii codsiga Xukunka ee ay soo gudbisey Dawlad kamid ah kuwa heshiiska wada galay. Heshiiska waxaa

kamid ah in la nidaamiyo Xukunka, waxaana u bannaan Dawlad walba oo Dawladahan kamid ah inay u wareejiso Dawladaha Maxkmadaha Caddaaladda Adduunka iyadoo loo marayo Codsi loo soo gudbinayo iyadoo waafaqsan nidaamka Asaasiga ah ee Maxkamadda.

3. Dawlad walba oo kamid ah Dawladaha wada saxiixay Heshiiska waxaa u bannaan inay Caddeyso waqtiga Saxiixa Heshiiska ama Oggolaansho ama aqbalaad, ama sugidda Go'aankeeda, ama ku-biiridda ayada nafteeda, u arkimeyso mid ku qasban faqradda 2aad ee Qodobkan mana ahaaneyso Dawladaha kale oo ka ka-qeyb-galay shirka. Marka loo fiiriyo dhanka Dawlad walba oo ka qeyb-gashay oo muujisay hab digtoonaan ah.

4. Dawlad walba oo kamid ah Dawladaha wada saxiixay Heshiiska waxaa u bannaan inay muujiso Digtoonaan markii loo fiitriyo faqradda 3aad ee Qodobkan inay ka baxdo iska ilaalintaas. Waqti walba oo ay dareento inuu ku soo aaddan yahay Xoghayaha Guud ee Qaramada Midoobay.

QODOBKA 67AAD
SAXIIXA, ANSIXNTA, OGGOLAANSHAHA, AQBALID IYO KU-BIIRID

1. Waxaa loo furayaa albaabka saxiixa Heshiiskaas dhammaan Dawladaha 9ka ilaa 11ka Diseembar 2003 Madrid, Mexico kaddibna xarunta Qarammada Midoobay ee New York ilaa 9ka Diseembar 2005.

2. Waxaa loo furayaa albaabka saxiixa heshiiska, sidaas oo kale dhammaan hay'adaha dhammeystirka dhaqaalaha ee heer gobol taas oo loo shardinayo in ay ahaato in dawladba ugu yeraan qof uu u saxiixo si waafaqsan faqradda kowaad ee Qodobkan.

3. Shirweynahan wuxuu ku xiran yahay ansixinta, aqbalida ama oggolaanshaha. Qalabka ansixinta, aqbalaadda ama oggolaanshaha waxaa lagu keydin doonaa Xoghayaha Guud ee Qaramada Midoobay. Urur is-dhex-galka dhaqaale ee gobolka ayaa dhigi kara qalabkiisa ansixinta, aqbalida ama oggolaanshaha haddii ugu yaraan mid kamid ah Dawladaha Xubnaha ah uu sidaas oo kale sameeyey. Hab-raaca ansixinta, aqbalaadda ama oggolaanshaha, hay'addan oo kale waxay ku dhawaaqi doontaa inta ay la'eg tahay kartideeda marka la eego arrimaha uu xukumayo heshiiskan. Ururkan oo kale wuxuu sidoo kale ogeysiinayaa dhigaalka wixii is-beddel ah ee la xiriira wax-ka-beddelka heerka ay gaarsiisan tahay kartidiisu.

4. Shirweynahani wuxuu u furan yahay gelitaanka gobol kasta ama urur kasta oo is-dhex-galka dhaqaale ee ugu yaraan hal xubin ka ah Shirweynahan. Agabyada kaabayaasha waxaa lagu keydin karaa Xoghayaha Guud ee Qaramada Midoobay. Waqtiga loo qoondeeyey, hay'adaha is-dhex-galka dhaqaalaha ee gobolka ayaa sheegi doonta heerka awoodda ay u leedahay arrimaha khuseeya heshiiskan. Hay'adda noocan oo kale ah waa inay sidoo kale ogeysiisaa dhigista wixii isbeddel ah ee la xiriira wax-ka-beddelka heerka uu gaarsiisan yahay kartideedu.

QODOBKA 68AAD
BILOWGA FULINTA

1. Axdigan wuxuu dhaqan-gelayaa maalinta sagaalaad taariikhda ka dambeysa taariikhda la xareeyey qeybta saddexaad ee ansaxinta, aqbalaada, oggolaanshaha ama ka-qeyb-galka. Ujeeddada cutubkan, qalab kasta oo ay soo gudbiso hay'ad isku-dhaf ah dhaqaalaha looma tirin doono inay dheeraad u yihiin kuwa ay ku shubeen dalalka xubnaha ka ah ururkaas.
2. Gobol kasta ama urur kasta oo is-dhex-galka dhaqaalaha ansixiyo, aqbalo ama aqbalo Shirweynahan kaddib markii la soo diro hab-raacii soddonka ah, Shirweynahaan wuxuu dhaqan gelayaa maalinta soddonaad kaddib taariikhda ay soo saareen Gobolka ama ururka aaladda ay khusayso ama taarikhda uu heshiiskani dhaqan-gelayo iyadoo la raacayo sadarka 1aad ee maqaalkan.

QODOBKA 69AAD
WAX-KA-BEDELKA

1. Markay dhammaato shan sano laga bilaabo dhaqan-gelinta heshiiskan, Dhinac Gobol wuxuu soo jeedin karaa wax-ka-bedel wuxuuna u gudbiyaa Xoghayaha Guud ee Qaramada Midoobay, kaas oo markaa ku soo gudbin doona wax-ka-beddelka la soo jeediyey Dhinacyada Gobollada iyo Shirka Dawladaha Qeybaha ka ah Shirweynaha ujeeddadiisu tahay tixgelinta iyo go'aaminta soo-jeedinta.

2. Shirka Dhinacyada Gobollada waxay sameyn doonaan dadaal kasta si ay u gaaraan is-waafajin is-badel kasta. Haddii dhammaan dadaalladii lagu heshiiyey ay dhammaadeen oo aan heshiis la gaarin, wax-ka-beddelka ayaa, ugu dambayn doona, u baahan ansaxinta saddex-meelood labo cod-bixinta Gobollada goob-joogga ah iyo ka-codeynta kulanka Shirka Gobollada ee Dhinacyada.

3. Ururrada isku-dhafka dhaqaalaha ee gobolka, arrimaha ku saabsan kartidooda, waxay ku dhaqmayaan xaqa ay u leeyihiin inay ku doortaan qodobkan iyadoo leh tiro codad ah oo la mid ah tirada Dawladaha Xubnaha ah ee kamid ah Axdigan. Hay'adahan oo kale ma isticmaali doonaan xuquuqdooda ay wax ku dooran karaan haddii Dawladaha Xubnaha ah ay istcimaalaan iyo wixii ku soo kordha.

4. Wax-ka-bedelidda la qaatay sida ku xusan faqradda 1aad ee qodobkan waxaa ku xusan ansixinta, aqbalaada ama oggolaanshaha qeybaha Dawladaha.

5. Wax-ka-bedelka lagu dhaqmayo sida ku xusan faqradda 1aad ee qodobkan wuxuu dhaqan-gelayaa marka laga hadlayo dhinac Gobol sagaashan maalmood kaddib taariikhda la dhigayo Xoghayaha Guud ee Qaramada Midoobay aalad ansaxinta, aqbalaadda ama oggolaanshaha wax-ka-bedelka noocan oo kale ah.

6. Markii wax-ka-beddelku dhaqan-galo, waxay ku qasbanaan doonaan Dhinacyada Gobollada muujiyey oggolaanshahooda in lagu xiro. Qeybaha kale ee Dawladaha waxaa weli ku waajibin doona qodobbada Heshiiskan iyo wixii is-bedel ah ee horay ay u ansixiyeen, aqbaleen ama oggolaadeen.

QODOBKA 70AAD
KA-NOQOSHO

1. Dawladda Xubinta ah ayaa ka noqon kara heshiiskan isagoo ogeysiis qoraal ah u gudbinaya Xoghayaha Guud ee Qaramada Midoobay. Ka-noqoshada noocan oo kale ah waxay dhaqan-geleysaa hal sano kaddib taariikhda la helo ogeysiiska Xoghayaha Guud.
2. Urur is-dhex-galka dhaqaale ee gobolka waa in uu joojiyaa in uu Noqdo mid dhinac ka ah Shirkan markii Dawladaha Xubnaha ah oo dhami ay ka noqdaan.

QODOBKA 71AAD
KEYDKA IYO LUQADAHA

1. Xoghayaha Guud ee Qaramada Midoobay waxaa loogu talo-galay in uu keydiyo heshiiskan.
2. Asalka axdigan, kaas oo Carabi, Shiinays, Ingiriis, Faransiis, Ruush iyo Isbaanish qoraaladoodu isku mid yihiin, waa in lagu meeleeyaa Xoghayaha Guud ee Qaramada Midoobay.
   SI MARKHAATI LEH, mas'uuliyiinta hoos ku saxiixan, iyagoo awood ka haysta Dawladaha ay wakiilada ka yihiin, waxay saxiixeen heshiiskan.

UNITED NATIONS
Office on Drugs and Crime

UNITED NATIONS CONVENTION AGAINST CORRUPTION

UNITED NATIONS

UNITED NATIONS OFFICE ON DRUGS AND CRIME
Vienna

UNITED NATIONS CONVENTION AGAINST CORRUPTION

UNITED NATIONS
New York, 2004

Foreword

Corruption is an insidious plague that has a wide range of corrosive effects on societies. It undermines democracy and the rule of law, leads to violations of human rights, distorts markets, erodes the quality of life and allows organized crime, terrorism and other threats to human security to flourish.

This evil phenomenon is found in all countries—big and small, rich and poor—but it is in the developing world that its effects are most destructive. Corruption hurts the poor disproportionately by diverting funds intended for development, undermining a Government's ability to provide basic services, feeding inequality and injustice and discouraging foreign aid and investment. Corruption is a key element in economic underperformance and a major obsta- cle to poverty alleviation and development.

I am therefore very happy that we now have a new instrument to address this scourge at the global level. The adoption of the United Nations Convention against Corruption will send a clear message that the international community is determined to prevent and control corruption. It will warn the corrupt that betrayal of the public trust will no longer be tolerated. And it will reaffirm the importance of core values such as honesty, respect for the rule of law, account- ability and transparency in promoting development and making the world a better place for all.

The new Convention is a remarkable achievement, and it complements another landmark instrument, the United Nations Convention against Transnational Organized Crime, which entered into force just a month ago. Itis balanced, strong and pragmatic, and it offers a new framework for effective action and international cooperation.

The Convention introduces a comprehensive set of standards, measures and rules that all countries can apply in order to strengthen their legal and regulatory regimes to fight corruption. It calls for preventive measures and the criminalization of the most prevalent forms of corruption in both public and private sectors. And it makes a major breakthrough by requiring Member States to return assets obtained through corruption to the country from which they were stolen.

These provisions—the first of their kind—introduce a new fundamental principle, as well as a framework for stronger cooperation between States to prevent and detect corruption and to return the proceeds. Corrupt officials will in future find fewer ways to hide their illicit gains. This is a particularly impor- tant issue for many developing countries where corrupt high officials have

plundered the national wealth and where new Governments badly need resources to reconstruct and rehabilitate their societies.

For the United Nations, the Convention is the culmination of work that started many years ago, when the word corruption was hardly ever uttered in official circles. It took systematic efforts, first at the technical, and then gradu- ally at the political, level to put the fight against corruption on the global agenda. Both the Monterrey International Conference on Financing for Devel- opment and the Johannesburg World Summit on Sustainable Development offered opportunities for Governments to express their determination to attack corruption and to make many more people aware of the devastating effect that corruption has on development.

The Convention is also the result of long and difficult negotiations. Many complex issues and many concerns from different quarters had to be addressed. It was a formidable challenge to produce, in less than two years, an instrument that reflects all those concerns. All countries had to show flexibility and make concessions. But we can be proud of the result.

Allow me to congratulate the members of the bureau of the Ad Hoc Committee for the Negotiation of a Convention against Corruption on their hard work and leadership, and to pay a special tribute to the Committee's late Chairman, Ambassador Héctor Charry Samper of Colombia, for his wise guid- ance and his dedication. I am sure all here share my sorrow that he is not withus to celebrate this great success.

The adoption of the new Convention will be a remarkable achievement.But let us be clear: it is only a beginning. We must build on the momentum achieved to ensure that the Convention enters into force as soon as possible. I urge all Member States to attend the Signing Conference in Merida, Mexico, in December, and to ratify the Convention at the earliest possible date.

If fully enforced, this new instrument can make a real difference to the quality of life of millions of people around the world. And by removing one of the biggest obstacles to development it can help us achieve the Millennium Development Goals. Be assured that the United Nations Secretariat, and in particular the United Nations Office on Drugs and Crime, will do whatever it can to support the efforts of States to eliminate the scourge of corruption from the face of the Earth. It is a big challenge, but I think that, together, we can make a difference.

Kofi A. Annan
Secretary-General

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General Assembly resolution 58/4 of 31 October 2003

United Nations Convention against Corruption

The General Assembly,

Recalling its resolution 55/61 of 4 December 2000, in which it established an ad hoc committee for the negotiation of an effective international legal in- strument against corruption and requested the Secretary-General to convene an intergovernmental open-ended expert group to examine and prepare draft terms of reference for the negotiation of such an instrument, and its resolution 55/188 of 20 December 2000, in which it invited the intergovernmental open-ended expert group to be convened pursuant to resolution 55/61 to examine the question of illegally transferred funds and the return of such funds to the countries of origin,

Recalling also its resolutions 56/186 of 21 December 2001 and 57/244 of 20 December 2002 on preventing and combating corrupt practices and transfer of funds of illicit origin and returning such funds to the countries of origin,

Recalling further its resolution 56/260 of 31 January 2002, in which it requested the Ad Hoc Committee for the Negotiation of a Convention against Corruption to complete its work by the end of 2003,

Recalling its resolution 57/169 of 18 December 2002, in which it accepted with appreciation the offer made by the Government of Mexico to host a high- level political conference for the purpose of signing the convention and re- quested the Secretary-General to schedule the conference for a period of three days before the end of 2003,

Recalling also Economic and Social Council resolution 2001/13 of 24 July 2001, entitled "Strengthening international cooperation in preventing and com- bating the transfer of funds of illicit origin, derived from acts of corruption, including the laundering of funds, and in returning such funds",

Expressing its appreciation to the Government of Argentina for hosting the informal preparatory meeting of the Ad Hoc Committee for the Negotiation of a Convention against Corruption in Buenos Aires from 4 to 7 December 2001,

Recalling the Monterrey Consensus, adopted by the International Con- ference on Financing for Development, held in Monterrey, Mexico, from 18 to 22 March 2002,[1] in which it was underlined that fighting corruption at alllevels was a priority,

Recalling also the Johannesburg Declaration on Sustainable Development, adopted by the World Summit on Sustainable Development, held in Johannesburg, South Africa, from 26 August to 4 September 2002,[2] in parti- cular paragraph 19 thereof, in which corruption was declared a threat to the sustainable development of people,

Concerned about the seriousness of problems and threats posed by corrup- tion to the stability and security of societies, undermining the institutions and values of democracy, ethical values and justice and jeopardizing sustainable development and the rule of law,

1. *Takes note* of the report of the Ad Hoc Committee for the Negotiation of a Convention against Corruption,[3] which carried out its work at the head- quarters of the United Nations Office on Drugs and Crime in Vienna, in which the Ad Hoc Committee submitted the final text of the draft United Nations Convention against Corruption to the General Assembly for its consideration and action, and commends the Ad Hoc Committee for its work;

2. *Adopts* the United Nations Convention against Corruption annexedto the present resolution, and opens it for signature at the High-level Political Signing Conference to be held in Merida, Mexico, from 9 to 11 December2003, in accordance with resolution 57/169;

3. *Urges* all States and competent regional economic integration organi- zations to sign and ratify the United Nations Convention against Corruption as soon as possible in order to ensure its rapid entry into force;

4. *Decides* that, until the Conference of the States Parties to the Conven- tion established pursuant to the United Nations Convention against Corruption decides otherwise, the account referred to in article 62 of the Convention willbe operated within the United Nations Crime Prevention and Criminal Justice Fund, and encourages Member States to begin making adequate voluntary contributions to the above-mentioned account for the provision to developing

[1] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18-22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[2] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex.

[3] A/58/422 and Add.1.

countries and countries with economies in transition of the technical assistance that they might require to prepare for ratification and implementation of the Convention;

5. *Also decides* that the Ad Hoc Committee for the Negotiation of a Convention against Corruption will complete its tasks arising from the negotia- tion of the United Nations Convention against Corruption by holding a meet- ing well before the convening of the first session of the Conference of the StatesParties to the Convention in order to prepare the draft text of the rules of procedure of the Conference of the States Parties and of other rules describedin article 63 of the Convention, which will be submitted to the Conference of the States Parties at its first session for consideration;

6. *Requests* the Conference of the States Parties to the Convention to address the criminalization of bribery of officials of public international organi- zations, including the United Nations, and related issues, taking into account questions of privileges and immunities, as well as of jurisdiction and the role of international organizations, by, inter alia, making recommendations regarding appropriate action in that regard;

7. *Decides* that, in order to raise awareness of corruption and of the role of the Convention in combating and preventing it, 9 December should bedesignated International Anti-Corruption Day;

8. *Requests* the Secretary-General to designate the United Nations Office on Drugs and Crime to serve as the secretariat for and under the direction ofthe Conference of the States Parties to the Convention;

9. *Also requests* the Secretary-General to provide the United Nations Office on Drugs and Crime with the resources necessary to enable it to promotein an effective manner the rapid entry into force of the United Nations Con- vention against Corruption and to discharge the functions of secretariat of the Conference of the States Parties to the Convention, and to support the Ad Hoc Committee in its work pursuant to paragraph 5 above;

10. *Further requests* the Secretary-General to prepare a comprehensive report on the High-level Political Signing Conference to be held in Merida, Mexico, in accordance with resolution 57/169, for submission to the General Assembly at its fifty-ninth session.

Annex

United Nations Convention against Corruption

Preamble

The States Parties to this Convention,

Concerned about the seriousness of problems and threats posed by corrup- tion to the stability and security of societies, undermining the institutions and values of democracy, ethical values and justice and jeopardizing sustainable development and the rule of law,

Concerned also about the links between corruption and other forms of crime, in particular organized crime and economic crime, including money- laundering,

Concerned further about cases of corruption that involve vast quantities of assets, which may constitute a substantial proportion of the resources of States, and that threaten the political stability and sustainable development of those States,

Convinced that corruption is no longer a local matter but a transnational phenomenon that affects all societies and economies, making international co- operation to prevent and control it essential,

Convinced also that a comprehensive and multidisciplinary approach is required to prevent and combat corruption effectively,

Convinced further that the availability of technical assistance can play an important role in enhancing the ability of States, including by strengthening capacity and by institution-building, to prevent and combat corruption effectively,

Convinced that the illicit acquisition of personal wealth can be particularly damaging to democratic institutions, national economies and the rule of law,

Determined to prevent, detect and deter in a more effective manner inter- national transfers of illicitly acquired assets and to strengthen international co- operation in asset recovery,

Acknowledging the fundamental principles of due process of law in criminal proceedings and in civil or administrative proceedings to adjudicate property rights,

Bearing in mind that the prevention and eradication of corruption is a responsibility of all States and that they must cooperate with one another, with the support and involvement of individuals and groups outside the public sec- tor, such as civil society, non-governmental organizations and community-basedorganizations, if their efforts in this area are to be effective,

Bearing also in mind the principles of proper management of public affairs and public property, fairness, responsibility and equality before the law and the need to safeguard integrity and to foster a culture of rejection of corruption,

Commending the work of the Commission on Crime Prevention and Criminal Justice and the United Nations Office on Drugs and Crime in pre- venting and combating corruption,

Recalling the work carried out by other international and regional organi- zations in this field, including the activities of the African Union, the Council of Europe, the Customs Cooperation Council (also known as the World Cus- toms Organization), the European Union, the League of Arab States, the Or- ganisation for Economic Cooperation and Development and the Organization of American States,

Taking note with appreciation of multilateral instruments to prevent and combat corruption, including, inter alia, the Inter-American Convention against Corruption, adopted by the Organization of American States on29 March 1996,[1] the Convention on the Fight against Corruption involving Officials of the European Communities or Officials of Member States of the European Union, adopted by the Council of the European Union on 26 May 1997,[2] the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, adopted by the Organisation for Economic Cooperation and Development on 21 November 1997,[3] the Criminal Law

[1]See E/1996/99.

[2]*Official Journal of the European Communities*, C 195, 25 June 1997.

[3]See *Corruption and Integrity Improvement Initiatives in Developing Countries* (United Nations publi- cation, Sales No. E.98.III.B.18).

Convention on Corruption, adopted by the Committee of Ministers of the Council of Europe on 27 January 1999,[4] the Civil Law Convention on Corrup- tion, adopted by the Committee of Ministers of the Council of Europe on 4 November 1999,[5] and the African Union Convention on Preventing and Combating Corruption, adopted by the Heads of State and Government of the African Union on 12 July 2003,

Welcoming the entry into force on 29 September 2003 of the United Nations Convention against Transnational Organized Crime,[6]

Have agreed as follows:

Chapter I
General provisions

Article 1. Statement of purpose

The purposes of this Convention are:

(a) To promote and strengthen measures to prevent and combat corrup- tion more efficiently and effectively;

(b) To promote, facilitate and support international cooperation and technical assistance in the prevention of and fight against corruption, including in asset recovery;

(c) To promote integrity, accountability and proper management of pub- lic affairs and public property.

Article 2. Use of terms

For the purposes of this Convention:

(a) "Public official" shall mean: (i) any person holding a legislative, execu- tive, administrative or judicial office of a State Party, whether appointed or elected, whether permanent or temporary, whether paid or unpaid, irrespective of that person's seniority; (ii) any other person who performs a public function, including for a public agency or public enterprise, or provides a public service, as defined in the domestic law of the State Party and as applied in the pertinent area of law of that State Party; (iii) any other person defined as a "public

[4] Council of Europe, *European Treaty Series*, No. 173.

[5] Ibid., No. 174.

[6] General Assembly resolution 55/25, annex I.

official" in the domestic law of a State Party. However, for the purpose of some specific measures contained in chapter II of this Convention, "public official" may mean any person who performs a public function or provides a public service as defined in the domestic law of the State Party and as applied in the pertinent area of law of that State Party;

(b) "Foreign public official" shall mean any person holding a legislative, executive, administrative or judicial office of a foreign country, whether ap- pointed or elected; and any person exercising a public function for a foreign country, including for a public agency or public enterprise;

(c) "Official of a public international organization" shall mean an inter- national civil servant or any person who is authorized by such an organizationto act on behalf of that organization;

(d) "Property" shall mean assets of every kind, whether corporeal or in- corporeal, movable or immovable, tangible or intangible, and legal documents or instruments evidencing title to or interest in such assets;

(e) "Proceeds of crime" shall mean any property derived from or ob- tained, directly or indirectly, through the commission of an offence;

(f) "Freezing" or "seizure" shall mean temporarily prohibiting the trans- fer, conversion, disposition or movement of property or temporarily assuming custody or control of property on the basis of an order issued by a court or other competent authority;

(g) "Confiscation", which includes forfeiture where applicable, shall meanthe permanent deprivation of property by order of a court or other competent authority;

(h) "Predicate offence" shall mean any offence as a result of which pro- ceeds have been generated that may become the subject of an offence as definedin article 23 of this Convention;

(i) "Controlled delivery" shall mean the technique of allowing illicit or suspect consignments to pass out of, through or into the territory of one or more States, with the knowledge and under the supervision of their competent authorities, with a view to the investigation of an offence and the identification of persons involved in the commission of the offence.

Article 3. Scope of application

1. This Convention shall apply, in accordance with its terms, to the prevention, investigation and prosecution of corruption and to the freezing, seizure, confiscation and return of the proceeds of offences established inaccordance with this Convention.

2. For the purposes of implementing this Convention, it shall not be necessary, except as otherwise stated herein, for the offences set forth in it to result in damage or harm to state property.

Article 4. Protection of sovereignty

1. States Parties shall carry out their obligations under this Convention in a manner consistent with the principles of sovereign equality and territorial integrity of States and that of non-intervention in the domestic affairs of other States.

2. Nothing in this Convention shall entitle a State Party to undertake in the territory of another State the exercise of jurisdiction and performance of functions that are reserved exclusively for the authorities of that other State by its domestic law.

Chapter II
Preventive measures

Article 5. Preventive anti-corruption policies and practices

1. Each State Party shall, in accordance with the fundamental principles of its legal system, develop and implement or maintain effective, coordinated anti-corruption policies that promote the participation of society and reflect the principles of the rule of law, proper management of public affairs and public property, integrity, transparency and accountability.

2. Each State Party shall endeavour to establish and promote effective practices aimed at the prevention of corruption.

3. Each State Party shall endeavour to periodically evaluate relevant legal instruments and administrative measures with a view to determining their adequacy to prevent and fight corruption.

4. States Parties shall, as appropriate and in accordance with the funda- mental principles of their legal system, collaborate with each other and with relevant international and regional organizations in promoting and developing the measures referred to in this article. That collaboration may include partici- pation in international programmes and projects aimed at the prevention of corruption.

Article 6. Preventive anti-corruption body or bodies

1. Each State Party shall, in accordance with the fundamental principles of its legal system, ensure the existence of a body or bodies, as appropriate, that prevent corruption by such means as:

(a) Implementing the policies referred to in article 5 of this Convention and, where appropriate, overseeing and coordinating the implementation of those policies;

(b) Increasing and disseminating knowledge about the prevention of cor- ruption.

2. Each State Party shall grant the body or bodies referred to in para- graph 1 of this article the necessary independence, in accordance with the fun- damental principles of its legal system, to enable the body or bodies to carry out its or their functions effectively and free from any undue influence. The nec- essary material resources and specialized staff, as well as the training that such staff may require to carry out their functions, should be provided.

3. Each State Party shall inform the Secretary-General of the United Nations of the name and address of the authority or authorities that may assist other States Parties in developing and implementing specific measures for the prevention of corruption.

Article 7. Public sector

1. Each State Party shall, where appropriate and in accordance with the fundamental principles of its legal system, endeavour to adopt, maintain and strengthen systems for the recruitment, hiring, retention, promotion and retire- ment of civil servants and, where appropriate, other non-elected public officials:

(a) That are based on principles of efficiency, transparency and objective criteria such as merit, equity and aptitude;

(b) That include adequate procedures for the selection and training of individuals for public positions considered especially vulnerable to corruption and the rotation, where appropriate, of such individuals to other positions;

(c) That promote adequate remuneration and equitable pay scales, taking into account the level of economic development of the State Party;

(d) That promote education and training programmes to enable them to meet the requirements for the correct, honourable and proper performance of public functions and that provide them with specialized and appropriate train- ing to enhance their awareness of the risks of corruption inherent in the

performance of their functions. Such programmes may make reference to codesor standards of conduct in applicable areas.

2. Each State Party shall also consider adopting appropriate legislative and administrative measures, consistent with the objectives of this Convention and in accordance with the fundamental principles of its domestic law, to prescribe criteria concerning candidature for and election to public office.

3. Each State Party shall also consider taking appropriate legislative and administrative measures, consistent with the objectives of this Convention andin accordance with the fundamental principles of its domestic law, to enhance transparency in the funding of candidatures for elected public office and, where applicable, the funding of political parties.

4. Each State Party shall, in accordance with the fundamental principles of its domestic law, endeavour to adopt, maintain and strengthen systems that promote transparency and prevent conflicts of interest.

Article 8. Codes of conduct for public officials

1. In order to fight corruption, each State Party shall promote, inter alia, integrity, honesty and responsibility among its public officials, in accordance with the fundamental principles of its legal system.

2. In particular, each State Party shall endeavour to apply, within its own institutional and legal systems, codes or standards of conduct for the correct, honourable and proper performance of public functions.

3. For the purposes of implementing the provisions of this article, each State Party shall, where appropriate and in accordance with the fundamental principles of its legal system, take note of the relevant initiatives of regional, interregional and multilateral organizations, such as the International Code of Conduct for Public Officials contained in the annex to General Assembly reso- lution 51/59 of 12 December 1996.

4. Each State Party shall also consider, in accordance with the funda- mental principles of its domestic law, establishing measures and systems to facilitate the reporting by public officials of acts of corruption to appropriate authorities, when such acts come to their notice in the performance of their functions.

5. Each State Party shall endeavour, where appropriate and in accord- ance with the fundamental principles of its domestic law, to establish measures

and systems requiring public officials to make declarations to appropriate authorities regarding, inter alia, their outside activities, employment, invest-ments, assets and substantial gifts or benefits from which a conflict of interest may result with respect to their functions as public officials.

6. Each State Party shall consider taking, in accordance with the funda- mental principles of its domestic law, disciplinary or other measures against public officials who violate the codes or standards established in accordancewith this article.

Article 9. Public procurement and managementof public finances

1. Each State Party shall, in accordance with the fundamental principles of its legal system, take the necessary steps to establish appropriate systems of procurement, based on transparency, competition and objective criteria in decision-making, that are effective, inter alia, in preventing corruption. Such systems, which may take into account appropriate threshold values in their application, shall address, inter alia:

(a) The public distribution of information relating to procurement pro- cedures and contracts, including information on invitations to tender and rel- evant or pertinent information on the award of contracts, allowing potential tenderers sufficient time to prepare and submit their tenders;

(b) The establishment, in advance, of conditions for participation, includ- ing selection and award criteria and tendering rules, and their publication;

(c) The use of objective and predetermined criteria for public procure- ment decisions, in order to facilitate the subsequent verification of the correct application of the rules or procedures;

(d) An effective system of domestic review, including an effective system of appeal, to ensure legal recourse and remedies in the event that the rules or procedures established pursuant to this paragraph are not followed;

(e) Where appropriate, measures to regulate matters regarding personnel responsible for procurement, such as declaration of interest in particular public procurements, screening procedures and training requirements.

2. Each State Party shall, in accordance with the fundamental principles of its legal system, take appropriate measures to promote transparency and accountability in the management of public finances. Such measures shall encompass, inter alia:

(a) Procedures for the adoption of the national budget;

(b) Timely reporting on revenue and expenditure;

(c) A system of accounting and auditing standards and related oversight;

(d) Effective and efficient systems of risk management and internal con-trol; and

(e) Where appropriate, corrective action in the case of failure to complywith the requirements established in this paragraph.

3. Each State Party shall take such civil and administrative measures as may be necessary, in accordance with the fundamental principles of its domestic law, to preserve the integrity of accounting books, records, financial statements or other documents related to public expenditure and revenue and to prevent the falsification of such documents.

Article 10. Public reporting

Taking into account the need to combat corruption, each State Party shall, in accordance with the fundamental principles of its domestic law, take such measures as may be necessary to enhance transparency in its public administra- tion, including with regard to its organization, functioning and decision- making processes, where appropriate. Such measures may include, inter alia:

(a) Adopting procedures or regulations allowing members of the general public to obtain, where appropriate, information on the organization, function- ing and decision-making processes of its public administration and, with due regard for the protection of privacy and personal data, on decisions and legal acts that concern members of the public;

(b) Simplifying administrative procedures, where appropriate, in order to facilitate public access to the competent decision-making authorities; and

(c) Publishing information, which may include periodic reports on

the risks of corruption in its public administration.

Article 11. Measures relating to the judiciaryand prosecution services

1. Bearing in mind the independence of the judiciary and its crucial role in combating corruption, each State Party shall, in accordance with the funda- mental principles of its legal system and without prejudice to judicial independ- ence, take measures to strengthen integrity and to prevent opportunities for corruption among members of the judiciary. Such measures may include rules with respect to the conduct of members of the judiciary.

2. Measures to the same effect as those taken pursuant to paragraph 1 ofthis article may be introduced and applied within the prosecution service inthose States Parties where it does not form part of the judiciary but enjoys independence similar to that of the judicial service.

Article 12. Private sector

1. Each State Party shall take measures, in accordance with the funda- mental principles of its domestic law, to prevent corruption involving the private sector, enhance accounting and auditing standards in the private sector and, where appropriate, provide effective, proportionate and dissuasive civil, administrative or criminal penalties for failure to comply with such measures.

2. Measures to achieve these ends may include, inter alia:

(a) Promoting cooperation between law enforcement agencies and relevant private entities;

(b) Promoting the development of standards and procedures designed to safeguard the integrity of relevant private entities, including codes of conduct for the correct, honourable and proper performance of the activities of business and all relevant professions and the prevention of conflicts of interest, and for the promotion of the use of good commercial practices among businesses and in the contractual relations of businesses with the State;

(c) Promoting transparency among private entities, including, where ap- propriate, measures regarding the identity of legal and natural persons involved in the establishment and management of corporate entities;

(d) Preventing the misuse of procedures regulating private entities,

in- cluding procedures regarding subsidies and licences granted by public authori- ties for commercial activities;

(e) Preventing conflicts of interest by imposing restrictions, as appropri- ate and for a reasonable period of time, on the professional activities of former public officials or on the employment of public officials by the private sector after their resignation or retirement, where such activities or employment relate directly to the functions held or supervised by those public officials during their tenure;

(f) Ensuring that private enterprises, taking into account their structure and size, have sufficient internal auditing controls to assist in preventing and detecting acts of corruption and that the accounts and required financial state- ments of such private enterprises are subject to appropriate auditing and certi- fication procedures.

3. In order to prevent corruption, each State Party shall take such meas- ures as may be necessary, in accordance with its domestic laws and regulations regarding the maintenance of books and records, financial statement disclosures and accounting and auditing standards, to prohibit the following acts carried out for the purpose of committing any of the offences established in accordance with this Convention:

(a) The establishment of off-the-books accounts;

(b) The making of off-the-books or inadequately identified transactions;

(c) The recording of non-existent expenditure;

(d) The entry of liabilities with incorrect identification of their objects;

(e) The use of false documents; and

(f) The intentional destruction of bookkeeping documents earlier than foreseen by the law.

4. Each State Party shall disallow the tax deductibility of expenses that constitute bribes, the latter being one of the constituent elements of the offences established in accordance with articles 15 and 16 of this Convention and, where appropriate, other expenses incurred in furtherance of corrupt conduct.

Article 13. Participation of society

1. Each State Party shall take appropriate measures, within its means andin accordance with fundamental principles of its domestic law, to promote the active participation of individuals and groups outside the public sector, such as civil society, non-governmental organizations and community-based organiza- tions, in the prevention of and the fight against corruption and to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption. This participation should be strengthened by such measures as:

(a) Enhancing the transparency of and promoting the contribution of the public to decision-making processes;

(b) Ensuring that the public has effective access to information;

(c) Undertaking public information activities that contribute to non- tolerance of corruption, as well as public education programmes, includingschool and university curricula;

(d) Respecting, promoting and protecting the freedom to seek, receive, publish and disseminate information concerning corruption. That freedom may be subject to certain restrictions, but these shall only be such as are provided forby law and are necessary:

(i) For respect of the rights or reputations of others;

(ii) For the protection of national security or *ordre public* or ofpublic health or morals.

2. Each State Party shall take appropriate measures to ensure that the relevant anti-corruption bodies referred to in this Convention are known to the public and shall provide access to such bodies, where appropriate, for the re- porting, including anonymously, of any incidents that may be considered to constitute an offence established in accordance with this Convention.

Article 14. Measures to prevent money-laundering

1. Each State Party shall:

(a) Institute a comprehensive domestic regulatory and supervisory regimefor banks and non-bank financial institutions, including natural or legal persons that provide formal or informal services for the transmission of money or value and, where appropriate, other bodies particularly susceptible to money- laundering, within its competence, in order to deter and detect all forms of money-laundering, which regime shall emphasize

(b) requirements for customer and, where appropriate, beneficial owner identification, record-keeping and the reporting of suspicious transactions;

(c) Without prejudice to article 46 of this Convention, ensure that ad- ministrative, regulatory, law enforcement and other authorities dedicated to combating money-laundering (including, where appropriate under domestic law, judicial authorities) have the ability to cooperate and exchange information at the national and international levels within the conditions prescribed by its domestic law and, to that end, shall consider the establishment of a financial intelligence unit to serve as a national centre for the collection, analysis and dissemination of information regarding potential money-laundering.

2. States Parties shall consider implementing feasible measures to detect and monitor the movement of cash and appropriate negotiable instruments across their borders, subject to safeguards to ensure proper use of information and without impeding in any way the movement of legitimate capital. Such measures may include a requirement that individuals and businesses report the cross-border transfer of substantial quantities of cash and appropriate negotiableinstruments.

3. States Parties shall consider implementing appropriate and feasible measures to require financial institutions, including money remitters:

(a) To include on forms for the electronic transfer of funds and related messages accurate and meaningful information on the originator;

(a) To maintain such information throughout the payment chain; and

(b) To apply enhanced scrutiny to transfers of funds that do not contain complete information on the originator.

1. In establishing a domestic regulatory and supervisory regime under theterms of this article, and without prejudice to any other article of this Conven- tion, States Parties are called upon to use as a guideline the relevant initiatives of regional, interregional and multilateral organizations against money-laundering.

2. States Parties shall endeavour to develop and promote global, regional, subregional and bilateral cooperation among judicial, law enforcement and financial regulatory authorities in order to combat money-laundering.

Chapter III
Criminalization and law enforcement

Article 15. Bribery of national public officials

Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally:

(a) The promise, offering or giving, to a public official, directly or indi- rectly, of an undue advantage, for the official himself or herself or another person or entity, in order that the official act or refrain from acting in the exercise of his or her official duties;

(b) The solicitation or acceptance by a public official, directly or indi- rectly, of an undue advantage, for the official himself or herself or another person or entity, in order that the official act or refrain from acting in the exercise of his or her official duties.

Article 16. Bribery of foreign public officials and officialsof public international organizations

1. Each State Party shall adopt such legislative and other measures as may be necessary to establish as a criminal offence, when committed intention- ally, the promise, offering or giving to a foreign public official or an official ofa public international organization, directly or indirectly, of an undue advan- tage, for the official himself or herself or another person or entity, in order that the official act or refrain from acting in the exercise of his or her official duties, in order to obtain or retain business or other undue advantage in relation to the conduct of international business.

2. Each State Party shall consider adopting such legislative and other measures as may be necessary to establish as a criminal offence, when committedintentionally, the solicitation or acceptance by a foreign public official or an official of a public international organization, directly or indirectly, of an undue advantage, for the official himself or herself or another person or entity, in order that the official act or refrain from acting in the exercise of his or her official duties.

Article 17. Embezzlement, misappropriation orother diversion of property by a public official

Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally, the embezzlement, misappropriation or other diversion by a public official for hisor her benefit or for the benefit of another person or entity, of any property, public or private funds or securities or any other thing of value entrusted to the public official by virtue of his or her position.

Article 18. Trading in influence

Each State Party shall consider adopting such legislative and other meas- ures as may be necessary to establish as criminal offences, when committed intentionally:

(a) The promise, offering or giving to a public official or any other per- son, directly or indirectly, of an undue advantage in order that the publicofficial or the person abuse his or her real or supposed influence with a viewto obtaining from an administration or public authority of the State Party an undue advantage for the original instigator of the act or for any other person;

(b) The solicitation or acceptance by a public official or any other person, directly or indirectly, of an undue advantage for himself or herself or for anotherperson in order that the public official or the person abuse his or her real or supposed influence with a view to obtaining from an administration or public authority of the State Party an undue advantage.

Article 19. Abuse of functions

Each State Party shall consider adopting such legislative and other meas- ures as may be necessary to establish as a criminal offence, when committed intentionally, the abuse of functions or position, that is, the performance of or failure to perform an act, in violation of laws, by a public official in the discharge of his or her functions, for the purpose of obtaining an undue advan- tage for himself or herself or for another person or entity.

Article 20. Illicit enrichment

Subject to its constitution and the fundamental principles of its legal sys- tem, each State Party shall consider adopting such legislative and other measures as may be necessary to establish as a criminal offence, when committed inten- tionally, illicit enrichment, that is, a significant increase in the assets of a public official that he or she cannot reasonably explain in relation to his or her lawful income.

Article 21. Bribery in the private sector

Each State Party shall consider adopting such legislative and other meas- ures as may be necessary to establish as criminal offences, when committed intentionally in the course of economic, financial or commercial activities:

(a) The promise, offering or giving, directly or indirectly, of an undue advantage to any person who directs or works, in any capacity, for a private sector entity, for the person himself or herself or for another person, in order that he or she, in breach of his or her duties, act or refrain from acting;

(b) The solicitation or acceptance, directly or indirectly, of an undueadvantage by any person who directs or works, in any capacity, for a private sector entity, for the person himself or herself or for another person, in order that he or she, in breach of his or her duties, act or refrain from acting.

Article 22. Embezzlement of property in the private sector

Each State Party shall consider adopting such legislative and other meas- ures as may be necessary to establish as a criminal offence, when committed intentionally in the course of economic, financial or commercial activities, embezzlement by a person who directs or works, in any capacity, in a private sector entity of any property, private funds or securities or any other thing of value entrusted to him or her by virtue of his or her position.

Article 23. Laundering of proceeds of crime

1. Each State Party shall adopt, in accordance with fundamental prin- ciples of its domestic law, such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally:

(a) (i) The conversion or transfer of property, knowing that such property is the proceeds of crime, for the purpose of concealing or disguising the illicit origin of the property or of helping any person who is involved in the commission of the predicate offence to evade the legal consequences of his or her action;

(ii) The concealment or disguise of the true nature, source, location, disposition, movement or ownership of or rights with respect to property, knowing that such property is the proceeds of crime;

(b) Subject to the basic concepts of its legal system:

(i) The acquisition, possession or use of property, knowing, at the time of receipt, that such property is the proceeds of crime;

(ii) Participation in, association with or conspiracy to commit, attempts to commit and aiding, abetting, facilitating and coun- selling the commission of any of the offences established in accordance with this article.

2. For purposes of implementing or applying paragraph 1 of this article:

(a) Each State Party shall seek to apply paragraph 1 of this article to the widest range of predicate offences;

(b) Each State Party shall include as predicate offences at a minimum a comprehensive range of criminal offences established in accordance with this Convention;

(c) For the purposes of subparagraph *(b)* above, predicate offences shall include offences committed both within and outside the jurisdiction of the State Party in question. However, offences committed outside the jurisdiction of a State Party shall constitute predicate offences only when the relevant conduct is a criminal offence under the domestic law of the State where it is committed and would be a criminal offence under the domestic law of the State Party implementing or applying this article had it been committed there;

(d) Each State Party shall furnish copies of its laws that give effect to this article and of any subsequent changes to such laws or a description thereof to the Secretary-General of the United Nations;

(e) If required by fundamental principles of the domestic law of a State Party, it may be provided that the offences set forth in paragraph 1 of this articledo not apply to the persons who committed the predicate offence.

Article 24. Concealment

Without prejudice to the provisions of article 23 of this Convention, each State Party shall consider adopting such legislative and other measures as may be necessary to establish as a criminal offence, when committed intentionally after the commission of any of the offences established in accordance with this Convention without having participated in such offences, the concealment or continued retention of property when the person involved knows that such property is the result of any of the offences established in accordance with this Convention.

Article 25. Obstruction of justice

Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally:

(a) The use of physical force, threats or intimidation or the promise, offering or giving of an undue advantage to induce false testimony or to inter- fere in the giving of testimony or the production of evidence in a proceeding in relation to the commission of offences established in accordance with this Convention;

(b) The use of physical force, threats or intimidation to interfere with the exercise of official duties by a justice or law enforcement official in relation to the commission of offences established in accordance with this Convention. Nothing in this subparagraph shall prejudice the right of States Parties to have legislation that protects other categories of public official.

Article 26. Liability of legal persons

1. Each State Party shall adopt such measures as may be necessary, consistent with its legal principles, to establish the liability of legal persons for participation in the offences established in accordance with this Convention.

2. Subject to the legal principles of the State Party, the liability of legal persons may be criminal, civil or administrative.

3. Such liability shall be without prejudice to the criminal liability of the natural persons who have committed the offences.

4. Each State Party shall, in particular, ensure that legal persons held liable in accordance with this article are subject to effective, proportionate and dissuasive criminal or non-criminal sanctions, including monetary sanctions.

Article 27. Participation and attempt

1. Each State Party shall adopt such legislative and other measures as may be necessary to establish as a criminal offence, in accordance with its domestic law, participation in any capacity such as an accomplice, assistant or instigator in an offence established in accordance with this Convention.

2. Each State Party may adopt such legislative and other measures as maybe necessary to establish as a criminal offence, in accordance with its domestic law, any attempt to commit an offence established in accordance with this Convention.

3. Each State Party may adopt such legislative and other measures as maybe necessary to establish as a criminal offence, in accordance with its domestic law, the preparation for an offence established in accordance with this Convention.

Article 28. Knowledge, intent and purposeas elements of an offence

Knowledge, intent or purpose required as an element of an offence estab- lished in accordance with this Convention may be inferred from objectivefactual circumstances.

Article 29. Statute of limitations

Each State Party shall, where appropriate, establish under its domestic lawa long statute of limitations period in which to commence proceedings for any offence established in accordance with this Convention and establish a longer statute of limitations period or provide for the suspension of the statute of limitations where the alleged offender has evaded the administration of justice.

Article 30. Prosecution, adjudication and sanctions

1. Each State Party shall make the commission of an offence established in accordance with this Convention liable to sanctions that take into accountthe gravity of that offence.

2. Each State Party shall take such measures as may be necessary to establish or maintain, in accordance with its legal system and constitutional principles, an appropriate balance between any immunities or jurisdictional

privileges accorded to its public officials for the performance of their functions and the possibility, when necessary, of effectively investigating, prosecuting and adjudicating offences established in accordance with this Convention.

3. Each State Party shall endeavour to ensure that any discretionary legal powers under its domestic law relating to the prosecution of persons for offences established in accordance with this Convention are exercised to maximize the effectiveness of law enforcement measures in respect of those offences and withdue regard to the need to deter the commission of such offences.

4. In the case of offences established in accordance with this Conven- tion, each State Party shall take appropriate measures, in accordance with its domestic law and with due regard to the rights of the defence, to seek to ensure that conditions imposed in connection with decisions on release pending trialor appeal take into consideration the need to ensure the presence of the defend- ant at subsequent criminal proceedings.

5. Each State Party shall take into account the gravity of the offences concerned when considering the eventuality of early release or parole of personsconvicted of such offences.

6. Each State Party, to the extent consistent with the fundamental prin- ciples of its legal system, shall consider establishing procedures through which a public official accused of an offence established in accordance with this Con- vention may, where appropriate, be removed, suspended or reassigned by the appropriate authority, bearing in mind respect for the principle of the presump- tion of innocence.

7. Where warranted by the gravity of the offence, each State Party, to the extent consistent with the fundamental principles of its legal system, shall con- sider establishing procedures for the disqualification, by court order or anyother appropriate means, for a period of time determined by its domestic law, of persons convicted of offences established in accordance with this Conventionfrom:

(a) Holding public office; and

(b) Holding office in an enterprise owned in whole or in part by theState.

8. Paragraph 1 of this article shall be without prejudice to the exercise of disciplinary powers by the competent authorities against civil servants.

9. Nothing contained in this Convention shall affect the principle that the description of the offences established in accordance with this Convention and of the applicable legal defences or other legal principles controlling the lawfulness of conduct is reserved to the domestic law of a State Party and that such offences shall be prosecuted and punished in accordance with that law.

10. States Parties shall endeavour to promote the reintegration into societyof persons convicted of offences established in accordance with this Convention.

Article 31. Freezing, seizure and confiscation

1. Each State Party shall take, to the greatest extent possible within its domestic legal system, such measures as may be necessary to enable confiscationof:

(a) Proceeds of crime derived from offences established in accordance with this Convention or property the value of which corresponds to that of suchproceeds;

(b) Property, equipment or other instrumentalities used in or destined for use in offences established in accordance with this Convention.

2. Each State Party shall take such measures as may be necessary to enable the identification, tracing, freezing or seizure of any item referred to in paragraph 1 of this article for the purpose of eventual confiscation.

3. Each State Party shall adopt, in accordance with its domestic law,such legislative and other measures as may be necessary to regulate the admin- istration by the competent authorities of frozen, seized or confiscated property covered in paragraphs 1 and 2 of this article.

4. If such proceeds of crime have been transformed or converted, in part or in full, into other property, such property shall be liable to the measures referred to in this article instead of the proceeds.

5. If such proceeds of crime have been intermingled with property ac- quired from legitimate sources, such property shall, without prejudice to any powers relating to freezing or seizure, be liable to confiscation up to the assessedvalue of the intermingled proceeds.

6. Income or other benefits derived from such proceeds of crime, from property into which such proceeds of crime have been transformed or converted or from property with which such proceeds of crime have been intermingled shall also be liable to the measures referred to in this article, in the same manner and to the same extent as proceeds of crime.

7. For the purpose of this article and article 55 of this Convention, each State Party shall empower its courts or other competent authorities to order thatbank, financial or commercial records be made available or seized. A State Partyshall not decline to act under the provisions of this paragraph on the groundof bank secrecy.

1. States Parties may consider the possibility of requiring that an of- fender demonstrate the lawful origin of such alleged proceeds of crime or other property liable to confiscation, to the extent that such a requirement is consist- ent with the fundamental principles of their domestic law and with the natureof judicial and other proceedings.

2. The provisions of this article shall not be so construed as to prejudice the rights of bona fide third parties.

3. Nothing contained in this article shall affect the principle that the measures to which it refers shall be defined and implemented in accordancewith and subject to the provisions of the domestic law of a State Party.

Article 32. Protection of witnesses, experts and victims

1. Each State Party shall take appropriate measures in accordance with its domestic legal system and within its means to provide effective protection from potential retaliation or intimidation for witnesses and experts who give testimony concerning offences established in accordance with this Convention and, as appropriate, for their relatives and other persons close to them.

2. The measures envisaged in paragraph 1 of this article may include, inter alia, without prejudice to the rights of the defendant, including the rightto due process:

(a) Establishing procedures for the physical protection of such persons, such as, to the extent necessary and feasible, relocating them and permitting, where appropriate, non-disclosure or limitations on the disclosure of informa- tion concerning the identity and whereabouts of such persons;

(b) Providing evidentiary rules to permit witnesses and experts to give testimony in a manner that ensures the safety of such persons, such as permit- ting testimony to be given through the use of communications technology such as video or other adequate means.

3. States Parties shall consider entering into agreements or arrangements with other States for the relocation of persons referred to in paragraph 1 of this article.

4. The provisions of this article shall also apply to victims insofar as theyare witnesses.

5. Each State Party shall, subject to its domestic law, enable the views and concerns of victims to be presented and considered at appropriate stages ofcriminal proceedings against offenders in a manner not prejudicial to the rights of the defence.

Article 33. Protection of reporting persons

Each State Party shall consider incorporating into its domestic legal system appropriate measures to provide protection against any unjustified treatment for any person who reports in good faith and on reasonable grounds to the com- petent authorities any facts concerning offences established in accordance with this Convention.

Article 34. Consequences of acts of corruption

With due regard to the rights of third parties acquired in good faith, each State Party shall take measures, in accordance with the fundamental principles of its domestic law, to address consequences of corruption. In this context, States Parties may consider corruption a relevant factor in legal proceedings to annul or rescind a contract, withdraw a concession or other similar instrument or take any other remedial action.

Article 35. Compensation for damage

Each State Party shall take such measures as may be necessary, in accord- ance with principles of its domestic law, to ensure that entities or persons who have suffered damage as a result of an act of corruption have the right to initiate legal proceedings against those responsible for that damage in order to obtain compensation.

Article 36. Specialized authorities

Each State Party shall, in accordance with the fundamental principles of its legal system, ensure the existence of a body or bodies or persons specialized in combating corruption through law enforcement. Such body or bodies or per- sons shall be granted the necessary independence, in accordance with the fun- damental principles of the legal system of the State Party, to be able to carry out

their functions effectively and without any undue influence. Such persons or staff of such body or bodies should have the appropriate training and resources to carry out their tasks.

Article 37. Cooperation with law enforcement authorities

1. Each State Party shall take appropriate measures to encourage personswho participate or who have participated in the commission of an offence established in accordance with this Convention to supply information useful to competent authorities for investigative and evidentiary purposes and to provide factual, specific help to competent authorities that may contribute to depriving offenders of the proceeds of crime and to recovering such proceeds.

2. Each State Party shall consider providing for the possibility, in appro- priate cases, of mitigating punishment of an accused person who provides sub- stantial cooperation in the investigation or prosecution of an offence establishedin accordance with this Convention.

3. Each State Party shall consider providing for the possibility, in ac- cordance with fundamental principles of its domestic law, of granting immunity from prosecution to a person who provides substantial cooperation in the in- vestigation or prosecution of an offence established in accordance with this Convention.

4. Protection of such persons shall be, mutatis mutandis, as provided forin article 32 of this Convention.

5. Where a person referred to in paragraph 1 of this article located in one State Party can provide substantial cooperation to the competent authorities of another State Party, the States Parties concerned may consider entering into agreements or arrangements, in accordance with their domestic law, concerning the potential provision by the other State Party of the treatment set forth in paragraphs 2 and 3 of this article.

Article 38. Cooperation between national authorities

Each State Party shall take such measures as may be necessary to encourage,in accordance with its domestic law, cooperation between, on the one hand, its public authorities, as well as its public officials, and, on the other hand, its authorities responsible for investigating and prosecuting criminal offences. Suchcooperation may include:

(a) Informing the latter authorities, on their own initiative, where there are reasonable grounds to believe that any of the offences established in accord- ance with articles 15, 21 and 23 of this Convention has been committed; or

(b) Providing, upon request, to the latter authorities all necessary infor- mation.

Article 39. Cooperation between national authoritiesand the private sector

1. Each State Party shall take such measures as may be necessary to encourage, in accordance with its domestic law, cooperation between national investigating and prosecuting authorities and entities of the private sector, in particular financial institutions, relating to matters involving the commission of offences established in accordance with this Convention.

2. Each State Party shall consider encouraging its nationals and other persons with a habitual residence in its territory to report to the national inves- tigating and prosecuting authorities the commission of an offence established inaccordance with this Convention.

Article 40. Bank secrecy

Each State Party shall ensure that, in the case of domestic criminal inves- tigations of offences established in accordance with this Convention, there are appropriate mechanisms available within its domestic legal system to overcome obstacles that may arise out of the application of bank secrecy laws.

Article 41. Criminal record

Each State Party may adopt such legislative or other measures as may be necessary to take into consideration, under such terms as and for the purpose that it deems appropriate, any previous conviction in another State of an alleged offender for the purpose of using such information in criminal proceedings relating to an offence established in accordance with this Convention.

Article 42. Jurisdiction

1. Each State Party shall adopt such measures as may be necessary to establish its jurisdiction over the offences established in accordance with this Convention when:

(a) The offence is committed in the territory of that State Party; or

(b) The offence is committed on board a vessel that is flying the flag of that State Party or an aircraft that is registered under the laws of that State Party at the time that the offence is committed.

2. Subject to article 4 of this Convention, a State Party may also estab- lish its jurisdiction over any such offence when:

(a) The offence is committed against a national of that State Party; or

(b) The offence is committed by a national of that State Party or a state- less person who has his or her habitual residence in its territory; or

(c) The offence is one of those established in accordance with article 23, paragraph 1 *(b)* (ii), of this Convention and is committed outside its territory with a view to the commission of an offence established in accordance with article 23, paragraph 1 *(a)* (i) or (ii) or *(b)* (i), of this Convention within its territory; or

(d) The offence is committed against the State Party.

3. For the purposes of article 44 of this Convention, each State Party shall take such measures as may be necessary to establish its jurisdiction over the offences established in accordance with this Convention when the alleged offender is present in its territory and it does not extradite such person solely on the ground that he or she is one of its nationals.

4. Each State Party may also take such measures as may be necessary to establish its jurisdiction over the offences established in accordance with this Convention when the alleged offender is present in its territory and it does not extradite him or her.

5. If a State Party exercising its jurisdiction under paragraph 1 or 2 of this article has been notified, or has otherwise learned, that any other States Parties are conducting an investigation, prosecution or judicial proceeding in respect of the same conduct, the competent authorities of those States Parties shall, as appropriate, consult one another with a view to coordinating their actions.

6. Without prejudice to norms of general international law, this Con- vention shall not exclude the exercise of any criminal jurisdiction established bya State Party in accordance with its domestic law.

Chapter IV
International cooperation

Article 43. International cooperation

1. States Parties shall cooperate in criminal matters in accordance with articles 44 to 50 of this Convention. Where appropriate and consistent with their domestic legal system, States Parties shall consider assisting each other in investigations of and proceedings in civil and administrative matters relating to corruption.

2. In matters of international cooperation, whenever dual criminality is considered a requirement, it shall be deemed fulfilled irrespective of whether the laws of the requested State Party place the offence within the same category of offence or denominate the offence by the same terminology as the requesting State Party, if the conduct underlying the offence for which assistance is sought is a criminal offence under the laws of both States Parties.

Article 44. Extradition

1. This article shall apply to the offences established in accordance with this Convention where the person who is the subject of the request for extra- dition is present in the territory of the requested State Party, provided that the offence for which extradition is sought is punishable under the domestic law of both the requesting State Party and the requested State Party.

2. Notwithstanding the provisions of paragraph 1 of this article, a State Party whose law so permits may grant the extradition of a person for any of the offences covered by this Convention that are not punishable under its own domestic law.

3. If the request for extradition includes several separate offences, at least one of which is extraditable under this article and some of which are not extraditable by reason of their period of imprisonment but are related to of- fences established in accordance with this Convention, the requested State Party may apply this article also in respect of those offences.

4. Each of the offences to which this article applies shall be deemed tobe included as an extraditable offence in any extradition treaty existing between States Parties. States Parties undertake to include such offences as extraditable offences in every extradition treaty to be concluded between them. A State Partywhose law so permits, in case it uses this Convention as the basis for extradition, shall not consider any of the offences established in accordance with this Con-vention to be a political offence.

5. If a State Party that makes extradition conditional on the existence ofa treaty receives a request for extradition from another State Party with which it has no extradition treaty, it may consider this Convention the legal basis for extradition in respect of any offence to which this article applies.

6. A State Party that makes extradition conditional on the existence ofa treaty shall:

(a) At the time of deposit of its instrument of ratification, acceptance or approval of or accession to this Convention, inform the Secretary-General of the United Nations whether it will take this Convention as the legal basis for cooperation on extradition with other States Parties to this Convention; and

(b) If it does not take this Convention as the legal basis for cooperation on extradition, seek, where appropriate, to conclude treaties on extradition with other States Parties to this Convention in order to implement this article.

7. States Parties that do not make extradition conditional on the exist- ence of a treaty shall recognize offences to which this article applies as extradit- able offences between themselves.

8. Extradition shall be subject to the conditions provided for by the domestic law of the requested State Party or by applicable extradition treaties, including, inter alia, conditions in relation to the minimum penalty require- ment for extradition and the grounds upon which the requested State Party mayrefuse extradition.

9. States Parties shall, subject to their domestic law, endeavour to expe- dite extradition procedures and to simplify evidentiary requirements relating thereto in respect of any offence to which this article applies.

10. Subject to the provisions of its domestic law and its extradition trea- ties, the requested State Party may, upon being satisfied that the circumstances so warrant and are urgent and at the request of the requesting State Party, takea person whose extradition is sought and who is present in its territory into custody or take other appropriate measures to ensure his or her presence at extradition proceedings.

11. A State Party in whose territory an alleged offender is found, if it does not extradite such person in respect of an offence to which this article applies solely on the ground that he or she is one of its nationals, shall, at the request of the State Party seeking extradition, be obliged to submit the case without undue delay to its competent authorities for the purpose of prosecution. Those authorities shall take their decision and conduct their proceedings in the same manner as in the case of any other offence of a grave nature under the domestic law of that State Party. The States Parties concerned shall cooperate with each other, in particular on procedural and evidentiary aspects, to ensure the efficiency of such prosecution.

12. Whenever a State Party is permitted under its domestic law to extra- dite or otherwise surrender one of its nationals only upon the condition that the person will be returned to that State Party to serve the sentence imposed as a result of the trial or proceedings for which the extradition or surrender of the person was sought and that State Party and the State Party seeking the extra- dition of the person agree with this option and other terms that they may deem appropriate, such conditional extradition or surrender shall be sufficient to discharge the obligation set forth in paragraph 11 of this article.

13. If extradition, sought for purposes of enforcing a sentence, is refused because the person sought is a national of the requested State Party, the re- quested State Party shall, if its domestic law so permits and in conformity with the requirements of such law, upon application of the requesting State Party, consider the enforcement of the sentence imposed under the domestic law of the requesting State Party or the remainder thereof.

14. Any person regarding whom proceedings are being carried out in connection with any of the offences to which this article applies shall be guaranteed fair treatment at all stages of the proceedings, including enjoyment of all the rights and guarantees provided by the domestic law of the State Party in the territory of which that person is present.

15. Nothing in this Convention shall be interpreted as imposing an ob- ligation to extradite if the requested State Party has substantial grounds for believing that the request has been made for the purpose of prosecuting or punishing a person on account of that person's sex, race, religion, nationality, ethnic origin or political opinions or that compliance with the request would cause prejudice to that person's position for any one of these reasons.

16. States Parties may not refuse a request for extradition on the sole ground that the offence is also considered to involve fiscal matters.

17. Before refusing extradition, the requested State Party shall, where appropriate, consult with the requesting State Party to provide it with ample opportunity to present its opinions and to provide information relevant to itsallegation.

1. States Parties shall seek to conclude bilateral and multilateral agreements or arrangements to carry out or to enhance the effectiveness of extradition.

Article 45. Transfer of sentenced persons

States Parties may consider entering into bilateral or multilateral agree- ments or arrangements on the transfer to their territory of persons sentenced to imprisonment or other forms of deprivation of liberty for offences establishedin accordance with this Convention in order that they may complete theirsentences there.

Article 46. Mutual legal assistance

1. States Parties shall afford one another the widest measure of mutual legal assistance in investigations, prosecutions and judicial proceedings in rela- tion to the offences covered by this Convention.

2. Mutual legal assistance shall be afforded to the fullest extent possible under relevant laws, treaties, agreements and arrangements of the requested State Party with respect to investigations, prosecutions and judicial proceedings in relation to the offences for which a legal person may be held liable in accordance with article 26 of this Convention in the requesting State Party.

3. Mutual legal assistance to be afforded in accordance with this articlemay be requested for any of the following purposes:

(a) Taking evidence or statements from persons;

(b) Effecting service of judicial documents;

(c) Executing searches and seizures, and freezing;

(d) Examining objects and sites;

(e) Providing information, evidentiary items and expert evaluations;

(f) Providing originals or certified copies of relevant documents and records, including government, bank, financial, corporate or business records;

(g) Identifying or tracing proceeds of crime, property, instrumentalities orother things for evidentiary purposes;

(h) Facilitating the voluntary appearance of persons in the requestingState Party;

(i) Any other type of assistance that is not contrary to the domestic lawof the requested State Party;

(j) Identifying, freezing and tracing proceeds of crime in accordance withthe provisions of chapter V of this Convention;

(k) The recovery of assets, in accordance with the provisions of chapter Vof this Convention.

4. Without prejudice to domestic law, the competent authorities of a State Party may, without prior request, transmit information relating to crimi- nal matters to a competent authority in another State Party where they believe that such information could assist the authority in undertaking or successfully concluding inquiries and criminal proceedings or could result in a request for- mulated by the latter State Party pursuant to this Convention.

5. The transmission of information pursuant to paragraph 4 of this ar- ticle shall be without prejudice to inquiries and criminal proceedings in the State of the competent authorities providing the

information. The competent authorities receiving the information shall comply with a request that said in- formation remain confidential, even temporarily, or with restrictions on its use. However, this shall not prevent the receiving State Party from disclosing in its proceedings information that is exculpatory to an accused person. In such a case, the receiving State Party shall notify the transmitting State Party prior to the disclosure and, if so requested, consult with the transmitting State Party. If, in an exceptional case, advance notice is not possible, the receiving State Party shall inform the transmitting State Party of the disclosure without delay.

6. The provisions of this article shall not affect the obligations under any other treaty, bilateral or multilateral, that governs or will govern, in whole orin part, mutual legal assistance.

7. Paragraphs 9 to 29 of this article shall apply to requests made pursu- ant to this article if the States Parties in question are not bound by a treaty of mutual legal assistance. If those States Parties are bound by such a treaty, the corresponding provisions of that treaty shall apply unless the States Parties agreeto apply paragraphs 9 to 29 of this article in lieu thereof. States Parties are strongly encouraged to apply those paragraphs if they facilitate cooperation.

8. States Parties shall not decline to render mutual legal assistance pur- suant to this article on the ground of bank secrecy.

9. *(a)* A requested State Party, in responding to a request for assistance pursuant to this article in the absence of dual criminality, shall take into account the purposes of this Convention, as set forth in article 1;

(b) States Parties may decline to render assistance pursuant to this article on the ground of absence of dual criminality. However, a requested State Party shall, where consistent with the basic concepts of its legal system, render assistance that does not involve coercive action. Such assistance may be refused when requests involve matters of a *de minimis* nature or matters for which the cooperation or assistance sought is available under other provisions of this Convention;

(c) Each State Party may consider adopting such measures as may be necessary to enable it to provide a wider scope of assistance pursuant to this article in the absence of dual criminality.

10. A person who is being detained or is serving a sentence in the terri- tory of one State Party whose presence in another State Party is requested for purposes of identification, testimony or otherwise providing assistance in ob- taining evidence for investigations, prosecutions or judicial proceedings in rela- tion to offences covered by this Convention may be transferred if the following conditions are met:

(a) The person freely gives his or her informed consent;

(b) The competent authorities of both States Parties agree, subject to suchconditions as those States Parties may deem appropriate.

11. For the purposes of paragraph 10 of this article:

(a) The State Party to which the person is transferred shall have the authority and obligation to keep the person transferred in custody, unless other- wise requested or authorized by the State Party from which the person was transferred;

(b) The State Party to which the person is transferred shall without delay implement its obligation to return the person to the custody of the State Party from which the person was transferred as agreed beforehand, or as otherwise agreed, by the competent authorities of both States Parties;

(c) The State Party to which the person is transferred shall not require the State Party from which the person was transferred to initiate extradition pro- ceedings for the return of the person;

(d) The person transferred shall receive credit for service of the sentence being served in the State from which he or she was transferred for time spentin the custody of the State Party to which he or she was transferred.

Unless the State Party from which a person is to be transferred in accordance with paragraphs 10 and 11 of this article so agrees, that person, whatever his or her nationality, shall not be prosecuted, detained, punished or subjected to any other restriction of his or her personal liberty in the territory of the State to which that person is transferred in respect of acts, omissions or convictions prior to his or her departure from the territory of the State from which he or she was transferred.

12. Each State Party shall designate a central authority that shall have the responsibility and power to receive requests for mutual legal assistance and either to execute them or to transmit them to the competent authorities for execution. Where a State Party has a special region or territory with a separate system of mutual legal assistance, it may designate a distinct central authority that shall have the same function for that region or territory. Central authorities shall ensure the speedy and proper execution or transmission of the requests received. Where the central authority transmits the request to a competent authority for execution, it shall encourage the speedy and proper execution of the request by the competent authority. The Secretary-General of the United Nations shall be notified of the central authority designated for this purpose at the time each State Party deposits its instrument of ratification, acceptance or approval of or accession to this Convention. Requests for mutual legal assistanceand any communication related thereto shall be transmitted to the central au- thorities designated by the States Parties. This requirement shall be without prejudice to the right of a State Party to require that such requests and com- munications be addressed to it through diplomatic channels and, in urgent circumstances, where the States Parties agree, through the International Crimi- nal Police Organization, if possible.

13. Requests shall be made in writing or, where possible, by any means capable of producing a written record, in a language acceptable to the requested State Party, under conditions allowing that State Party to establish authenticity. The Secretary-General of the United Nations shall be notified of the language or languages acceptable to each State Party at the time it deposits its instrument of ratification, acceptance or approval of or accession to this Convention. In urgent circumstances and where agreed by the States Parties, requests may be made orally but shall be confirmed in writing forthwith.

14. A request for mutual legal assistance shall contain:

(a) The identity of the authority making the request;

(b) The subject matter and nature of the investigation, prosecution or judicial proceeding to which the request relates and the name and functions of the authority conducting the investigation, prosecution or judicial proceeding;

(c) A summary of the relevant facts, except in relation to requests for the purpose of service of judicial documents;

(d) A description of the assistance sought and details of any particular procedure that the requesting State Party wishes to be followed;

(e) Where possible, the identity, location and nationality of any person concerned; and

(f) The purpose for which the evidence, information or action is sought.

15. The requested State Party may request additional information when it appears necessary for the execution of the request in accordance with its domestic law or when it can facilitate such execution.

16. A request shall be executed in accordance with the domestic law of the requested State Party and, to the extent not contrary to the domestic law of the requested State Party and where possible, in accordance with the pro- cedures specified in the request.

17. Wherever possible and consistent with fundamental principles of domestic law, when an individual is in the territory of a State Party and has to be heard as a witness or expert by the judicial authorities of another State Party, the first State Party may, at the request of the other, permit the hearing to take place by video conference if it is not possible or desirable for the individual in question to appear in person in the territory of the requesting State Party. States Parties may agree that the hearing shall be conducted by a judicial authority of the requesting State Party and attended by a judicial authority of the requested State Party.

18. The requesting State Party shall not transmit or use information or evidence furnished by the requested State Party for investigations, prosecutions or judicial proceedings other than those stated in the request without the prior consent of the requested State Party. Nothing in this paragraph shall prevent the requesting State Party from disclosing in its proceedings information or evi- dence that is exculpatory to an accused person. In the latter case, the requesting State Party shall notify the requested State Party prior to the disclosure and, if so requested, consult with the requested State Party. If, in an exceptional case, advance notice is not possible, the requesting State Party shall inform the requested State Party of the disclosure without delay.

19. The requesting State Party may require that the requested State Party keep confidential the fact and substance of the request, except to the extent necessary to execute the request. If the requested State Party cannot comply with the requirement of confidentiality, it shall promptly inform the requesting State Party.

20. Mutual legal assistance may be refused:

(a) If the request is not made in conformity with the provisions of this article;

(b) If the requested State Party considers that execution of the requestis likely to prejudice its sovereignty, security, *ordre public* or other essential interests;

(c) If the authorities of the requested State Party would be prohibited by its domestic law from carrying out the action requested with regard to any similar offence, had it been subject to investigation, prosecution or judicial proceedings under their own jurisdiction;

(d) If it would be contrary to the legal system of the requested State Party relating to mutual legal assistance for the request to be granted.

21. States Parties may not refuse a request for mutual legal assistance on the sole ground that the offence is also considered to involve fiscal matters.

22. Reasons shall be given for any refusal of mutual legal assistance.

23. The requested State Party shall execute the request for mutual legal assistance as soon as possible and shall take as full account as possible of any deadlines suggested by the requesting State Party and for which reasons are given, preferably in the request. The requesting State Party may make reason- able requests for information on the status and progress of measures taken by the requested State Party to satisfy its request. The requested State Party shall respond to reasonable requests by the requesting State Party on the status, and progress in its handling, of the request. The requesting State Party shall promptly inform the requested State Party when the assistance sought is no longer required.

24. Mutual legal assistance may be postponed by the requested StateParty on the ground that it interferes with an ongoing investigation, prosecutionor judicial proceeding.

25. Before refusing a request pursuant to paragraph 21 of this article or postponing its execution pursuant to paragraph 25 of this article, the requested State Party shall consult with the requesting State Party to consider whether assistance may be granted subject to such terms and conditions as it deems necessary. If the requesting State Party accepts assistance subject to those con- ditions, it shall comply with the conditions.

26. Without prejudice to the application of paragraph 12 of this article, a witness, expert or other person who, at the request of the requesting State Party, consents to give evidence in a proceeding or to assist in an investigation, prosecution or judicial proceeding in the territory of the requesting State Party shall not be prosecuted, detained.

punished or subjected to any other restriction of his or her personal liberty in that territory in respect of acts, omissions or

convictions prior to his or her departure from the territory of the requested State Party. Such safe conduct shall cease when the witness, expert or other person having had, for a period of fifteen consecutive days or for any period agreed upon by the States Parties from the date on which he or she has been officially informed that his or her presence is no longer required by the judicial authorities, an opportunity of leaving, has nevertheless remained voluntarily in the territory of the requesting State Party or, having left it, has returned of hisor her own free will.

27. The ordinary costs of executing a request shall be borne by the re- quested State Party, unless otherwise agreed by the States Parties concerned. If expenses of a substantial or extraordinary nature are or will be required to fulfil the request, the States Parties shall consult to determine the terms and condi- tions under which the request will be executed, as well as the manner in which the costs shall be borne.

28. The requested State Party:

(a) Shall provide to the requesting State Party copies of government records, documents or information in its possession that under its domestic law are available to the general public;

(b) May, at its discretion, provide to the requesting State Party in whole, in part or subject to such conditions as it deems appropriate, copies of any government records, documents or information in its possession that under its domestic law are not available to the general public.

29. States Parties shall consider, as may be necessary, the possibility of concluding bilateral or multilateral agreements or arrangements that would servethe purposes of, give practical effect to or enhance the provisions of this article.

Article 47. Transfer of criminal proceedings

States Parties shall consider the possibility of transferring to one another proceedings for the prosecution of an offence established in accordance with this Convention in cases where such transfer is considered to be in the interests of the proper administration of justice, in particular in cases where several jurisdictions are involved, with a view to concentrating the prosecution.

Article 48. Law enforcement cooperation

1. States Parties shall cooperate closely with one another, consistent with their respective domestic legal and administrative systems, to enhance the effectiveness of law enforcement action to combat the offences covered by this Convention. States Parties shall, in particular, take effective measures:

(a) To enhance and, where necessary, to establish channels of communi- cation between their competent authorities, agencies and services in order to facilitate the secure and rapid exchange of information concerning all aspects of the offences covered by this Convention, including, if the States Parties con- cerned deem it appropriate, links with other criminal activities;

(b) To cooperate with other States Parties in conducting inquiries with respect to offences covered by this Convention concerning:

(i) The identity, whereabouts and activities of persons suspected of involvement in such offences or the location of other persons concerned;

(ii) The movement of proceeds of crime or property derived from the commission of such offences;

(iii) The movement of property, equipment or other instrumentalities used or intended for use in the commission of such offences;

(c) To provide, where appropriate, necessary items or quantities of sub- stances for analytical or investigative purposes;

(d) To exchange, where appropriate, information with other States Parties concerning specific means and methods used to commit offences covered by this Convention, including the use of false identities, forged, altered or false documents and other means of concealing activities;

(e) To facilitate effective coordination between their competent authori- ties, agencies and services and to promote the exchange of personnel and other experts, including, subject to bilateral agreements or

arrangements between the States Parties concerned, the posting of liaison officers;

(f) To exchange information and coordinate administrative and othermeasures taken as appropriate for the purpose of early identification of the offences covered by this Convention.

2. With a view to giving effect to this Convention, States Parties shall consider entering into bilateral or multilateral agreements or arrangements on direct cooperation between their law enforcement agencies and, where such agreements or arrangements already exist, amending them. In the absence of such agreements or arrangements between the States Parties concerned, the States Parties may consider this Convention to be the basis for mutual law enforcement cooperation in respect of the offences covered by this Convention. Whenever appropriate, States Parties shall make full use of agreements or arrangements, including international or regional organizations, to enhance the cooperation between their law enforcement agencies.

3. States Parties shall endeavour to cooperate within their means to re- spond to offences covered by this Convention committed through the use of modern technology.

Article 49. Joint investigations

States Parties shall consider concluding bilateral or multilateral agreements or arrangements whereby, in relation to matters that are the subject of investi- gations, prosecutions or judicial proceedings in one or more States, the compe- tent authorities concerned may establish joint investigative bodies. In the ab- sence of such agreements or arrangements, joint investigations may be undertaken by agreement on a case-by-case basis. The States Parties involved shall ensure that the sovereignty of the State Party in whose territory such investigation is to take place is fully respected.

Article 50. Special investigative techniques

1. In order to combat corruption effectively, each State Party shall, to theextent permitted by the basic principles of its domestic legal system and in accordance with the conditions prescribed by its domestic law, take such meas- ures as may be necessary, within its means, to allow for the appropriate use by its competent authorities of controlled delivery and, where it deems appropriate, other special investigative techniques, such as electronic or other forms of sur- veillance and undercover

operations, within its territory, and to allow for the admissibility in court of evidence derived therefrom.

2. For the purpose of investigating the offences covered by this Conven-tion, States Parties are encouraged to conclude, when necessary, appropriate bilateral or multilateral agreements or arrangements for using such special inves-tigative techniques in the context of cooperation at the international level. Such agreements or arrangements shall be concluded and implemented in full com- pliance with the principle of sovereign equality of States and shall be carried out strictly in accordance with the terms of those agreements or arrangements.

3. In the absence of an agreement or arrangement as set forth in para- graph 2 of this article, decisions to use such special investigative techniques at the international level shall be made on a case-by-case basis and may, when necessary, take into consideration financial arrangements and understandings with respect to the exercise of jurisdiction by the States Parties concerned.

4. Decisions to use controlled delivery at the international level may, with the consent of the States Parties concerned, include methods such as intercepting and allowing the goods or funds to continue intact or be removed or replaced in whole or in part.

Chapter V
Asset recovery

Article 51. General provision

The return of assets pursuant to this chapter is a fundamental principle of this Convention, and States Parties shall afford one another the widest measure of cooperation and assistance in this regard.

Article 52. Prevention and detection of transfersof proceeds of crime

1. Without prejudice to article 14 of this Convention, each State Party shall take such measures as may be necessary, in accordance with its domestic law, to require financial institutions within its jurisdiction to verify the identityof customers, to take reasonable steps to determine the identity of beneficial owners of funds deposited into high-value accounts and to conduct enhanced scrutiny of accounts sought or maintained by or on behalf of individuals who are, or have been, entrusted with prominent public functions and their family members and close associates. Such enhanced scrutiny shall be reasonably de- signed to detect suspicious transactions for the purpose of reporting to competent authorities and should not be so construed as to discourage or prohibit financial institutions from doing business with any legitimate customer.

2. In order to facilitate implementation of the measures provided for in paragraph 1 of this article, each State Party, in accordance with its domestic law and inspired by relevant initiatives of regional, interregional and multilateral organizations against money-laundering, shall:

(a) Issue advisories regarding the types of natural or legal person to whose accounts financial institutions within its jurisdiction will be expected to apply enhanced scrutiny, the types of accounts and transactions to which to pay particular attention and appropriate account-opening, maintenance and record- keeping measures to take concerning such accounts; and

(b) Where appropriate, notify financial institutions within its jurisdiction, at the request of another State Party or on its own initiative, of the identity of particular natural or legal persons to whose accounts such institutions will be expected to apply enhanced scrutiny, in addition to those whom the financial institutions may otherwise identify.

3. In the context of paragraph 2 *(a)* of this article, each State Party shall implement measures to ensure that its financial institutions maintain adequate records, over an appropriate period of time, of accounts and transactions involv-ing the persons mentioned in paragraph 1 of this article, which should, as a minimum, contain information relating to the identity of the customer as wellas, as far as possible, of the beneficial owner.

4. With the aim of preventing and detecting transfers of proceeds of offences established in accordance with this Convention, each State Party shall implement appropriate and effective measures to prevent, with the help of its regulatory and oversight bodies, the establishment of banks that have no physi- cal presence and that are not affiliated with a regulated financial group. More- over, States Parties may consider requiring their financial institutions to refuseto enter into or continue a correspondent banking relationship with such insti- tutions and to guard against establishing relations with foreign financial insti- tutions that permit their accounts to be used by banks that have no physical presence and that are not affiliated with a regulated financial group.

5. Each State Party shall consider establishing, in accordance with its domestic law, effective financial disclosure systems for appropriate public offi- cials and shall provide for appropriate sanctions for non-compliance. Each StateParty shall also consider taking such measures as may be necessary to permit its competent authorities to share that information with the competent authorities in other States Parties when necessary to investigate, claim and recover proceeds of offences established in accordance with this Convention.

6. Each State Party shall consider taking such measures as may be nec- essary, in accordance with its domestic law, to require appropriate public offi- cials having an interest in or signature or other authority over a financial ac- count in a foreign country to report that relationship to appropriate authorities and to maintain appropriate records related to such accounts. Such measures shall also provide for appropriate sanctions for non-compliance.

Article 53. Measures for direct recovery of property

Each State Party shall, in accordance with its domestic law:

(a) Take such measures as may be necessary to permit another

State Party to initiate civil action in its courts to establish title to or ownership of property acquired through the commission of an offence established in accordance with this Convention;

(b) Take such measures as may be necessary to permit its courts to order those who have committed offences established in accordance with this Conven-tion to pay compensation or damages to another State Party that has been harmed by such offences; and

(c) Take such measures as may be necessary to permit its courts or com- petent authorities, when having to decide on confiscation, to recognize another State Party's claim as a legitimate owner of property acquired through the commission of an offence established in accordance with this Convention.

Article 54. Mechanisms for recovery of property throughinternational cooperation in confiscation

1. Each State Party, in order to provide mutual legal assistance pursuant to article 55 of this Convention with respect to property acquired through or involved in the commission of an offence established in accordance with this Convention, shall, in accordance with its domestic law:

(a) Take such measures as may be necessary to permit its competent authorities to give effect to an order of confiscation issued by a court of anotherState Party;

(b) Take such measures as may be necessary to permit its competent authorities, where they have jurisdiction, to order the confiscation of such property of foreign origin by adjudication of an offence of money-laundering or such other offence as may be within its jurisdiction or by other procedures authorized under its domestic law; and

(c) Consider taking such measures as may be necessary to allow confisca- tion of such property without a criminal conviction in cases in which the offender cannot be prosecuted by reason of death, flight or absence or in other appropriate cases.

2. Each State Party, in order to provide mutual legal assistance upon a request made pursuant to paragraph 2 of article 55 of this Convention, shall, in accordance with its domestic law:

(a) Take such measures as may be necessary to permit its competent authorities to freeze or seize property upon a freezing or seizure order issued by a court or competent authority of a requesting State Party that provides a reasonable basis for the requested State Party to believe that there are sufficient grounds for taking such actions and that the property would eventually be subject to an order of confiscation for purposes of paragraph 1 *(a)* of this article;

(b) Take such measures as may be necessary to permit its competent authorities to freeze or seize property upon a request that provides a reasonable basis for the requested State Party to believe that there are sufficient grounds for taking such actions and that the property would eventually be subject to an order of confiscation for purposes of paragraph 1 *(a)* of this article; and

(c) Consider taking additional measures to permit its competent authori- ties to preserve property for confiscation, such as on the basis of a foreign arrest or criminal charge related to the acquisition of such property.

Article 55. International cooperation forpurposes of confiscation

1. A State Party that has received a request from another State Party having jurisdiction over an offence established in accordance with this Conven- tion for confiscation of proceeds of crime, property, equipment or other instrumentalities referred to in article 31, paragraph 1, of this Convention situated in its territory shall, to the greatest extent possible within its domestic legal system:

(a) Submit the request to its competent authorities for the purpose of obtaining an order of confiscation and, if such an order is granted, give effectto it; or

(b) Submit to its competent authorities, with a view to giving effect to itto the extent requested, an order of confiscation issued by a court in the terri- tory of the requesting State Party in accordance with articles 31, paragraph 1, and 54, paragraph 1 *(a)*, of this Convention insofar as it relates to proceeds of crime, property, equipment or other instrumentalities referred to in article 31, paragraph 1, situated in the

territory of the requested State Party.

2. Following a request made by another State Party having jurisdiction over an offence established in accordance with this Convention, the requested State Party shall take measures to identify, trace and freeze or seize proceeds of crime, property, equipment or other instrumentalities referred to in article 31, paragraph 1, of this Convention for the purpose of eventual confiscation to be ordered either by the requesting State Party or, pursuant to a request under paragraph 1 of this article, by the requested State Party.

3. The provisions of article 46 of this Convention are applicable, mutatis mutandis, to this article. In addition to the information specified in article 46, paragraph 15, requests made pursuant to this article shall contain:

(a) In the case of a request pertaining to paragraph 1 *(a)* of this article, a description of the property to be confiscated, including, to the extent possible, the location and, where relevant, the estimated value of the property and a statement of the facts relied upon by the requesting State Party sufficient to enable the requested State Party to seek the order under its domestic law;

(b) In the case of a request pertaining to paragraph 1 *(b)* of this article, a legally admissible copy of an order of confiscation upon which the request is based issued by the requesting State Party, a statement of the facts and infor- mation as to the extent to which execution of the order is requested, a statement specifying the measures taken by the requesting State Party to provide adequate notification to bona fide third parties and to ensure due process and a statement that the confiscation order is final;

(c) In the case of a request pertaining to paragraph 2 of this article, a statement of the facts relied upon by the requesting State Party and a descrip- tion of the actions requested and, where available, a legally admissible copy of an order on which the request is based.

4. The decisions or actions provided for in paragraphs 1 and 2 of this article shall be taken by the requested State Party in accordance with and subject to the provisions of its domestic law and its procedural rules or any bilateral or multilateral agreement or arrangement to which it may be bound in relation to the requesting State Party.

5. Each State Party shall furnish copies of its laws and regulations that give effect to this article and of any subsequent changes to such laws and regulations or a description thereof to the Secretary-General of the

United Nations.

6. If a State Party elects to make the taking of the measures referred to in paragraphs 1 and 2 of this article conditional on the existence of a relevant treaty, that State Party shall consider this Convention the necessary and suffi- cient treaty basis.

7. Cooperation under this article may also be refused or provisional measures lifted if the requested State Party does not receive sufficient and timely evidence or if the property is of a *de minimis* value.

8. Before lifting any provisional measure taken pursuant to this article, the requested State Party shall, wherever possible, give the requesting State Partyan opportunity to present its reasons in favour of continuing the measure.

9. The provisions of this article shall not be construed as prejudicing the rights of bona fide third parties.

Article 56. Special cooperation

Without prejudice to its domestic law, each State Party shall endeavour to take measures to permit it to forward, without prejudice to its own investiga- tions, prosecutions or judicial proceedings, information on proceeds of offences established in accordance with this Convention to another State Party without prior request, when it considers that the disclosure of such information might assist the receiving State Party in initiating or carrying out investigations, pros- ecutions or judicial proceedings or might lead to a request by that State Party under this chapter of the Convention.

Article 57. Return and disposal of assets

1. Property confiscated by a State Party pursuant to article 31 or 55 of this Convention shall be disposed of, including by return to its prior legitimate owners, pursuant to paragraph 3 of this article, by that State Party in accordance with the provisions of this Convention and its domestic law.

2. Each State Party shall adopt such legislative and other measures, in accordance with the fundamental principles of its domestic law, as may be necessary to enable its competent authorities to return confiscated property, when acting on the request made by another State

Party, in accordance with this Convention, taking into account the rights of bona fide third parties.

3. In accordance with articles 46 and 55 of this Convention and para- graphs 1 and 2 of this article, the requested State Party shall:

(a) In the case of embezzlement of public funds or of laundering of embezzled public funds as referred to in articles 17 and 23 of this Convention, when confiscation was executed in accordance with article 55 and on the basis of a final judgement in the requesting State Party, a requirement that can be waived by the requested State Party, return the confiscated property to the requesting State Party;

(b) In the case of proceeds of any other offence covered by this Conven- tion, when the confiscation was executed in accordance with article 55 of this Convention and on the basis of a final judgement in the requesting State Party,a requirement that can be waived by the requested State Party, return the confiscated property to the requesting State Party, when the requesting State Party reasonably establishes its prior ownership of such confiscated property to the requested State Party or when the requested State Party recognizes damage to the requesting State Party as a basis for returning the confiscated property;

(c) In all other cases, give priority consideration to returning confiscated property to the requesting State Party, returning such property to its priorlegitimate owners or compensating the victims of the crime.

4. Where appropriate, unless States Parties decide otherwise, the re- quested State Party may deduct reasonable expenses incurred in investigations, prosecutions or judicial proceedings leading to the return or disposition ofconfiscated property pursuant to this article.

5. Where appropriate, States Parties may also give special consideration to concluding agreements or mutually acceptable arrangements, on a case-by- case basis, for the final disposal of confiscated property.

Article 59. Bilateral and multilateral agreements and arrangements

States Parties shall consider concluding bilateral or multilateral agreements or arrangements to enhance the effectiveness of international cooperation undertaken pursuant to this chapter of the Convention.

Chapter VI
Technical assistance and information exchange

Article 60. Training and technical assistance

1. Each State Party shall, to the extent necessary, initiate, develop or improve specific training programmes for its personnel responsible for prevent-ing and combating corruption. Such training programmes could deal, inter alia, with the following areas:

(a) Effective measures to prevent, detect, investigate, punish and control corruption, including the use of evidence-gathering and investigative methods;

(b) Building capacity in the development and planning of strategic anti- corruption policy;

(c) Training competent authorities in the preparation of requests for mutual legal assistance that meet the requirements of this Convention;

(d) Evaluation and strengthening of institutions, public service manage- ment and the management of public finances, including public procurement,and the private sector;

(e) Preventing and combating the transfer of proceeds of offences estab- lished in accordance with this Convention and recovering such proceeds;

(f) Detecting and freezing of the transfer of proceeds of offences estab- lished in accordance with this Convention;

(g) Surveillance of the movement of proceeds of offences established in accordance with this Convention and of the methods used to transfer, concealor disguise such proceeds;

(h) Appropriate and efficient legal and administrative mechanisms and methods for facilitating the return of proceeds of offences established in accord-ance with this Convention;

(i) Methods used in protecting victims and witnesses who cooperate withjudicial authorities; and

(j) Training in national and international regulations and in languages.

2. States Parties shall, according to their capacity, consider affording one another the widest measure of technical assistance,

especially for the benefit of developing countries, in their respective plans and programmes to combat corruption, including material support and training in the areas referred to in paragraph 1 of this article, and training and assistance and the mutual exchange of relevant experience and specialized knowledge, which will facilitate inter- national cooperation between States Parties in the areas of extradition and mutual legal assistance.

3. States Parties shall strengthen, to the extent necessary, efforts to maxi- mize operational and training activities in international and regional organiza- tions and in the framework of relevant bilateral and multilateral agreements or arrangements.

4. States Parties shall consider assisting one another, upon request, in conducting evaluations, studies and research relating to the types, causes, effectsand costs of corruption in their respective countries, with a view to developing, with the participation of competent authorities and society, strategies and actionplans to combat corruption.

5. In order to facilitate the recovery of proceeds of offences established in accordance with this Convention, States Parties may cooperate in providing each other with the names of experts who could assist in achieving that objective.

6. States Parties shall consider using subregional, regional and interna- tional conferences and seminars to promote cooperation and technical assistance and to stimulate discussion on problems of mutual concern, including the special problems and needs of developing countries and countries with econo- mies in transition.

7. States Parties shall consider establishing voluntary mechanisms with a view to contributing financially to the efforts of developing countries and coun- tries with economies in transition to apply this Convention through technical assistance programmes and projects.

8. Each State Party shall consider making voluntary contributions to the United Nations Office on Drugs and Crime for the purpose of fostering, through the Office, programmes and projects in developing countries with a view to implementing this Convention.

Article 61. Collection, exchange and analysis ofinformation on corruption

1. Each State Party shall consider analysing, in consultation with experts, trends in corruption in its territory, as well as the circumstances in whichcorruption offences are committed.

2. States Parties shall consider developing and sharing with each other and through international and regional organizations statistics, analytical exper- tise concerning corruption and information with a view to developing, insofar as possible, common definitions, standards and methodologies, as well as infor- mation on best practices to prevent and combat corruption.

3. Each State Party shall consider monitoring its policies and actual measures to combat corruption and making assessments of their effectiveness and efficiency.

Article 62. Other measures: implementation of the Conventionthrough economic development and technical assistance

1. States Parties shall take measures conducive to the optimal implemen- tation of this Convention to the extent possible, through international coopera- tion, taking into account the negative effects of corruption on society in general, in particular on sustainable development.

2. States Parties shall make concrete efforts to the extent possible andin coordination with each other, as well as with international and regionalorganizations:

(a) To enhance their cooperation at various levels with developing coun- tries, with a view to strengthening the capacity of the latter to prevent and combat corruption;

(b) To enhance financial and material assistance to support the efforts of developing countries to prevent and fight corruption effectively and to help them implement this Convention successfully;

(c) To provide technical assistance to developing countries and countries with economies in transition to assist them in meeting their needs for the implementation of this Convention. To that end, States Parties shall endeavour to make adequate and regular voluntary contributions to an account specifically designated for that purpose in a United Nations funding mechanism. States Parties may also give special consideration, in accordance with their domestic law and the provisions of this Convention, to contributing to that account a percentage of the money or of the corresponding value of proceeds of crime or property confiscated in accordance with the provisions of this Convention;

(d) To encourage and persuade other States and financial institutions as appropriate to join them in efforts in accordance with this article, in particular by providing more training programmes and modern equipment to developing countries in order to assist them in achieving the objectives of this Convention.

3. To the extent possible, these measures shall be without prejudice to existing foreign assistance commitments or to other financial cooperation arrangements at the bilateral, regional or international level.

4. States Parties may conclude bilateral or multilateral agreements or arrangements on material and logistical assistance, taking into consideration the financial arrangements necessary for the means of international cooperation provided for by this Convention to be effective and for the prevention, detec- tion and control of corruption.

Chapter VII
Mechanisms for implementation

Article 63. Conference of the States Parties to the Convention

1. A Conference of the States Parties to the Convention is hereby estab- lished to improve the capacity of and cooperation between States Parties to achieve the objectives set forth in this Convention and to promote and reviewits implementation.

2. The Secretary-General of the United Nations shall convene the Con- ference of the States Parties not later than one year following the entry intoforce of this Convention. Thereafter, regular meetings of the Conference of the States Parties shall be held in accordance with the rules of procedure adoptedby the Conference.

3. The Conference of the States Parties shall adopt rules of procedure and rules governing the functioning of the activities set forth in this article, including rules concerning the admission and participation of observers, and the payment of expenses incurred in carrying out those activities.

4. The Conference of the States Parties shall agree upon activities, pro- cedures and methods of work to achieve the objectives set forth in paragraph 1 of this article, including:

(a) Facilitating activities by States Parties under articles 60 and 62 and chapters II to V of this Convention, including by encouraging the mobilization of voluntary contributions;

(b) Facilitating the exchange of information among States Parties on patterns and trends in corruption and on successful practices for preventing and combating it and for the return of proceeds of crime, through, inter alia, the publication of relevant information as mentioned in this article;

(c) Cooperating with relevant international and regional organizationsand mechanisms and non-governmental organizations;

(d) Making appropriate use of relevant information produced by other international and regional mechanisms for combating and preventing corrup- tion in order to avoid unnecessary duplication of work;

(e) Reviewing periodically the implementation of this Convention by its States Parties;

(f) Making recommendations to improve this Convention and its implementation;

(g) Taking note of the technical assistance requirements of States Parties with regard to the implementation of this Convention and recommending any action it may deem necessary in that respect.

5. For the purpose of paragraph 4 of this article, the Conference of the States Parties shall acquire the necessary knowledge of the measures taken by States Parties in implementing this Convention and the difficulties encountered by them in doing so through information provided by them and through such supplemental review mechanisms as may be established by the Conference of the States Parties.

6. Each State Party shall provide the Conference of the States Parties with information on its programmes, plans and practices, as well as on legisla- tive and administrative measures to implement this Convention, as required by the Conference of the States Parties. The Conference of the States Parties shall examine the most effective way of receiving and acting upon information, in- cluding, inter alia, information received from States Parties and from competent international organizations. Inputs received from relevant non-governmental organizations duly accredited in accordance with procedures to be decided upon by the Conference of the States Parties may also be considered.

7. Pursuant to paragraphs 4 to 6 of this article, the Conference of the States Parties shall establish, if it deems it necessary, any appropriate mechanism or body to assist in the effective implementation of the Convention.

Article 64. Secretariat

1. The Secretary-General of the United Nations shall provide the necessary secretariat services to the Conference of the States Parties to the Convention.

2. The secretariat shall:

(a) Assist the Conference of the States Parties in carrying out the activitiesset forth in article 63 of this Convention and make arrangements and provide the necessary services for the sessions of the Conference of the States Parties;

(b) Upon request, assist States Parties in providing information to the Conference of the States Parties as envisaged in article 63, paragraphs 5 and 6,of this Convention; and

(c) Ensure the necessary coordination with the secretariats of relevant international and regional organizations.

Chapter VIII
Final provisions

Article 65. Implementation of the Convention

1. Each State Party shall take the necessary measures, including legisla- tive and administrative measures, in accordance with fundamental principles of its domestic law, to ensure the implementation of its obligations under this Convention.

2. Each State Party may adopt more strict or severe measures than those provided for by this Convention for preventing and combating corruption.

Article 66. Settlement of disputes

1. States Parties shall endeavour to settle disputes concerning the inter- pretation or application of this Convention through negotiation.

2. Any dispute between two or more States Parties concerning the inter- pretation or application of this Convention that cannot be settled through negotiation within a reasonable time shall, at the request of one of those States Parties, be submitted to arbitration. If, six months after the date of the request for arbitration, those States Parties are unable to agree on the organization of the arbitration, any one of those States Parties may refer the dispute to the Interna- tional Court of Justice by request in accordance with the Statute of the Court.

3. Each State Party may, at the time of signature, ratification, acceptance or approval of or accession to this Convention, declare that it does not consider itself bound by paragraph 2 of this article. The other States Parties shall not be bound by paragraph 2 of this article with respect to any State Party that has made such a reservation.

4. Any State Party that has made a reservation in accordance with para- graph 3 of this article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.

Article 67. Signature, ratification, acceptance,approval and accession

1. This Convention shall be open to all States for signature from 9 to 11 December 2003 in Merida, Mexico, and thereafter at United

Nations Head- quarters in New York until 9 December 2005.

2. This Convention shall also be open for signature by regional economic integration organizations provided that at least one member State of such organi- zation has signed this Convention in accordance with paragraph 1 of this article.

3. This Convention is subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Secretary-General of the United Nations. A regional economic integration organization may deposit its instrument of ratification, acceptance or approvalif at least one of its member States has done likewise. In that instrument of ratification, acceptance or approval, such organization shall declare the extent of its competence with respect to the matters governed by this Convention. Such organization shall also inform the depositary of any relevant modification in the extent of its competence.

4. This Convention is open for accession by any State or any regional economic integration organization of which at least one member State is a Party to this Convention. Instruments of accession shall be deposited with the Secretary-General of the United Nations. At the time of its accession, a regional economic integration organization shall declare the extent of its competence with respect to matters governed by this Convention. Such organization shall also inform the depositary of any relevant modification in the extent of its competence.

Article 68. Entry into force

1. This Convention shall enter into force on the ninetieth day after the date of deposit of the thirtieth instrument of ratification, acceptance, approvalor accession. For the purpose of this paragraph, any instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by member States of such organization.

2. For each State or regional economic integration organization ratifying, accepting, approving or acceding to this Convention after the deposit of the thirtieth instrument of such action, this Convention shall enter into force onthe thirtieth day after the date of deposit by such State or organization of the relevant instrument or on the date this Convention enters into force pursuant to paragraph 1 of this article, whichever is later.

Article 69. Amendment

1. After the expiry of five years from the entry into force of this Con- vention, a State Party may propose an amendment and transmit it to the Secretary-General of the United Nations, who shall thereupon communicate the proposed amendment to the States Parties and to the Conference of the States Parties to the Convention for the purpose of considering and deciding on the proposal. The Conference of the States Parties shall make every effort to achieve consensus on each amendment. If all efforts at consensus have been exhausted and no agreement has been reached, the amendment shall, as a last resort, require for its adoption a two-thirds majority vote of the States Parties present and voting at the meeting of the Conference of the States Parties.

2. Regional economic integration organizations, in matters within their competence, shall exercise their right to vote under this article with a number of votes equal to the number of their member States that are Parties to this Convention. Such organizations shall not exercise their right to vote if their member States exercise theirs and vice versa.

3. An amendment adopted in accordance with paragraph 1 of this article is subject to ratification, acceptance or approval by States Parties.

4. An amendment adopted in accordance with paragraph 1 of this articleshall enter into force in respect of a State Party ninety days after the date of the deposit with the Secretary-General of the United Nations of an instrument of ratification, acceptance or approval of such amendment.

5. When an amendment enters into force, it shall be binding on those States Parties which have expressed their consent to be bound by it. Other States Parties shall still be bound by the provisions of this Convention and any earlier amendments that they have ratified, accepted or approved.

Article 70. Denunciation

1. A State Party may denounce this Convention by written notification to the Secretary-General of the United Nations. Such denunciation shall be- come effective one year after the date of receipt of the notification by the Secretary-General.

2. A regional economic integration organization shall cease to be a Party to this Convention when all of its member States have denounced it.

Article 71. Depositary and languages

1. The Secretary-General of the United Nations is designated depositary of this Convention.

2. The original of this Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS WHEREOF, the undersigned plenipotentiaries, being duly authorized thereto by their respective Governments, have signed this Convention.

Published with the financial support of
the Government of Japan

SHARCI LR. 40 Taariikh: 31/12/2020

ANSIXINTA WAX-KA-BEDALIDDA QODOBKA 9AAD EE SHARCIGA LAGU DHISEY GUDDIGA MADAXA-BANNAAN EE DOORASHOOYINKA QARANKA

MADAXWAYNAHA J.F.S

MARKUU ARKAY: Qodobka 87aad, Faqradda 1aad iyo Faqradda 2aad ee Dastuurka KMG

MARKUU ARKAY: Qodobka 90aad, Xarafka "f" ee Dastuurka KMG

MARKUU ARKAY: Warqadda Guddoomiyaha Golaha Shacabka GSH/341/2/B-10/20 Taariikh: 29/12/2020 kuna saabsan Wax-ka-bedalidda Qodobka 9aad ee Sharciga Lagu Dhisey Guddiga Madaxa-Bannaan ee Doorashooyinka Qaranka

MARKUU TIXGELIYAY: Baahida loo qabo in la ansixiyo lana meel-mariyo Sharcigan

Waxa Madaxweynuhu soo saaray Sharcigan:

Qodobka 1aad

Laga bilaabo marka uu Madaxweynuhu saxiixo Sharcigan, waxa si rasmi ah loo oggolaaday Sharciga Wax-ka-bedalidda Qodobka 9aad ee Sharciga Lagu Dhisey Guddiga Madaxa-Bannaan ee Doorashooyinka Qaranka

Qodobka 2aad

Marka uu Madaxweynaha JFS saxiixo Sharcigan, waxaa lagu soo daabici doonaa Faafinta Rasmiga ah ee Jamhuuriyadda Federaalka Soomaaliyeed.

MUQDISHO: 31/12/2020

JAMHUURIYADDA FEDERAALKA SOOMAALIYA
XAFISKA HANTIDHAWRAHA GUUD
DIWAAN NO: HAN/014/21
TAARIIKH: 04/1/2021
SAXIIXA:
HANTIDHAWRAHA GUUD
Md Maxamed Mexamuud Cali

Madaxweynaha J.F.S
Maxamed Cabdullaahi Maxamed (Farmaajo)

Jamhuuriyadda Federaalka Soomaaliya

Golaha Shacabka Soomaaliya

QARAAR KU SAABSAN

ANSIXINTA WAX-KA-BEDDELID QODOBKA 9AAD SHARCIGA LAGU DHISAY GUDDIGA MADAXA BANNAAN EE DOORASHOOYINKA QARANKA IYO CUSBOONEYSIIN MUDA XILEEDKA GMDQ

Muqdisho, **December 29, 2020**

Tix: GSH / B-10/ 20 Taariikh: December 29, 2020
Kalfadhiga: 8aad
Kulankiisa: 9aad

GOLAHA SHACABKA SOOMAALIYA

MARKUU ARKAY: Qodobka 9aad, Sharciga lagu dhisay Guddiga Madaxa-bannaan ee Doorashooyinka Qaranka

MARKUU ARKAY: Qodobka 111aad, iyo 111G Dastuurka Federaalka iyo Qodobka 87aad Faqradda 1aad ee Xeer Hoosaadka Golaha Shacabka;

MARKUU ARKAY: Qodobka 63aad, (b) Dastuurka Federaalka iyo Qodobka 87aad Faqradda 1aad ee Xeer Hoosaadka Golaha Shacabka;

MARKUU ARKAY: Soo jeedinta Guddiga Arrimaha Gudaha ee Golaha Shacabka **Lam. GAGM & A/0055/2020** kuna taariikhaysan 13/12/2020 kuna saabsan wax-ka-beddelid Sharciga LR.04 ee 02/04/2015 qodobkiisa 9aad ee nuxurkeedu ahayd cusboonnaysiin muddo xileedka Guddiga Madaxa-bannaan ee Doorashooyinka Qaranka.

MARKUU ARKAY: Howlaha mugga leh iyo horumarka balaaran uu ku talaabsaday Guddiga Madaxa-Bannaan ee Doorashooyinka Qaranka muddadii uu jiray;

MARKUU ARKAY: Baahida loo qabo jiritaanka Guddiga Madaxa-Bannaan ee Doorashooyinka Qaranka kaas oo wadanka gaarsiiya Doorasho qof iyo cod ah 2025.

MARKUU DHAGEYSTAY: Dooddii Xildhibaannada Golaha Shacabka ee ku saabsanayd cusboonaysiinta muddada Xil hayanta ee Guddiga Doorashooyinka Qaranka;

ASAGA OO KU KULANSAN: Kalfadhiga 8aad Kulankiisa 9aad ee December 29, 2020:

Wuxuu Go'aamiyey Qodobbada soo socda:

Qodobka 1-aad

Golaha Shacabka wuxuu cod aqlabiyad leh ku ansixiyay Wax-ka-Beddelid Qodobka 9aad Sharciga lagu dhisay Guddiga Madaxa-Bannaan ee Doorashooyinka Qaranka, iyadoo la cusboonaysiiyey mudada Xil haynta Guddiga hal mar (Lix Sano) oo ka bilaabmaysa markii ay dhamaato muda xileedkooda;

Qodobka 2-aad

Qaraarka waxaa loo gudbinayaa Madaxweynaha Jamhuuriyadda Federaalka Soomaaliya maadaama uu Aqalkii sare uu Doorasho ku maqan yahay, si ugu ogolaado Xeer madaxweyne, loogu soo saaro Faafinta Rasmiga ah ee Dawladda

M.ne Mahad Cabdala Cawad
Kusimaha Guddoomiyaha Golaha Sha[illegible]PS

SHARCI LR. 41 Taariikh: 31/12/2020

ANSIXINTA SHARCIGA HEY'ADDA DIIWWAANGELINTA IYO AQOONSIGA DADWEYNAHA SOOMAALIYEED

MADAXWAYNAHA J.F.S

MARKUU ARKAY: Qodobka 87aad, Faqradda 1aad iyo Faqradda 2aad ee Dastuurka KMG

MARKUU ARKAY: Qodobka 90aad, Xarafka "f" ee Dastuurka KMG

MARKUU ARKAY: Warqadda Guddoomiyaha Golaha Shacabka GSH/351/2/B-10/20 Taariikh: 29/12/2020 kuna saabsan ansixinta Sharciga Hey'adda Diiwwaangelinta iyo Aqoonsiga Dadweynaha Soomaaliyeed

MARKUU TIXGELIYAY: Baahida loo qabo in la ansixiyo lana meel-mariyo Sharcigan

Waxa Madaxweynuhu soo saaray Sharcigan:

Qodobka 1aad

Laga bilaabo marka uu Madaxweynuhu saxiixo Sharcigan, waxa si rasmi ah loo oggolaaday Sharciga Hey'adda Diiwwaangelinta iyo Aqoonsiga Dadweynaha Soomaaliyeed

Qodobka 2aad

Marka uu Madaxweynaha JFS saxiixo Sharcigan, waxaa lagu soo daabici doonaa Faafinta Rasmiga ah ee Jamhuuriyadda Federaalka Soomaaliyeed.

MUQDISHO: 31/12/2020

JAMHUURIYADDA FEDERAALKA SOOMAALIYA
XAFISKA HANTIDHAWRAHA GUUD
DIIWAAN NO: HAN/015/21
TAARIIKH: 04/1/2021
SAXIIXA:
HANTIDHAWRAHA GUUD
Md.Maxamed Maxmuud Cali

Madaxweynaha J.F.S
Maxamed Cabdullaahi Maxamed (Farmaajo)

JUMHUURIYADDA FEDERAALKA
SOOMAALIYA

SHARCIGA HEY'ADDA DIIWWAANGELINTA IYO AQOONSIGA DADWEYNAHA SOOMAALIYEED

Sharci Lr:_____ee_____

Hay'adda Diiwaagelinta iyo Aqoonsiga Dadweynaha Soomaaliyeed

CUTUBKA KOOWAAD

Qodobka 1aad:
Magaca Sharciga

Sharacigan waxaa hadda ka dib, loogu yeerayaa "Sharciga Dhismaha Hay'adda Diiwaangelinta iyo iyo Aqoonsiga Dadweynaha Soomaaliyeed".

Qodobka 2aad:
Eray-Bixin

Marka Sharcigan laga hadlayo, ereyada boos ku qoran mid waliba wuxuu leeyahay macnaha ku hor qoran, sida:

1. **"Sugid"** waxaa loola jeedaa hab lagu xaqiijinayo in qofku yahay ruuxa uu sheeganayo;
2. **"Hay'adda"** waxaa loola jeedaa Hay'adda Diiwaan-gelinta Aqoonsiga ee Qaranka ee lagu asaasay Qodobka saddexaad ee Sharcigan;
3. **"Xog-dhalyada"** *(biome/it)* waxaa loola jeedaa tilmaamaha la xiriira waxyaabaha u goonida ah qofka ee ka turjumaya qaybo ka mid ah qofka jirkiisa sida faraha, midabka indhaha, muuqaalka wejiga;
4. **"Aqoonsi dhalasho"** waxaa loola jeedaa caddaynta la siiyo qofka ku dhasha Soomaaliya;
5. **"Golaha Wasiirrada"** waxaa loola jeeda hay'adda ugu sarraysa Laanta Fulinta ee Xukuumadda Federaalka Soomaaliya, laguna faahfaahiyey Qodobka 97aad ee Dastuurka ku-meel gaarka ah ee Jamhuuriyadda Federaalka Soomaaliya;

6. **"Xarunta xog-kaydinta"** waxaa loola jeedaa barta lagu uruurinayo xogta ay Hay'addu ururiso;
7. **"Caddayn geeri"** waxaa loola jeedaa caddaynta qeexeysa qofka ku geeriyooda Soomaaliya;
8. **"Maareeye Guud"** waxaa loola jeedaa Maareeyaha Guud ee Hay'adda Diiwaangelinta iyo Aqoonsiga Dadweynaha Soomaaliyeed;
9. **"Tixraac cloys"** waxaa loola jeedaa xiriirka ka dhexeeya xubnaha qoys la diiwaangeliyey sida waalidka iyo carruurtooda;
10. **"Habka aqoonsashada asaasiga"** waxaa loola jeedaa hab wax lagu aqoonsanayo oo loo abuuray inuu dadka u fidiyo aqoonsasho iyo aqoonsi loo adeegsado maamulka iyo macaamilaadka guud iyo kuwa gaarka ah, adeegyada iyo aqoonsiyada kuwaas ka yimaada;
11. **"Xukuumad"** waxaa loola jeedaa Xukuumadda Federaalka ee S000maaliya;
12. **"Aqoonsasho"** waxaa loola jeedaa hannaanka lagu hubinayo, lagu aqoonsanyo ama lagaga go'aan-gaarayo qofka uu yahay;
13. **"Kaar-aqoonsi"** waxaa loola jeedaa kaarka aqoonsiga Qaranka ee ay Hay'addu si midaysan uga bixiso dalka oo dhan;
14. **"Aqoon.si guur"** waxaa loola jcedaa caddaynta la siiyo labada qof ee isku guursada si waafaqsan Shareecada;
15. **"Wasiirka"** waxaa loola jeedaa Wasiirka Wasaaradda Arrimaha Gudaha, Federaalka iyo Dib-u-heshiisiinta;
16. **"Wasaaradda"** waxaa loola jeedaa Wasaaradda Arrimaha Gudaha, Federaalka iyo Dib-u-heshiisiinta;
17. **"Xog-horaadda"** waxaa loola jeedaa macluumaadka laga diiwan-gelinayo qof walba sida magaca qofka, magaca aabbaha, magaca hooyada iyo taariikhda dhalashada;
18. **"Diiwaan-gelin"** waxaa loola jeedaa xogta qofka oo lagu diiwaan-geliyo si nidaamka waafaqsan;

19. **"Nidaam"** waxaa loola jeedaa habka aqoonsashada asaasiga ah;
20. **"Tirsi aqoonsasho oo gooni ah"** waxaa loola jeeda tiro qofka tilmaan soocaysa inta uu nool yahay iyo marka uu dhinto ka dib.

Qodobka 3aad:
Asaasid

1. Waxaa Sharcigan lagu asaasay "Hay'adda Diiwaan-gelinta iyo Aqoonsiga Dadweynaha Soomaaliyeed".
2. Hay'addu waa mid madaxbannaan oo leh shakhsiyad qaanuuni ah.
3. Xarunta Dhexe ee Hay'addu waa caasimadda Soomaaliya ee Muqdisho, waxayna laamo ku yeelan doontaa hadba meesha iyo sida loogu baando.
4. Hay'addu waxay yeelanaysaa astaan, taasoo ah astaanta Jamhuuriyadda Federaalka Soomaaliya ee ku xusan Qodobka 6aad Faqradda 2aad ee Dastuurka ku-meel-gaarka ah ee Jamhuuriyadda Federaalka Soomaaliya; astaan taasoo:
    a. Labada gees ayka xigaan labo geed oo sabuul ah oo midabkoodu yahay buluug;
    b. Uu hoos kaga yaal qoraal muujinaya magaca Hay'adda oo loo soo gaabiyay DADSOM, kuna qoran far waaweyn calaamad buluug ah iyo labo waran oo dhinacyada ka xiga.

Qodobka 4aad:
Ujeeddooyinka Hey'adda

Ujeeddooyinka loo asaasay Hey'adda waxaa ka mid ah:

1. In muwaaddiniinta iyo dadka sida sharciga ah ugu nool Soomaaliya ay noqdaan dad la aqoonsan karo oo dukumiintiga aqoonsiga ay sitaan iyo tirsiga aqoonsi ee u goonida ah uu noqdo mid sahlaya adeegyada loo fidinayo;
2. Inay xoojiso isku-dubbaridka iyo wax-wada-qabadka shaqooyin.ka hay'adaha

Dawladda iyo kuwa gaar ahaaneed ee bixiya adeegyada ay aqoonsashada qofku muhiimka u tahay iyo iskugu xirid adeegyada dowladda qaab elektaroonik ah (e-governance);

3. In ay abuurto, heysana xog-dhigaalka guud ee Dalka, kaas oo keydiya dhammaan xogaha dadweynaha iyo dhammaan diiwaannada adeegyada kale ee dalka.
4. Inay gacan ka geysato koboca dhaqaalaha Qaranka, horumarinta fursado dhaqaale, ka-hortagid is-dulbuurad dhanka adeeg-bixinta iyo ku-xadgudub xuquuqaha aadmaiga oo sababi karta aqoonsasho la'aan.

CUTUBKA LABAAD:
QAAB-DHISMEEDKA, HAWLAHA IYO AWOODAHA HAY'ADDA

Qodobka 5aad:
Hawlaha Hay'adda

Hay'addu waxay qabanaysaa hawlahan soo socda:

1. Inay abuurto, ka shaqaysiiso, maamusho oo ay dhawrto nidaam maarayn aqoonsi oo asaasi ah, si ay u suurta- gasho in qof kasta oo muwaaddin ah ama si sharci ah ugu nool Soomaaliya la diwaan-geliyo;
2. In mawaaddiniinta iyo cid kasta oo si sharci ah dalka ugu nool ay ku diwaan-geliso nidaamka, ayna siiso tirsi-aqoonsi oo u gooni ah oo lagu aqoonsan karo;
3. In ay bixiso kaar-aqoonsi ee heer qaran;
4. In ay mas'uul ka tahay barnaamijyo lagu hormaarinayo adeegyada la xiriira diiwaangelinta iyo keydinta xogta madaniga ah ee dhacdooyinka muhimka ah sida, dhalashada, geerida, guurka, furriinka, kuwaasoo aasaas u ah qaadashada dokumentiyada qaranka. Si loo helo xogtaas oo mideysan, Hay'addu waxay Gobollada iyo Degmooyinka dalka ka

diyaarineysaa tababarro iyo barnaamijyo lagu hormarinayo adeegyadaas.

5. Inay shakhsiyaadka siiso xogta la xiriira xaaladdooda diiwaan-gelineed;
6. In ay hubiso dhawrsoonaanta xog-dhalyada iyo xog-horaadda shakhsiyaadka ee ay Hay'addu ururisay, una maarayso si xilkasnimo leh oo waafaqsan Sharciga;
7. In ay qaab elektaroonik ah (e-government) isugu xirto xarunta xog-dhigaalka iyo hay'adaha Dawladda iyo kuwa aan dawliga ahayn ee bixiya adeegyada uu aqoonsigu muhiimka u yahay, taas oo loo marayo habraacyo;
8. Inay cilmi-baaris ku samayso sida ugu waxtarka roon iyo waxyaabaha guud ee ku soo kordha sida loo maareeyo aqoonsiyada hay'adaha kale ee Dawladda iyo kuwa aan dawliga ahayn, isla markaasna ay la wadaagto xogta ama waayo'aragnimada la xidhiidha aqoonsashada;
9. Inay si wax-ku-ool ah isugu duwdo, tayo ahaanna u dhisto laamaha ay Hay'addu ka furato dalka;
10. Inay sare u qaaddo adeegsiga nidaamka maaraynta aqoonsiga ee asaasiga ah, si loo hormariyo mudnaanshaha siyaasadda, dhaqaale, bulsho iyo amni ee dalka; iyo
11. Inay fuliso, hadba inta sharcigu u oggolanaayo, wixii bawl kale ah oo muhiim u ah ama ku habboon gudashada waajibaadkeeda.

Qodobka 6aad:
Wadashaqeynta iyo Iskaashiga

1. Hirgelinta sharcigan waxay Hay'addu iskaashi kala yeelanaysaa Wasaaradaha, Waaxyaha iyo Hay'adaha kale ee Dawladda.
2. Dhammaan Hay'adaha gaarka loo leeyahay, waxaa waajib ku ah in ay Hay'adda kala shaqeeyaan fulinta howlaheeda si waafaqsan sharcigan.

3. Dhammaan muwaaddiniinta Soomaaliya iyo cid walba oo si sharci ah ku joogta dalka, waxaa waajib ku ah in qof waliba isdiiwan-geliyo, si uu u helo tirsi gooni u ah.

Qodobka 7aad:
Awoodaha Hay'adda

1. Hay'addu, iyadoo aan dhaafayn seeraha Sharcigu xadeeyey, waxay awood u leedahay wax kasta oo daruuri u ah ama ku habboon sidii ay u gudan lahayd hawlaheeda.
2. Iyadoon la xadayneyn sida guud ee faqradda hore u dhigan tahay iyo awoodaha ka ratibmaya in Hay'addu leedahay shakhsiyad qaanuuni ah, Hay'addu waxay si gaar ah awood uguleedahay:
    a. In ay dacwad soo oogi karto, laguna soo oogi karo;
    b. In ay geli karto heshiisyada la xiriira shaqadeeda;
    c. Inay iibsan karto, haysan karto ama iska iibin karto hantideeda si waafaqsan Sharciga Iibka iyo Qandaraasyada Qaranka;
    d. Inay amaahato qaddar lacag ah oo Dawladdu u oggolaato si waafaqsan Sharciga Maamulka Maaliyadda;
    e. Inay qaadato wixii qalab ama dhaqaale ah ee loogu deeqo, Dastuurkuna u oggol yahay;
    f. In iyadoo raacaysa Sharciga Shaqaalaha Rayidka lagu maamulo ay qorato, shaqadana ka eryi karto shaqaalaheeda;
    g. In ujuurooyinka adeegyada ay bixiso Hay'adda lagu soo saarayo Sharci uu ansixiyo Baarlamaanka Federaalka Soomaaliya.

Qodobka 8aad:
Awoodaha Wasaaradda

Awoodaha ay Wasaaraddu ku leedahay Hay'adda waa sida soo socota:

1. Kormeeridda Hay'adda;
2. Metelaadda Hay'adda ee Golaha Wasiirrada iyo Goleyaasha Baarlamaankaba.

Qodobka 9aad:
Qaab-dhismeedka Hay'adda

1. Hay'addu waxay yeelanaysaa:
   a. Maareeye Guud;
   b. Maareeye Ku-xigeen Guud;
   c. Agaasime waaxeedyo; iyo
   d. Shaqaale.

2. Qaab-dhismeedka Hay'adda, wixii aan lagu sheegin Sharcigan dhexdiisa, waxaa Xeer-nidaamiye ku soo saaraya Maareeyaha Guud.

Qodobka 10aad:
Maareeyaha Guud

1. Hay'addu waxay yeelanaysaa maareeye Guud.
2. Maareeyaha Guud waxaa soo jeedinaya Wasiirka Wasaaradda Ariimaha Gudaha, waxaana meel marinaya Golaha Wasiirrada, kadibna waxaa Xeer Madaxweyne ku soo magacaabaya Madaxweynaha JFS sida ku xusan Qodobka 90aad, Xarafkiisa (K) iyo Qodobbada 99aad iyo 102aad ee Dastuurka, isla markaasna waxaa lagu soo saarayaa Faafinta Rasmiga ah ee Dawladda JFS.
3. Xil-ka-qaadista Maareeyaha Guud waxaa loo marayaa isla-habkaas ku xusan faqradan hore.

Qodobka 11aad:
Ku-xigeenka Maareeyaha Guud

1. Hay'addu waxay yeelanaysaa Ku-Xigeenka Maareeyaha Guud, habraaca magaabistiisana waxaa soo jeedinaya Wasiirka Wasaaradda Ariimaha Gudaha, waxaana meel marinaya Golaha Wasiirada, kadibna waxaa Xeer Madaxweyne ku soo saaraya Madaxweynaha JFS sida ku xusan qodobka 90aad, Xarafkiisa

(K) iyo qodobbada 99aad iyo 102aad ee Dastuurka, waxaana lagu soo saarayaa Faafinta Rasmiga ah ee Dawladda JFS.

2. Xil-ka-qaadista Ku-Xigeenka Maareeyaha Guud waxaa loo marayaa isla habraaca ku xusan faqradda kore.

Qodobka 12aad:

Shuruudaha looga baahanyahay Maareeyaha Guud iyo Ku-xigeenka Maareeyaha Guud

Qofka loo magacaabayo Maareeyaha Guud iyo Ku-xigeenkiisa waa in laga helaa shuruudahan soo socda:

1. Inuu yahay muwaaddin Soomaaliyeed oo Muslim ah;
2. In dhimirkiisu fayow yahay;
3. In da'diisu aanay ka yarayn 30 sano;
4. Inuu haysto shahaado heer-jaamacadeed;
5. Inuu leeyahay waayo aragnimo shaqo oo aan ka yarayn (5) sano, khibradna u leeyahay maamulka iyo maaraynta;
6. In aan lagu xukumin dembiyo waaweyn;

Qodobka 13aad:

Muddo-xileedka Maareeyaha Guud

Muddo-xileedka Maareeyaha Guud iyo Ku-xigeenkiisa waa Shan (5) sano oo hal mar la cusboonaysiin karo.

Qodobka 14aad: Xil-Waayidda

Maareeyaha Guud iyo ku-xigeenkiisa xilka waxay ku weyn karaan:

1.Xanuun xagga dhimirka ah uu soo caddeyo dhakhtar lagu kalsoon yahay;

2.Geeri;

3.Xil-gudasho la'aan si waafaqsan habraacyada waajibaadka shaqo ee Hay'adda.

4.Dembi-ciqaabeed ay soo caddeysay maxkamadda awoodda u leh; iyo

5.Iscasilaad laga aqbalay;

Qodobka 15aad:
Awoodaha Maareeyaha Guud

Awoodaha Maareeyaha Guud waa sida soo socota:

1. Dejinta, la socodka, hirgelinta iyo kormeerka qorshaha shaqo ee Hay'adda ;
2. Diyaarinta qaab-dhismeedka iyo habraacyada lagu socodsiinayo hawlaha Hay'adda;
3. Diyaarinta miisaaniyad-sanadeedka Hay'adda;
4. Xil-ka-qaadista shaqaalaha Hey'adda si waafaqsan Sharciga;
5. Matalaadda Hay'adda dhinaca Sharciga iyo gelista heshiisyada.

Qodobka 16aad:
Awoodaha Ku-xigeenka Maareeyaha Guud

Ku-xigeenka Maareeyaha guud wuxuu u xil saran yahay:

1. Matalista Maareeyaha Guud marka uu shaqada ka macian yahay; iyo
2. Qabashada wixii hawl kale ee Maareeyaha Guud si gaar ah ugu xilsaaro.

Qodobka 17aad:
Agaasimeyaal Waaxeed

1. Hay'addu waxay yeelanaysaa Agaasimeyaal Waaxeed;
2. Hay'addu waxay kaloo yeelaneysaa laamo iyo faracyo ka hirgeliya hawlaheeda Jamhuuriyadda Federaalka Soomaaliya

Qodobka 18aad:
Shaqaalaha Hay'adda

1. Hay'addu waxay yeelanaysaa shaqaale fuliya hawlaha Hay'adda.
2. Shaqaalaha Hay'adda waxaa qoraya Maareeyaha Guud, isagoo raacaya habraaca Sharciga shaqaalaha rayidka ee dowladda.

Qodobka 19aad:
Dhaarta Xafiiska

1. Xog-dhigista waa in ay taallaa xarumaha Hay'adda ee dalka gudihiisa ah, waxaana ka reeban in lagu hayo ama la geeyo meel ka baxsan xarumaha rasmiga ah ee Hay'adda, dadka gacanta ku hayaana waa in ay yihiin dad Soomaali ah oo la dhaariyey, lagana saxiixay qoraal.
2. Shaqaalaha Hay'adda ee u xilsaaran maamulka xogta inta aysan billaabin shaqada loo igmadey waa in ay Maareeyaha Guud hortiisa ku maraan dhaarta ilaalinta xogta dhawrista u baahan ee Hey'adda, waana in laga saxiixaa heshiis xog-ilaalineed, loona caddeeyaa cawaaqibta ka dhalan karta bixinta xogta dadweynaha.
3. Dhaarta lagu xusay faqrada hore ee qodobkan ma beddeleyso dhaar kale oo Sharcigu ku waajibiyo shaqaalaha.
4. Waajibaadkii ay dhaartu saartay qofka shaqaalaha ka ah Hay'adda, kama dulqaadeyso xitaa haddii uu shaqada uga tago hawlgab awgeed ama sabab kasta oo kale.
5. Habraaca dhaarta iyo xog-ilaalinta la xiriira waxaa si faahfaahsan loguu soo saari doonaa Xeer-nidaamiye Hay'adda.

Qodobka 20aad:
Miisaaniyadda Hay'adda

Hay'addu waxay yeelanaysaa misaaniyad u gaar ah oo ka imanaysa:

1. Miisaaniyadda guud ee Dawladda Federaalka Soomaaliya;
2. Dakhliga laga helo adeegyada ay Hay'addu fuliso waxaa loo marayaa si waafaqsan habraaca Sharciga maamulka maaliyadda ee Dowladda Federaalka Soomaaliya;
3. Kaalmada miisaaniyadeed ee laga helo deeq- bixiyeyaasha gudaha iyo dibadda si waafaqsan habraac maaliyadeedka Dawladda.
4. Maareeyaha Guud ee Hey'adda waa in uu sanad walba ugu dambeyn 30ka Oktoobar uu diyaariyaa qorshaha Miisaaniyad-sanadeedka Hay'adda, taasoo muujineysa dhammaan kharashka iyo dakhliga ee la filayo, una gudbiyo Wasaaradda Maaliyadda ee XFS.

CUTUBKA SADDEXAAD:
QODOBBO QUBANE AH

Qodobka 21aad:
Awoodda Soo-saarista Xeer-nidaamiyeyaal

Hay'adda waxay awood u leedahay inay soo saarto Xeer-nidaamiye faahfaahinaya qodobbada sharcigan.

Qodobka 22aad:
Burin

Sharci kasta oo ka hor imaanaya qodobbada Sharcigan waa la buriyay.

Qodobka 23aad:
Dhaqangal

Sharcigan wuxuu dhaqan galayaa markuu ansixiyo Baarlamaanka Federaalka Soomaaliya, uuna saxiixo Madaxweynaha JFS, laguna soo saaro faaftnta rasmiga ah

SHARCI LR. 42 Taariikh: 31/12/2020

ANSIXINTA WAX-KA-BEDALIDDA QODOBKA 10AAD EE SHARCIGA LAGU DHISEY GUDDIGA MADAXA-BANNAAN EE XUDUUDAHA FEDERAALKA

MADAXWAYNAHA J.F.S

MARKUU ARKAY: Qodobka 87aad, Faqradda 1aad iyo Faqradda 2aad ee Dastuurka KMG

MARKUU ARKAY: Qodobka 90aad, Xarafka "f" ee Dastuurka KMG

MARKUU ARKAY: Warqadda Guddoomiyaha Golaha Shacabka GSH/341/2/B-10/20 Taariikh: 29/12/2020 kuna saabsan Wax-ka-bedalidda Qodobka 10aad ee Sharciga Lagu Dhisey Guddiga Madaxa-Bannaan ee Xuduudaha iyo Federaalka

MARKUU TIXGELIYAY: Baahida loo qabo in la ansixiyo lana meel-mariyo Sharcigan

Waxa Madaxweynuhu soo saaray Sharcigan:

Qodobka 1aad

Laga bilaabo marka uu Madaxweynuhu saxiixo Sharcigan, waxa si rasmi ah loo oggolaaday Sharciga Wax-ka-bedalidda Qodobka 10aad ee Sharciga Lagu Dhisey Guddiga Madaxa-Bannaan ee Xuduudaha Federaalka

Qodobka 2aad

Marka uu Madaxweynaha JFS saxiixo Sharcigan, waxaa lagu soo daabici doonaa Faafinta Rasmiga ah ee Jamhuuriyadda Federaalka Soomaaliyeed.

MUQDISHO: 31/12/2020

JAMHUURIYADDA FEDERAALKA SOOMAALIYA
XAFISKA HANTIDHAWRAHA GUUD
DIWAAN NO: HHN/016/21
TAARIIKH: 04/13/2021
SAXIIXA:
HANTIDHAWRAHA GUUD
Md.Maxamed Maxamuud Calf

Madaxweynaha J.F.S
Maxamed Cabdullaahi Maxamed (Farmaajo)

Jamhuuriyadda Federaalka Soomaaliya

Golaha Shacabka Soomaaliya

QARAAR KU SAABSAN

ANSIXINTA WAX-KA-BEDDELID QODOBKA 10AAD SHARCIGA LAGU DHISAY GUDDIGA MADAXA BANNAAN EE XUDUUDAHA IYO FEDERAALKA

Muqdisho, Nov 2, 2020

Tix: GSH / B-10/ 20 Taariikh: Nov 2, 2020
Kalfadhiga: 8aad
Kulankiisa: 2aad

GOLAHA SHACABKA SOOMAALIYA

MARKUU ARKAY: Qodobka 10aad, Sharciga lagu dhisay Guddiga Madaxa-bannaan ee Xuduudaha iyo Federaalka

MARKUU ARKAY: Qodobka 111aad, iyo 11E Dastuurka Federaalka iyo Qodobka 87aad Faqradda 1aad ee Xeer Hoosaadka Golaha Shacabka;

MARKUU ARKAY: Soo Jeedinta Guddiga Arrimaha Gudaha ee Golaha Shacabka Lam. GAGM & A/B10/0044/2020 kuna taariikhaysan 05/07/2020 kuna saabsan wx-ka-beddelid Sharciga LR. 75, Qodobkiisa 10aad ee nuxurkeedu ahayd cusboonnaysiin muddo xileedka Guddiga Madaxa-bannaan ee Xuduudaha iyo Federaalka;

MARKUU ARKAY: Howlaha mugga leh iyo horumarka balaaran uu ku talaabsaday Guddiga Madaxa –bannaan ee Xuduudaha iyo Federaalka muddadii uu jiray;

MARKUU ARKAY: Baahida loo qabo in la dhameystiro howlaha soohdimeynta Dawladaha Xubnaha ka ah Dawladda Federaalka iyo Sameynta khariiradaha rasmiga ah Dalka maadaama xil-haynta Guddiga Madaxa Bannaan ee Xuduudaha iyo Federaalka ay ku eg tahay Sebtember 2020;

MARKUU DHAGEYSTAY: Dooddii Xildhibaannada Golaha Shacabka ee ku saabsanayd cusboonaysiinta muddada Xilhaynta ee Guddiga Xuduudaha iyo Federaalka

ASAGA OO KU KULANSAN: Kalfadhiga 8aad Kulankiisa 2aad ee Oktoober 31, 2020:

Wuxuu Go'aamiyey Qodobbada soo socda:

Qodobka 1-aad

Golaha Shacabka wuxuu cod aqlabiyad leh ku ansixiyay Wax-ka-Beddelid Qodobka 10aad Sharciga lagu dhisay Guddiga Madaxa-Bannaan ee Xuduudaha iyo Federaalka, iyadoo la cusboonaysiiyey mudada Xil haynta Guddiga hal mar (Afar Sano) oo ka bilaabmaysa 1da Oktober, 2020

Qodobka 2-aad

Qaraarka waxaa loo gudbinayaa Madaxweynaha Jamhuuriyadda Federaalka Soomaaliya si ugu ogolaado Xeer madaxweyne, loogu soo saaro Faafinta Rasmiga ah ee Dawladda

M.ne Mahad Cabdala Cawad
Kusimaha Guddoomiyaha Golaha Sha

XEER MADAXWEYNE LR. 357 Taariikh: 30/12/2021

ANSIXINTA TODOBA (7) KA MID AH SAGAALKA (9) XUBNOOD EE GOLAHA ADEEGGA GARSOORKA

MADAXWAYNAHA J.F.S

MARKUU ARKAY: Qodobka 87aad, 90aad iyo 112aad ee Dastuurka KMG ah.

MARKUU ARKAY: Sharci Lr. 28 soo baxay 08/07/2014 kuna saabsan sharciga Dhisidda Golaha Adeegga Garsoorka

MARKUU ARKAY: Tix-raac Qaraarka Golaha Shacabka: GSH/B-10/34/20, Taariikh: 16/11/2020 kuna saabsan Ansixinta Todoba (7) ka mid ah Sagaalka (9) Xubnoond ee Golaha Adeegga Garsoorka

Waxa uu Madaxweynuhu soo saaray Xeerkaan:

Qodobka 1aad

Laga bilaabo marka uu Madaxweynuhu saxiixo, waxaa la ansixiyey Todoba (7) ka mid ah Sagaalka (9) Xubnood ee Golaha Adeegga Garsoorka, xubnahaas oo ah:-

1. Avv. Baashe Yuusuf Axmed, Guddoomiyaha Maxkamadda Sare
2. Avv. Suleymaan Maxamed Maxamuud, Xeer-ilaaliyaha Guud ee Qaranka
3. Avv. Sheekh Cali Maxamuud Xasan
4. Avv. Cabdiraxmaan Axmed Maxamed "Caddaani"
5. Mudane Cabdulqaadir Sheekh Ismaaciil Aw-Xaashi
6. Marwo Ifraax Maxamuud Cumar
7. Prof. Cabdullaahi Cali Cismaan "Xiirey"

Qodobka 2aad

Waxa uu Xeerkan Dhaqangelayaa isla maalinta uu Madaxweynaha JFS saxiixo, waxaana lagu soo daabici doonaa Faafinta Rasmiga ah ee J.F.S.

MUQDISHO: 30/12/2020

JAMHUURIYADDA FEDERAALKA SOOMAALIYA
XAFIISKA HANTIDHAWRAHA GUUD
DIWAAN NO: HAN/015/21
TAARIIKH: 04/3/2021
SAXIIXA:
HANTIDHAWRAHA GUUD
Md.Mexamed Maxamuud Cali

Madaxweynaha J.F.S
Maxamed Cabdullaahi Maxamed (Farmaalo)

XEER MADAXWEYNE LR. 358 Taariikh: 30/12/2021

ANSIXINTA XUBNAHA GUDDIGA MADAXA-BANNAAN EE LA-DAGAALANKA MUSUQMAASUQA

MADAXWAYNAHA J.F.S

MARKUU ARKAY: Qodobka 87aad, 90aad iyo 112aad ee Dastuurka KMG ah.

MARKUU ARKAY: Sharci Lr. 12 ee soo baxay 21/09/2019 kuna saabsan sharciga Dhisidda Guddiyada Madaxa-bannaan ee la-dagaalanka musuqmaasuqa ee labada heer

MARKUU ARKAY: Tix-raac Qaraarka Golaha Shacabka: GSH/B-10/33/20, Taariikh: 16/11/2020 kuna saabsan Ansixinta Xubnaha Guddiga Madaxa-bannaan ee La-Dagaallanka Musuqmaasuqa

Waxa uu Madaxweynuhu soo saaray Xeerkaan:

Qodobka 1aad

Laga bilaabo marka uu Madaxweynuhu saxiixo, waxaa la ansixiyey Xubnaha Guddiga Madaxa-bannaan ee La-Dagaalanka Musuqmaasuqa, xubnahaas oo ah:-

1. Mudane Maxamed Cabdikariim Ibraahim
2. Avv. Cabdiweli Axmed Cumar
3. Dr. Xasan Khaliif Xasan
4. Mudane Maxamed Xuseen Xaamud
5. Marwo Avv. Saciido Maxamed Xaashi
6. Mudane Cabdullaahi Sheekh Abuukar
7. Mudane Khadar Axmed Diiriye
8. Marwo Saamiya Saciid Xasan
9. Mudane Maxamed Rashiid Maxamed

Qodobka 2aad

Waxa uu Xeerkan Dhaqangelayaa isla maalinta uu Madaxweynaha JFS saxiixo, waxaana lagu soo daabici doonaa Faafinta Rasmiga ah ee J.F.S.

MUQDISHO: 30/12/2020

JAMHUURIYADDA FEDERAALKA SOOMAALIYA
XAFISKA HANTIDHAWRAHA GUUD
DIWAAN NO: HAN/019/21
TAARIIKH: 04/3/2021
SAXIIXA:
HANTIDHAWRAHA GUUD
Md.Maxamed Maxamuud Cali

Madaxweynaha J.F.S
Maxamed Cabdullaahi Maxamed (Farmaajo)

XEER MADAXWEYNE LR. 356 Taariikh: 03/01/2021
MAGACAABIS NOOTAAYO

MADAXWAYNAHA J.F.S

MARKUU ARKAY: Qodobka 87aad, Farqadda 1aad iyo Faqradda 2aad ee Dastuurka KMG ah ee J.F.S

MARKUU ARKAY: Xeerka Lr. 1 ee soo baxay 02/03/1962 kuna saabsan howlaha Nootaayo

MARKUU ARKAY: Xeerka Lr. 7 ee soo baxay 02/02/1986 oo awood u siinaayo Madaxweynaha inuu magacaabo Nootaayaha

MARKUU ARKAY: Soo jeedinta Wasiirka Caddaaladda, Ref: WC&AG/XW/579/20 taariikh: 22/06/2020 kuna saabsan soo jeedin Oggolaansho Nootaayo

Waxa Madaxweynuhu soo saaray Sharcigan:

Qodobka 1aad

Laga bilaabo marka uu Madaxweynuhu saxiixo, waxaa **Dr. Badrudiin Sheekh Rashiid Ibraahim** loo magacaabay inuu noqdo Nootaayo

Qodobka 2aad

Waxa uu **Dr. Badrudiin Sheekh Rashiid Ibraahim** ka howlgelayaa Gobolka Benaadir gaar ahaan magaalada Muqdisho

Qodobka 3aad

Waxa uu Xeerkan Dhaqangelayaa isla maalinta uu Madaxweynaha JFS saxiixo, waxaana lagu soo daabici doonaa Faafinta Rasmiga ah ee Jamhuuriyadda Federaalka Soomaaliyeed.

MUQDISHO: 03/01/2020

JAMHUURIYADDA FEDERAALKA SOOMAALIYA
XAFISKA HANTIDHAWRAHA GUUD
DIIWAAN NO: HAN/0172
TAARIIKH: 04/3/2021
SAXIIXA:
HANTIDHAWRAHA GUUD
Md.Maxamed Mezamaad Cali

Madaxweynaha J.F.S
Maxamed Cabdullaahi Maxamed (Farmaajo)

ANSIXINTA SHARCIGA HESHIISKA SIYAASADEED EE JIHAYNTA DOORASHADA BAARLAMAANKA FEDERAALKA EE 2020/21

MADAXWAYNAHA J.F.S

MARKUU ARKAY: Qodobka 87aad, Faqradda 1aad iyo Faqradda 2aad ee Dastuurka KMG

MARKUU ARKAY: Qodob ka 90aad, Xarafka "F" ee Dastuurka KMG

MARKUU ARKAY: Warqadda Guddoomiyaha Golaha Shacabka GSH/302/1/B-10/20 Taariikh: 26/09/2020 kuna saabsan ansixinta Sharciga Heshiiska Siyaasadeed ee Jihaynta Doorashada Baarlamaanka Federaalka ee 2020/21

MARKUU TIXGELIYAY: Baahida loo qabo in la ansixiyo lana meel-mariyo Sharcigan

Waxa Madaxweynuhu soo saaray Sharcigan:

Qodobka 1aad

Laga bilaabo marka uu Madaxweynuhu saxiixo Sharcigan, waxa si rasmi ah loo oggolaaday Sharciga Heshiiska Siyaasadeed ee Jihaynta Doorashada Baarlamaanka Federaalka ee 2020/21

Qodobka 2aad

Marka uu Madaxweynaha JFS saxiixo Sharcigan, waxaa lagu soo daabici doonaa Faafinta Rasmiga ah ee Jamhuuriyadda Federaalka Soomaaliyeed.

MUQDISHO: 11/10/2020

JAMHUURIYADDA FEDERAALKA SOOMAALIYA
XAFIISKA HANTIDHAWRKA GUUD
DIIWAAN NO: HHH/07/IX/2020
TAARIIKH: 19/12/2020
SAXIIXA:
HANTIDHAWRAHA GUUD
Md.Maxamed Maxamuud Cali

Madaxweynaha J.F.S
Maxamed Cabdullaahi Maxamed (Farmaajo)

JAMHUURIYADDA FEDERAALKA SOOMAALIYA

SHARCIGA DOORASHADA 2020-2021 EE BAARLAMAANKA 11-AAD

CINWAANNDA

QODOBKA 1-AAD:
Dib U Dhigista Doorashada Tooska Ah.....

QODOBKA 2-AAD:
Sharciyeynta Heshiiska Siyaasadeed Ee Doorashada.....

QODOBKA 3-AAD:
Xilhaynta hay'adaha dastuuriga ah ee dawladda.....

QODOBKA 4-AAD:
Dhaqan galka sharciga.....

Sharciga Jiheynta Doorashooyinka 2020-2021:
Lr_____ ee / /2020

BAARLAMAANKA FEDERAALKA SOOMAALIYA

MARKUU ARKAY: Qodobka 64 (1) ee Dastuurka Federaalka oo xeeriyey in "Xubnaha Golaha Shacabka waxaa si toos ah, qarsoodi ah, oo madaxbannaan kusoo dooranaya shacbka Jamhuuriyadda Federaalka ee Somaaliya" iyo Qodobka 72 (1) ee Dastuurka Federaalka oo xeeriyey in "Xubnaha Aqalka Sare ee Baarlamaanka Federaalka ay si toos ah, qarsoodi ah oo madaxbannaan usoo dooranayo shacbka Dawladaha xubnaha ka ah Dowladda Federaalka";

MARKUU DHEGEYSTAY: Warbixinta Guddiga Madaxabannaan ee Doorashooyinka Qaranka ee ku saabsanayd doorashada tooska ah, qarsoodi ah, oo madaxbannan ee 2020-2021 uu ka jeediyey Golaha Shacbka Kalfadhigiisa 7-aad Kulankiisa 10-aad ee 27kii Juun 2020;

MARKUU DHAGEYSTAY: Hadaljeedinta Madaxweynaha Jamhuuriyadda Federaalka Soomaaliya oo ka horjeediyay Golaha Shacabka kala fadhiga 7aad Kulankiisa 2aad Gaarkan ah ee 15kii Agoosto 2020 kuna ballan qaaday in Heshiisyada Jiheynta Siyaasadda Doorashooyinka 2020-2021 lagu gaaro Golaha Wadatahashiga Qaranka ansixin loo horkeeni doono kulanka guud ee Labada Aqal ee Baarlamaanka Federaalka Soomaaliya;

MARKUU ARKAY: Warqadda Madaxweynaha Jamhuuriyadda Federaalka Soomaaliya Lr.

JFS/XM/001/LA/9/20 ee 24.09.2020 kuna saabsan codsi sharciyenta Heshiis Siyaasadeedka ay wadajirka u gaareen xubnaha Golaha Wadatashiga Qaranka;

MARKUU KA BAARAANDEGAY: Heshiiska Siyaasadeed iyo talooyinka halkaan ku lifaaqan, oo ay wada gaareen Xubnaha Golaha Wadatashiga Qaranka, oo uu hoggaaminaayay Madaxweynaha JFS, kuna saabsan jiheynta Siyaasadda Doorashooyinka ay ku imaanayaan Xubnaha labada Aqal ee Baarlamaanka Federaalka 11-aad ee Soomaaliya;

MARKUU ARKAY: In ay lagama maarmaan tahay in dhammaadka muddada xilhaynta Baarlamaanka 10-aad ka hor la isla meel dhigo tabta ugu haboon oo lagu keeni karo xubnaha Labada Aqal ee Baarlamaanka 11-aad ee Soomaaliya;

MARKUU GARWAAQSADAY: Daruufaha oo Dalka hadda ku suganyahay aysan suurtogelinayn Qabashada Doorasho toos ah oo ku dhacda waqtigeeda; ayna suurtagal tahay in xubnaha Baarlamaanka 11-aad Doorashooyinkoodu ku yimaado dib u dhac keeni kara firaaq saameeya sharciyada jiritaanka Hay'adaha Dastuuriga ee Dawladda Federaalka Soomaaliya;

MARKUU ARKAY: Sharciga wax-ka-beddelidda Dastuurka Federaalka Lr. 20 ee 27.06.2016;

MARKUU ARKAY: Sharciga Doorashooyinka Qaranka ee Heer Federaal Lr. 23 ee 20.02.2020;

MARKUU ARKAY: Qodobka 69 (1) (a) iyo (b) ee Dastuurka Federaalka Soomaaliya oo xeeriyey Awoodaha Golaha Shacabka iyo Qodobka 71 (b) ee Dastuurka Federaalka oo xeeriyey awoodaha sharcidajinta Aqalka Sare;

Baarlamaanka Federaalka Soomaaliya kala fadhigiisa 7aad kulankiisa 6-aad wadajirka ah oo lagu qabtay Xarunta Golaha Shacabka 26.09.2020, oo ay goobjoog yihiin 215 Xubnood kamid ah Golaha Shacabka iyo 40 xubnood ka mid ah Aqalka Sare oo codeynaya wuxuu ansaxiyey Sharcigan:

Qodobka 1-aad:
Dib u dhigista Doorashada Tooska ah

1. Ayadoo aan waxba loo dhimaynin Qodobbada 64 (1) iyo 72 (1) Dastuurka Federaalka Soomaaliya, ayaa sharcigan dib loogu dhigay qabashada Doorashooyinka tooska ah ee Labada Aqal ee Baarlamaanka 11-aad 2020-2021 iyo dhaqangalka Sharciga Doorashooyinka Qaranka ee Heer Federaal Lr. 23 ee 20.02.2020.

2. Xubnaha Labada Aqal ee Baarlamaanka 11-aad ee Jamhuuriyadda Federaalka Soomaaliya waxaa lagu soo dooranayaa nidaamka Doorashada Dadban.

Qodobka 2-aad:
Sharciyeynta Heshiiska Siyaasadeed ee Doorashada

1. Qodobkan waxaa lagu sharciyeyey Heshiiska siyaasadeed ee Golaha Wadatashiga Qaranka ku taariikhaysan 17.09.2020, oo lagu jiheeyey qaabka Doorashada 2020-21 ay ku

imanayaan Baarlamaanka 11-aad ee Soomaaliya.

2. Qodobka 4-aad ee Heshiis-siyaasadeed ku xusan farqadda 1-aad ee qodobkan, ayadoo aan nuxurkeeda wax loo dhimeyn waxaa loo xeeriyey loona siiqeeyey sidan: "In Xulista Ergada ay iska kaashadaan Odayaasha Dhaganka iyo Bulshada Rayadka ee Beesha kursiga iska leh, Dawlado-Goboleedyadane ay yeeshaan diiwaangelinta Eragada."

3. Heshiiska siyaasadced ee halkan ku lifaagan kuna xusan faqradda 1-aad ee Qodobkan waa qayb ka mid ah nuxurka sharcigan oo aan ka go'i karin.

Qodobka 3-aad:
Xilhaynta Hay'adaha Dastuuriga ah ee Dawladda

1. Si aysan u dhicin firaaq ku yimaada sharciyadda jiritaanka Hay'adaha Dastuuriga ah ee Dawladda Federaalka; Baarlamaanka 10-aad awoodihiisa Dastuuriga ah u dhamaystirantahay ayaa xilkiisa sii haynaya ilaa iyo maalinta la dhaariyo xildhibaannada loo Soo doortay Baarlamaanka cusub ee 11-aad ee Soomaaliya si waafaqsan Qodobka 60-aad ee Dastuurka Faderaalka iyo wax-ka-beddelka lagu sameeyey Sharciga Lr. 20 ee 27.06.2016.

2. Hay'adaha kale ee Dastuuriga ah ee Dawladda Federaalka ayaa xilalkooda sii haynaya ilaa iyo inta laga dhiso hay'ad walba Hay'addii beddeli lahayd.

Qodobka 4-aad:
Dhaqangalka Sharciga

Sharcigan wuxuu dhaqangal noqonayaa ka dib markuu Baarlamaanka Federaalku ansixiyo, Madaxweynaha JFS Xeer Madaxweyne ku meelmariyo, laguna soo saaro Faafinta Rasmiga ah ee Jamhuuriyadda Federaalka ee Soomaaliya si waafaqsan Qodobka 84-aad iyo Qodobka 85-aad ee Dastuurka Federaalka Soomaaliya.

M.ne Maxamed Mursal Sh. Cabdiraxmaan
Guddoomiyaha Golaha Shacabka

M.ne Cabdi Xaashi Cabdullaahi
Guddoomiyaha Aqalka Sare

Muqdisho 26ka Sebteembar 2020

Shirka Wadatashiga Doorashooyinka iyo Dhammeystirka
Heshiisyadii
Samareeb 1-3
Muqdisho Sebteembar 17, 2020

WAR-MURTIYEED

Shir ay yeesheen Madaxda Dowlada Federaalka ah iyo Dowladaha Xubnaha ka ah oo uu shir guddoominayey Madaxweynaha Jamhuuriyadda Federaalka Soomaaliya Mudane Maxamed Cabdullaahi Farmaajo, ayna ka qayb-galeen Ku-simaha Raysul Wasaaraha Mudane Mahdi Maxamed Guuleed, Madaxweynaha Dowlada Puntland Mudane Saciid Cabdullaahi Deni, Madaxweynaha Jubbaland Mudane Axmed Maxamed Islaam, Madaxweynaha Koonfur Galbeed Mudane Cabdicasiis Xasan Maxamed, Madaxweynaha Galmudug Mudane Axmed Cabdi Kaariye, Madaxweynaha Hirshabelle Mudane Maxamed Cabdi Waare iyo Guddoomiyaha Gobolka Banaadir ahna Duqa Muqdisho Mudane Cumar Maxamuud Maxamed. Shirkaas wuxuu ka dhacay magaalada Mugdisho intii u dhaxaysay 13-17 Sebteember 2020.

Shirkan waxa uu dabasocday Kulamo isdaba joog ahaa oo kasoo bilowday Samareeb 1 oo ay isugu yimaadeen Madaxweynayaasha Dowladaha Xubnaha ka ah Dowlada Federalka ah ee Puntland, Jubbaland, Galmudug, Hirshabelle iyo Koonfur Galbeed, oo uu ka dhashay Samareeb 2 oo ay wadatashi ku yeesheen Madaxda Dowlada Federaalka ah iyo Madaxda

Dowladaha Xubnaha ka ah Dowlada Federaalka ah iyo Gobolka Banaadir oo la xiriiray sidii dalka doorasho waqligeeda ku qabsoonta ay uga dhici lahayd. Waxaa xusid mudan in shirkan Muqdisho uu dhammeytir u yahay heshiiskii Samareeb 3.

Shir-madaxeedkan inta uu socday waxaa la isla gorfeeyay xaaladaha siyaasadeed, amni iyo bulsho ee ku hareeraysan qabsoomidda doorashada Barlamaanka Federaalka ah iyo tan Madaxweynaha, taas oo ku dhacda waqtigeeda si waafaqsan heshiisyadii Samareeb.

Haddaba iyadoo taas laga ambaqaadayo, waxay Madaxdu ku dul shaqeeyeen heshiiskii kasoo baxay Samareeb 3 Falanqeyn dheer keddib, iyaga oo dhawraya midnimada dalka iyo wadajirkiisa, tixgelinayana xaaladaha amni iyo siyaasadeed ee dalka ka jira, loona qaban lahaa doorasho xilligeeda ku dhacda, waxay isla qaateen qodobada soo socda;

1. In Dowladda Federaalka ay magacawdo Guddi Doorasho oo heer Federaal ah kaas oo kaashanaya Guddi Doorasho oo heer Dowlad Goboleed ah.

2. In deegaan doorashooyinka Dowladaha Xubnaha ka ah Dowladda Federaalka laga asteeyo labo magaalo oo ah caasimadaha Gobollada oo ku dhisan yahay Dowlad Goboleed kasta.

3. In tirada ergada Xiidhibaan walba u codeynaysa ay noqato 101 ergo oo mataleysa beesha wadaagta kursigaas.

4. in xulista ergada ay iska kaashanayaan odayaasha dhaqanka, bulshada rayidka ah iyo Dowlad Goboleedka.

5. In qoondada haweenka ee 30% ah la ilaaliyo.

6. In Baarlamaanka heer Dowlad Goboleed ay soo doortaan Xildhibaannada Aqalka Sare.

7. In Xildhibaannada Aqalka Sare ee Soomaaliland ay soo doorataan ergo matasha oo wada jir ah.

8. In doorashada Xildhibaannada labada Aqal ee Soomaaliland ay ka dhacdo magaalada Muqdisho.

9. Qorshaha doorashooyinka dalka waxa uu bilaabanayaa 1-da Nofeembar 2020.

10. In sugidda amniga doorashooyinka ay ka wada shaqeeyaan hay'daha amniga ee Dowladda Federaalka Soomaaliya iyo Dowladaha Xubnaha ka ah.

11. Heshiiskan siyaasadeed waxaa loo gudbinayaa Baarlamaanka Federaalka si ay u meel mariyaan.

12. Madaxdu waxa ay adkaynayaan in xorriyadda hadalku ay tahay lama taabtaan sida ku cad Dastuurka KMG ah iyo Xeerka Saxaafadda ee dalka, sidaa darteed, waa in warbaahinta fursad loo siyaa in ay Si xor ah u tabiso goobaha ay codbixintu ka dhacayso, lagana fogaado wax walba oo ka hor.

13. Shirku waxa uu uga mahadcelinayaa Madaxda iyo bulshada Dowladda Galmudug sida ay u martigeliyeen shirarkii taariikhiga ahaa ee Samareeb 1-3. Sidoo kale, waxaa ammaan mudan shacabka iyo Maamuika Gobolka Banaadir sidii diirranayd ee ay usoo dhaweeyeen Madaxda Dowlad Goboleedyada iyo wufuuddii la socotay.

14. Waxaan bogaadinaynaa Madaxweynaha JFS Mudane Maxamed Cabdullaahi Farmaajo hoggaaminta kudhisan isku haynta dalka muujiyay muddadii ay wadahadalladu socdeen, isaga oo xoogga saarayo wadajir iyo wada-ogol lagu dhammeeyo arrimaha doorashooyinka.

15. Ugu dambeyntii, Shirku waxa uu ku bogaadinaayaa Beesha Caalamka kaalinta muuqata ee ay ka geysaneyso dibu dhiska iyo horumarinta dowladnimada Soomaaliya.

ANSIXINTA SHARCIGA GOLAHA MIHNADLAYAASHA CAAFIMAADKA QARANKA

MADAXWAYNAHA J.F.S

MARKUU ARKAY: Qodobka 87aad, Faqradda 1aad iyo Faqradda 2aad ee Dastuurka KMG

MARKUU ARKAY: Qodobka 90aad, Xarafka "F" ee Dastuurka KMG

MARKUU ARKAY: Warqadda Guddoomiyaha Golaha Shacabka GSH/292 Taariikh: 06/07/2020 kuna saabsan ansixinta Sharciga **Golaha Mihnadlayaasha Caafimaadka Qaranka**

MARKUU TIXGELIYAY: Baahida loo qabo in la ansixiyo lana meel-mariyo Sharcigan

Waxa Madaxweynuhu soo saaray Sharcigan:

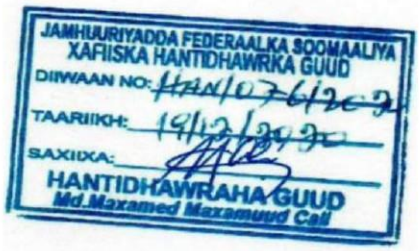
Qodobka 1aad

Laga bilaabo marka uu Madaxweynuhu saxiixo Sharcigan, waxa si rasmi ah loo oggolaaday Sharciga **Golaha Mihnadlayaasha Caafimaadka Qaranka**

Qodobka 2aad

Marka uu Madaxweynaha JFS saxiixo Sharcigan, waxaa lagu soo daabici doonaa Faafinta Rasmiga ah ee Jamhuuriyadda Federaalka Soomaaliyeed.

MUQDISHO: 16/11/2020



Madaxweynaha J.F.S
Maxamed Cabdullaahi Maxamed (Farmaajo)

Sharci Lr._____ ee _____

Sharciga Dhismaha Golaha Mihnadleyaasha Caafimaadka Qaranka

QODOBKA 1aad
Golaha Mihnadleyaasha Caafimaadka Qaranka (GMCQ)

1. Golaha Mihnadleyaasha Caafimaadka Qaranka (GMCQ) waa gole madax bannaan oo leh sifo-qaanuuneed marka uu gudanayo xilalkiisa iyo waajibaadkiisa la xiriira howlaha loo igmaday.

2. Ujeeddooyinka Golaha:

b) Ka ilaalinta bulshada waxyeellada ka soo gaari karta xadgudubyada ka dhasha howl-gallada caafimaadka.

t) Horumarinta anshaxa iyo xushmadda u dhexeysa heerarka mihnadleyaasha caafimaadka ee Soomaaliya.

j) Diiwaan-gelinta iyo ruqsad-siinta mihnadlayaasha caafimaad iyo xeer-nidaaminta hab-dhaqankooda mihnadeed.

x) Siinta ruqsado xarumaha adeegyada caafimaadka ee buuxiyay shuruudaha looga baahan yahay.

kh) Aqoonsi-siinta xarumaha waxbarashada caafimaadka ee soo saara kaadirka (mihnadleyda) caafimaad.

d) Meel-marinta ama joojinta manaahijta iyo barnaamijyada

tababarada caafimaadka ee kala duwan.

r) Xaqiijinta bad-qabka iyo tayada adeegyada caafimaad ee la siiyo bulshada Soomaaliyeed.

s) Ka jawaabidda baahida loo qabo in mihnadleyaasha caafimaadka ee kala duwan loo sameeyo xeer u gaar ah, kaas oo lagu dhisayo gole guud oo ay ku jiraan dhammaan ururada mihnadleyda caafimaad sida Guddiga dhakhaatirta caafimadka guud iyo ilkaha, umulisooyinka, kalkaaliyeyaasha, daawo-yaqaannada iyo mihnadaha kale ee caafimaadka la xiriira.

Qodobka 2 aad
Erey Bixin

Golaha: waxaa loola jeedaa Golaha Mihnadleyaasha Caafimaadka Qaranka (GMCQ).

Xeer-nidaamin: waxaa loola jeedaa nidaamka mihnadeed ee waxqabadka ama hab-socodyada kaas oo ku yimaada xeerar iyo hab-raacyo uu soo saaray Goluhu.

Ansixin: waxaa loola jeedaa xaqiijinta taaba-galnimo, awoodda, ama waxtarnimada machad tababarid caafimaad ama rug caafimaad oo la meel-mariyey iyo barnaamij howleedkooda.

Karti Mihnadeed: waxaa loola jeedaa awoodda hawl-wadeen caafimaad uu ku abuuri karo tayo mihnad aqooneed, mihnad, iyo mabaadi' ee khuseeya mihnad ku aadan hawl gaar ah ee dhammaan hawl-gallada caafimaadka iyo waxbarashadiisa.

Xarumaha Waxbarasho Caafimaad: waxaa loola jeedaa Jaamacadaha, Machadyada, Kulliyadaha, Dugsiyada iyo

Xarumaha ku hawlan tababaridda qeybo gaar ah ee la xiriira hawlaha caafimaad ama qeyb kasta oo ku lug leh daawada.

Mihnad: waxaa loola jeedaa gacan-ku-hayn shaqo xilli dheer ee barasho gaar ahaaneed iyo shahaado aqoon toos ah oo lagu qaatay muddo waqtiyeysan.

Mihnadle Caafimaad: waxaa loola jeedaa qof leh shahaado aqooneed oo uu ka qaatay xarun waxbarasho caafimaad ee la aqoonsan yahay oo diiwaan-gashan lehna ruqsad uu ku qabto mihnad qeexan ee dhanka daryeelka caafimaadka oo ka tirsan qeybaha caafimaadka.

Shahaado Caafimaad: waxaa loola jeedaa marag-kac rasmi ah iyo dhab ahaansho leh oo caddeynaya in mihnadle caafimaad si guul ah u dhammeystay barnaamij waxbarasho uu ku qaatay xarun waxbarasho caafimaad oo la aqoonsan yahay.

Mihnadle Caafimaad ee Shisheeye: waxaa loola jeedaa qof shisheeye ah ee shahaadooyinka aqooneed ee qof aan Soomaali ahayn ka qaatay xarun waxbarasho caafimaad ee la aqoonsan yahay.

Shahaado Mihnad Caafimaad ee Shisheeye: waxaa loola jeedaa shahaadooyin aqooneed oo ay bixisay xarun waxbarasho caafimaad shisheeye oo la aqoonsan yahay.

Anshax-xumo Mihnadle Caafimaad: waxaa loola jeedaa fal sharci-darro, anshax-xumo, ama meel-uga-dhac heerarka mihnadda caafimaad oo lid ku ah hab-raacyada xuquuqda adeegyada caafimaad.

Xil-gudasho xumo hawl caafimaad: waxaa loola jeedaa jebin xil daryeel caafimaad ee mihnadlaha ka saaran bukaanka, taas oo ay ka dhalato waxyeello soo gaarta bukaanka.

Anshaxa Mihnadda Caafimaad: waxaa loola jeedaa mabaadi'da dhawrta ama saameysa anshaxa mihnadlaha caafimaad ee adeeg-siinta bukaanka.

Isku-filnaansho: waxaa loola jeedaa bukaanka dhimmir ahaan fayo-qabka ah oo leh karti xusuus iyo qiimeyn warbixin la siiyey inta lagu guda Jiro baarista iyo daaweynta; si uu u qaato go'aan maan-gal ah iyo lahaansho isku-filnaansho, go'aan-qaadasho iyo in loo tixgeliyo in uu yahay qof leh shuruudaha sharcigu tilmaamay.

Isku-filane: waxaa loola jeedaa in bukaanku leeyahay awood go'aan-qaadasho.

Oggolaansho Xor ah: waxaa loola jeedaa oggolaansho xor ah oo aan la isku khasbin oo uu bixiyey bukaan isku-filan oo la siiyey macluumaad buuxa oo ku aadan hab-raaca daawada ee isaga khuseeya.

Oggolaansho Wakiil: waxaa loola jeedaa oggolaansho laga helay qof ka wakiil ah qof aan isku-filnayn ha ahaado waayeel, carruur ama qof aanay u suurtogaleynin in uu oggolaansho bixiyo.

Kala-soocitaanka Mihnadeed: waxaa loola jeedaa kala-caddeynta iyo xaqiijinta shahaadooyinka aqooneed, waayo-arragnimo, iyo waxyaabaha la xiriira si loo hubiyo in ugu yaraan heerarka looga baahan yahay qeybta caafimaad ee khusaysa hawl-galkan loo fuliyey si hab-sami leh.

Qiimeyn Mihnadeed: waxaa loola jeedaa hab-raaca uu dejiyey Goluhu si uu u go'aamiyo awoodda xil-gudasho iyo mihnad oo ay wehliso heerka aqoonta iyo mihnadda ee codsadaha.

Xarumaha Adeegga Caafimaadka: waxaa loola jeedaa xarumaha guud iyo kuwa gaarka ah ee laga bixiyo adeegyada caafimaad ee baarista, daaweynta, ka-hortagga, baxnaaninta ama laga qeybiyo walxaha daawada, qalabka kaabayaasha iyo aaladaha.

Xarumaha Adeegyo Caafimaad ee Guud: waxaa loola jeedaa xarun shaqaynaysa ee u furan dadweynaha xilli kasta, taas oo bixisa daryeel caafimaad ee ku habboon heerka loogu talo-galay xaruntaas.

Diiwaan-gelin: waxaa loola jeedaa hab-socodka dilwaan-gelineed ee mihnadle caafimaad oo soo dhammeystiray shuruudihii uu uga baahnaa Goluhu; si uu u bixiyo adeegyo gaar ah oo si rasmi ah looga diiwaan-geliyo diiwaanka uu gacanta ku hayo Golaha.

Dib-u-diiwaan-gelin: waxaa loola jeeda dib u diiwaan gelinta shahaadooyin dheeraad ah oo Goluhu aqoonsan yahay ee uu la yimaado mihnadle caafimaad oo hore u diiwaan gashanaa.

Cusboonaysiin Diiwaangelin: waxaa loola cusboonaysiinta macluumaadka mihnadle caafimaad iyo ku-howlanaanshihiisa in uu sii wato howl-galkiisa, tababarka iyo barnaamijyada waxbarasho ka dib marka ay dhammaato muddada diiwaan-gelinta.

Ruqsad: waxaa loola jeedaa oggolaanshaha uu bixiyey Golaha, una oggolaanaya ruqsadlaha in uu uga howl-galo si sharci ah qeyb gaar ah oo ka mid ah mihnadaha caafimaad oo isaga/iyada ruqsadda loo siiyey.

Dib-u-ruqsad-siin: waxaa loola jeedaa cusboonaysiinta ruqsada howl-gal ka dib marka ay dhacdo.

Bah-wadaag Caafimaad: waxaa loola jeedaa mihnadaha daryeelka caafimaad ee ka baxsan daawada.

QODOBKA 3aad
Dhismaha Golaha Mihnadleyaasha Caafimaadka Qaranka

1. Waxaa la dhisay Golaha Mihnadleyaasha Caafimaadka Qaranka wuxuuna ka kooban yahay **15** (Shan iyo toban) xubnood kuwaas oo ugu yaraan **30%** ay noqonayaan haween. Xubnaha waxay ka imaanayaan hay'adaha soo socdo:
   b) 2 xubin Wasaaradda Caafimaadka
   t) 1 xubin Wasaaradda Tacliinta Sare
   j) 1 xubin Wasaaradda Cadaaladda & Arrimaha Garsoorka
   x) 3 xubin Ururka Dhaqaatiirta Soomaaliyeed
   kh) 1 xubin Ururka Kalkaaliyeyaasha Soomaaliyeed
   d) 1 xubin Ururka Umulisooyinka Soomaaliyeed
   r) 1 xubin Xarumaha Waxbarashada Caafimaadka
   s) 1 xubin Ururka Farsamo-yaqaannada Sheybaarka Soomaaliyeed
   sh) 1 xubin Ururka Daawo-yaqaannada Soomaaliyeed
   c) 1 xubin Ururka Fayo-dhawrka Soomaaliyeed
   g) 1 xubin Adeegyada Caafimaad ee Gaarka loo leeyahay
   f) 1 xubin Bulshada Rayidka Soomaaliyeed
2. Guddoomiyaha iyo Guddoomiye Ku-xigeenka waxaa iska dhex dooranaya Xubnaha Golaha.
3. Haddii uu bannaanaado xil (jago) xubinnimo ee Golaha, qofka buuxinaya waxaa lagu magacaabayaa muddo afar toddobaad gudahood ah wuxuuna dhammeystirayaa inta ka harsan muddo-xileedka xubinta uu beddelay.
4. Waxaa waajib ah in wargelin qoraal ah mudo soddon (30)

maalmood ku siman loogu soo gudbiyo Guddoomiyaha ka hor inta xubin Golaha ka mid ah aysan is casilin.

5. Anshax iyo akhlaaq xumida ay 2/3 ee Goluhu u arkaan in ay waxyeello ama culeys ku yahay magaca, sharafta iyo jiritaanka Golaha, qofka xubinta ah ee ku lug leh arrimahaas waa laga saarayaa Golaha, waana la bedelayaa.

6. Goluhu wuxuu yeelanayaa astaan iyo shaabbad u gaar ah oo lagu isticmaalo ujeeddooyinka sharcigan uu jideeyay.

7. Goluhu wuxuu u qoondeynayaa xubnaha Golaha gunno maalmeed oo ay ku jiraan gunno xil-gudasho, gunno safar ama ka qeybgal shir.
8. Muddada xilhaynta xafiiska ee xubnaha Golaha waa saddex sannadood, oo la cusboonaysiin karo hal mar oo kaliya.
9. Dhammaadka muddada xilhaynta, xubintu way sii haynaysaa xilka xafiiska inta xubin kale laga soo magacaabayo.
10. Xubnaha Goluhu waxay wadanayaan howlahooda gaarka ah ee ka baxsan shaqada Golaha marka laga reebo waqtiga ay xubnuhu ku gudo jiraan xil-gudashada Golaha.
11. Looma oggola in xubini ay isla waqti qabato wax ka badan hal xil (mas'uuliyad).

QODOBKA 4aad
Magacaabidda Xubnaha Golaha

1. Hay'adaha, ha ahaadaan hay'adaha dowladda ama kuwa gaarka ah, waxay soo magacaabanayaan musharraxiinta uga mid noqonaya Golaha iyada oo go'aanka ansixinta ugu dambaysa uu gaarayo guddi ay Wasaaradda Caafimaadku u magacowdo iyadoo la tashanaysa Wasaaradaha Caafimaadka ee Dowlad Goboleedyada in ay hubiyaan shuruudaha xubinnimada isla markaasna ku soo

dhammeystiraan.

Xubnaha Golaha muddo aan ka badneyn seddex bilood. Marka xubinnimada buuxda la oggolaado, xubintu waxay u howlgaleysaa si madax-bannaan iyada oo wakiil ka ah danaha iyo ujeeddooyinka Golaha.

2. Marka ay buuxiyaan shuruudaha guud, xubnaha Golaha waxaa lagu xulayaa shuruudahaan:

b) Caddeymo sugaya aqoonta mihnadda caafimaadka;

t) Aqoon mihnadeed sare iyo karti dheeraad ah;

j) Waayo-aragnimada mihnadda;

x) Naxariis iyo daacadnidmo sare;

kh) U hoggaansanaanta anshaxa iyo akhlaaqda mihnadda;

d) Dhaqan iyo akhlaaq wanaagsan.

QODOBKA 5 aad
Shuruudaha Guud ee Xubinnimada Golaha

Shuruudaha guud ee looga baahan yahay qofka xubin buuxda ka noqonaya GMCQ waa in uu yahay:

1. In uu yahay muwaadin Soomaali ah, deggan Soomaliya.
2. In uu leeyahay dhaqan suuban, xushmad sare-na ku dhex leh Bulshada Soomaaliyeed, iyo aragti sane oo xambaarsan daacadnimo.
3. In uu leeyahay ugu yaraan shahaadooyinka aqooneed ee looga baahan yahay mihnadlayaasha caafimaad. Sida oo kale, Mihnadlayaasha ka baxsan caafimaadka waa in ay leeyihiin shahaadooyin meel-mar ah ee qeybaha muhiimka u ah bulshada ee maaddooyinka la xiriira caafimaadka.
4. In uusan u oollin fal-dembiyeed ay si kama dambays ah

maxkamadi ugu xukuntay ama uusan ahayn eedeysane sugaya maxkamad Dalka gudihiisa ama dibaddiisaba.

5. In uusan si muuqata ugu jirin howlaha khuseeya ganacsi iyo howl kasta oo saameyn ku yeelan karta ama ay is-diidayaan danaha Golaha;

6. In si xor ah uu u oggolaado xubinnimada mushaar la'aanta ah ee uu kaga mid noqonayo xubnaha Golaha.

QODOBKA 6aad
Heerarka iyo Xuquuqda Xubinnimada

1. Golaha Mihnadlayaasha Caafimaadka Qaranka (GMCQ) wuxuu leeyahay xubinnimo seddex heer ah iyada oo heer walba uu leeyahay kaalin iyo xuquuqo u gaar ah waxayna kala

b) Xubinnimada Rasmiga ah
t) Xubinnimada Aragti-wadaagta
j) Xubinnimada Xiriir wadaagta

Qodobka 7aad
Xubnaha Rasmiga ah

1. Xubinnimada rasmiga ah ee Golaha waxay u furan tahay hay'adaha lagu cayimay **Qod.3aad** ee Xeerkan.

2. Xubnaha rasmiga ah ee Golaha waxay leeyihiin xuquuqda soo socota: b) Cod bixin marka Goluhu uu kulansan yahay;

t) Soo jeedin qaraaro ku saleysan xeer hoosaadyada Golaha;

j) Helitaanka warbixin kasta oo lagama-maarmaan u ah in ay si buuxda uga qeyb qaataan howlaha Golaha.

x) Helitaanka warbixin kasta ee uu hayo Goluhu, ha khusayso Golaha, xubin kasta, aragti-wadaag, ama xiriir-wadaag, ama cid kale, taas oo lagu siinayo xubnaha codsi iyo in Goluhu tixgelin ahaan la qumanaato.

Qodobka 8aad
Aragti-wadaag (Partners)

1. Goluhu wuxuu xubinnimo aragti-wadaag siinayaa ama u diidayaa ururada heer Qaran, kuwa ka dhexeeya dowlado badan ama ururo leh aragti caalami ah kuwaas oo aragti ama khibrad ku soo kordhin kara Golaha marka uu fulinayo howlaha la xiriira xeer nidaaminta caafimaadka oo ay ka mid yihiin caddeymaha shahaadooyinka, qiimeynta, imtixaan qaadidda iyo tayaynta waxbarashada ama wixii kale ee la xiriira tayada iyo hufnaanta wax-qabadka mihnadleyaasha caafimaadka.

2. Xubnaha aragti-wadaagta ah waxay leeyihiin xuquuqda soo socoto:

b) Ka qeybgalka shirarka Golaha iyaga oo aan codeyneynin.

t) U soo jeedinta GMCQ qaraaro iyada oo habraaca gudbinta qaraaradaas la waafajinayo xeer hoosaadyada uu soo saaro Golaha;

j) Ka qeybqaadashada guddiyada joogtada ah oo dhan ama kooxo hawleedka Golaha marka laga reebo howlaha maamulka.

x) Helitaanka warbixinta kasta oo lagama-maarmaan u ah in ay si buuxda uga qeyb qaataan howlaha Golaha.

kh) Helitaanka warbixin kasta ee uu hayo Goluhu, ha khusayso Golaha, xubin kasta, aragti-wadaag, ama xiriir-wadaag, ama cid kale, taas oo lagu siinayo codsi iyo in Goluhu tixgelin ahaan la qumanaato.

Qodobka 9aad
Xiriir - wadaag (Associates)

1. Golaha wuxuu xubinnimo xiriir-wadaag siinayaa ama u diidayaa urur kasta oo xiriir la leh Golaha kaas oo ka shaqeeya xeer nidaaminta mihnadaha daryeelka caafimaad.

2. Xiriir wadaagtu waxay leeyihiin xuquuqda soo socoto:

b) Ka qeybgalka guddiyada joogtada ah oo dhan ama kooxo howleedka Golaha marka laga reebo howlaha maamulka.

t) Ka-qeybgalka kulanka guud ee Golaha iyaga oo aan codeyneynin

j) Helitaanka warbixin kasta oo lagama-maarmaan u ah in ay si buuxda uga qeyb qaataan howlaha Golaha.

x) Helitaanka warbixin kasta ee uu hayo Goluhu, ha khusayso Golaha, xubin kasta, aragti-wadaag, ama xiriir-wadaag, ama cid kale, taas oo lagu siinayo codsi iyo in Goluhu tixgelin ahaan la qumanaato.

QODOBKA 10aad
Awoodaha iyo Xilalka Golaha

Golaha wuxuu leeyahay awoodaha iyo xilalka soo socda:

1. Diiwaan gelinta iyo rukhsadsiinta xubnaha leh aqoonta mihnadaha caafimaad iyo xeer nidaaminta anshaxa mihnadeedka ee hawlwadeennada caafimaad.
2. Gacan ku haynta hannaanka habboon ee howlqabad oo ay wadaagaan howlwadeennada caafimaadka si waafaqsan mabda'a xeer-nidaaminta iyo dhiirri-gelinta caafimaadka Bulshada.
3. Horumarinta habboon ee heerarka kala duwan ee shaqaalaha caafimaadka
4. Dhiirigelinta jiritaanka iyo mansabka mihnadda caafimaadka iyo masuuliyadda lagu joojinayo adeegyada

aan loo baahneyn ama laga rnaarmi karo gabi ahaanba ama qeyb ahaanba.

5. Ruqsadsiinta iyo aqoonsiga xarumaha caafimaad ee dadweynaha iyo kuwa gaarka loo leeyahay, sidoo kale hubinta tayada rugaha caafimaad, adeegyada caafimaadka la bixiyo iyo xarumaha waxbarasho ee bixiya aqoonta caafimaadka.
6. Metelidda howlwadeennada caafimaad iyo ka shaqeynta danahooda.
7. Baarista eedeymaha iyo anshax xumida mihnadeed iyo saarista ciqaabaha ku habboon inta sharcigu uu jideeyay.
8. Ka hortagga iyo ka caawinta bulshada dhammaan howlaha la xiriira adeegga caafimaad ee aan hufneyn.
9. Talo siinta Wasaaradda Caafimadka, wasaaradaha kale ee ay khusayso, bahwadaagta caafimaadka iyo daneeyayaasha arrimaha la xiriira mihnadda caafimaadka.
10. Fulinta dhammaan waxyaalahaas iyo wax-qabadka howlaha loogu igmaday xeerkan iyo xeerarka kale ee Dalka.

QODOBKA 11aad
Waayista Xubinnimada Golaha

Qof kasta oo laga helo qodobada hoos ku xusan wuxuu luminayaa xubinnimada GMCQ:

1. Haddii uusan ahayn muwaadin Soomaali ah ama aanu haysan ruqsad uu uga howlgalo adeegga caafimaad;
2. Haddii magaciisa hore looga tiray diiwaanka Golaha.
3. Haddii lagu xukumay fal-dembiyeedyo ama gef asluubeed/ anshax xumo.
4. Haddii uusan dhimmir ahaan fayo gab ahayn.

QODOBKA 12aad
Dhammaadka Xubinnimada Golaha

Xubinnimada Golaha waxaa jiritaankeedu dhammaanayaa haddii la helo arrimaha soo socda:

1. Xubinta oo xilka laga qaado si waafaqsan Qodobka 3aad.
2. Xubinta oo geeriyoota; ama
3. Haddii xubin aysan ka soo qeyb gelin 3 jeer oo isku xigta kulamada Golaha iyada oo uusan jirin fasax sharci ah, caddeyn caafimaad, xaalado kale oo meel-mar ah oo ku yimid duruufo deg deg ah iyo xaalad ka baxsan awoodda aadanaha.

QODOBKA 13aad
Shaqaalaha Golaha

Shaqaalaha Golaha (Xubnaha Maamulka) waxay ka koobnaanayaan xubnaha soo socda:

1. Xoghayaha Guud ee Golaha; oo ah madaxa ugu sarreeya xagga maamulka
2. Ku-xigeenka Xoghayaha Guud ee Golaha;
3. Sarkaalka Diiwaan gelinta, Ruqsadda iyo aqoonsiga;
4. Sarkaalka tababarrada iyo kor u qaadista heerka aqoonta
5. Sarkaalka Hubinta Tayada;
6. Sarkaalka arrimaha sharciga iyo anshax mihnadeedka.
7. Khasnaji
8. Xisaabiye

QODOBKA 14aad
Awoodaha iyo Xilalka Xoghaynta Guud

Xoghaynta Guud waxay yeelanaysaa awoodaha iyo xilalka soo socda:

1. Gacansiinta guddi hoosaadyo uu abuuro Golaha, isku duwidda iyo kormeeridda howlahooda.
2. Xaqiijinta hirgelinta go'aanada la gudbiyey si waafaqsan xeernidaaminta
3. Fulinta go'aannada Golaha.
4. Metelaadda iyo qabashada xilalka Golaha xilliga uusan Goluhu kulansanayn; marka laga reebo awoodda in la laalo, wax laga beddelo, ama laga noqdo go'aannada Golaha.
5. Qabashada howl maalmeedka Golaha.
6. Hirgelinta wixii kale ee howlo ah ee uu u tilmaamo Goluhu.
7. Diyaarinta iyo gudbinta warbixinnada Golaha.

QODOBKA 15aad
Kulamada Xoghaynta Guud

1. Xoghaynta Guud waxay dejinaysaa xeer hoosaadyadeeda iyo habraaca kulamadeeda.
2. Kulamada Xoghaynta Guud waxaa isugu yeeraya xoghayaha guud hadba sida loogu baando.
3. Tirada looga baahan yahay kulamada waa goob joognimada in ka badan kala bar (50% +1) xubnaha maamulka.
4. Go'aan kasta oo lagu gaarayo kulamada maamul waa in lagu meelmariyo cod aqlabiyad ah, haddii ay codadku isla ekaadaan, waxaa la raacayaa dhanka uu u codeeyo Xoghayaha Guud.

QODOBKA 16aad
Kulamada iyo Go'aannada Golaha

1. Sida caadiga ah, Goluhu wuxuu kulamadiisa rasmiga ah qabsanayaa afar jeer sanadkiiba. Guddoomiyhu wuxuu

isugu yeeri karaa kulamo dheeraad ah haddii ay noqoto lama huraan.

2. Kulamada Goluha waxaa shir guddoominaya Guddoomiyaha, balse haddii Guddoomiyuhu maqan yahay, waxaa shir guddoominaya Guddoomiye Ku-xigeenka, haddii labaduba maqan yihiin waxay iska dhex dooranyaan guddoomiye ku meel gaar ah.
3. Kulanka Golaha wuxuu ku guntamayaa goob joognimada boqolkiiba konton oo hal lagu daray ee tirada guud ee xubnaha Golaha.
4. Go'aanka kulanka Golaha wuxuu noqonayaa ra'yiga aqlabiyadda. Haddii ay dhacdo in codadku isla ekaadaan, qofka shir guddoominaya kulanka wuxuu lahaanayaa codka lagu kala baxayo.
5. Xogahayaha Guud waa in uu si rasmi ah u diiwaangaliyaa go'aannada Golaha.
6. Hadal qoraallada (minutes) kulanka waxaa la gaarsiinayaa ama loo qeybinayaa dhammaan xubnaha si ay taladooda uga soo dhiibtaan ka dibna ay u ansixiyaan.
7. Gunnooyinka iyo tas-hiilaadka kale ee ay ku helaan xubnuhu ka qeyb galka kulamada waxaa isla meel dhigaya xubnaha Golaha.
8. Habraacyada kale ee la xiriira kulanka Golaha waxaa go'aaminaya Golaha.
9. Qaadashada shaqaalaha maamulka iyo kuwa hoose si waafaqsan xeerarka shaqada Dowladda.

QODOBKA 17aad
Guddiyo Gaar Ah

1. Goluhu wuxuu abuurayaa seddex guddi oo gaar ah kuwaas oo lagu xulan doono aqoontooda, mihnadooda iyo waayo aragnimada ballaaran ee howshan ay u leeyihiin:

b) **Guddiga Cilmi Baarista Caafimaadka:**

Guddigani wuxuu darsayaa oo dib u eegayaa barotokoollada cilmi baarista khusaysa caafimaadka oo loo soo gudbiyo Golaha si ay u oggolaadaan.

t) **Guddiga Anshaxa Mihnadleyaasha:**

Guddigani waxay shaqadiisu tahay wax ka qabashada eedaymaha la xiriira anshax-xumada mihnadlayaasha iyo cabashooyinka kale ee xiriirka la leh ee la soo gaarsiiyo Golaha.

j) **Guddiga Qiimeynta Mihnadlayaasha:**

Guddi takhasus weyn leh oo loo xilsaaray in ay qaadaan imtixaan iyo habraacyada kale ee loogu talogalay in codsadayaashu maraan si ay u suurowdo in la kala sooco lana diiwaan galiyo.

2. Guddi kasta wuxuu iska dhex-dooranayaa guddoomiye iyada oo Wasaaradda Caafimaadka goobjoog ka tahay.
3. Guddiyadu waxay warbixin iyo talooyin siinayaan Guddoomiyaha, ka dibna, Golaha ayaa ka baaraan degaya talooyinkaas isagoo si habboon u waafajinaya siyaasadaha iyo qorshaha istiraatiijiyadeed ee u degsan.

QODOBKA 18aad
Cilmi-baarista Caafimaadka

Goluhu wuxuu qorsheynayaa isla markaana qeybinayaa:

1. Tilmaamo ku aaddan cilmi-baarista caafimaadka oo ku habboon howlwadeennada caafimaadka Soomaaliya;
2. Natiijada ka soo baxda cilmi baarista waxaa wadaagaya cilmi baareyaasha iyo shakhsiyaadka daneynaya iyaga oo ku helaya si lacag la'aan ah; iyo
3. Natiijada cilmi baarista waxaa lagu qeybin karaa ama lagu faafin karaa ansixinta Golaha.

QODOBKA 19aad
Abuurista Maktabadda Asaasiga ah ee Golaha

1. Goluhu wuxuu ka hirgelinayaa xarunta xafiiskiisa maktabad qalabeysan intii la awoodi karo, taas oo fududayn karta dib u eegista macluumaad iyo cilmi barista si loogu adeegsado tixraac ahaan, waana in ay bixisaa adeegyada soo socdo:

b) Bixinta macluumaadka khuseeya xeer nidaaminta hay'adaha ku howlan mihnadaha caafimaad;

t) Daraasadaha adkaynaya xushmadda loo hayo hannaanka xeernidaaminta caafimaad.

2. Goluhu wuxuu siinayaa waxbarasho iyo baraarujin dhammaan xubnihiisa iyo guud ahaan mihnadlayaasha caafimaad iyo inta kale ee daneyneysa kuna howlan sharciyada caafimaadka iyo saameynta ay ku leedahay caafimaadka iyo horumarka bulshadda.

QODOBKA 20aad
Dhaqaalaha Golaha iyo Ilaha Laga Helayo

Goluhu wuxuu uruurinayaa isla markaasna maamulayaa dhaqaalaha soo socdo:

1. Khidmadda diiwaan gelinta, ruqsad bixinta, iyo aqoonsi siinta mihnadlayaasha caafimaadka, goobaha adeega caafimaad, iyo xarumaha waxbarashada caafimaadka;
2. Dakhliga uu ka helo Goluhu ganaaxa ama ciqaabaha kale
3. Qoondo miisaaniyadeed oo ay Xukuumadda Soomaaliya siineyso Golaha;
4. Dhaqaalihii kale ee laga helo ilo kale.

QODOBKA 21aad
Isticmaalka Dhaqaalaha Golaha

1. Goluhu wuxuu dhaqaalaha uu helo u adeegsanayaa ujeeddo ku aadan bixinta kharashyada uu galo ee la xiriira hirgelinta awoodihiisa iyo waajibaadkiisa, gudashada xilalkiisa iyo shaqooyinkiisa.

2. Goluhu waa in uu soo bandhigaa:
   b) Xisaabaad buuxa oo sax ah oo lagu keydiyo dhammaan dhaqaalaha uu Goluhu helay iyo kharashaadka uu galay.
   t) Warbixin sanadeedka dakhliga iyo kharashka oo loo diyaariyo si ku aaddan sanad miisaaniyadeed kasta iyo xisaab xir muujinaya xaaladiisa maaliyadeed ee dhammaadka sanad miisaaniyadeedkaas; iyo

3. Warbixin sanadeedka iyo xisaab xirka waa in uu ansixiyaa hantidhawre ay aqoonsan tahay Dowladda Federaalka Soomaaliya.

4. Guddomiyaha wuxuu warbixin maaliyadeed oo faahfaahsan seddexdii biloodba mar u gudbinayaa Wasaaradda Maaliyadda taas oo si cad u muujinaysa kharashka, haraaga, iyo sidoo kale qorshe howleedyo faahfaahsan ee lagu talo jiro in la hirgeliyo ka hor warbixin maaliyadeedka soo socota.

QODOBKA 22aad
Xiriirka Iskaashi ee Golaha

1. Goluhu wuxuu la yeelanayaa xiriir dhow oo ku dhisan is-fahan iyo wada shaqeyn Wasaaradda Caafimaadka (WC), wasaaradaha ay khuseyso, hay'daha kale ee dowladeed, Wasaaradaha Caafimaadka ee Dowlad Goboleedyada iyo

hay'adaha kale ee daneeya adeegga caafimaadka, isaga oo wada shaqeyn dhow kala yeelanaya meelaha ay ka mid yihiin:

b) Ka shaqeynta iyo is dhaafsiga iskaashi dhinacyada farsamada iyo horumarinta Mihnadlayaasha caafimaaadka;

t) Iskaashi xagga horumarinta adeegyada iyo xarumaha caafimaad;

j) Hirgelinta aqoon. isweydaarsiyo iyo tababaro;

x) Is-dhaafsiga macluumaadka iyo isu gudbinta khibradaha sare;

kh) Isu gudbinta mihnadaha iyo kor u qaadida kartida.

QODOBKA 23 aad
Khidmado

1. Goluhu wuxuu khidmado saarayaa diiwaan gelinta, ruqsad bixinta, iyo ansixinta arrimaha soo socdo:
   a) Machadyada tababarada caafimaad ee gaarka loo leeyahay
   b) Rugaha caafimaad ee gaarka loo leeyahay
   c) Mihnadlayaasha caafimaad ee muwaadiniinta ah iyo kuwa shisheeye oo loo sameynayo diiwaan gelin, ruqsadsiin iyo dib u ruqsadsiin
   d) Howl haynta mihnadleyda iyada oo khidmad laga qaadaayo sannadkiiba mar
   e) Dib u eegid barotokoolada cilmi baarista caafimaad.

2. Goluhu wuxuu go'aamin karaa khidmado kala duwan ee heerarka kala duwan ee mihnadlayaasha caafimaad.

QODOBKA 24aad
Diiwaan-gelinta, Ruqsad-siin iyo Ansixinta

Diiwaan gelinta, rukhsadsiinta iyo ansixinta waxaa la sameynayaa iyada oo la tixgelinayo mabaadii'da soo socota:

1. Dhammaan xarumaha waxbarashada caafimaad ee Soomaaliya ee gaarka loo leeyahay waa in laga anxisiyaa xafiiska Golaha si loo hubiyo taabo galnimadooda.

2. Marka ardaygu uu soo qalinjebiyo waa in uu soo codsadaa diiwaangelin iyo ruqsadsiin. Diiwaangelinta waxay qeexeysaa/ caddeyneysaa nooca barnaamijka (meheradda), heerka adeegga ee loo oggolaan karo iyo shahaadooyinka uu haysto.

3. Sharci ahaan, waxaa ka reeban dhammaan mihnadlayaasha caafimaad ee shisheeye in ay u howl-galaan sidii howlwadeenno caafimaad, ka hor inta aan la diiwaan gelin ama ruqsad la siin.

4. Rug kasta oo adeegyo caafimaad siisa bulshada waa in ay yihiin kuwo diiwaan gashan, ruqsad leh, loona oggolaaday fulinta adeegyo caafimaad.

5. Dhammaan macluumaadka muhiimka ah ee ku saabsan xarumaha waxbarashada caafimaad ee gaarka ah iyo goobaha caafimaad waa in uu soo gudbiyaa codsigooda mas'uul derejo sare leh oo meteli kara xarunta ama goobta caafimaad.

QODOBKA 25aad
Codsi Diiwaan-gelin

1. Qofka doonaya in loo diiwaan geliyo mihnadle caafimaad wuxuu ka codsanayaa Golaha isagoo soo buuxinaya warqadda codsiga isla markaana bixinaya khidmada looga baahan yahay ka hor inta uusan howlgelin.
2. Codsiga waa in ay la socdaan caddeynta shahaadooyinka codsadaha, fayo qabka jireed iyo midda dhimireed, sida oo kalena, warqadda dembi la'aanta.
3. Goluhu, soddon (30) cisho gudahood marka uu helo codsiga wuxuu si waafaqsan Faqradda (1) oggolaanayaa ama diidayaa codsiga.
4. Goluhu, haddii uu ku qanco mudnaanshaha codsadaha wuxuu sii wadayaa dhameystirka hab socodka diiwaan gelinta.
5. Goluhu, haddii uu diido codsi wuxuu si hab-sami ah u wargelinayaa codsadaha isagoo u sheegaya sababaha keenay diidmada.
6. Goluhu ma diiwaan gelinayo codsadeyaasha hore magacyadooda looga saaray diiwaan midkan la mid ah ee dal kale sababo la xiriira anshaxxumo xitaa haddii ay buuxiyaan dhammaan shuruudihii looga baahnaa.

QODOBKA 26aad
Shuruudaha Diiwaan-gelinta ee Mihnadlayaasha Caafimaad

1. Qofna looma oggola in loo diiwaan geliyo mihnadle caafimaad haddii qofkaasi uusan:

   b) Haysan shahaado asaasi ah oo uu bixiyey machad ama xarun waxbarasho uu Goluhu aqoonsanyahay.

t) Ka gudbin kulan wareysiga iyo imtixaanka uu la yeelanayo Goluhu;

j) soo dhammeystirin dhammaan shuruudaha uu go'aamiyay Goluhu.

2. Goluhu, haddii codsadaha buuxiyo shuruudaha Xeerkani tilmaamayo, wuxuu u diiwaan gelinayaa codsadaha in uu yahay mihnadle caafimaad isagoo siinaya shahaado diiwaan gelin.

QoDOBIKA 27aad
Heerarka Diiwaan gelinta

Golaha wuxuu bixinayaa heerarka diiwaangelin ee hoos ku tilmaaman:

1. Diiwaan gelin ku meel gaar ah
2. Diiwaan-gelin buuxdo
3. Diiwaan gelin takhasusle

QODOBKA 28aad
Diiwaan gelin Ku meelgaar ah

1. Qof haysta shahaado ay bixisay xarun waxbarasho ee uu aqoonsan yahay Goluhu, wuxuu xaq u leeyahay diiwaan gelin ku meel gaar ah; taas uu ku howlgelayo muddo cayiman iyada oo lagu kormeerayo lana hubinayo wax qabadkiisa ka hor inta aan loo diiwangelinin si buuxda.

2. Goluhu, marka qof u soo gudbiyo codsigiisa si waafaqsan faqradda (1), wuxuu siinayaa shahaado diiwaan gelin oo ku-meelgaar ah

   b) Codsaduhu buuxiyo shuruudaha diiwaan gelinta ku meel gaarka ah; **t)** Goluhu go'aamiyo in tababarka uu

hore u qaatay codsaduhu uu u dhigmo kan looga baahan yahay diiwaan gelinta ku meel gaarka ah.

3. Goluhu, haddii ay dhacdo in uu diido diiwaan gelinta ku meel gaarka ah, wuxuu si habsami leh ugu wargelinayaa codsadaha isagoo u sheegaya sababaha lagu diiday codsigiisa.
4. Qofka haysta shahaado diiwaan gelin oo ku meel gaar ah wuxuu si ku meel gaar ah uga hawlgeli karaa howlaha adeegyada caafimaad ee Soomaaliya iyada oo la kormeerayo.
5. Qofka haysta diiwaan gelinta ku meel gaarka ah wuxuu ka howlgeli karaa oo keliya rug caafimaad ama xarun waxbarasho oo Goluhu aqoonsan yahay.
6. Goluhu waa in uusan qofna ku diiwaan gelin shahaado ku meel gaar ah muddo ka badan laba sano.

QODOBKA 29aad
Diiwaan-gelin Buuxdo

1. Mihnadlaha caafimaadka wuxuu xaq u leeyahay diiwaan gelin buuxda ee mihnadda caafimaad ee ay shahaadooyinkiisu la xiriiraan haddii:

   b) Qofku haysto shahaado la aqoonsan yahay oo ah heer diblooma, derejada kowaad ee jaamacadeed ee la xiriirta qeyb gaar ah ee mihnad caafimaad ee ay bixisay xarun waxbarasho oo si sharci ah uga diiwaan gashan Soomaaliya, ama xarun waxbarasho shisheeye oo la aqoonsan yahay;

   t) Markii hore uu ku meel gaar ahaan u diiwan gashanaa soona dhammaystay muddadii diiwaan gelinta ku meel gaarka ahayd.

   j) Uu keeno caddeynta dukumiintiyada asalka ah ee la xiriira aqoontiisa.

1. Qofka si ku meel gaar ah u diiwaan gashan wuxuu gelayaa imtixaan iyada oo la qiimeynayo kartidiisa aqooneed iyo habsami u fulinta wax qabadka mihnadda caafimaad ka hor inta uusan u gudbin diiwaan gelinta buuxda.

2. Shahaadooyinka ku xusan faqradda (1) ka sokow, waa in qofku ka qanciyaa Golaha waayo aragnimada looga baahan yahay: adeegidda waqti buuxda oo ay wehliso khibrad muddo afar iyo labaatan bilood ee isbitaal uu aqoonsan yahay Goluhu.

3. Diiwaan gelinta buuxda waxay jiraysaa muddo seddex sanadood ah laga bilaabo taariikhda la bixiyay.

QODOBKA 30aad
Diiwaan gelin Takhasusle

1. Qofku wuxuu xaq u leeyahay diiwaan gelin takhasusle ee takhasus mihnad caafimaad oo la aqoonsan yahay haddii:

b) Qofku haysto shahaadada derejada labaad ee jaamacadeed oo takhasus la aqoonsan yahay ah;

t) Qofku uu mudan yahay una qalmo diiwaan gelinta takhasus la aqoonsan yahay ee mihnad caafimaad.

2. Raadraaca mihnad caafimaad ee takhasuska waa in ay lahaato tixraac hone oo caddeynaya in takhasus mihnadlaha caafimaad ay xiriir toos ah la leedahay waxbarashadii bore.
3. Diiwaan gelinta guud ee mihnadda caafimaad ee takhasuska waa in ay noqoto mid leh tixraac diiwaan gelineed oo sugeysa in mihnadan ay tahay takhasus la aqoonsan yahay.
4. Muddada diiwaan gelinta mihnadle caafimaad ee la

siiyay diiwaan gelin takhasus la aqoonsan yahay waa in aysan ka badneyn 24 bilood.

QODOBKA 31aad
Beddelaadda Macluumaad

1. Mihnadlaha diiwaan gashan waa in uu ku wargeliyaa xoghayaha guud wax kasta oo beddelaad ah oo ku dhaca macluumaadka gaarka ah ee qofkaas ee la xiriirta diiwaan gelinta, muddo toddoba maalmood gudahood ah.

QODOBKA 32aad
Kala Noqoshada Diiwaan-gelinta

1. Goluhu wuxuu kala noqonayaa diiwaan gelinta mihnadlaha caafimaad haddii:

   b) Goluhu helo sababo meel mar ah ee uu ku rumeysan karo in diiwaan gelinta lagu helay hab musuq ah, been abuur ama qarinta xaqiiqada dhabta ah;

   t) Mihnadlaha caafimaadka ay ku caddaato in uu galay xad-gudub anshax xumo mihnadeed ama howlo lid ku ah xurmad mihnadeedka iyo niyad wanaagga;

   j) Mihnadlaha caafimaadka uu ka howl galo rug caafimaad oo uusan diiwaan gelin u haysan;

   x) Muddada diiwaan gelinta ee mihnadlaha caafimaadka ay dhacdo; kh) Mihnadlaha caafimaadka lagu helo xadgudub sharci kasta oo jira; d) Xilligii diiwaan gelinta ay soo if-baxaan xaalado muujinaya inmihnadlaha uusan uqalmin in la diiwaan geliyo.

2. Goluhu wuxuu kala noqonayaa diiwaan gelinta buuxda haddii qofku;

   b) Uu waxyeelo u leeyahay in uu ka howlgalo mihnadaha

caafimaadka taas oo saameyn karta badqabka bulshada;

t) Uu leeyahay taariikh fal-dambiyeed oo gaarsiisan in uu saameyn xun ku yeesho shakhsiyaadka ka howlgala mihnadda;

j) Haddii Qaab howleedka, baaxadda, iyo muddada waxqabadkii hore ee mihnadda aysan ku filnayn in ay buuxiyaan shuruudaha asaasiga ah.

3. Goluhu wuxuu, ka hor inta uusan kala laaban diiwaan gelinta mihnadlaha caafimaad si waafaqsan Faqradda (1), siinayaa mihnadlaha fursan lagu dhegeysto.
4. Ka hor inta uusan baabi'in diiwaan gelinta mihnadda caafimaad, Goluhu wuxuu xayiraad saarayaa howlihiisa muddadaas iyada oo qodobada iyo shuruudaha Golaha la tixgelinayo.
5. Haddii Goluhu baabi'iyo diiwaan gelinta qof si waafaqsan Qodobkan, magaca qofka waa in laga saaraa Diiwaanka iyada oo aan dib loogu soo celin Karin haddii aan la helin shuruudo u oggolaanaya in dib loo diiwaan geliyo kuwaas oo Goluhu ku qancay.

QODOBKA 33aad
Ka noqoshada Diiwaan-gelinta Shahaado

1. Haddii Goluhu helo macluumaad in magaca qofka lagu diiwaan geliyay si musuq ah ama khalad ah oo la xaqiijiyey baaris ka dib in arrinkani uu yahay dhab, Goluhu waxa uu hakin karaa ku shaqeynteeda isla markaana dib uga noqon karaa diiwaan gelinta shahaadada qofkaas.

QODOBKA 34aad
Dib-u-diiwaan gelin

1. Mihnadlaha haysta shahaadado hore loo diiwaan geliyay muddadii loogu talo galayna ay dhamaatay wuxuu ka soo codsan karaa Golaha shahaado dib u cusbooneysiin isaga oo raacaya hannaanka loo dejiyay isla markaana bixinaya khidmadda looga baahan yahay.
2. Goluhu wuxuu muddo shan iyo toban maalmood gudahood ah ka dib helitaanka codsiga si waafaqsan faqradda (1), oggolaanayaa ama diidayaa codsigaas.

3. Goluhu wuxuu, haddii ay dhacdo in uu diido codsiga si waafaqsan faqradda (2), ku wargelinayaa codsadaha si habsami leh asagoona u sheegaya sababaha diidmada .

4. Hadii lagala noqdo mihnadlaha caafimaad diiwaan gelinta ama la laalo, taas oo waafaqsan qodobada iyo shuruudaha uu Goluhu go'aamiyo, mihnadlaha caafimaad ee arrintaasi saameysay wuxuu codsan karaa dib u diiwaan gelin.

5. Sida ku cad qodobada xeerkan, Goluhu wuxuu siin karaa shahaado dib u diiwaan gelin:

b) Haystaha shahaado diiwaan gelin ku meel gaar ah, haddii haystuhu:

1. Uu ka howlgalo rug caafimaad oo uu oggolaaday Goluhu muddo aan ka yareyn afar iyo labaatan bilood.

2. Ka gudbo imtixaanka laga qaaday

3. Uu leeyahay asluub wanaagsan iyo hab dhaqan

mihnadeed oo habboon

4. Uu buuxiyo shuruudaha kale ee looga baahan yahay

t) Haystaha shahaado diiwaan gelin buuxda, haddii uu buuxiyo:

1. Shuruudaha looga baahan yahay horumarinta joogtada ah ee mihnada Mihnadle Caafimaad oo diiwaan gashan.

2. Shuruudaha ku aadan hab dhaqanka, baaxadda iyo muddada uu shaqada soo hayay ee codsaduhu doonayo in loo diiwaan geliyo;

3. Awoodda howlwadeen-ku u leeyahay in uu wax kula xiriiro Afka Soomaaliga.

QODOBKA 35aad
Nuqul Sameyn Shahaado Diiwaan gelin

1. Haddii qof ay shahaado u diiwaan gashan ay ka baaba'do ama ka lunto wuxuu ka soo codsan karaa Golaha in loo sameeyo nuqul cusub oo la xiriira diiwaan gelinta shahaadadiisa.

2. Helitaanka codsiga ka dib si waafaqsan farqadda 1aad, xoghayaha guud wuxuu siinayaa codsadaha nuqul shahaadoo diiwaangelin.

QODOBKA 36aad
Shuruudaha Diiwaangelinta Mihnadleyaasha Caafimaadka ee Shisheeye

1. Mihnadlaha caafimaad ee shisheeye ee doonaya in uu is-diiwaan-geliyo waa in uu:-

   b) Haystaa Deganaansho Sharci ah ee Soomaaliya
   t) Haystaa Shahaado Jaamacadeed oo la aqoonsan yahay;
   j) Ka gudbaa imtixaanka loogu talogalay.
   x) Soo buuxiyaa shuruudaha kale ee ku cad foomka diiwaan gelinta

2. Mihnadlaha caafimaad ee shisheeye oo buuxiyay shuruudaha ku tilmaaman faqradda (1) waxaa kormeer iyo mas'uuliyad ku leh xarunta caafimaad ee uu shaqada u hayo.

QODOBKA 37aad
Diiwaan gelin ku meel gaar ah ee Mihnadleyaasha Shisheeye

1. Mihnadlaha Caafimaad ee shisheeye wuxuu codsan karaa diiwaan gelin ku meel gaar ah.
2. Goluhu wuxuu siinayaa codsadaha shisheeye shahaado diiwaan gelin ku meel gaar ah ka dib helitaanka codsiga lagu soo gudbiyey si waafaqsan faqradda (1), haddii codsaduhu:

   b) Haysto degenaansho sharci ah ee Jamhuuriyadda Federaalka Soomaaliya;
   t) Leeyahay aqoon iyo tababar ku filan;

   j) Ka gudbay kulan wareysiga iyo imtixaanka Goluhu ka qaaday;

   x) Soo gudbiyo shahaado asluub wanaag uu ka soo qaatay hay'ado mihnadeed oo laga aqoonsan yahay Dalka uu mihnadluhu ka diiwaan gashan yahay;

kh) Soo gudbiyo caddeyn ku aadan in mihnadluhu leeyahay aqoon ku filan ee afka Carabiga, Ingiriisia ama luqad kale oo la turjumi karo

d) Uga shaqaynayo Soomaaliya codsiga Xukuumadda ama xarun caafimaad oo oggolaansho u haysata keenista mihnadlaha Shisheeye.

3. Muddada la siinayo mihnadlaha caafimaadka shisheeye shahaadada diiwaan gelinta ku meel gaarka ah waa muddo ku siman lix bilood.
4. Goluhu wuxu si habsami leh ugu wargelinayaa codsadaha shisheeye haddii ay dhacdo in uu diido codsiga diiwaan gelinta ku meel gaarka ah isagoo u sheegaya sababaha keenay diidmada.
5. Mihnadlaha caafimaad ee shisheeye oo haysta shahaado diiwaan gelin ku meel gaar ah waa loo cusbooneysiin karaa shahaadadiisa haddii uu:

b) Dhammeysto lix bilood oo shaqo xiriir ah ee rug caafimaad oo leh Derajada A ma derajada B.

t) Soo-gudbiyo qoraal uu bixiyey kormeeraha qofkaas ee rugta caafimaad oo caddeynaya in qofku uu si habsami ah u gutay xilkiisa.

QODOBKA 38aad
Diiwaan gelin Xaddidan

1. Mihnadlaha Caafimaad ee shisheeye wuxuu xaq uu leeyahay in uu isku diiwaangeliyo diiwaan-gelin xaddidan haddii:

b) Uu heysto degenaansho sharci ah ee Soomaaliya.

t) Hore loogu soo diiwaan-geliyay si ku meel gaar ah.
j) Uu ka gudbo imtixaanka laga qaaday.
x) ay soo gudbisay codsigiisa rug caafimaad oo la aqoonsan yahay

2. Goluhu wuxuu ku diiwaan-gelinayaa mihnad-laha shisheeye darajo u dhiganta tii uu uga shaqeynayay dalka uu ka yimid, haddii:

b)Uu heysto degenaansho sharci ah ee Soomaaliya
t) Uu leeyahay asluub wanaag mihnadeed ee Dalka uu ka yimid oo la xiriirta adeegga caafimaad, iyo
j) Uu ka gudbay imtixaanka uu ka qaaday Goluhu.

3. Mihnadlaha shisheeye kuma haysan karo diiwaan gelinta xadidan wax ka badan hal takhasus.
4. Goluhu wuxuu qeexayaa qodobada iyo shuruudaha looga baahan yahay diiwaan-gelinta xadidan si waafaqsan qodobkaan, sida oo kale-na howlaha la qabanayo, ama dabeecadda kormeerka loo baahan yahay ee mihnadalaha caafimaad ee shisheeye.
5. Muddada la siinayo mihnadlaha caafimaadka shisheeye shahaadada diiwaan gelinta xadidan waa muddo ku siman labo iyo toban bilood.
6. Goluhu wuxuu u cusbooneysiinayaa diiwaan gelinta muddada xadidan ee mihnadle caafimaad ee shisheeye si waafaqsan qodobbadan iyo shuruudo uu Goluhu go'aamiyey haddii xarunta caafimaadku ay soo codsato.

QODOBKA 39aad
Mamnuucidda Howl-galka Mihnadleyaasha aan Diiwaan-gashanayn

1. Cidna looma oggola in ay u howlgasho mihnadle caafimaad ahaan, haddii uusan qofkaasi u diiwaan-gashanayn howlgalkaas.

2. Qofka u qalma mihnaddaas balse aan diiwaan gashanayn, oo ku xad gudba faqradda (1) wuxuu gelayaa xad gudub isagoo mutaysanaya, haddii lagu helo, ciqaab ganaax lacageed oo aan ka badnayn labo kun oo Dollarka Mareykanka ah (ama Shilin Soomaali u dhigma).
3. Qof aan u qalmin isla markaana ku xad-guba faqradda 1aad wuxuu gelayaa xad-gudub uu ku mutaysanayo, haddii lagu helo, ciqaab ganaax lacageed oo aan ka badnayn afar kun oo Dollarka Mareykanka ah (ama Shilin Soomaali u dhigma) wixii fal dembiyeed ah ee ka dhasha howlqabadka waxaa lala tiigsanayaa ciqaabaha uu jideeyay Xeerka Ciqaabta Soomaaliyeed.

QODOBKA 40aad
Xadgudubyada ka yimaada Mihnadle Caafimaad

Mihnadlaha caafimaad ee heysta shahaadado uu Goluhu diiwaan geliyay, wuxuu gelayaa xadgudub haddii uu:

1. Beddelo ama tirtiro macluumaadka ku qoran shahaada diiwaan gelitna ama nuqulka shahaado kale uu bixiyey Golaha.
2. Been abuuro ama adeegsado mansab howlwadeen caafimaad oo diiwaan gashan iyada oo aan lagu diiwaan gelinin sida uu qabo xeerkani.
3. Howlgeliyo xarun waxbarasho caafimaad **(XWC)** ama Xarun bixisa adeegyo caafimaad **(XAC)** oo Goluhu siinin oggolaansho.
4. Qariyo xaqiiqada dhabta ah ama lagu helo isku day metelaad iyo musuq ku saleysan.
5. Siiyo shahaado aqooneed ee mihnadda caafimaadka qof aan ku guulaysan imtixaannada mihnadeed ee looga baahnaa in ay bixiyaan xarumaha waxbarashada caafimaad ee la aqoon yahay.

6. Been abuuro shahaado diiwaan gelin ama shahaado kale oo uu bixiyey Goluhu
7. Ku shaqeysto mihnad caafimaad oo aan loo heysan ruqsad shaqaynaysa oo uu bixiyey Goluhu
8. Fuliyo adeegyo daryeel caafimaad oo dhaafsan heerka loo xaddiday mihnadlaha caafimaad ee diiwaan gashan.
9. Bixiyo adeeg caafimaad sida Baarista, Daweynta, Qalliin oo waxyeelo u geysta bukaanka taas oo ku timaada dayacaad iyo xil gudasho xumi.
10. Faafiyo xog bukaanka iyada oo aysan jirin wax khasbaya.
11. Dayaco bukaanka ama uga faa'iideysto danihiisa gaar ahaaneed.
12. Xurmeyn waaya hab raaca daweynta, anshaxa iyo xushmadda xirfadda caafimaadka.
13. Qofkii gala xad-gudubyada ku cad faqradaha kore, haddii lagu helo , waxaa la saarayaa ganaax lacageed oo aan ka badnayn kun Dollarka Mareykanka ah (ama shilin Soomaali u dhigma), iyo ciqaabta uu jideeyay Xeerka Ciqaabta Soomaaliyeed.

QODOBKA 41aad
Diiwaan-gelinta Xarunta Caafimaad

1. Codsiga diiwaan gelinta ee xarun caafimaad waa in loo soo gudbiyaa Golaha ka hor inta aysan rugaha caafimaad ka howl gelin adeegyada caafimaadka.
2. Goluhu wuxuu diiwaan gelinayaa xarumaha caafimaadka ee gaarka loo leeyahay.
3. Marka la dhameystiro diiwaan gelinta xarunta ayaa lo aqoonsanayaa xarun si sharci ah u diiwaan-gashan.
4. Xoghayaha guud wuxuu diiwaan-gelinayaa goobaha laga bixiyo dawooyinka iyo xarumaha caafimaad ee yaryar.
5. Diiwaan-gelinta rugaha caafimaad ee la dhammeystiray waxay jireysaa laba sano laga billaabo taariikhda diiwaan gelinta iyada oo la cusbooneysiinayo labadii sanaba mar.

QODOBKA 42aad

Codsi Ruqsada Howlqabad ee Mihnadle Caafimaad

1. Mihnadlaha Caafimaadka waa in uu soo codsada ruqsad howlqabad si waafaqsan hannaanka degsan ee la xiriira daweynta guud, ilkaha, kalkaaliyenimada, umulisonimada, ama mihnad kale ee gaar ahaaneed.

2. Mihnadlaha caafimaad ma codsan karo ruqsad howl qabad isaga oo aan marka hore is diiwaan gelin.

3. Nuqulka asalka ah ee shahaadada diiwaan gelinta waa in uu la socdaa codsiga ruqsadda.

4. Xogahayaha Guud waa in uu hubiyaa in codsadaha ruqsadda soo dhammeystiray shuruudaha looga baahan yahay oo ay ka mid yihiin shahaadooyinka, imtixaanka, khibradda looga baahan yahay, iyo wareysiyada uu la yeelanayo Golaha.

5. Golahu haddii uu ku qanco in codsaduhu soo buuxiyay shuruudaha ku xusan faqradda (4) wuxuu si rasmi ah u oggolaanayaa in la siiyo codsadaha ruqsad howlqabad.

6. Mihnadlaha Caafimaad wuxuu sanadka koowaad ee shaqadiisa lagu ruqsadsiinayaa hal sano oo tijaabo ah si loo hubiyo kartida iyo waxtarka shaqadiisa.

7. Haddii Goluhu diido codsiga ruqsad siinta, xoghayaha guud wuxuu si habsami leh ugu wargelinayaa codsadaha go'aanka Golaha isaga oo u sheegaya sababaha diidmada.

8. Ruqsadda Howlqabad ee lagu bixiyey sida ku tilmaaman Faqradda (5) waxay jiraysaa labo sano laga bilaabo taariikhda la bixiyey iyada oo la cusbooneysiinaayo labadii sanaba mar.

QODOBKA 43aad
Mamnuucidda Howlqabadka Mihnadlaha aan Ruqsadda Heysan

1. Qofna uma howlgeli karo sidii mihnadle caafimaad isaga oo aan haysan ruqsad uu bixiyay Goluhu.
2. Qofka ku xadgudba Faqradda (1) wuxuu gelayaa xad gudub isaga oo mutaysanaya ganaax lacageed oo aan ka badnayn labo kun oo Doollarka Maraykanka ah (ama shilin Soomaali u dhigma), wixii ciqaab ah ee ka dhasha howlqabadkiisa waxaa lagu ciqaabayaa ciqaabta uu jideeyay Xeerka Ciqaabta Soomaaliyeed.

QODOBKA 44aad
Cusbooneysiin Ruqsad Howl-qabad

1. Mihnadlaha caafimaad ee ay dhacdo ruqsaddiisa howl-qabad waa inuu Golaha u soo gudbiyaa codsi cusbooneysiin ee ruqsadd howl qabadka.
2. Mihnadlaha caafimaadka marka uu soo gudbinayo codsiga cusbooneysiinta ruqsadda waa in:
   b) Uu buuxiyo foomka cusbooneysiinta ruqsadda
   t) Uu la yimaado caddeyn kartidiisa mihnadeed iyo asluub wanaag ay sugtay xarun caafimaad oo leh ruqsad
   j) Uu la yimaado shahaadooyinka ama caddeymaha horumarinta joogtada ah ee aqoontiisa mihnadadeed.

   x. Uu maraa baaritaanka caafimaad
   kh) Uu galo imtixaanka, wareysiga, iyo qiimeynta uu Goluhu ka qaado

3. Xoghayaha Guud waa inuu hubiyaa in codsadaha cusbooneysiinta ruqsadda soo dhammeystiray shuruudaha ku xusan Faqradda (2)

4. Goluhu haddii uu ku qanco in codsaduhu soo buuxiyay shuruudaha cusbooneysiinta ruqsadda ee ku xusan

Faqradda (2) wuxuu si rasmi ah u oggolaanayaa in loo cusbooneysiiyo codsadaha ruqsad howlqabad

5. Haddii Goluhu diido codsiga cusbooneysiinta ruqsad howl-qabad, xoghayaha guud wuxuu si habsami leh ugu wargelinayaa codsadaha go'aanka Golaha isaga oo u sheegaya sababaha diidmada.
6. Mihnadlaha da'diisu ka weyn tahay lixdan iyo shan **(65)** sano wuxuu marayaa baaritaanka badqabka caafimaad oo lagu hubinay fayo qabka aragga, maqalka, iyo maskaxda mihnadlaha soo codsaday cusbooneysiinta ruqsadda.
7. Ruqsadda la bixiyay oo aan la cusbooneysiin sida ku tilmaaman Faqradda (1) waa waxba kama jiraan
8. Mihnadle Caafimaad ee sii wata howl-qabadkiisa ka dib marka ruqsaddiisa laga dhigo wax kama jiraan wuxuu gelayaa xad gudub uu ku mutaysanayo, haddii lagu helo, ganaax lacageed oo aan ka badnayn Todobo Boqol oo Dollarka Maraykanka ah (ama shilin Soomaali u dhigma), wixii xadgudub ah ee ka dhasha howl qabadka mihnadlaha waxaa lala tiigsanayaa Xeerka Ciqaabta Soomaaliyeed.

QODOBKA 45aad
Muujin Ruqsadeed

1. Mihnadlaha la siiyay ruqsad adeeg gaar ahaaneed ee caafimaad wuxuu ku muujinayaa ruqsaddiisa meel laga arki karo oo ka mid ah goobta shaqada.

QODOBKA 46aad
Kala – Noqosho Ruqsad

1. Goluhu wuxuu kala noqonayaa shahaadada howl qabadka haddii haystaha:

   b) Lagu helo xad gudub ku salaysan anshax xum mihnadeed

   t) La xaqiijiyo in uusan maskax ahaan fayo qab ahayn

j) Uu galo fal-dambiyeed maxkmadi xukuntay
x) Ilaalin waayo ama ku xadgudbo anshaxa caafimaadka
kh) Uu shahaadada howl-qabad uu ku helay si musuq ah, been abuur ah ama qarin xaqiiqada dhabta ah.
d) Uu galo xad-gudub ka dhan ah Xeerkan ana uu meel uga dhaco nidaamka anshaxa.

2. Haddii diiwaan-gelinta mihnadlaha caafimaad lagala noqdo, shahaadada howl qabad ee uu haysto mihnadluhu waxay noqonaysaa waxba kama jiraan, waana in dib loogu celiyaa Golaha.
3. Goluhu wuxuu siinayaa mihnadlaha caafimaad fursad lagu dhageysto ka hor inta uusan kala noqon shahaadada howl qabad ee mihnadlaha caafimaad sida uu tilmaamayo Qodobkani.
4. Goluhu wuxuu ka hakinayaa mihnadlaha caafimaad howsha muddada ay barista ku socoto si waafaqsan Xeerkan iyo Shuruudaha uu Goluhu go'aamiyo ka hor inta uusan kala noqon shahaadada howl qabad ee mihnadlahaas caafimaad.

QODOBKA 47aad
Codsi Oggolaansho Howl-gelin Xarun Caafimaad

1. Qofka doonaya in uu furto xarun caafimaad waa in uu ka codsadaa Golaha ruqsad ka hor inta aan la howlgelin xaruntaas.
2. Xarunta Caafimaad ee la siiyay ruqsad, waxaa ruqsadeeda lagu muujinayaa meel muuqata oo ka mid ah xarunta Caafimaadka.
3. Haddii mihnadlaha la siiyay ruqsadda xarunta uu go'aansado in uu joojiyo adeegga caafimaad ee xarunta wuxuu ruqsadda u soo celinayaa Golaha.
4. Golaha kaliya ayaa wax ka-beddeli kara ruqsadda haddii:

b) Cid kale la wareegto xarunta caafimaad ee uu lahaa ruqsadle kale, isago ku beddelaya magaca cida la wareegaysa; ama

t) Magaca Xarunta caafimaad isbeddelo, iyadoo magaca cusub lagu beddelayo kii hore

QODOBKA 48aad
Mamnuucidda Howlgelinta Xarun Caafimaad aan Heysan Ruqsad

1. Lama howlgelin karo xarun caafimaad iyada oo aan marka hore la siin ruqsad ay ku howl-gash ee uu bixiyey Goluhu.
2. Haddii lagu helo xarun caafimaad in ay jebisay Faqradda (1) waxay gelaysaa xad gudub iyada oo mutaysanaysa ganaax lacageed oo aan ka badnayn labo kun oo Dollarka Maraykanka ah (ama Shilin Soomaali u dhigma).
3. Fal-dembiyeedyada ay galaan howlwadeennada ka howl-gala xarun ku xad-gudubtay faqradda 1- ee qodobkaan waxaa lagu ciqaabayaa ciqaabta uu jideeyay Xeerka Ciqaabta Soomaaliyeed.

QODOBKA 49aad
Cusbooneysiin Ruqsad Xarun Caafimaad

1. Derejo kasta oo ruqsadda lagu bixiyey waa in la cusbooneysiiyaa halkii sanaba (1 sano) mar laga bilaabo taariikhda la bixiyay.
2. Goluhu wuxuu cusbooneysiinayaa ruqsadda xarunta caafimaad ee lagu bixiyay si waafaqsan Xeerkan haddii:

b) Xaruntu ay si buuxda u dhaqan geliso nidaamka derejada lagu ruqsad siiyay.

t) Xaruntu ay gudbiso macluumaad dhammeystiran uu Goluhu u baahan yahay oo shuruud u ah cusbooneysiinta ruqsadda; iyo

j) Milkiilaha ama qofka mas'uulka ka ah xarunta Caafimaad uu bixiyo khidmada cusbooneysiinta.

QODOBKA 50aad
Diidmo Bixin Ruqsad Xarun Caafimaad

1. Goluhu ma oggolaanay codsi ruqsad bixin lagu howl geliyo xarun caafimad haddii:

   b)Milkiilaha ama qofka mas'uulka ka ah xarunta caafimaad uu faraha kula jiro xad-gudub ka dhan ah qodobada Xeerkan;

   t) Mihnadlaha caafimaad ee ka mas'uulka ah xarunta uusan lahayn diiwaan-gelin isla markaana haysan ruqsad howl-gal oo shaqeynaysa

   j) Xarunta Caafimaad aysan buuxin dhismo ahaan, shaqaale ahaan, qalab ama qaab-dhismeedka hay'ad ee looga baahnaa ruqsad siinta

   x) Mihnadlaha caafimaad ee mas'uulka ka ah xarunta caafimaad uusan haysan shahaado diiwaan-gelin ugu yaraan muddo gaaraysa saddex sanadood ka hor taariikhda codsiga.

   Kh) Goluhu wuxuu ku qanci waayo in mihnadlaha caafimaad uu si habboon uga diiwaan gashan yahay isla markaana leeyahay waayo aragnimo dal kale oo u dhiganta midda looga baahan yahay Soomaaliya.

2. Goluhu wuxuu si habboon ugu wargelinayaa codsadaha haddii la diido codsiga ruqsadda xarunta caafimaad sida ku tilmaaman Faqradda (1), isagoo u sheegaya sababaha

diidmada.

QODOBKA 51aad
Baarista Rugaha / Xarumaha Caafimaad

1. Xarun kasta oo caafimaad waxaa la baarayaa ka hor inta aan la bixin ruqsadda iyo ugu yaraan lix bilood oo kasta.
2. Xarunta Caafimaad waxaa baaraya khubaro aqoon iyo waayo aragnimo ballaaran leh oo uu Goluhu magacaabo.
3. Baareyaasha waxay muujinayaan caddeymahooda si loo aqoonsado xilliga ay ku howlan yihiin baaritaanka.
4. Baareyaasha waxay awood u leeyihiin in ay si habboon u galaan ama u baaraan goobaha loo adeegsado ama baareyaashu ku qancaan in loo adeegsado xarun caafimaad.
5. Baareyaasha waxay baari karaan ruqsadda howl-galka ee mihnadleyaasha ka howlgala xarunta caafimaad iyo diiwaanka lagu qoro warbixinta loo baahan yahay sida uu qabo Xeerkani
6. Baareyaasha waxay baari karaan xarunta caafimaad iyo qalabka ay xaruntu adeegsato iyada oo laga fiirinaayo in ay waafaqsan tahay nidaamka lagu ruqsad siiyay.
7. Mas'uulka ama cid ka tirsan xarunta caafimaad haddii uu:-

   b)Dib u dhig ama is-hortaag ku sameeyo baare gudanaya howlihiisa barista;

   t) Diida in uu si hufan gacan u siiyo baaraha si uu u guto waajibaadkiisa;

   j) siiya baaraha macluumaad been ama habaabin ah wuxuu gelayaa xad gudub uu ku mutaysanayo ganaax lacageed oo aan ka badnayn kun oo Dollarka Maraykanka ah (ama Shilin Soomaali u dhigma) iyo ciqaabta uu u jideeyay Xeerka Ciqaabta Soomaaliyeed.

8. Baareyaasha waxay u soo gudbinayaan Golaha warbixin qoraal ah oo la xiriirta natiijooyinka barista.

QODOBKA 52aad
Xiritaanka Xarun caafimaad

1. Goluhu wuxuu awood u leeyahay in uu amro xiritaanka xarunta caafimaad haddii:
   b) Xarunta Caafimaad ay ku xad gudubto shuruudaha ruqsadda lagu siiyay;
   t) Xarunta Caafimaad aan lagu ruqsad siin si waafaqsan Xeerkan;
   j) Xarunta caafimaad ay ku caddaato in adeeg ay bixisay uu waxyeello ka soo gaartay bukaan taas oo ku timid tayo xumo, aqoon yari, ama dayacaad.
   x) Xarunta Caafimaad ee jebisa qodobada Xeerkan ama sharci kale

2. Goluhu wuxuu siinayaa xarunta caafimaadka wargelin qoraal ah oo ku aaddan xad-gudubka ay gashay marka uu helo warbixinta baaritaanka oo faah-faahinaysa in xarunta caafimaad aysan fulin shuruudaha ama ay bixiso adeegyo dhaafsan heerka ruqsadda la siiyay.
3. Rugta caafimaad marka ay hesho wargelinta ku tilmaaman Faqradda (2), waxay muddo todobo maalmood gudahood ah u soo gudbinaysaa xoghayaha guud qorshaha sixitaanka xad-gudubka oo faah-faahinaya jadwal taariikhaysan oo lagu dhammeystirayo sixitaanka xadgudubk ay gashay.
4. Rugta caafimaad, marka ay soo gudbiso qorshaha sixitaanka sida ku xusan Faqradda (3) uuna oggolaado Goluhu, waxay dhaqa gelinaysaa jadwalka uu ka kooban yahay qorshahaas.

5. Haddii Goluhu uu ku qanci waayo qorshaha sixitaanka xadgudubka, Goluhu wuxuu la noqonayaa ruqsadda goobta caafimaad, isla markaana wuxuu amrayaa xiritaanka rugta.
6. Haddii Goluhu uu ku qanco in xadgudubka lagu helay xarunta caafimaadka uu khatar weyn ku yahay caafimaadka bulshada wuxuu isla markiiba xirayaa xarunta isaga oo kala noqonayaa ruqsadda.

QODOBKA 53aad

Ansixinta Xarun Waxbarasho Caafimaad

1. Haddii xarunta waxbarasho uusan ansixin Goluhu, kama bixin karto Soomaaliya waxbarasho caafimaad nooc kasta oo ay tahay, taas oo ujeedkeedu yahay in loo tabobaro qof ka howl-gelidda mihnad caafimaad ama uu qabto howl kale oo la xariirta baaris caafimaad, daaweyn, ama adeeg kale, daawoyaqaan, ama ka hortaga cudurada.

2. Xarun kasta oo doonaysa in ay bixiso waxbarasho ama tab obarid qeybo la xiriira caafimaadka waa in ay codsi u soo gudbisaq Golaha ka hor inta aysan billaabin waxbarashada ama tabobarka.

3. Codsiga ku salaysan Faqradda (2) waa in ay la socdaan-

b) Faah-faahinta iyo caddeymaha la xiriira waxbarashadaas, ama barrnaamijyada tabobarada; iyo

t) Bixinta khidmadda looga baahan yahay.

4. Ka dib tixgelinta codsiga, hubinta caddeymaha iyo faah-faahinta ku xusan Faqradda (3), Goluhu wuxuu qaadayaa tallaabada ku habboon: b) In uu bixiyo oggolaanshada;

t) In uu diido ogolaanshada.

5. Marka Goluhu uu qaato go'aanka, xoghayaha guud waa in:

b) Uu ku wargeliyaa xarunta waxbarashada caafimaadka si qoraal ah go'aan kasta oo lagu gaaray si waafaqsan Faqradda (4);

t) Uu siiyaa shahaadada ansixinta xarunta waxbarashada caafimaadka ee codsigeedii la oggolaaday.

j) Uu diiwaanka geliyo faah-faahinta oggolaanshada Golaha.

x) Uu ku wargeliyo xarunta waxbarashada caafimaadka si qoraal ah, haddii oggolaanshada loo diiday iyo sababaha keenay diidmada.

6. Xaruntu waxay u dhaqan gelinaysaa ansixinta la bixiyay oo ay la socdaan shuruudaha lagu ansixiyay si hufan oo waafaqsan shuruuddii lagu bixiyay muddada xaruntaasi ay shaqaynayso.

7. Goluhu wuxuu magacaabi karaa baareyaal waqtiyo kala duwan si ay:

b) U baaraan in shuruudaha uu dejiyay Goluhu si waafaqsan Faqradda (5) ee xarumaha waxbarasho caafimaad si haboon loo fuliyey;

t) Warbixin u siiyaan Golaha natiijooyinka warbixinta baaritaanka iyo waxa lagu soo gunaanaday.

8. Goluhu wuxuu awood u leeyahay in uu ka laabtao oggolaasho uu hore u bixiyey si qoraal ah haddii ay u caddaato in xaruntaas waxbarasho ay ku guul darraysatay in ay dhaqan geliso shuruudaha ka dib marka xarunta waxbarasho la siiyo fursad lagu dhegaysto.

9. Xoghayaha guud waa in uu ku wargeliyaa si qoraal ah xarunta waxbarasho oo ay khusayso go'aan kasta ee Goluhu gaaray.

10. Xarunta waxbarasho ee ku tilmaaman Faqradda (8) waa in muddo soddon maalmood gudahood u soo celisaa Golaha shahaadada ansixinta laga bilaabo taariikhda wargelinta.

11. Xoghayaha guud waa in uu:

b) Baabi'iyaa shahaadada ansixinta ee hore loo siiyay xarunta waxbarashada caafimaadka, iyo

t) Geliyaa diiwaanka macluumaadka baabi'inta shahaadadaas.

12. Xarun kasta ee waxbarasho caafimaad oo mas'uuliyiinteeda ku guul darraystaan in ay dhaqan geliyaan si waafaqsan Faqradaha (1) iyo (6) waxay geleysaa xad gudub, haddii lagu helo, waxayna mutaysanaysaa ganaax lacageed oo aan ka badnayn saddex kun oo Doollarka Maraykanka ah (ama shilin Soomaali u dhigma) iyo joojinta bixinta adeegga waxbarashada caafimaadka.

13. Xeerkani kama hor istaagayo in lagu tabobaro xarumaha caafimaadka ardayda ujeedadoodu tahay in ay kororsadaan aqoontooda si ay u helaan shahaado diiwaan gelin haddii ay si toos ah u kormeerayaan mihnadleyaal leh aqoon sare oo diiwaan gashan lana ilaalinayo habraaca tabobarada uu Goluhu dejiyay.

QODOBKA 54aad
Ansixinta Barnaamij Waxbarasho Caafimaad

1. Xarunta waxbarasho ee fulinaysa tabobar mihnadeed caafimaad oo cusub waa in ay u soo gudbisaa Golaha codsiga ansixinta barnaamijkeeda ka hor billowga tab abarka. Dhammaan barnaamijyada tabobar ee hore u jiray waxaa ansixinaya Golaha.

2. Goluhu wuxuu go'aaminayaa ka dib marka uu si qoto dheer u baaro barnaamijka tababar ee la soo jeediyey in uu ansixiyo haddii uu buuxiyo dhammaan shuruudaha looga baahan yahay, ama uu diido haddii uu ku qanci waayo.

3. Goluhu ma oggolaanayo haddii xarun tababar sameyso tababar aan lagu ansixin si waafaqsan Xeerkan, shahaadooyinka tababarkaasi lagu qaato looma aqoonsanayo kuwo taabbo-gal ah.

4. Xarun waxbarasho caafimaad ma bixin karto tababar la xiriira caafimaadka oo loogu diyaarinayo arday mihnado caafimaad, haddii uusan Goluhu hore u ansixin barnaamijka tababarkaas.

5. Xarunta waxbarasho ee ku xad-gudbta Faqradda (4), howlwadeennadeedu waxay gelayaan xad-gudub ay ku mutaysanayaan ganaax lacageed oo aan ka badnayn labo kun oo Doollarka Maraykanka ah (ama shilin Soomaali u dhigma) iyo joojinta bixinta adeegga waxbarasho caafimaad.

QODOBKA 55aad
Qiimeynta Barnaamij Waxbarasho Caafimaad

1. Goluhu wuxuu qiimeynayaa barnaamijyada ay qabanayaan xarumaha lagu barto mihnadaha caafimaadka ee kala duwan iyada oo sharci ahaan laga eegayo arrimahaan soo socda:

b) Muddada barnaamijka tababarka uu soconayo

t) Shuruudaha uu Goluhu ku aqoonsanayo barnaamijkaasi tababar ee gaarka ah;

j) Heerarka ugu yar ee lagu aqbali karo in barnaamijka tababarka uu soo saaro mihnadleyaal caafimaad oo loo diiwaan gelin karo mihnadle caafimaad ahaan

x) Shuruudaha looga baahan yahay in uu buuxiyo barnaamijka tabobarka, kuwaas oo ay ka mid yihiin manhajka wax lagu barayo oo tayaysan, shahaadooyinka aqooneed ee howl-wadeennada Kulliyadda, qalabka muhiimka u ah tayada barnaamijkaas waxbarasho iyo hannaanka shaqaalaynta howlwadeennada kulliyadda.

QODOBKA 56aad
Dib-u-eegista Barnaamijyada
Waxbarasho Ee Hore Loo Ansixiyay

1. Goluhu wuxuu dib u eegayaa dhammaan barnaamijyada tab abar ee hore loo ansixiyay sanad walba mar laga billaabo marka oggolaanshada kowaad la siiyay isaga oo si gaar ah tixgelin u siinaya heerka waxqabad ee howlwadeennada ka soo qalin jebiyay barnaamijyadaas tabobar.

2. Goluhu wuxuu ka noqon karaa oggolaanshada barnaamij tababar marka ay u caddaato in barnaamijka tabobar uusan hadda ka dib la jaan-qaadi karin shuuruudaha Xeerkan, ama barnaamijka tabobar uu si is-daba-joog ah u buuxin waayo ama ka hooseeyo heerarka looga baahan yahay barnaamijkaas.

QODOBKA 57aad
Ansixinta Adeeg Daryeel Caafimaad

1. Xarunta bixisa adeegyo caafimaad oo kala duwan ama soo kordhisa adeeg cusub waxay Golaha ka soo codsanaysaa in loo ansixiyo adeegyadaasi si waafaqsan xeerkan iyada oo bixinaysa khidmadda looga baahan yahay.

2. Ka dib helitaanka codsiga ku tilmaaman Faqradda (1), Goluhu wuxuuu u dirayaa baare xarunta caafimaad si loo soo hubiyo in xaruntaasi ay buuxisay shuruudihii ku xirnaa ansixin adeeggaas.

3. Golaha marka uu ku qanco in rugta caafimaad ay buuxisay shuruudaha ansixinta, wuxuu siinaysaa xaruntaas ansixin muddo hal sano ah.

4. Golaha wuxuu ku bixinayaa ansixinta adeegga daryeel shuruudaha u degsan oo khuseeya:

   b) Nooca adeegga caafimaad ee la bixinayo

   t) Aqoonta iyo khibradda mihnadlayaasha bixinaya adeegga

j) Qalabka iyo mashiinada la adeegsanayo.
x) Habraacyada daweynta ama qalliinka.
kh) Heerka ruqsada xarunta caafimaad.
d) tabobaridda mihnadlayaasha ka qeyb qaadanaya bixinta adeeggaas.

5. Goluhu ma siinayo xarunta caafimaad ansixin haddii adeegga caafimaad uu xumaan iyo liidnimo u keenayo bukaanka iyo hannaanka daryeelka caafimaadka.

6. Goluhu haddii uu diido codsiga ansixinta wuxuu si qoraal ah ku wargelinayaa xarunta caafimaad isaga oo qeexaya sababaha diidmada.

7. Adeegga caafimaad ee ku cusub Soomaaliya marka uu soo buuxiyo shuruudaha faqrada (4), Goluhu wuxuu siinayaa ansixin ku meel gaar ah oo muddadiisu tahay seddex bilood.

8. Golaha wuxuu baaritaan iyo qiimeyn qorsheysan ku sameynayaan hanaanka iyo natiijada adeegga cusub ee caafimaad isaga oo u xil saaraya khubarro uu soo magacaabay Goluhu waxayna baarayaan:
   b) Uruurinta xogta la xiriirta adeeggaas.
   t) Natiijada/faa'iidada uu ka helayo bukaanka marka uu helo adeeggaas.

9. Golaha wuxuu go'aan ka gaarayaa warbixinta faah-faahsan oo ay soo gudbiyaan khubarada isagoo go'aaminaya in:
   b) Uu sii socdo bixinta adeegga caafimaad ee cusub.
   t) La joojiyo adeegga caafimaad ee cusub.

10. Goluhu haddii uu bixinayo ansixin adeeg caafimaad wuxuu ku meel marinayaa heerka ruqsadda ee xarunta caafimaad ay mudan tahay.

QODOBKA 58aad
Cusbooneysiin Ansixin

1. Ansixinta la siiyey adeeg daryeel walba oo ay bixiyaan xarumaha caafimaad waxaa si joogto ah loo cusboonaysiinayaa labo iyo tobankii (12) biloodba mar.
2. Goluhu wuxuu weydiisan karaa warbixin faahfaahsan iyo xog la xariirta adeegga caafimaad ka hor cusbooneysiinta ansixinta.
3. Goluhu wuxuu dalbanayaa in baaritaanno lagu sameeyo adeegyada caafimaadka oo dhan si loo hubiyo in si joogto ah loo dhaqan-geliyay shuruudihii loo baahnaa.
4. Haddii adeegga caafimaad uu soo buuxin waayo shuruudaha cusbooneysiinta ama aan laga helin xarunta caafimaad warbixin iyo xog faah-faahsan, Goluhu waxaa uu joojinayaa cusbooneysiinta ansixinta adeegaas.

QODOBKA 59aad
Kala -noqosho Ansixin

1. Marka xarunta caafimaad ay ku xad-gudubto shuruudaha lagu bixiyay ansixinta, Goluhu wuxuu kala noqonayaa ansixinta si qoraal alma ugu wargelinayaa cidda ay khuseyso.

2. Inta kala-noqoshadu dhaqan-galka tahay looma oggola xaruntaas in ay bixiso adeeg caafimaad iyada oo aan dib u helin ansixin kale.

QODOBKA 60aad
Shahaadooyinka Waxbarasho ee Shisheeye

1. Goluhu wuxuu tixgelinayaa shahaadooyinka mihnadlayaasha caafimaad ee shisheeye haddii:

b) Lagu bixiyay af-Ingiriisi ama Af-Carabi

t) Ay ka wadato tas-diiqin iyo shaabad Wasaaradaha Tacliinta Sare iyo Arrimaha Dibedda ee Dalka lagu bixiyey shahaadada.

j) Ay ka wadato tas-diiqin iyo shaabadayn Safaaradda Soomaaliya u fadhida Dalka shahaadada lagu bixiyey.

x) Tas-diiqin ay bixisay Wasaaradda Hidaha iyo Tacliinta Sare ee Soomaaliya ay ku sugayso in shahaadada tahay mid meel mar ah.

2. Haddii ay dhacdo in shahaadada lagu bixiyey luqado kale oo aan ahayn Ingiriis iyo Carabi, waa in lagu turjumaa luqadaha Soomaaliga, Carabiga ama Ingiriisiga isla markaasna la waafajiyaa shuruudaha ku tilmaaman Faqradda (1).

QODOBKA 61aad

Aqoonsiga Ururada Mihnadlayaasha Caafimaadka

Xeerkani wuxuu aqoonsanayaa dhammaan ururada mihnadleyaasha caafimaadka ee kala duwan oo ay leeyihiin mihnadyaal caafimaad oo la aqoonsan yahay haddii ay buuxiyaan shuruudaha soo socda:

1. Xubnaha Ururka aysan ka yarayn toban iyo kow (11) xubnood;
2. In ururku leeyahay dastuur shaqaynaya oo qeexaya xuquuqda iyo xilalka xubnaha, sida oo kalena muujinaya himillooyinkiisa, qaabdhismeedka ururka iyo xeerar lagu nidaaminayo anshaxa mihnadlayaasha xubnaha ururka.
3. In nuqulka dastuurka loo soo gudbiyo Golaha.
4. In shahaadooyinka xubnaha ururka ay si toos ah ula xiriiraan mihnadda ururka caafimaadka ee ay ka tirsan yihiin.

QODOBKA 62aad
Xayeysiin

1. Qofna ma xayeysiin karo adeeg caafimaad:

b) Haddii uu yahay mid ku saleysan been, dhagar ama marin habaabin; t) Bixiya hadiyado, qiimo dhimis ama ka dhaadhicin lagu soo jiidanayo qof si uu u isticmaalo adeegga caafimaad, haddii xayeysiintu aysan qeexin qodobbada iyo shuruudaha adeeggaas.

j) Adeegsada caddeymo looga gol-leeyahay marin habaabin ku aadan ka ganacsiga adeegga caafimaadka.

x) Abuuraya rajooyin dhalanteed ah oo la xariira dhiirrigelin adeeg ama daaweyn aan waxtar lahayn.

kh) Toos ama si dadban u dhiirrigelinaya kala saarid la'aanta baaritaanka, daweynta, iyo takhasusyada mihnadda caafimaadka.

2. Haddii lagu xad-gudbo habraacyada xayeysiinta isla markaana lagu helo xad-gudubkaas, waxaa qofka ama xarunta caafimad ay mutaysanaysaa ganaax:

b) Haddii uu shakhsi yahay kun oo Doollarka Maraykanka ah (ama shilin somaali u dhigma)

t) Haddii ay tahay xarun caafimaad labo kun oo Doollarka Maraykanka ah (ama shilin Soomaali u dhigma).

3. Xad-gudub ku xusan Faqradda (1aad) laguma qaadayo qofka ama xarunta uu ganacsigiisa/ganacsigeeda qeyb ka yahay daabicidda ama faafinta xayeysiin ay hay'ad ama qof kale leeyahay.

QODOBKA 63aad
Ilaalinta Hor Gale Magac

1. Sida uu qabo Xeerkani, cidna ma adeegsan karto hor gale magac uusan sharcigu u oggolaanin sida "Dhakhtar", iyada oo dhammaystiran ama la soo gaabiyay, ama wax u dhigma ee luqad kale, ama eray kasta oo leh qeexid guud oo ku tusinaya daryeel caafimaad oo la siiyo shakhsiyaad ku sugan Soomaaliya.
2. Qof aan ahayn dhakhtar caafimaad ama mid ilko, waa in uusan:

b) U howl gelin sidii dhakhtar caafimaad ama mid ilko, sida oo kalena, aan loo shaqaaleysiin adeeg bixiye daryeel caafimaad.

t) Uusan qaban howlo caafimaad oo dadku u qaadan karaan in qofkaasi yahay takhtar caafimaad ama mid ilko.

3. Qof aan ahayn mihnadle caafimaad oo diiwaan-gashan oo looma oggola in uu si ogaal ama xilkasnimo xumo ah:

b) U qaato ama adeegsado mansab ah "mihnadle caafimaad oo diiwaan gashan"

t) U qaato ama u adeegsado mansab, magac, magac-horaad, astaan, eray, calaamad, ama qeexid muujinaysa in uu si sharci ah uga howlgalo mihnad caafimaad.

4. Qofka ku xadgudba Faqraddaha (1), (2) iyo (3) wuxuu gelayaa xadgudub uu ku mutaysanayo, marka lagu helo, ganaax lacageed oo aan ka badnayn labo kun oo Doollarka Maraykanka ah (ama shilin Soomaali u dhigma) ama ciqaabta uu jideeyay Xeerka Ciqaabta Soomaaliyeed.
5. Qof ama rug caafimaad ma howl gelin karaan qof aan lagu diiwaan gelin mihnadle caafimaad. Haddii ay jebiyaan faritaankan waxay mutaysanayaan ganaaxyo gaaraya ugu badnaan:

b) Haddii uu yahay shakhsi kun iyo shan boqol oo Doollarka Maraykanka ah (ama shilin Soomaali u dhigma)

t) Haddii ay tahay xarun labo kun iyo shan boqol oo Doollarka Maraykanka ah (ama shilin Soomaali u dhigma)

6. Mihnadle caafimaad oo diiwaan gashan looma oggola in magaciisa uu ku howl galo ama xaruntiisa uu ka howl geliyo qof kale oo aan ahayn mihnadle caafimaad oo diiwaan gashan. Ciddii ku xad gudubta faqraddan waxay mutaysanaysaa ganaax lacageed aan ka badnayn kun oo Doollarka Maraykanka ah (ama shillin Soomali u dhigma) ama ciqaabta uu jideeyay Xeerka Ciqaabta Soomaaliyeed.

QODOBKA 64aad

Xakamaynta Adeegsiga Mansabyada Takhasusle

1. Qof aan ahayn howlwaadeen caafimaad oo takhsusle ah looma oggola in uu si oggaal ama xilkasnimo-xumo ah:

b) U qaato ama u adeegsado mansabka "mihnadle caafimaad takhasusle";

t) U qaato ama u adeegsado mansab, magac, magac-horaad, astaan, eray ama qeexid muujinaysa xaalado in la adeegsanayo ama si cad looga fahmayo: in uu yahay mihnadle caafimaad takhasusle ah ama in awood loo siiyey ama u qalmo in uu ka howl-galo takhasus gaar ah.

2. Ciddii ku xad-gudbta qodobkan waxay mutaysanaysaa ganaaxyada soo socda:

b) Haddii uu shakhsi yahay kun iyo shan boqol oo Doollarka Maraykanka ah (ama shilin Soomaali u dhigma)

t) Haddii ay xarun tahay seddex kun oo Doollarka Maraykanka ah (ama shilin Soomaali u dhiganta).

QODOBKA 65aad
Xeer-hoosaadyo iyo Xeer nidaamiyeyaal

Goluhu wuxuu soo saari karaa xeer hoosaadyo ama xeer nidaamiyeyaal ku saabsan arrimaha uu xeeriyay Xeerkan waxaana xeer hoosaadyadani lagu dhaqayaa meelaha soo socda:

1. Mihnadlayaasha caafimaad ee leh diiwaan gelin iyo ruqsad.
2. Rugaha adeegyada caafimaad.
3. Xarumaha waxbarashada caafimaad.
4. Cilmi barista caafimaadka ee Dalka.
5. Ururada mihnadaha caafimaad ee la aqoonsan yahay

QODOBKA 66aad
Kala Dirista Golaha

1. Xukuumadda Federaalka Soomaaliya (Golaha Wasiirada) waxay kala diri kartaa Golaha (GMCQ) haddii uu ku guul-darraysto gudashada awoodaha loo igmaday si waafaqsan Xeerkan ama shuruucda kale.
2. Ka dib marka la kala diro Golaha si waafaqsan Faqradda (1), Xukuumadda Federaalka Soomaaliya waxay la wareegaysaa xisaabta iyo hantida kale ee Golaha, sida oo kale, waxayna hirgelin kartaa dhammaan awoodaha iyo howlaha ku xusan xeerka u degsanaa golaha la kala diray.
3. Xukuumadda Federaalka Soomaaliya waxay magacaabaysaa guddi ku meel gaar ah oo ka howl-gala fulinta awoodaha iyo howlaha ku xusan xeerka GMCQ.
4. Xukuumaddu waxay ku dhisaysaa gole cusub muddo seddex bilood gudahood ah marka la kala diro Golaha.
5. Xukuumaddu waxay ku wareejinaysaa golaha cusub xisaabta iyo hantida la gala wareegay golihii la kala diray si waafaqsan Faqradda (2).

Qodobka 67aad
Xarunta Rasmiga ee GMCQ iyo Baaxadda Awoodaha Golaha

1. Xarunta rasmiga ah ee GMCQ waa magaala madaxda Dalka ee Muqdisho.
2. Golaha Mihnadleyaasha Caafimaadka Qaranka wuxuu xafiisyo ku yeelan karaa Dowlad Goboleedyada xubinta ka ah Dowladda Federaalka.
3. Goluhu wuxuu ku metelaa mihnadleyaasha caafimaadka fagaareyaasha caalamiga ah iyo kuwa urur goboledyada adduunka.

QODOBKA 68aad
Wax Ka Bedelidda Xeerka

1. Golaha Mihnadleyaasha Caafimaadka Qaranka iyaga oo u maraya Wasaaradda Caafimaadka waxay Baarlamaanka Federaalka u soo jeedin karaan wax-ka-beddel lagu sameeyo xeerkan.
2. Baarlmaanka Federaalka isaga oo tixgelinaya talo soo jeedinta Wasaaradda ama si iskiis ah ayuu wax uga beddelayaa Xeerkan.

QODOBKA 69aad
Racfaan

1. Qofkii ku qanci waaya go'aan ama amar uu soo saaray Golaha GMCQ ee ku salaysan Xeerkan wuxuu racfaan u qaadan karaa Maxkamadda Sare muddo ku siman soddon maalmood, laga billaabo taariikhda uu soo baxay go'aankaas ama amarkaas.

QODOBKA 70aad
Warbixin sanadeed

1. Dhammaadka sanad kasta, gaar ahaan 3' bilood ee ugu dambeeya sanadka (Oktoobar, Nofeembar, ama Diseembar), Guddoomiyaha Golaha waa in uu u gudbiyaa warbixin sannadeedka Golaha Wasaaradda Caafimaadka (WC) iyo Guddiyada Arrimaha Bulshadda ee Barlamaanka Federaalka Soomaaliya.

QODOBKA 71aad
Baab'in

1. Xeerkani wuxuu baab'inayaa sharci kasta oo ka soo horjeeda ama aan la socon karin.

QODOBKA 72aad
Muddada Kala Guurka

1. Lix blood ka dib marka uu dhaqan galo Xeerkani, looma oggola cid aan diiwaan gashanayn ama aan haysan ruqsad howlgal ee mihnad caafimaad ama xarun adeeg caafimaad ama waxbarasho in ay ka howl galaan si toos ah ama si dadban Dalka Soomaaliya.

QODOBKA 73aad
Dhaqan-galka Xeerkan

1. Xeerkan wuxuu dhaqan-gal noqonayaa marka uu Baarlamaanka Federaalku ansixiyo, saxiixo Madaxweynaha JFS, laguna soo saaro Faafinta Rasmiga ah ee JFS.
2. Wasaaraadda Caafimaadka ayaa u xilsaaran hirgelinta Xeerkan iyada oo aan lagu xadgudbin madax-bannaanida Golaha.

XEER MADAXWEYNE LR.286 Taariikh: 02/08/2020

MAGACAABIS AGAASIMAHA GUUD EE WASAARADDA QORSHEYNTA, IYO HORUMARINTA DHAQAALAHA

MADAXWAYNAHA J.F.S

MARKA UU ARKAY: Qodobka 87aad ee Dastuurka KMG ah ee Dalka

MARKA UU ARKAY: Qodobka 90aad ee Dastuurka KMG

MARKA UU ARKAY: Soo jeedinta Wasiirka Wasaaradda Qorsheynta, Maalgashiga iyo Horumarinta Dhaqaalaha SUMMAD: WQM&HD/259/2020

MARKA UU ARKAY: Aqoonta iyo Waayo-aragnimada uu leeyahay mudanaha loo magacaabayo xilka Agaasimaha Guud ee Wasaaradda Qorsheynta, Maalgashiga iyo Horumarinta Dhaqaalaha

MARKA UU TIXGELIYAY: Baahida loo qabo magacaabista in Wasaaradda Qorsheynta, Maalgashiga iyo Horumarinta Dhaqaalaha loo magacaabo Agaasime Guud

Waxa Madaxweynuhu soo saaray Sharcigan:

Qodobka 1aad

Laga bilaabo maanta oo ay taariikhdu tahay 8-da August 2020, Madaxweynaha Jamhuuriyadda Federaalka Soomaaliyeed waxa uu u magacaabay Mudane **Cabdiqaadir Maxamed Aadan (Cabdul)** in uu noqdo Agaasimaha Guud ee Wasaaradda Qorsheynta, Maalgashiga iyo Horumarinta Dhaqaalaha

Qodobka 2aad

Marka uu Madaxweynaha JFS saxiixo Sharcigan, waxaa lagu soo daabici doonaa Faafinta Rasmiga ah ee Jamhuuriyadda Federaalka Soomaaliyeed.

MUQDISHO: 02/08/2020

JAMHUURIYADDA FEDERAALKA SOOMAALIYA
XAFIISKA HANTIDHAWRKA GUUD
DIIWAAN NO: HHAN/073/2020
TAARIIKH: 19/12/2020
SAXIIXA:
HANTIDHAWRAHA GUUD
Md.Maxamed Maxamuud Call

Madaxweynaha J.F.S
Maxamed Cabdullaahi Maxamed (Farmaajo)

MAGACAABIS AGAASIMAHA GUUD EE WASAARADDA BETROOLKA IYO MACDANTA

MADAXWAYNAHA J.F.S

MARKA UU ARKAY: Qodobka 87aad ee Dastuurka KMG ah ee Dalka

MARKA UU ARKAY: Qodobka 90aad ee Dastuurka KMG ah

MARKA UU ARKAY: Soo jeedinta Ra'iisul Wasaaraha Xukuumadda Federaalka SUMMAD: XRW/210/08/2020, Taariikh: 06/08/2020 kuna saabsan soo Jeedin Magacaabis Agaasimaha Guud ee Magacaabis Agaasimaha Guud Ee Wasaaradda Betroolka Iyo Macdanta

MARKA UU ARKAY: Aqoonta iyo Waayo-aragnimada uu leeyahay mudanaha loo magacaabayo xilka Agaasimaha Guud ee Agaasimaha Guud Ee Wasaaradda Betroolka Iyo Macdanta

MARKA UU TIXGELIYAY: Baahida loo qabo magacaabista in Wasaaradda Betroolka Iyo Macdanta loo magacaabo Agaasime Guud

Waxa Madaxweynuhu soo saaray Sharcigan:

Qodobka 1aad

Laga bilaabo maanta oo ay taariikhdu tahay 9-ka August 2020, Madaxweynaha Jamhuuriyadda Federaalka Soomaaliyeed waxa uu u magacaabay Mudane **Maxamed Xaashi Cabdi Carabey** in uu noqdo Agaasimaha Guud ee Wasaaradda Betroolka Iyo Macdanta.

Qodobka 2aad

Marka uu Madaxweynaha JFS saxiixo Sharcigan, waxaa lagu soo daabici doonaa Faafinta Rasmiga ah ee Jamhuuriyadda Federaalka Soomaaliyeed.

MUQDISHO: 09/08/2020

Madaxweynaha J.F.S
Maxamed Cabdullaahi Maxamed (Farmaajo)

XEER MADAXWEYNE LR.328 Taariikh: 22/11/2020

MAGACAABIS XUBNAHA MAAMULKA HEY'ADDA BATROOLKA SOOMAALIYEED

MADAXWAYNAHA J.F.S

MARKA UU ARKAY: Qodobka 87aad iyo 90aad ee Dastuurka KMG ah ee Dalka

MARKUU ARKAY: Sharci Lr. 19, Taariikh: 08/02/2020 kuna saabsan SHARCIGA BATROOLKA JF SOOMAALIYA

MARKUU ARKAY: Xeer Ra'iisu-Wasaare Lr. 105 iyo Go'aanka Shirka Golaha Wasiirrada: SHGW.0099.07.20 ee 30/07/2020 kuna saabsan magacaabista Xubnaha Maamulka Hey'adda Batroolka Soomaaliyeed

MARKUU TIXGELIYAY: Baahida loo qabo in la magacaabo Xubnaha Maamulka Hey'adda Batroolka Soomaaliyeed

Wuxuu Xeeriyay:

Qodobka 1aad

Laga bilaabo marka uu Madaxweynaha JFS saxiixo Xeerkan, waxaa la magacaabay Guddoomiyaha, ku xigeenkiisa iyo Xubnaha Maamulka Hey'adda Batroolka Soomaaliyeed.

1. Mudane Ibraahin Cali Xuseen
   - *Guddoomiyaha Hey'adda B. Soomaaliyeed*

2. Marwo Caasha Cusmaan Axmed
   - *Guddoomiye-ku-xigeenka Hey'adda B.S.*

3. Mudane Ibraahin Axmed Layte - *Xubin*

4. Mudane Cabdulqaadir Aadan Maxamuud - *Xubin*

5. Mudane Ibraahin Cabdulqaadir Maxamed - *Xubin*

6. Mudane Axmed Xaaji Cabdi - *Xubin*

7. Mudane Cabdixafiid Cali Dirir - *Xubin*

8. Mudane Mahad Maxamed Sh. Xasan - *Xubin*

Qodobka 2aad

Waxa uu dhaqangelayaa Xeerkan Marka uu Madaxweynaha JFS saxiixo, waxaana lagu soo daabici doonaa Faafinta Rasmiga ah ee Jamhuuriyadda Federaalka Soomaaliyeed.

MUQDISHO: 22/11/2020

Madaxweynaha J.F.S
Maxamed Cabdullaahi Maxamed (Farmaajo)