Dawladda Deegaanka Soomaalida

DHOOL GAZETA

የሶማሌ ክልላዊ መንግሥት

Somali Regional State

Qimaha ያንዱ ዋጋ 4·00 Price	Dhool Gazeta Waxaa Soo Saara Baarlamaanka Dawladda Deegaanka Sommaalida	✉ 205

Tusmo

Bayaan Tirsi 20/1994
"Bayaanka Aasaasida Komishinka Booliska ee Dowlada Deegaanka Soomaalida" .... Bog 1

ማውጫ

አዋጅ ቁጥር ፳/፲፱፻፺፬
"የሶማሌ ክልላዊ መንግሥት የፖሊስ ኮሚሽን ለማቋቋም የወጣ አዋጅ ..... ገጽ ፩

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Bayaan tirsi 20/1994
"Bayaanka Aasaasida Komishinka Booliska ee Dawladda Deegaanka Soomaalida"

Maadaama ay lagama maarmaan tahay in la helo Boolis tayo leh, isla markaana sugi kara Xasiloonida iyo Nabad ku noolaanshaha Bulshada Deegaanka.

Ayaa, iyada oo laga duulayo Qod. 49(3)(b) ee Dastuurka dib loo habeeyey ee Deegaanka, ayaa Golaha xildhibaanada Deegaanku soo saaray bayaankan.

QAYBTA KOOWAAD
GUUD AHAAN

Qod. 1[aad] Cinwaan gaaban:–
Bayaankan waxaa loogu yeedhi karaa "Bayaanka Aasaasida komishinka Booliska ee Dawladda Deegaanka Soomaalida" Bayaan tirsi 20/1994.

Qod.2[aad] Qeexid:–
Bayaankan dhexdiisa haddi erayga weedha uu ku jiro aanay macno kale u yeelin:–

1. "Dastuur" waxaa loola jeedaa Dastuurka dib loo habeeyey ee Dawladda Deegaanka Soomaalida.
2. "Komishin" waxaa loola jeedaa komishinka Booliska D.D.Soomaalida.
3. "Dawladda" Waxaa loola jeedaa Dawladda Deegaanka Soomaalida.

አዋጅ ቁጥር ፳/፲፱፻፺፬
የሶማሌ ክልላዊ መንግሥት ፖሊስ ኮሚሽን ለማቋቋም የወጣ አዋጅ

የክልሉ ሠላምና ፀጥታ ለማስከበር የሚያስችል ብቁና ጠንካራ የፖሊስ ኃይል አስፈላጊ በመሆኑ

በሶማሌ ክልላዊ መንግሥት በተሻሻለው ሕገ – መንግሥት አንቀጽ ፵፱/፫/ሀ/ መሠረት የሚከተለው ታውጇል ።

ክፍል አንድ
ጠቅላላ

፩· አጭር ርዕስ
ይህ አዋጅ "የሶማሌ ክልላዊ መንግሥት የፖሊስ ኮሚሽን ማቋቋሚያ አዋጅ ቁጥር ....፳/፲፱፻፺፬ ተብሎ ሊጠቀስ ይችላል

፪· ትርጓሜ
በዚህ አዋጅ ውስጥ፡–

፩· "ሕገ መንግሥት" ማለት የተሻሻለው የሶማሌ ክልላዊ መንግሥት ሕገ መንግሥት ማለት ነው ።

፪· "ኮሚሽን" ማለት የሶማሌ ክልላዊ መንግሥት ፖሊስ ኮሚሽን ማለት ነው ።

፫· "መንግሥት" ማለት የሶማሌ ክልላዊ መንግሥት ማለት ነው ።

Proclamation No. 20/2002
An establishing proclamation of Somali region police commission

WHEREAS, it is necessary to set up a strong police force in order to maintain the peace and safety of the region

Now, Therefore, in accordance with Art. 49/(3) (A) of the revised constitition of the region, it is hereby proclaimed as follows:-

PART ONE
General

1. Short Title
This proclamation can be referred as "Somali regional state police commission establishing proclamation number 20/2002."

2. Definition
In this proclamation:–

1. "Constitution" means the revised Constitution of the Somali regional state
2. "Commission" means Police Commission of the Somali Regional State.
3. "State" means Somali Regiona state.

4. *"Golaha hawl-fulinta" Waxaa loola jeedaa Golaha hawl-fulinta lagu aasaasay Qod. 57aad ee Dastuurka dib loo habeeyey ee Deegaanka Soomaalida.*
5. *"Deegaan" Waxaa loola jeedaa Deegaanka Soomaalida.*

QAYBTA LABAAD.

Qod. 3aad- Aasaasid:–

1. Bayaankan waxaa lagu aasaasay komishinka Booliska ee Deegaanka Soomaalida oo hadda wixii ka dambeeya loogu yeedhi doono "Komishinka" ahna hay'ad dawli ah, iskeedna u madax banaan, isla markaana jiritaan sharci leh.
2. Komishinkani waxa uu hoostagayaa xafiiska xidhiidhinta Maamulka, Nabad-gelyada iyo Caddaalada.

Qod. 4aad- Xarunta komishinka:–

Xarunta komishinku iyadoo ay tahay magaalada Jigjiga, haddana hadba sida baahidu tahay wuxuu laamo kale ku yeelan doonaa Gobolada iyo Degmooyinka Deegaanka.

Qod. 5aad- Qaab-Dhismeedka Komishinka:-

Komishinku wuxuu yeelanayaa:-

1. Komishineer iyo Komishineer xigeen ay magacaabaan Golaha hawl-fulinta Deegaanku, marka uu Madaxweynaha deegaanku soo hordhigo.
2. Shaqaalaha kale ee lagama maarmaanka u ah shaqada.

Qod. 6aad- Ujeeddooyinka Komishinka;–

Komishinku wuxuu yeelanyaa ujeedooyinka soo socda:-

1. Wuxuu sahlaa sidii Deegaanka looga hirgelin lahaa N/gelyada iyo Xasiloonida.
2. Wuxuu abuuraa qaabkii looga hortagi lahaa dambiyada ka dhaca Deegaanka gudihiisa.
3. Wuxuu dejiyaa nidaam bulshada dhexdeeda ku baraarujiya ka qayb-qaadashada la dagaalanka dambiyada.
4. Wuxuu yareeyaa dambiyada ka dhaca Deegaanka, isagoo ka duulaya sharciyada u dhigan arrimahaas.

Qaybta Saddexaad.

Qod. 7aad- Awoodaha iyo Waajibaadyada Komishinka Booliska:–

Awoodaha iyo waajibaadyada komishinku waa sidan hoos ku cad:–

1. Wuxuu dajiyaa xaaladaha sahlaya sidii Deegaanka gudihiisa looga hirgelin lahaa N/gelyada iyo xasiloonida.

፬· "ሥራ አስፈጻሚ አካል" ማለት በተሻሻለው የሶማሌ ክልላዊ መንግሥት ሕገ መንግሥት አንቀጽ ፶፯ የተቋቋመው አካል ማለት ነው።

፭· "ክልል" ማለት የሶማሌ ክልል ማለት ነው።

ክፍል ሁለት

፫· *መቋቋም*

፩· የሶማሌ ክልል ፖሊስ ኮሚሽን ከዚህ በኋላ "ኮሚሽኑ" እየተባለ የሚጠራ እራሱን የቻለ የክልል ተቋም ሆኖ በዚህ አዋጅ ተቋቁሟል ።

፪· ኮሚሽኑ ተጠሪነቱ ለፀጥታ አስተዳደር እና ፍትሕ ማስተባበሪያ ጽ/ቤት ይሆናል ።

፬· የኮሚሽኑ ዋና መ/ቤት

የኮሚሽኑ ዋና መ/ቤት ጅጅጋ ሲሆን እንደ አስፈላጊነቱ በዞኖችና በወረዳዎች ቅርንጫፍ መሥሪያ ቤቶች ሊኖሩት ይችላል።

፭· የኮሚሽኑ አቋም

ኮሚሽኑ፡–

፩· በክልሉ ርዕሰ መስተዳድር አቅራቢነት በሥራ አስፈጻሚ አካል የሚሾም አንድ ኮሚሽነርና ምክትል ኮሚሽነር።

፪· አስፈላጊው ሠራተኞች ይኖሩታል።

፮· የኮሚሽኑ ዓላማ

የኮሚሽኑ ዓላማዎች የሚከተሉት ናቸው ።

፩· በክልሉ ውስጥ ሠላምና ፀጥታ ተግባራዊ የሚሆንበት ሁኔታ ይፈጥራል ።

፪· በክልሉ ውስጥ ወንጀል እንዳይፈጸም የቅድመ መከላከል ሥልቶች ይቀይሳል።

፫· የክልሉ ኅብረተሰብ ወንጀል እንዳይ ፈጸም በመከላከል ረገድ እንዲሳተፍ የሚረዱ ስልቶች ይቀይሳል ።

፬· በክልሉ ውስጥ የሚፈጸሙት ወንጀሎች የሚቀንሱበት መንገድ አግባብ ባላቸው ሕጎች በመጠቀም አስፈላጊው እርምጃ ይወስዳል ።

ክፍል ሦስት

፯· የኮሚሽኑ ሥልጣንና ተግባር

ኮሚሽኑ የሚከተሉት ሥልጣንና ተግባሮች ይኖሩታል ።

፩· የክልሉን ፀጥታና ሠላም ለማስከበር የሚያስችሉ ቅድመ እርምጃዎች የሚወሰድበትን ሁኔታዎች ይቀይሳል ።

4. "Cabinet" means an organ established under Art 57 of the revised constitution of the Somali Region.
5. "Region" means the Somali Region.

PART TWO

3. Establishment

1. The Somali region police commission here-in-after referred as to "the commission" is hereby established as an autonomous regional institution having juridical personality pursuant to this proclamation
2. The commission shall be accountable to Security Administration and Justice Coordination Office.

4. The Head Office of the Commission

The head office of the commission is in Jijiga, and it may have branch department in zones and weredas as it may be necessary.

5. The organization of the commission

1. Will have a commissioner and deputy commissioner appointed by the Cabinet upon the recommendation of the president of the region,
2. the other necessary staff.

6. The objective ofo the commission

The following are the objectives of the commission:

1. Creates a favourable condition for maintaining the peace and safety of the region.
2. Designs strategies for an advance prevention of criminal activities in the region.
3. Designs a strategy in which the society itself participate in prevention of the existence and the occurrence of crime in the region.
4. Takes the necessary action to minimize the occurrence of crimes in the region by collaborating with the concerned legal organs.

PART THREE

7. The power and duty of the commission

1. Designs advance startegies and actions, which enables to enforce the peace and safety of the region.

2. *Wuxuu abuuraa nidaamyo lagaga hortagayo dambiyada.*
3. *Wuxuu daraasad ku sameeyaa sababaha keena dambiyada ka dhaca Deegaanka, isla markaana dajiyaa nidaamka wax looga qaban lahaa mustaqbalka.*
4. *Isagoo raacaya awaamiirta dawladda, ayuu is kaashi la sameeyaa komishinka dawladda dhexe iyo kuwa deegaanada kale ee dalka si loo xayiro dhaq-dhaqaaqyada dambiileyaasha.*
5. *Wuxuu diiwaan-geliyaa dambiyada ugu badan ee ka dhaca Deegaanka iyo talaabooyinka laga qaatay.*
6. *Wuxuu dajiyaa nidaamyo u suurto-geliya in kor loo qaado tayada Booliska.*
7. *Wuxuu sugayaa N/gelyada xafiisyada, hay'addaha iyo muwaadhiniinta ka shaqeeya Deegaanka gudihiisa ee aan u dhalan Deegaanka.*
8. *Wuxuu diyaariyaa xeerar iyo awaamiir ku wajahan nidaamka dabagalka dambiyada inuu yahay mid fududeeya dhawrista xuquuqda eedaysaneyaasha.*

Qod. 8[aad] Awoodaha iyo Waajibaadada Komishineerka:–

Iyadoo Komishineerku fulinayo awoodaha iyo waajibaadyada komishinka ee lagu xusay bayaankan qodobkiisa 7[aad] waxa kale oo uu qabanayaa hawlahan soo socda:-

1. Wuxuu soo diyaariyaa qorshaha iyo miisaaniyada komishinka ee wakhtiga fog. dhexe iyo kan dhaw, una gudbiyaa golaha hawl-fulinta, marka la ansixiyana hirgeliyaa.
2. Hab waafaqsan sharciga ku habboon ayuu shaqaalaha u shaqaaleeyaa, maamulaa, isla markaana shaqada uga eryaa.
3. Wuxuu si waafaqsan qorshaha miisaaniyada komishinka loo oggolaaday (ansixiyey) ugu hawl-geliyaa shaqada.
4. Wuxuu isagoo ka duulaya baahida shaqo ee komishinka u wakiishaa shaqaalaha komishinka awoodaha iyo waajibaadkiisa, si waafaqsan sharciga.
5. Isagoo ka duulaya qaab-dhismeedka komishinka ayuu warbixin ka siiya laamaha ay khusayso.

፪· ወንጀል እንዳይፈጸም ቅድመ ዝግጅት ያደርጋል ፡፡

፫· በክልሉ ውስጥ አብዛኛው ጊዜ የሚከሰተው ወንጀል ጥናት ያደርጋል ለወደፊትም መፍትሔ የሚያገኝበትን መንገድም ይቀይሰል ፡፡

፬· በሕጉ መሠረት ከፌደራል ፖሊስ ኮሚሽንና ከክልሎች ፖሊስ ኮሚሽኖች በመተባበር የወንጀለኞች እንቅስቃሴ እንዲገቱ ያደርጋል ፡፡

፭· በአብዛኛው ጊዜ የሚከሰተው ወንጀል ከተወሰደው እርምጃ ጋር ይመዘግባል ፡፡

፮· የፖሊስ ኃይልን ብቃት ለማሳደግ የሚያስችሉ እርምጃዎች ይቀይሳል ፡፡

፯· በክልሉ ውስጥ የሚንቀሳቀሱት የክልሉ ተወላጅ ያልሆኑ ግለሰቦች ፤ ድርጅቶችና ሌሎች ተቋማት ፀጥታና ሠላም እንዲከበሩ ጥቢቃ ያደርጋል፡፡

፰ የተከሳሹ መብት ባገናዘበ ሁኔታ የወንጀል ምርመራ በተመለከተ ሕጎችና ደንቦችን ያዘጋጃል ፡፡

፰· <u>የኮሚሽነሩ ሥልጣንና ተግባር</u>

በዚህ አዋጅ አንቀጽ ፯ የተመለከተውን የኮሚሽኑ ሥልጣንና ተግባር በአጠቃላይ አነጋገር እንደተጠበቀ ሆኖ ኮሚሽነሩ የሚከተለው ሥልጣንና ተግባር ይኖረዋል፡፡

፩· የኮሚሽኑን የረጅምና የአጭር ጊዜ የሥራ ፕሮግራምና በጀት ያዘጋጃል ሲፈቀድም በሥራ ላይ ያውላል ፡፡

፪· አግባብ ባለው ሕግ መሠረት የኮሚሽኑን ሠራተኞች ይቀጥራል ፤ ያስተዳድራል እንዲሁም ያሰናብታል ፡፡

፫· ለኮሚሽኑ በተፈቀደለት በጀትና የሥራ ፕሮግራም መሠረት ገንዘብ ወጪ ያደርጋል ፡፡

፬· ኮሚሽነሩ ለኮሚሽኑ የሥራ ቅልጥፍና በሚያስፈልግ መጠን ሥልጣንና ተግባሩን በከፊል ለኮሚሽኑ ሠራተኞች በውክልና ሊያስተላልፍ ይችላል ፡፡

፭· ስለ ኮሚሽኑ የሥራ እንቅስቃሴ ለሚመለከተው አካል ሪፖርት ያቀርባል ፡፡

2) Makes advance preparation to prevent criminal act.
3) Makes studies on the causes of cirminal acts and designs a way of preventive solution for the future.
4) Deters the movements of criminal by collaborating with the Federal Police Commission and Regions.
5) Registers the frequently occurred crimes and the actions taken by.
6) designs actions, which enables to build the capacity of police force.
7) Provide the necessary protection for the enforcement of peace and safety toward individuals, organizations and other institutions. operating in the region and which are non-regional
8) Prepares rules and regulations concerning the facilitation of criminal investigation, by perrceiving the right of the defendant.

8. <u>The Powers and Duties of the Commissioner</u>

The commissioner will have the following power and duty, with the power and duty of the commission indicated in Article 7 of this proclamation.

1) Prepares the long and short term programmes and budget of the commission and implement upon approval.
2) Employ, administer and dismisses the employees in accordance with pertineant laws.
3) Effect payments in accordance with the budget and work programme approved for the commission.
4) The commissioner may delegate part of his power and duty to the workers of the commission when the commission needs a support for its working activity.
5) Present a report on the activities of the commission.

6. *Si sharciga waafaqsan ayuu magaca komishinka uga furi karaa akontiga bangiga, una dhaq-dhaqaajin.*
7. *Wuxuu matalaa komishinka marka lala macaamiloonayo cid saddexaad.*
8. *Wuxuu qabtaa arrimaha kale ee hay'addaha caddaalada u xilsaaraan.*

QAYBTA AFRAAD
QODOBADA KALA DUWAN.

Qod. 9aad- Miisaaniyada:–

1. Miisaaniyada xafiiska waxa u qoondaynaysa Dawladda.
2. Kaalmo dhaqaale oo laga helo ilo kale.

Qod. 10aad- Diiwaanada xisaabaadka:–

1. Komishinku waxa uu xafidayaa diiwaanada xisaabaadka oo dhamaystiran, isla markaana sax ah.
2. Diiwaanada komishinka iyo dukumentiyada lacageed, waxa baadhitaan sannad walba ku samaynaya xafiiska hanti-dhawrka guud ama hanti dhawre uu isagu u magacaabo.

Qod. 11aad- Ku gacansiinta shaqada:–

Si arrimaha bayaankan ku xusan loo meelmariyo, wuxuu waajib ka saaran yahay cid kasta inay ku gacan siiyaan hirgelinta go'aanada bayankan.

Qod. 12aad- Shuruucda aan dhaqan-galka lahayn:–

Sharci, xeer-dhaqameedyo, wareegto kasta oo ku lid ah arrimaha bayaankan lagu xeeriyey fulitaan sharci, ma yeelanayaan.

Qod. 13aad- Awood soo saarida Awaamiir:–

Komishinku wuxuu awood u leeyahay inuu soo saaro awaamiir lagu meel marinayo arrimaha bayaankani ku xusan.

Qod.14aad- Muddada dhaqan-galka bayaankan:–

Bayaankani wuxuu dhaqan-galayaa laga bilaabo maalinta uu ku soo baxo Dhool Gazetta.

Jigjiga
C/Rashiid Duulane Rafle
Madaxweynaha D.D Soomaalida.

፮· በኮሚሽኑ ስም የባንክ አካውንት ይከፍታል ያንቀሳቅሳል ።
፯· ኮሚሽኑን ከሦስተኛ ወገኖች ጋር በሚያደርጋቸው ግንኙነቶች ኮሚሽኑን ይወክላል ።
፰· በፍትሕ አካላት የሚሰጡት ሌሎች ሥራዎችን ያከናውናል ።

ክፍል አራት
ልዩ ልዩ ድንጋጌዎች

፱· በጀት

፩· የኮሚሽኑ በጀት በመንግሥት ይመደባል።
፪· ከሌላ ምንጭ የሚገኝ ድጎማ ፤

፲· የሂሣብ መዛግብት

፩· ኮሚሽኑ የተሟላና ትክክለኛ የሆኑ የሂሣብ መዛግብት ይይዛል ።
፪· የኮሚሽኑ የሂሣብ መዝገብና ገንዘብ ነክ ሠነዶች በዋናው ኦዲተር ወይም እርሱ በሚሰይማቸው ኦዲተሮች በየዓመቱ ይመረመራሉ ።

፲፩· የመተባበር ግዴታ

ማንኛውም ሰው ለኮሚሽኑ ሥራ አፈጻጸም የመተባበር ግዴታ አለበት።

፲፪· ተፈጻሚነት የሌላቸው ሕጎች

በዚህ አዋጅ የተደነገጉ ጉዳዮችን የሚቃረኑ ማናቸውም ሕጎች ወይም ደንቦች ተፈፃሚነት አይኖራቸውም።

፲፫· መመሪያ የማውጣት ሥልጣን

ይህን አዋጅ ተፈፃሚ ለማድረግ ኮሚሽኑ መመሪያ የማውጣት ሥልጣን አለው ።

፲፬· አዋጁ የሚፀናበት ጊዜ

ይህ አዋጅ በዶል ጋዜጣ ከታተመበት ቀን ጀምሮ የፀና ይሆናል ።

ጅጅጋ
አብዱረሽድ ዱለኔ ረፍሌ
የሶማሌ ክልል ርዕሰ መስተዳድር

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6) *Opens and operates an account in the name of the commission.*
7) *represents the commission in all its dealing with the third party.*
8) *Performs other duties designated by justice institution.*

PART FOUR
Miscelleneous provisions

9. Budget

1) The budget of the commission shall be allotted by the state
2) Donation that may be found from other body.

10. Books of Account

1) the commission shall keep complete and accurate books of accounts.
2) The books of accounts and financial documents of the commission shall be inspected annually by the chief auditor or by his assigned Auditors.

11. Duty to co-operate

any person is obliged to co-operate in the performance of the commission provisions of this proclamation.

12. Inapplicable laws

Any laws or regulations that contervenes this proclamation shall be inapplicable.

13. a power to issue directives

The commission has a power of issuing directives to make this proclamation effective.

14. Effective date

This proclamation shall be effective from the date of its publication on Dhol Gazeta.

Jijiga
Abdi-Rashid Dulane Rafle
The President of the Somali Region

አታሚ ብርሃንና ሰላም ማተሚያ ድርጅት