



DAWLADDA DEEGAANKA SOOMAALIDA
DHOOL GAZETA
Somali Regional State
የሶማሌ ክልላዊ መንግሥት

Qimaha የንዳ. ዋጋ . Unit Price	Dhool Gazeta Waxaa Soo Saara Golaha Xildhibaanada Dawladda Deegaanka Soomaalida	✉ 392
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BAYAAN TIRSI:- 218/2014
BAYAANKA DIIWAANGELINTA
IYO MAAMULKA ADEEGGA
QAREENIMO EE DEEGAANKA
SOOMAALIDA

Maadaama oo ay lagama maarmaan noqotay in kor loo qaado tayada adeegga qareenada deegaanka iyadoo la kobcinayo aqoontooda, la siinayo ilaalo sharci iyo taaageerada kale ee ay u baahan yihiin si loo xaqiijiyo sarraynta sharciga loona sugo xuquuqaha dastuuriga ah.

Maadaama oo muhiim loo arkay in la hirgeliyo nidaam dheeli tiran oo lagu maamulo xirfadleyaasha bixiya adeegga qareenimo si ay waajibaadkooda u gutaan iyagoo madaxbanaan kaasi oo kaalin weyn ka qaadan kara ilaalinta danta guud iyo suggida cadaaladda.

Maadaama oo muhiim loo arkay in la soo saaro sharcigii lagu maamuli lahaa shirkadaha bixiya adeegga sharci si loo xaqiijiyo in adeeg joogto ah oo tayadiisu sareyso siiyaan shacabka islamarkaana la suurto geliyo in qareenada deegaanku ay helaan waxbarasho iyo tabobaro joogto ah oo lagu kobcinayo aqoonta ay u leeyihiin xeerarka cusub ee goleyaasha dalka iyo deegaankuba soo saaraan

አዋጅ ቁጥር 218/2014
በሶማሌ ክልል የጥበቅና አገልግሎት
ፈቃድ አሰጣጥና አስተዳደር አዋጅ

በክልሉ የጥበቅና አገልግሎት ተጠቃሚዎችን መብት በተሻለ ሁኔታ ማስከበር፣ ጥራቱን የጠበቀና የተደራጀ የጥበቅና አገልግሎት አቅርቦት መስጠት እና የጥበቅና አገልግሎት የሥነ-ምግባር ደረጃን ማሳደግ የሕግ የበላይነትና ፍትሕ የማግኘት መብትን ለማስከበር አስፈላጊ ሆኖ በመገኘቱ፣

የሕዝብ ጥቅምን በማስጠበቅና ፍትሕን በማስፈን ዙሪያ የተደራጀና የሙያተኞችን ተዋጽኦ ያማከለ የጋራ አስተዳደር ሥርዓት በመዘርጋት የሙያ ነጻነቱ የተጠበቀ የጥበቅና አገልግሎት መስጠት አስፈላጊ በመሆኑ፣

የጥበቅና አገልግሎት ተጠቃሚዎች ቀጣይነትና ድርጅታዊ ዋስትና ያለው የጥበቅና አገልግሎት እንዲያገኙ የሚያስችል የጥበቅና ድርጅት የሚመራበትንና የሚተዳደርበትን ሥርዓት መዘርጋትና ጠበቆችም በተከታታይ ሥልጠና አማካኝነት በየጊዜው ከሚወጡ አዳዲስ ሕጎች፣ የሕግ ጽንሰ-ሀሳቦች እንዲሁም ክልላዊ፣ ሀገር አቀፍ እና ዓለም አቀፍ ተዋክሮዎች ጋር የሚተዋወቁበትን ሥርዓት መዘርጋት በማስፈለጉ፣

PROCLAMATION NO. 218/2022
SOMALI REGION ADVOCACY
SERVICE LICENSING AND
ADMINISTRATION
PROCLAMATION

Whereas, it is necessary to ensure better protection of users of advocacy service; provision of high quality and well-organized advocacy service; and raising the professional standard of advocacy service is necessary to promote rule of law and the constitutional rights;

Whereas, it is necessary to establish a system that is designed to advance the public interest and prevalence of justice; a joint administration that balances the respective roles of the government and practitioners in order to ensure advocacy services provided with professional independence;

Whereas, it is necessary to lay down a system that directs and governs law firms which provide uninterrupted and institutionally guaranteed advocacy service to users of advocacy service and to establish a system whereby advocates undergo continuing professional development training intended to keep them well informed of the latest developments in the form of new laws, legal concepts, and relevant local and international practices;

Maadaama oo muhiim loo arkay in la aasaaso nidaam ay qareenada deegaanku gaar ahaan iyo iyagoo urur isku abaabulayaba ku xalin karaan caqabadaha hortaagaan, ku kobcin karaan waayo aragnimadooda islamarkaana kor ugu qaadaan xirfadooda.

Hadaba, Golaha xildhibaanada dawladda Deegaanka Soomaalida oo ka duulaya Qodobka 49 (3) (b) ee dastuurka dib loo habeeyey ee Deegaanka, waxa uu bayaamiyay sidan:

QAYBTA KOOBAAD

GUUD AHAAN

1. Cinwaan gaaban

Bayaankan waxaa loogu yeedhi karaa “Bayaanka diiwaangelinta iyo maamulka adeegga qareenimo ee Deegaanka Soomaalida ee Bayaan tirsi:- 218/2014”.

2. Qeexid

Haddaan haboonaanta weedhu siin macno kale, Bayaanka dhexdiisa:

1. “Deegaan” waxaa loola jeedaa Deegaanka Soomaalida.
2. “Dawladd” waxaa loola jeedaa Dawladda Deegaanka Soomaalida.
3. ‘Xafiis iyo madaxa xafiiska’ waxaa loola jeedaa Xafiiska Cadaaladda iyo madaxa xafiiska cadaaladda Dawladda Deegaanka Soomaalida siday u kala horeeyaan.
4. ‘Maxkamad’ waxaa loola jeedaa maxkamadaha deegaanka oo ay ku jiraan hay’adaha leh awood garsoor lagu siiyay sharciga.

ጠበቆች በግላቸውም ሆነ በተደራጀ መልኩ መብት እና ጥቅሞቻቸውን የሚያስከብሩበትን፣ እንዲሁም እውቀት የሚያዳብሩበት፣ የሚነሱ ቅሬታዎች የሚስተናገዱበትን እንዲሁም ሀገር አቀፍ እና ዓለም አቀፍ ተሞክሮዎች ጋር የሚተዋወቁበትን ሥርዓት መዘርጋት በማስፈለጉ፤

የሶማሌ ክልል ምክር ቤት በተሻሻለው የክልሉ ሕገ-መንግሥት አንቀጽ 49 ንዑስ አንቀጽ (3, ሀ) መሠረት የሚከተለው ታውጇል፡፡

ክፍል አንድ

ጠቅላላ

1. አጭር ርዕስ

ይህ አዋጅ “የሶማሌ ክልል የጥብቅና አገልግሎት ፈቃድ አሰጣጥና አስተዳደር አዋጅ ቁጥር 218/2014” ተብሎ ሊጠቀስ ይችላል፡፡

2. ትርጓሜ

የቃሉ አገባብ ሌላ ትርጉም የሚያሰጠው ካልሆነ በስተቀር በዚህ አዋጅ ውስጥ፡-

1. «ክልል» ማለት የሶማሌ ክልላዊ መንግሥት ነው፤
2. «መንግሥት» ማለት የሶማሌ ክልላዊ መንግሥት ነው፤
3. “ቢሮ ወይም ቢሮ ኃላፊ” ማለት የሶማሌ ብሔራዊ ክልላዊ መንግሥት ፍትሕ ቢሮ ወይም ቢሮ ኃላፊ ነው፤
4. “ፍርድ ቤት” ማለት የሶማሌ ብሔራዊ ክልላዊ መንግስት ፍርድ ቤት ወይም ዳኝነት-ነክ ሥልጣን ያለው አካል ነው፤

Whereas, it is necessary to establish a system whereby advocates can, individually as well as through their own associations, ensure their rights and interests are respected, and advance their knowledge, expertise and professional standards and to establish a mechanism by which complaints arising out of the administration of advocacy services are fairly entertained;

Now therefore, the Somali state Council, in accordance with Article 49(3, A) of the Revised Constitution of the Regional State, it is hereby proclaimed as follows:

PART ONE

GENERAL

1. Short Title

This Proclamation can be cited as “Somali Region Advocacy Service Licensing and Administration Proclamation No: -218/2022”.

2. Definition

unless the context requires otherwise, in this Proclamation: -

1. ”Region” means the Region of Somali Regional State;
2. "Government" means government of the Somali Regional State;
3. "Bureau" or Head of Bureau ‘’ means the justice Bureau or head of Justice Bureau of Somali Regional State;
4. ‘courts’ means the Somali regional state courts and quasi-judicial organs;

- 5. **“Qareen”** waxaa loola jeeda xirfadlaha hab waafaqsan bayaankan loo diiwaangeliyay islamarkaana loo siiyay shatiga qareenimo.
- 6. **‘Cadeynta cashuur bixinta’** waxaa loola jeedaa dhokumentiga uu bixiyo xafiiska dakhliga deegaanku ee muujinaya in xirfadlaha la siiyay shatiga qareenimo uu bixiyay cashuurtii ku waajibtay.
- 7. **‘Shirkad bixisa adeegga qareenimo’** waxaa loola shirkada ay aasaaseen laba qareen ama tiro ka badan oo bixisa adeegyada qareenimo.
- 8. **‘adeega qareenimo’** waa dhamaan adeegyada uu bixiyo qareen gaar ah ama shirkad bixisa adeegga qareenimo taasi oo la dhaafsado lacag, hanti ama faa’iido kale oo hada la bixinayo ama mustaqbalka la heli doono, ama bilaa lacag ah oo ay kamid yihiin adeegyadan:
 - b) talobixinta sharci iyo dhexdhexaadinta aanay ku jirin kiisaska ciqaabtu.
 - t) diyaarinta iyo in magaca macmiilka lagu xereeyo dhokumentiyada sharci.
 - j) metalaada macaamiisha iyo uga doodista maxkamadaha hortooda, hay’adaha leh awood garsoor, goleyaasha dhexdhexaadinta iyo hay’adaha kale ee lamidka ah.
- 9. **‘Ururka qareenada’**waxaa loola jeedaa ururka rayidka ah ee loo aasaasay hab waafaqsan qodobka 41^{aad} ee bayaankan.
- 10. **‘Macmiil’** waxaa loola jeedaa qofka loo qabanayo ama la siinayo adeegga qareenimo.

- 5. **“ጠበቃ”** ማለት የግል የጥብቅና አገልግሎት ለመስጠት በዚህ አዋጅ መሠረት ፍቃድ የተሰጠውና የጥብቅና አገልግሎት የሚሰጥ ሰው ፤
- 6. **“የታክስ ክሊራንስ”** ማለት አንድ የጥብቅና ሙያ አገልግሎት ፍቃድ ያለው ሰው ላገኘው ገቢ ግብር ስለመክፈሉ ከግብር አስገቢው አካል የሚሰጥ ማስረጃ ነው፤
- 7. **“የጥብቅና አገልግሎት ድርጅት”** ማለት ሁለት እና ከዚያ በላይ የሆኑ ጠበቆች የጥብቅና አገልግሎት ለመስጠት የሚያቋቁሙት የንግድ ማኅበር ያልሆነ ኃላፊነቱ ያልተወሰነ ማኅበር ነው፡፡
- 8. **“የጥብቅና አገልግሎት”** ማለት የገንዘብ ክፍያ በመቀበል ወይም ወደፊት የሚገኝ ቀጥተኛ ወይም ቀጥተኛ ያልሆነ ጥቅም ለማግኘት ሲባል ወይም ያለክፍያ በጠበቃ ወይም በጥብቅና ድርጅት የሚሰጥ ማንኛውም የሕግ አገልግሎት ሲሆን የሚከተሉትን ያጠቃልላል፡-
 - ሀ) በሕግ ጉዳዮች ላይ ምክር መስጠት፤ ከወንጀል ጉዳዮች ዉጪ የማደራደር ሥራ፤
 - ለ) የሕግ ሰነድ ማዘጋጀት ወይም በደንበኛው ስም ሰነድን ማቅረብ፤
 - ሐ) በፍርድ ቤቶች፣ አስተዳደራዊ ጉባዔዎች፣ ከፊል የዳኝነት ሥልጣን ባላቸዉ አካላት፣ በግልግል ዳኝነት ጉባዔዎች እና በሌሎች ሶማሌዎቹ የሙግት መፍቻ መድረኮች ደንበኛን ወክሎ መቅረብ እና መከራከር፤
- 9. **“ማኅበር”** ማለት በዚህ አዋጅ አንቀጽ 41 መሠረት የተቋቋመ የክልሉ ጠበቆች ማኅበር ነው፤
- 10. **“ደንበኛ”** ማለት ማንኛውንም የጥብቅና አገልግሎት የሚሰጥበት ሰው ነው፤

- 5. **“Advocate”** means a person licensed to provide private advocacy services pursuant to this Proclamation.
- 6. **“Tax Clearance”** means a certificate given, as evidence of paying income tax, by a tax collecting authority to advocate license holder;
- 7. **“Law Firm”** means an organization established to provide advocacy service.
- 8. **“Advocacy Service”** means any kind of legal service provided by an advocate or a law firm for payment of a fee or in expectation of direct or indirect future benefit, or pro bono, including the following:
 - (a) Providing consultation on legal issues; conducting negotiations except in criminal cases;
 - (b) Drafting legal documents or submitting documents on behalf of a client;
 - (c) Representing a client and litigating before courts of law; administrative tribunal; quasi-judicial institutions; arbitral bodies and other alternative dispute resolution forums.
- 9. **“Association”** means the Advocates’ Association established pursuant to Article 41 of this Proclamation.
- 10. **Client”** means a person who receives advocacy services.

11. ‘Dilaal’ waxaa loola jeedaa qofkasta oo isku xidha macaamiisha doonaya adeegga qareenimo iyo qareen, ama ururka qareenada isagoo qaadanaya qadar gunno ah.

12. ‘Adeegga qareenimo ee bilaashka ah’ waxaa loola jeedaa adeegga qareenimo ee qareenku gaarkiis ama shirkad bixisa adeegga qareenimo lacag la’aan ama qiimo jaban ku siiso macamiisha lagu xeeriyay qodobka 30^{aad} ee bayaankan iyo shuruucda kale ee dhaqangalka ah.

13. ‘Qoraaga qareenka’ waxaa loola jeedaa xirfadlaha isagoo u shaqeynaya qareen ama shirkad bixisa adeeg qareenimo qabta shaqooyinka qoraalka, isku dubaridka, hagaajinta, dib u habaynta codsiyada, cabashooyinka, dacwadaha, difaaca, rafcaanada iyo dhokumetiyaada kale ee sharci.

14. ‘Caawiye qareen’ waxaa loola jeedaa xirfadlaha sharci-yaqaaanka ah ee isaga oo u shaqaynaya qareen ama shirkad bixisa adeeg qareenimo bixiya taloxinta sharci, diyaariya dhikumentiyada codsiyada, cabashooyinka, dacwadaha, difaaca, rafcaanada iyo dhokumetiyaada kale ee sharci islamarkaana gaadhsiiya qareenka, macmiilka iyo hay’adaha kale ee ay khusayso yeedhitaanka maxkamadda, nuqulka go’aanka iyo dhokumentiyada kale.

11. “ደላላ” ማለት ጠበቃን ወይም የጥብቅና ድርጅትን እና ባለጉዳይን በማገናኘት ከአንዱ ወይም ከሁለቱም ወገን ክፍያ ወይም ኮሚሽን በመቀበል የሚያግባባ ማንኛውም ሰው ነው።

12. “ንጹ የጥብቅና አገልግሎት” ማለት በዚህ አዋጅ አንቀጽ 30 ስር ለተዘረዘሩት የጥብቅና አገልግሎት ፈላጊዎች በአነስተኛ ክፍያ ወይም ያለምንም ክፍያ በጠበቃ ወይም በጥብቅና ድርጅት የሚሰጥ የጥብቅና አገልግሎት ነው።

13. “የጠበቃ የሕግ ጉዳይ ጸሐፊ” ማለት በጠበቃ ወይም ጥብቅና ድርጅት ሥር በመሆን በጠበቃ በኩል የሚቀርቡ ክሶችን፣ ማመልከቻዎችን፣ ይግባኞችን፣ አቤቱታዎችን፣ መልሶችን እና ሌሎች ሕግ ነክ ሠነዶችን በማዘጋጀት ወይም በማረም ጠበቃን የሚያግዝ ሰው ነው።

14. “የጠበቃ ረዳት” ማለት በጠበቃ ወይም ጥብቅና ድርጅት ሥር በመሆን ጠበቃን የሚያማክር፣ ለጠበቃው የሕግ አስተያየት የሚያዘጋጅ፣ የተዘጋጁ ክሶችን፣ ማመልከቻዎችን፣ ይግባኞችን፣ አቤቱታዎችን ወይም መልሶችን ፍርድ ቤት ወይም በሌላ የሕግ ሰውነት ባለው ተቋም ዘንድ በመገኘት የሚያቀርብ፣ ለሚመለከተው አካል የሚያደርስ፣ የክስ ወይም የይግባኝ መዝገብ የሚያስከፍት፣ መጥሪያዎችን፣ የውሳኔ ግልባጮችን እና ሌሎች ለጠበቃው መድረስ ያለባቸውን ሠነዶች ከሚመለከተው አካል በመቀበል ለጠበቃው የሚያደርስ ሰው ነው።

11. “Broker” means any person who introduces a potential client seeking advocacy services or law firm of his choice, in consideration of immediate or future payment or commission from one or both parties.

12. “Pro Bono Advocacy Service” means an advocacy service provided by an advocate or law firm at minimal or no charge to persons listed under Article 30 of this proclamation as in need of such services.

13. “Law-Clerk” means a person who works for and assists an advocate or law firm in drafting or editing statements of claim, pleadings, applications, appeals, statements of defense and other legal and related documents.

14. “Advocate’s Assistant” means a person who, works for an advocate or a law firm and provides advice; prepare legal documents; present to the court or other legal institutions signed statements of claim, letters, appeals, pleadings, or statement of defense and appeals; deliver the same to such institutions; file statement of claim or an appeal; collect and deliver to the advocate or law firm court summons, copies of decisions or orders or other documents that are intended to reach the advocate.

- 15. ‘Diiwaan’ waxaa loola jeedaa diiwaanka yaala xafiiska cadaaladda ee lagu qoro xogta qareenada la diiwaangeliyay islamarkaana shatiga la siiyay.
- 16. ‘Xeerka anshaxa’ waxaa sharciga loo soo saaray in lagu ilaaliyo anshaxa iyo asluubta qareenada iyo shirkadaha bixiya adeegga qareenimo ee loo soo saaro hab waafaqsan bayaankan.
- 17. ‘Tabobar’ waxaa loola jeedaa tabobarada sharci ee shaqada gudaheeda lagu siiyo qareenada siiso sharci ee xarun waxbarasho oo ay xaqiijiyeen kartideeda xafiiska iyo hay’adda kale ee ay khusayso.
- 18. ‘Xarun waxbarasho’ waxaa loola jeedaa xarun waxbarasho oo bixisa koorsooyinka xirfadda sharci ee joogtada ah.
- 19. “Qof” waxaa loola jeedaa qofka caadiga ah ama hay’ad kasta oo leh jiritaan sharci.
- 20. Bayaankan gudihiisa weedhaha loo xeeriyey labku sidoo kale waxay khuseeyaan dhediga;

3. **Xadka dhaqangalka**

Bayaankani waxa uu dhaqangal ku yahay dhamaan qareenada iyo shirkadaha bixiya adeegga qareenimo ee uu diiwaangeliyay islamarkaana shatiga siiyay xafiisku.

- 15. “መዝገብ” ማለት ጠበቆች፣ እና የጥብቅና አገልግሎት ድርጅቶች የሚመዘገቡበት በቢሮው የሚጠበቅ ሰነድ ነው።
- 16. “የሥነ-ምግባር ደንብ” ማለት የጠበቆች፣ ጥብቅና ድርጅቶች እና የሕግ አቤቱታ ጸሓፊዎች ሥነ-ምግባርን አስመልክቶ በዚህ አዋጅ መሠረት የሚወጣ ደንብ ነው።
- 17. “ስልጠና” ማለት በዚህ አዋጅ መሠረት በቢሮው ወይም ማኅበሩ እውቅና በሰጠው ተቋም አማካኝነት ለጠበቆች በሥራ ላይ እያሉ የሚሰጥ የሕግ ስልጠና ነው።
- 18. “ተቋም” ማለት ተከታታይ የሕግ ስልጠና የሚሰጥ ተቋም ነው።
- 19. “ሰው” ማለት የተፈጥሮ ሰው ወይም በሕግ የሰውነት መብት የተሰጠው አካል ነው።
- 20. በዚህ አዋጅ ውስጥ በወንድ ጾታ የተደነገገው የሴትንም ጾታ ያካትታል ፡፡

3. የተፈጻሚነት ወሰን

ይህ አዋጅ የጥብቅና ፍቃድ በተሰጣቸው ማንኛውም ጠበቆችና የጥብቅና አገልግሎት ድርጅት ላይ ተፈጻሚ ይሆናል፡፡

- 15. “Register” means a book of records or data base prepared and maintained by the Bureau containing full and up-to-date record of all licensed advocates and law firms.
- 16. “Code of Conduct” means a code of conduct to be issued pursuant to this Proclamation governing the professional ethics and conduct of advocates and law firms.
- 17. “Training” means a legal on job training offered to advocates by the Association or an Institution accredited by the bureau and Association to offer such trainings.
- 18. “Institution” means an organization which offers continuing professional legal training.
- 19. “Person” means natural or juridical person.
- 20. In this Proclamation any expression in the masculine gender also applies to the feminine gender.

3. **Scope of Application**

This Proclamation shall be applicable on all advocates and law firms licensed under this Proclamation by the Bureau.

QAYBTA LABAAD

**NIDAAMKA DIIWAANGELINTA,
BIXINTA IYO CUSBOONAYSIINT
SHATIGA QAREENIMO**

Qayb-hoosaadka koowaad

Diiwaanglinta iyo fasax-siinta

4. Mabaadii'da diiwaangelinta qareenada

1. Waxaa reeban in qof aan haysan shatiga qareenadu uu bixiyo adeeg qareenimo.
2. Waxaa reeban in shatiga qareenimo la siiyo qof haysta shaqo kale ee rasmi ah.
3. Waxaa reeban in shatiga qareenimo la siiyo qof aan buuxinin shuruudaha bayaankani u meel dhigay diiwaangelinta iyo helitaanka shatiga qareenimo.
4. Iyadoo ay sideeda yihiin arrimaha lagu xeeriyay qodob-hoosaadka (3) ee qodobkan, waxaa reeban in qof loogu diido shatiga qareenimo sabab la xidhiidha diintiisa, fikirkiisa, qoomiyadiisa, luuqadiisa, jinsigiisa, heerka dhaqaale, laxaad la'aan iyo arrimaha kale ee lamidka ah.

5. Xaaladaha aan loo baahnayn shatiga qareenimo

Arrimahan soo socda cida ka doodaya uma baahna inay qaadato shatiga qareenimo:

1. Qofkasta oo arrin isaga khusayso ka doodaya.
2. Qofkasta oo isaga oo aan lacag ka qaadanayn metalaya lamaanihiisa, waalidkii, caruurtiisa, edo/adeer, habar-yar/abti, walaal, waalidka lamaanaha, cida korisay ama qofkasta oo maxkamadu u aqoonsatay waaliskiis.
3. Xeer-ilaaliye ka doodaya dacwadkasta oo la xidhiidha shaqadiisa.

ክፍል ሁለት

ስለ ፍቃድ አሰጣጥ፣ ምዝገባ እና እድላት

ንዑስ ክፍል አንድ

ስለምዝገባና ፍቃድ አሰጣጥ

4. የጥብቅና ፍቃድ መርሆዎች

1. ማንኛውም ሰው ፍቃድ ሳይኖረው የጥብቅና አገልግሎት መስጠት አይችልም፤
2. የጥብቅና ፍቃድ ቋሚ ሥራ ላለው ሰው አይሰጥም፤
3. ማንኛውም የጥብቅና ፍቃድ ማግኘት የሚፈልግ ሰው በዚህ አዋጅ የተደነገጉ መስፈርቶችን ማሟላት አለበት፤
4. የዚህ አንቀጽ ንዑስ አንቀጽ 3 እንደተጠበቀ ሆኖ ማንም ሰው በጾታ፣ በሀይማኖት፣ በቋንቋ፣ በዘር ወይም በማኅበራዊ አመጣጡ፣ በፖለቲካ አመለካከቱ፣ በንብረቱ፣ በትውልዱ፣ በአካል ጉዳቱ ወይም ማንኛውንም ተመሳሳይ ሁኔታ መሠረት በማድረግ ፍቃድ አይከለከልም።

5. ፍቃድ የማያስፈልግበት ሁኔታ

የሚከተሉት አካላት የጥብቅና ፍቃድ ሳያስፈልጋቸው የጥብቅና አገልግሎት መስጠት ይችላሉ፡-

1. ስለራሱ ጉዳይ የሚከራከር ሰው፤
2. ያለክፍያ ለትዳር ጓደኛው፣ ለወላጅ፣ ለልጅ፣ ለእያቶ፣ ለእህቱ፣ ለወንድሙ፣ ለትዳር ጓደኛው ወላጆች፣ ሞግዚት ወይም አሳዳሪ ለሆነለት ሰው የሚከራከር ሰው፤
3. ከሥራው ጋር በተያያዘ ጉዳይ የሚከራከር ዐቃቤ-ሕግ፤

PART TWO

LICENSING, REGISTRATION AND RENEWAL SECTION ONE

LICENSING

4. Principles of Licensing

1. No person shall provide advocacy services without having a license;
2. Advocacy license shall not be given to a person having a permanent job;
3. A person who wishes to obtain an advocacy license shall fulfill the requirements provided in this Proclamation.
4. Without prejudice to sub-Article 3 of this Article, no person shall be denied a license on grounds of gender, religion, language, ethnic or social background, political persuasion, economic status, origin, physical disability or other similar conditions.

5. Where license shall not be necessary

The following persons may provide advocacy services without the need for an advocacy license:

1. Any person handling his own case;
2. A person who represents, without charge, his spouse, parent, child, grand parent, sister, brother, the parent of his spouse, a person to whom he is the designated tutor or guardian.
3. A Public prosecutor on cases related to his job.

4. Qofkasta oo ay shaqaalaysiiyeen islamarkaana ka doodaya arrin ay dhinac ka yihiin shirkadaha ganacsi, ururada bulshada, iskaashatooyinka, xarumaha diimaha, ururada xirfadleyaasha iyo hay'adkasta oo nidaam sharciga waafaqsan loo aasaasay.

5. Madaxa xafiis dawladeed ama qofkasta oo la siiyay awood wakaaladeed oo uu kaga doodi karo arrimaha khuseeya uu siiyay xafiis dawladeed ama shirkadaha horumarinta dawladda.

6. Gudoomiyaha ama wakiilka ururada shaqaalaha.

6. Shuruudaha shatiga qareenimo

1. Qofkasta oo raba shatiga qareenimo in la siiyo waa inuu buuxiyaa shuruudahan:

b) Muwaadin itoobiyaan ah oo u dhashay deegaanka soomaalida.

t) Haysta ugu yaraan shahadaada dibloomaha, dhigriiga koowaad ama dhigriiga labaad ee sharciga oo uu ka qaatay xarun waxbarasho oo la aqoonsan yahay.

j) haysta cadeyn muujinaysa in hay'adda uu u shaqeynayay labadii sano ee u dambaysay ka qaadin talaabo anshaxmarin.

x) haysta waayo aragnimo sharci ee looga baahan yahay, islamarkanaka gudba imtixaanka loo diyaariyay qaadashada shatiga qareenimo.

4. ሕጋዊ ሰውነት ባለው የንግድ ድርጅት፣ የሲቪል ማኅበረ-ሰብ ድርጅት፣ ሕዝባዊ ድርጅት፣ የኃይማኖት ተቋም፣ የሙያ ማኅበር ወይም በሌላ አግባብነት ባለው ሕግ መሠረት በተቋቋመ ድርጅት ተቀጥሮ የተወከለ ሰው፤

5. የመንግሥት መሥሪያ ቤትን ወይም የልማት ድርጅትን በሚመለከት የሚከራከር ማንኛውም የመንግሥት መሥሪያ ቤት ወይም የልማት ድርጅት ባለሥልጣን ወይም ኃላፊ ወይም በእርሱ የተወከለ ሰው፤ ወይም

6. ማንኛውም የሠራተኛ ማኅበር መሪ ወይም ማኅበሩ የሚወክለው ሰው፡፡

6. ፍቃድ ለማግኘት መሟላት ያለባቸው መስፈርቶች

1. ማንኛውም በጥብቅና ሙያ መሰማራት የሚፈልግ ሰው የጥብቅና ፍቃድ ለማግኘት የሚከተሉትን መስፈርቶች መሟላት ይኖርበታል፡-

ሀ) የኢትዮጵያ ዜግነት ያለውና በትውልድ የክልሉ ተወላጅ የሆነ፤

ለ) እውቅና ካለው የኢትዮጵያ ከፍተኛ ትምህርት ተቋም ቢያንስ በሕግ በዲፕሎማ፣ የተመረቀ ወይም በሕግ የመጀመሪያ ዲግሪ ወይም በሕግ የሁለተኛ ዲግሪ ያለው፤

ሐ) ለመጨረሻ ጊዜ ይሰራበት ከነበረበት ተቋም ድርጅቱን ከመልቀቁ በፊት ባሉት ሁለት ዓመታት ውስጥ በከባድ ዲስፕሊን ተፋት ያልተቀጣ እና የመልካም ሥነ-ምግባር ማረጋገጫ ማቅረብ የሚችል፤ እና

መ) በሕግ ሙያ የሚፈለገውን የሥራ ልምድ ያሟላ እና እንደ አስፈላጊነቱ ፍቃድ ለማግኘት የሚሰጠውን የሙያ መግቢያ ፈተና ያለፈ፡፡

4. A person employed and assigned by a business organization having legal personality, a civil society organization, public organization, religious institution, professional association or institution established in accordance with the relevant law;

5. An official or head of a public enterprise or a person bestowed with power of attorney by such organs who litigate on behalf of public office or public enterprise; or

6. Any leader or designated representative of a labor union.

6. Requirements to obtain advocacy license

1. Any person who wishes to obtain advocacy license shall fulfill the following requirements:

a) To be an Ethiopian national of Somali origin;

b) Have a minimum of a diploma, first or second degree in law from a recognized Ethiopian higher educational institution;

c) Able to present a statement from his most recent employer indicating that, in his last two years of employment, he had not been subjected to measures for serious disciplinary infractions and can produce proof of good conduct;

d) Meet the work experience required in the legal profession and pass any qualification examination that may be necessary to obtain advocacy license.

- 2. Iyadoo ay sideeda yihiin arimaha lagu xeeriyay xarafka (t) ee qodob-hoosaadka (1) ee qodobkan, qofkasta oo shahaadada dhigriiga koowaad ee sharciga kasoo qaatay xarun waxbarasho oo dalka dibadiisa ku taala, waxaa la siin karaa shatiga qareenimo marka uu buuxiyo shuruudaha lagu xeeriyay qodob-hoosaadka (2) ee qodobka 11^{aad}, qodob-hoosaadka (2) ee qodobka 12^{aad} iyo qodob-hoosaadka (2) ee qodobka 13^{aad}.
- 3. Qofkasta uu buuxiyo shuruudaha lagu xeeriyay ee qodob-hoosaadka (1) ee qodobkan, waa inuu codsigiisa usoo gudbiyo xafiiska isagoo kusoo lifaaqaya dhokumentiyada cadeymaha ah.
- 4. Natijada imtixanka loo soo saaray hab waafaqsan xarafka (x) ee qodob-hoosaadka (1) ee qodobkan, waxay dhaqangal ahaanaysaa muddo sanad ah oo keli ah.

7. Sababaha lagu diidi karo codsiga shatiga qareenimo

Qofka waa loo diidi karaa in la siiyo shatiga qareenimo, hadii:

- 1. Uu buuxin waayo shuruudaha lagu xeeriyay qodob-hoosaadka (1) ee qodobka 6^{aad} ee bayaankan.
- 2. Maxkamadi ku heshay islamarkaana ku xukuntay faldambiyeed Laxiriira xirfada shaqo, ciqaabtiisuna tahay sadex sano ama muddo ka badan, islamarkaana aan la siinin cafis.
- 3. Ay sharci ama maxkamadi ka joojisay inuu bixiyo adeeg qareenimo.

- 2. በዚህ አንቀጽ ንዑስ አንቀጽ (1) ፊደል-ተራ (ለ) የተመለከተው ቢኖርም ከኢትዮጵያ ውጪ ካለ እውቅና ካለው የከፍተኛ ትምህርት ተቋም በሕግ የመጀመሪያ ዲግሪ የተሰጠው ማንኛውም ሰው በዚህ አዋጅ አንቀጽ 11 ንዑስ አንቀጽ (2)፣ አንቀጽ 12 ንዑስ አንቀጽ (2) እና አንቀጽ 13 ንዑስ አንቀጽ (2) ሥር የተመለከተውን መስፈርቶች የሚያሟላ ከሆነ የጥብቅና ፍቃድ ሊሰጠው ይችላል፡፡

- 3. በዚህ አንቀጽ ንዑስ አንቀጽ (1) ላይ የተመለከቱትን መስፈርቶች የሚያሟላ ማንኛውም ሰው አስፈላጊ ሰነዶችን በማያያዝ የጥብቅና ፍቃድ ማመልከቻውን ለቢሮው ማቅረብ ይኖርበታል፡፡

- 4. በዚህ አንቀጽ ንዑስ አንቀጽ (1) ፊደል-ተራ (መ) መሠረት የሚቀርበው የፈተና ውጤት ዋጋ የሚኖረው ውጤቱ በታወቀ በአንድ ዓመት ጊዜ ውስጥ ከቀረበ ብቻ ነው፡፡

7. ፍቃድ የማያሰጡ ምክንያቶች

ማንኛውም ሰው የጥብቅና ፍቃድ የማይሰጠው፡-

- 1. በዚህ አዋጅ አንቀጽ 6 ንዑስ አንቀጽ (1) ላይ የተመለከቱትን መስፈርቶች ያላሟላ ከሆነ፤
- 2. ታስቦ በሚፈጸምና ከሙያ ሥነ-ምግባር ጉድለት ጋር በተያያዘ ሶስት ዓመትና ከዚያ በላይ ጽኑ እስራት በሚያስቀጣ ወንጀል ተከሶ ጥፋተኛ ከተባለ እና አግባብነት ባለው ሕግ ያልተሰየመ ከሆነ፤
- 3. በሕግ አገልግሎት እንዳይሰማራ በሕግ ወይም በፍርድ ቤት የተከለከለ ከሆነ ነው፡፡

- 2. Notwithstanding sub-article 1(b) of this article, any person who received his first degree in law from a recognized higher educational institution abroad may be granted advocacy license provided he fulfills the criteria set out under Articles 11(2), 12(2) and 13(2) of this Proclamation.

- 3. A person who fulfills the requirements provided under sub-Article 1 of this Article shall present his application for advocacy license along with necessary documents, to the Bureau.

- 4. The result of any qualification examination referred to in Sub-Article 1(d) of this Article shall be valid only if it is presented within a year from the date on which the result became known to the applicant.

7. Grounds for Denial of a License

A person shall not get an advocacy license if:

- 1. He does not fulfill the requirements provided under Article 6(1) of this Proclamation;
- 2. He is found guilty of an offence committed intentionally and has relevance with professional misconduct that is punishable with rigorous imprisonment of three years and above and has not been reinstated under the appropriate law;
- 3. He is interdicted by law or through court decision from engaging in the provision of legal services

8. Bixinta shatiga qareenimo

1. Xafiisku, isagoo ka duulaya go'aanka guddiga qiimaynta shatiga qareenimooyuu hab waafaqsan bayaankan u bixin karaa shatiga qareenimo.
2. Guddiga qiimaynta shatiga qareenimo waa inuu 30 cisho gudaheedkaga go'aan gaadhaa codsiyada loo soo dhaweeyo hab waafaqsan qodob-hoosaadka (3) ee qodobka 6^{aad} ee bayaankan.
3. Hadii guddiga qiimaynta shatiga qareenimo diido inuu aqbaloo codsiga shatiga qareenimo, xafiisku waa inuu 10 maalmood gudaheed qoraal ahaan ku ogeysiiyaa codsadaha sababta loo diiday codsiyiisa.
4. Hadii guddiga qiimaynta shatiga qareenimo aqbaloo codsiga shatiga qareenimo, xafiisku waa inuu 15 maalmood gudaheed shatiga ku siiyaa codsadaha.
5. Faahfaahinta xogta lagu qorayo shatiga qareenimo waxaa lagu xeerin awaamiirta uu soo saaro xafiisku.
6. Qofkasta oo guddiga qiimaynta shatiga qareenimo diidaan inay aqbalaan codsiyiisa, waxa uu 15 cisho gudaheed oo ka bilaabanta maalinta ogeysiintu soo gaadho cabasho ugu gudbin karaa madaxa xafiiska.
7. Qofkasta oo aan ku qancin go'aanka uu madaxa xafiisku kasoo saaro cabashada uu kasoo gudbiyay go'aanka guddiga qiimaynta shatiga qareenimo, waxa uu racfaan u gudbin karaa maxkamada sare ee gobolka.

8. ፍቃድ ስለመስጠት

1. በዚህ አዋጅ መሠረት የክልል የጥብቅና ፍቃድ የሚሰጠው በጥብቅና ፍቃድ ገምጋሚ ኮሚቴ ውሳኔ መሠረት በቢሮው ነው።
2. አመልካቹ በዚህ አዋጅ አንቀጽ 6 ንዑስ አንቀጽ (3) መሠረት የተሟላ ማመልከቻ ባቀረበ 30 ቀናት ውስጥ የጥብቅና ፍቃድ ገምጋሚ ኮሚቴ ተገቢ የሚለውን ውሳኔ መስጠት አለበት።
3. የጥብቅና ፍቃድ ማመልከቻ ተቀባይነት ካላገኘ የጥብቅና ፍቃድ ገምጋሚ ኮሚቴውን ውሳኔ መሠረት በማድረግ ቢሮው ማመልከቻው ተቀባይነት ያላገኘበትን ምክንያት የኮሚቴውን ውሳኔ ባወቀ በ10 የሥራ ቀናት ውስጥ በጽሑፍ ለአመልካቹ ማሳወቅ አለበት።
4. የጥብቅና ፍቃድ ገምጋሚ ኮሚቴ ፍቃድ እንዲሰጥ ከወሰነ በ15 የሥራ ቀናት ውስጥ የጥብቅና ፍቃዱን ለአመልካቹ በቢሮው በኩል መስጠት አለበት።
5. የጥብቅና አገልግሎት ፍቃድ በሚሰጥበት ጊዜ በፍቃድ ደብተር ላይ መጠቀስ ያለባቸው ነጥቦች ዝርዝር በቢሮው በሚያወጣው መመሪያ ይወሰናል።
6. የጥብቅና ፍቃድ ገምጋሚ ኮሚቴው ማመልከቻውን ውድቅ ካደረገው አመልካቹ ማመልከቻው ውድቅ መደረጉን ካወቀበት ጊዜ አንስቶ በ15 የሥራ ቀናት ውስጥ ቅሬታውን ለቢሮው ሐላፊ ማቅረብ ይችላል።
7. የቢሮው ሐላፊ በጥብቅና ፍቃድ ገምጋሚ ኮሚቴው ውሳኔ ላይ ቅሬታ በቢሮው ኃላፊ የተሰጠው ውሳኔ ላይ ቅሬታ ያለው ወገን ለዞኑ ከፍተኛ ፍርድ ቤት ይግባኙን ማቅረብ ይችላል።

8. Issuance of License

1. An advocacy license, shall be issued by the Bureau according to the decision of the Advocacy License Evaluation Committee.
2. Advocacy License Evaluation Committee shall give decision it deems appropriate on an application no longer than 30 days from the submission of a complete application as provided under Article 6 Sub-Article (3) of this Proclamation;
3. If an application is rejected, the Bureau, based on the decision of Advocacy License Evaluation Committee, shall notify the applicant in writing the grounds for rejection within 10 working days of knowing the decision of the Committee;
4. If the Advocacy License Evaluation Committee accepts an application, it shall issue the license through Bureau to the applicant within 15 working days of the decision;
5. The particulars to be mentioned on the document evidencing the advocacy license shall be determined by a Directive to be issued by the Bureau;
6. If Advocacy License Evaluation Committee rejects an application, the applicant, within 15 working days from the day he is notified about the rejection, may lodge complaints to the Bureau head;
7. A party aggrieved by the decision of the Bureau head on the Recommendation of the Advocacy License Evaluation Committee may appeal to the Zonal high Court.

9. **Dhaarta**

Iyadoo ay sideeda tahay dib u habaynta dhaarta lagu samayn karo si loo waafajiyo diinta uu aaminsan yahay dhaartuhu, qofkasta oo la siinayo shatiga qareenimo waa inuu ku dhaartaa:

Aniga oo ah _____ oo qaadanaya shatiga qareenimo maanta oo ay taariikhdu tahay _____ waxaan ku dhaaranayaa inaan ilaalin doono dastuurka dalka, dastuurka deegaanka iyo shuruucda kale ee dhaqangalka ah islamarkaana u adeegi doono hirgelinta cadaaladda, u gudan doono waaajibaadkayga anigoo hab sharciga waafaqsan u dhawraya danaha macmiilkayga, islamarkaana aan dadka aan shaqada wadaagno iyo dhinaca igasoo horjeeda aan ixtiraam, daacadnimo iyo qadarin kula dhaqmi doono. Sidoo kale, si aanhagrasho lahayn u adeegsan doono aqoonta iyo xirfada aan leeyahay si loo sugo sarraaynta sharciga.

10. **Noocvada shatiga qareenimo**

Shatiyada qareenimo ee deegaanku waxay kala yihiin:

1. Shatiga qareenimo ee maxkamada derajada koowaad ee degmada.
2. Shatiga qareenimo ee dhamaan maxkamadaha deegaanka
3. Shatiga qareenimo ee gaarka ah.

11. **Shatiga qareenimo ee maxkamada derajada koowaad ee degmada.**

1. Qofkasta oo la siiyay shatiga qareenimo ee maxkamada derajada koowaad ee degmada, waxa uu ka doodi karaa oo keli ah dacwadaha ka furan maxkamadaha degmooyinka deegaanka.

9. **ቃለ መሰላ ስለማስፈጸም**

የቃለ መሰላ ፈጻሚውን እምነት ለማስተናገድ ሊደረጉ የሚችሉ ምክንያታዊ ለውጦች እንደተጠበቁ ሆነው ማንኛውም የጥብቅና አገልግሎት ፍቃድ የሚሰጠው ጠበቃ የሚከተለውን ቃለ መሀላ በጽሑፍ ያረጋግጣል፡-

«እኔ _____ በዛሬ ቀን _____ ዓ.ም የክልል የጥብቅና ፈቃድ ስቀበል የሀገሪቱን ሕገ-መንግስት እና ሕጎች ላከብር እና ላስከብር፣ ለፍትሕ ሥርዓቱ ተልዕኮ መሳካት በመልካም ሥነ-ምግባር በሙያዬ በቅንነት እና በታማኝነት በመስራት የምወክላቸውን ደንበኞቼን ጥቅም ሕግ በሚፈቅደው አግባብ ላስከብር፣ ከተከራካሪዎቼ እና ከሙያ ባልደረቦቼ ጋር በመግባባት እና በመከባበር ልሰራ እና፣ ባለኝ እውቀት እና ችሎታ ለሕግ የበላይነት ተገቢውን እገዛ ለማድረግ ቃል እገባለሁ።»

10. **የጥብቅና ፍቃድ ዓይነቶች**

የክልሉ የጥብቅና ፍቃድ ዓይነቶች፡-

1. የክልል መጀመሪያ ደረጃ ፍርድ ቤት የጥብቅና ፍቃድ፣
2. የክልል ማናቸውም ፍርድ ቤት የጥብቅና ፍቃድ፣ እና
3. የክልል ልዩ ጥብቅና ፍቃድ፣ ናቸው፡፡

11. **የወረዳ የመጀመሪያ ደረጃ ፍርድ ቤት ጥብቅና ፍቃድ**

1. የክልሉ የመጀመሪያ ደረጃ ፍርድ ቤት ጥብቅና ፍቃድ ያለው ጠበቃ በክልሉ በመጀመሪያ ፍርድ ቤቶች ሥልጣን የሚታዩ ጉዳዮች ላይ ብቻ የጥብቅና ሙያ አገልግሎት መስጠት ይችላል።

9. **Administration of Oath**

Without prejudice to reasonable adjustments that may be made in order to accommodate the religious beliefs of the person taking an oath, any person to be issued with an advocacy license shall take the following oath in writing:

“I _____ in receiving this State Advocacy License on this _____ day swear and solemnly affirm that I shall observe and ensure the observance of the Constitution and the laws of the land; to serve the objectives of the justice system by discharging my duties with honesty and integrity and protect the interests of my clients according to law; to work with my colleagues and opposing parties in a spirit of understanding and mutual respect and contribute my share, to the fullest extent of my knowledge and ability, for the realization of rule of law.”

10. **Types of Advocacy License**

The classes of State advocacy license are:

1. The woreda First Instance Court Advocacy License;
2. All state Courts Advocacy License; and
3. The state Special Advocacy License.

11. **The woreda First Instance Court Advocacy License**

1. Any person granted with woreda First Instance Court Advocacy License shall provide Advocacy License only on matters that fall under woreda court’s Jurisdiction .

2. Iyadoo ay sideeda yihiin arrimaha lagu xeeriyay qodob hoosaadka (1) ee qodobkan, qareenka la siiyay shatiga qareenimo ee maxkamada derajada koowaad ee degmadu waxa uu ka doodi karaa dacwadaha racfaanka ah ee laga qaatay go'aan dacwad uu qareen ahaan ugaga dooday maxkamada degmada.

3. Muwaadinkasta oo itoobiyaan ah una dhashay deegaanka soomaalida oo buuxiya shuruudaha hoos ku xusan ayaa la siin karaa shatiga qareenimo ee maxkamada derajada koobaad ee degmada:

b) Haysta ugu yaraan shahaadada dhigriiga koowaad ee sharciga oo uu ka qaatay xarun waxbarasho oo la aqoonsan yahay islamarkaana leh khibrad sharci oo hal sano ah ama haysta shahaadada dhibloomka iyo waayo aragnimo sharci oo aan ka yarayn 3 sano,

t). iyadoo arinta ku cad xaraf hoosaadka B ay sideeda tahay hadii xirfadluhu yahay haween shuruudaha ku cad xarafka B ee dhinaca khibrada looma eegayo.

j) islamarkaana ka gudba imtixaanka loo diyaariyay qadashada shatiga qareenimo.

x) haysta cadeyn muujinaysa in hay'adii ugu damaybaysay ee uu u shaqeynayay labadii sano ee u dambaysay ka qaadin talaabo anshaxmarin.

kh) soo gudbin kara cadeyn muujinaysa anshaxwanaagiisa oo uu siiyay xafiiskii ugu dambeeyay ee uu usoo shaqeyay.

2. በዚህ አንቀጽ ንዑስ አንቀጽ (1) ስር የተደነገገው ቢኖርም የክልሉ የመጀመሪያ ደረጃ ፍርድ ቤት የጥብቅና ፍቃድ ያለው ጠበቃ በክልሉ በመጀመሪያ ፍርድ ቤቶች የጀመረውን ጉዳይ ብቻ በይግባኝ እስከሚያየው ፍርድ ቤት ተከታትሎ መከራከር ይችላል፤

3. ከዚህ በታች የተዘረዘሩትን መስፈርቶች ያሟላ ማንኛውም የክልል ተወላጅ የሆነ ኢትዮጵያዊ የክልል የመጀመሪያ ደረጃ ፍርድ ቤት የጥብቅና ፍቃድ ይሰጠዋል፡-

ሀ) እውቅና ካለው የኢትዮጵያ ከፍተኛ ትምህርት ተቋም በሕግ የመጀመሪያ ዲግሪ የተመረቀ እና በሕግ ሙያ ቢያንስ አንደ ዓመት የሥራ ልምድ፤ ወይም በሕግ በዲፕሎማ የተመረቀ እና በሕግ ሙያ ሶስት ዓመት የሥራ ልምድ ያለው፤

(ለ) በዚህ አንቀጽ አንቀጽ (ሀ) የተደነገገው ቢኖርም አመልካች ሴት በሆነች ጊዜ ልምድን በሚመለከት በአንቀጽ “ሀ” የተመለከቱት መስፈርቶች ተፈጻሚ አይሆኑም።

ሐ) ለደረጃው የሚሰጠውን የጥብቅና ፍቃድ መግቢያ ፈተና ያለፈ፤

መ) ለመጨረሻ ጊዜ ይሰራበት ከነበረበት ተቋም ድርጅቱን ከለቀቀበት ጊዜ በፊት ባሉት ሁለት ዓመታት ውስጥ በከባድ ዲስፕሊን ጥፋት ያልተቀጣ፤ እና

ሠ) መልካም ሥነ-ምግባር ያለው ስለመሆኑ ማረጋገጫ ማቅረብ የሚችል።

2. Subject to the provisions of sub-article (1) of this article, a “Advocate who has been granted a worda First Instance Court Advocacy License may argue appeals from a decision in a case that he argued as a Advocate in a district court.

3. Any Ethiopian citizen belong to the Somali state who fulfills the following requirements shall be granted the worda First Instance Court Advocacy License:-

(a) Has graduated with a first degree in law from a recognized Ethiopian Higher Education Institution and has a minimum of one years of professional experience in the field of law or who has graduated with a diploma in law from a recognized Ethiopian Higher Education Institution and has a minimum of three years of professional experience in the field of law;

(b) Notwithstanding the provisions of Article (a) of this Article, Where the applicant is a woman, the requirements stipulated under paragraph ‘a’ as regard to experiences are exempted.

(c) Has passed the entrance qualification examination set for the particular type of advocacy license;

(d) Produces evidence, from his immediate past employer, that certifies that he had not been subjected to grave disciplinary measures for violation of serious misconduct in the two years prior to departure; and

(e) Produce a certificate of good conduct from his immediate past employer.

4. Iyadoo ay sideeda yihiin arimaha lagu xeeriyay xarafka (b) ee qodob-hoosaadka (1) ee qodobkan, qofkasta oo shahaadada dhigriiga koowaad ee sharciga kasoo qaatay xarun waxbarasho oo dalka dibadiisa ku taala, islamarkaana haysta waayo aragnimo sharci oo 5 sano gaadhaysa waxaa la siin karaa shatiga qareenimo marka uu buuxiyo shuruudaha kale ee lagu xeeriyay qodob hoosaadka (1) ee qodobkan.

12. Shatiga qareenimo ee dhamaan maxkamadaha deegaanka

1. Qofkasta oo la siiyay shatiga qareenimo ee dhamaan maxkamadaha deegaanka waxaa uu ka doodi karaa dhamaan dacwadaha ka furan maxkamadaha kala duwan ee deegaanka.

2. Muwaaadinkasta oo itoobiyaan ah una dhashay deegaanka soomaalida oo buuxiya shuruudaha hoos ku xusan ayaa la siin karaa Shatiga qareenimo ee dhamaan maxkamadaha deegaanka.

b) Haysta ugu yaraan shahaada dhigriiga koowaad ee sharciga oo uu kaqatay xarun waxbarasho oo la aqoonsan yahay iyo 3 sano oo khibrada sharci ah ama haysta dhigriiga labaad ee sharciga oo uu kaqatay xarun waxbarasho oo la aqoonsan yahay islamarkaana leh khibrad sharci oo hal sano.

t). iyadoo arinta ku cad xaraf hoosaadka B ay sideedatahay hadii xirfadluhu yahay haween shuruudaha ku cad xarafka B ee dhinaca khibrada looma eegayo.

4. በዚህ አንቀጽ ንዑስ አንቀጽ (1) ፊደል-ተራ (ሀ) ሥር የተመለከተው ቢኖርም ከኢትዮጵያ ውጪ ካለ ከፍተኛ ትምህርት ተቋም በሕግ የመጀመሪያ ዲግሪ ያለው ማንኛውም ሰው በኢትዮጵያ ውስጥ በሕግ ሙያ ለአምስት ዓመት ካገለገለ እና ሌሎች በዚህ አንቀጽ ንዑስ አንቀጽ (1) የተመለከቱ መስፈርቶችን የሚያሟላ ከሆነ የክልሉ የመጀመሪያ ደረጃ ፍርድ ቤት ፍቃድ ሊሰጠው ይችላል።

12. የክልሉ ማናቸውም ፍርድ ቤት ጥብቅና ፍቃድ

1. የክልሉ ማናቸውም ፍርድ ቤት ጥብቅና ፍቃድ ያለው ጠበቃ በሁሉም የክልሉ ፍርድ ቤቶች ሥልጣን የሚታዩ ጉዳዮች ላይ የጥብቅና ሙያ አገልግሎት መስጠት ይችላል፤

2. ከዚህ በታች የተዘረዘሩትን መስፈርቶች ያሟላ ማንኛውም ኢትዮጵያዊ ወይም ትውልደ ኢትዮጵያዊ የክልሉ ማናቸውም ፍርድ ቤት የጥብቅና ፍቃድ ይሰጠዋል፡-

ሀ) እውቅና ካለው የኢትዮጵያ ከፍተኛ ትምህርት ተቋም በሕግ ትምህርት የመጀመሪያ ዲግሪ ያለው እና በሕግ ሙያ ቢያንስ ሦስት ዓመት ልምድ ያለው ወይም በሕግ እውቅና ካለው ተቋም በሕግ ትምህርት በሁለተኛ ዲግሪ ተመርቆ በሕግ ሙያ አገልግሎት አንድ አመት ያገለገለ ከሆነ፤

ለ) በዚህ አንቀጽ አንቀጽ (ሀ) የተደነገገው ቢኖርም አመልካች ሴት በሆነች ጊዜ ልምድን በሚመለከት በአንቀጽ “ሀ” የተመለከቱት መስፈርቶች ተፈጻሚ አይሆኑም።

4. Notwithstanding the provisions of Article 1(a) of this Article, a State First Instance Court Advocacy License may be granted to a person who graduated with a first degree in law from a recognized foreign higher education institution and has a minimum of five years of professional experience in the field of law in Ethiopia and fulfills the other requirements listed under sub-Article 1 of this Article.

12. All state Courts Advocacy License

1. Any person granted All state Courts Advocacy License shall provide Advocacy License on all matters that fall under the Jurisdiction of all level of courts.

2. Any Ethiopian citizen of Somali origin who fulfills the following requirements shall be granted All state Courts Advocacy License:

a) Has graduated with a first degree in law from a recognized Ethiopian Higher Education Institution and has a minimum of three year of professional experience or Has graduated with master’s degree in law and has a minimum of one year of professional experience in the field of law;

b) Notwithstanding the provisions of sub-Article (a) of this Article, Where the applicant is a woman, the requirements stipulated under paragraph ‘a’ as regards to experiences are exempted.

- j) kagudba imtixaanka loo diyaariyay qadashada shatiga qareenimo.
- x) haysta cadeyn muujinaysa in hay'adii ugu damaybaysay ee uu u shaqeynayay labadii sano ee u dambaysay ka qaadin talaabo anshaxmarin.
- kh) soo gudbin kara cadeyn muujinaysa anshax wanaagiisa oo uu siiyay xafiiskii ugu dambeeyay ee uu usoo shaqeeyay.

3. Iyadoo ay sideeda yihiin arimaha lagu xeeriyay xarafka (b) ee qodob-hoosaadka (1) ee qodobkan, qofkasta oo shahaadada dhigriiga koowaad ee sharciga kasoo qaatay xarun waxbarasho oo dalka dibadiisa ku taala, islamarkaana haysta waayo aragnimo sharci oo 7 sano gaadhaysa waxaa la siin karaa shatiga qareenimo marka uu buuxiyo shuruudaha kale ee lagu xeeriyay qodob hoosaadka (1) ee qodobkan.

13. Shatiga qareenimo ee gaarka ah.

- 1. Shatiga qareenimo ee gaarka ah waxaa la siin karaa:
 - b) qofkasta ama hay'adkasta oo si lacag la'aan ah ugu dooda danaha iyo xuquuqda bulshada.
 - t) Macalimiinta xarumaha waxbarashada sare ee sharciga kuwaasi oo adeeg sharci oo lacag la'aan ah siiya qaybaha bulshada ee aan iska bixin Karin kharashka qareenimo.
- 2. Muwaadinkasta ama qofkasta oo asal ahaan kasoo jeeda itoobiya oo buuxiyo shuruudaha hoos ku xusan ayaa la siin karaa Shatiga qareenimo ee gaarka ah:

- ሐ) ለደረጃው የሚሰጠውን የጥብቅና ፍቃድ መግቢያ ፈተና ያለፈ፤
- መ) ለመጨረሻ ጊዜ ይሠራበት ከነበረበት ተቋም ድርጅቱን ከለቀቀበት ጊዜ በፊት ባሉት ሁለት ዓመታት ውስጥ በከባድ ዲስፕሊን ጥፋት ያልተቀጣ እና
- ሠ) መልካም ሥነ-ምግባር ያለው ስለመሆኑ ማረጋገጫ ማቅረብ የሚችል።

3. በዚህ አንቀጽ ንዑስ አንቀጽ (1) ፊደል-ተራ (ሀ) ሥር የተመለከተው ቢኖርም ከኢትዮጵያ ውጪ ካለ እውቅና ካለው ከፍተኛ ትምህርት ተቋም በሕግ የመጀመሪያ ዲግሪ ያለው ማንኛውም ሰው በኢትዮጵያ ውስጥ በሕግ ሙያ ለሰባት ዓመት ካገለገለ እና ሌሎች በዚህ አንቀጽ ንዑስ አንቀጽ (1) ሥር የተመለከቱ መስፈርቶችን የሚያሟላ ከሆነ የክልሉ ማንኛውም ፍርድ ቤት የጥብቅና ፍቃድ ሊሰጠው ይችላል።

13. የክልሉ ልዩ የጥብቅና ፍቃድ

- 1. የክልሉ ልዩ የጥብቅና ፍቃድ:-
 - ሀ) የሕብረተሰቡን አጠቃላይ መብት እና ጥቅም ለማስከበር በነጻ አገልግሎት ለሚሰጥ ሰው ወይም ድርጅት ወይም
 - ለ) አቅም ለሌላቸው የሕብረተሰብ ክፍሎች የሕግ ድጋፍ አገልግሎት ለሚሰጡ የከፍተኛ ትምህርት ተቋማት ሕግ ትምህርት ቤቶች እና የሕግ መምህራን ሊሰጥ ይችላል።
- 2. ከዚህ በታች የተዘረዘሩትን መስፈርቶች ያሟላ ማንኛውም ኢትዮጵያዊ የክልሉ ማንኛውም ፍርድ ቤት የጥብቅና ፍቃድ ይሰጠዋል:-

- c). Has passed the entrance qualification examination set for the particular type of advocacy license;
- d). Produces evidence, from his immediate past employer, that certifies that he had not been subjected to disciplinary measures for violation of serious misconduct in the two years prior to departure; and
- e). Produce a certificate of good conduct from his immediate past employer.

3. Notwithstanding the provisions of sub article 1(a) of this Article, an All-state Courts Advocacy License may be granted to a person who graduated with a first degree in law or above from a recognized foreign higher education institution if he has a minimum of seven years of professional experience in the field of law in Ethiopia and fulfills the other requirements listed under sub-Article 1 of this Article.

13. The Special Advocacy License

- 1. The Special Advocacy License may be granted to:
 - a) A person or organization that provides pro bono advocacy services to protect the public interest; or
 - b) Law instructors and Law Schools of Higher Education Institutions who provide pro bono advocacy services to individuals and sections of society who lack financial means to pay for such service.
- 2. Any person who wishes to obtain the State Special Advocacy License under sub article (1) of this Article shall fulfill the following requirements:

- b) Haysta ugu yaraan shahaada dhigriiga koowaad ee sharciga oo uu ka qaatay xarun waxbarasho oo la aqoonsan yahay islamarkaana leh khibrad sharci oo shan sano ah ama qofkasta oo muddo aan ka yareyn 5 sano u shaqenayay xarun waxbarasho ama urur, kaasi oo haysta dhigriiga koowaad ee sharciga o uu qaatay xarun waxbarasho oo la aqoonsan yahay.
 - t) Haysta ugu yaraan shahaada dhibloomaha ee sharciga o uu kaqaatay xarun waxbarasho oo la aqoonsan yahay islamarkaana leh khibrad sharci oo todoba sano ah ama qofkasta oo muddo aan ka yareyn 7 sano u shaqenayay xarun waxbarasho ama urur, kaasi oo haysta dhibloomka ee sharciga o uu qaatay xarun waxbarasho oo la aqoonsan yahay.
 - j) adeeg lacag la'aan ah siiya macaamiishiisa ama qaybaha bulshada ee uu metelo.
 - x) soo gudbin kara cadeyn muujinaysa anshax wanaagiisa oo uu siiyay xafiiskii ugu dambeeyay ee uu usoo shaqeeyay.
3. Qareenkasta oo la siiyay shatiga qareenimo, waxa uu bixin karaa adeegyada shatiga qareenimo ee gaarka ah isaga oo aan shati dheeri ah ka qaadanayn xafiiska, hase ahaatee kahor inta aanu bilaabin adeega waa inuu wargeliyo xafiiska.
 4. Qofkasta ama hay'adkasta oo lasiiyay shatiga qareenimo ee gaarka ah waa inuu u hogaansamo islamarkaana adeegyada u bixiyaan hab waafaqsan xeerka anshaxa qareenada ee loo soo saaro hab waafaqsan bayaankan

- ሀ) እውቅና ካገኘ ከፍተኛ የትምህርት ተቋም በሕግ የመጀመሪያ ዲግሪ ያለው እና በሙያው ቢያንስ 5 ዓመት ያገለገለ ወይም እውቅና ካገኘ ከፍተኛ የትምህርት ተቋም በሕግ የመጀመሪያ ዲግሪ ያለው እና በሙያው ቢያንስ 5 ዓመት ያገለገለ ባለሙያ ያለው ተቋም ወይም ድርጅት፤
 - ለ) በሕግ እውቅና ካለው ተቋም በሕግ ትምህርት በዲፕሎማ ተመርቆ በሕግ ሙያ አገልግሎት ሰባት አመትና ከዚያ በላይ ያገለገለ ወይም በሕግ እውቅና ካለው ተቋም በሕግ ትምህርት በዲፕሎማ ተመርቆ በሕግ ሙያ አገልግሎት ሰባት አመትና ከዚያ በላይ ያገለገለ ባለሙያ ያለው ተቋም ወይም ድርጅት፤
 - ሐ) ከሚወክለው የሕብረተሰብ ክፍል ወይም ደንበኛ ክፍያ የማይቀበል እና
 - መ) መልካም ሥነ-ምግባር ያለው መሆኑን የሚያረጋግጥ ማስረጃ ከሚመለከተው አካል ማቅረብ የሚችል፡፡
3. ማንኛውም የክልሉ የጥብቅና ፍቃድ ያለው ሰው ልዩ የጥብቅና ፍቃድ ሳያስፈልገው የልዩ ጥብቅና አገልግሎት መስጠት ይችላል፤ ነገር ግን ይህን አገልግሎት ከመስጠቱ በፊት ለቢሮው በጽሑፍ ማሳወቅ አለበት፡፡
 4. የክልሉ ልዩ የጥብቅና ፍቃድ የተሰጠው ሰው ወይም ድርጅት የጥብቅና አገልግሎቱን ሲሰጥ ይህን አዋጅ እና የጠበቃ ሥነ-ምግባር ደንብን በተከተለ መልኩ መፈጸም አለበት፡፡

- a) has a first degree in law from a recognized higher education institution and at least five years of professional experience in the field of law;
 - b) has a first diploma in law from a recognized Higher Education Institution and a minimum of seven years of professional experience in the field of law; or institution or organization who have a lawyer graduated with first degree in law from a recognized Ethiopian Higher Education Institution and has a minimum of seven years of professional experience in the field of law;
 - c) not receive payment from his client or section of the society he represents; and
 - d) produce a certificate of good conduct from the concerned body.
3. Any person with any type of state advocacy license may provide the services falling under the Special Advocacy License without the need for the Special Advocacy License; however, in such cases, he shall submit advance notice to the Attorney General to that effect in writing.
 4. Any person or organization who is granted the State Special Advocacy License, in the discharge of his or its duties, shall comply with this Proclamation and the Advocates' Code of Conduct.

14. Shatiga qareenimo ee la siinayo macalimiinta kulivadaha sharciga.

1. Iyadoo ay sideeda yihiin arrimaha lagu xeeriyay qodob hoosaadka (2) ee qodobka 4^{aad} ee bayaankan, Muwaadinkasta iyo dadka asal ahaan kasoo jeeda Itoobiya ee kulliyadaha sharciga lagu barto wax ka dhiga, islamarkaana buuxiya shuruudaha lagu xeeriyay qodob hoosaadka (1) ee qodobka 11^{aad} ama qodob hoosaadka (1) ee qodobka 12^{aad} waxaa la siin karaa shatiga qareenimo iyaga oo aan ka tegin shaqadooda.
2. Macalinka hab waafaqsan qodob hoosaadka (1) ee qodobkan usoo gudbiya codsiga shatiga qareenimo, waa inuu soo gudbiyo cadeyn ay usoo qortay kulliyada uu ka hawlgalo oo muujinaysa in shatiga qareenimo ee la siinayo aanu waaxba u dhimnaynin waajibaadkiisa macalinimo.

15. Imtixaanka shatiga qareenimo

1. Qofkasta oo soo gudbiya codsiga shatiga qareenimo islamarkaana buuxiya shuruudaha lagu xeeriyay qodob hoosaadka (1) ee qodobka 6^{aad} ee bayaankan, waa inuu galo imtixaanka loo diyaariyay bixinta shatiga qareenimo.
2. Iyadoo ay sideeda yihiin arrimaha lagu xeeriyay qodob hoosaadka (1) ee qodobkan, muwaadinkasta ama qofkasta oo asal ahaan kasoo jeeda Itoobiya oo buuxiyay shuruudaha hoos ku xusan, waxa uu sanad gudihi oo ka bilaabanta maalinta uu shaqada ka tago lagu siin shatiga qareenimo iyadoon laga qaadin imtixaan:

14. ለሕግ መምህራን ስለሚሰጥ የጥብቅና ፍቃድ

1. በዚህ አዋጅ አንቀጽ 4 ንዑስ አንቀጽ (2) ሥር የተደነገገው ቢኖርም በከፍተኛ ትምህርት ተቋማት የሕግ ትምህርት ቤቶች የሚያስተምር ኢትዮጵያዊ ወይም ትውልደ ኢትዮጵያዊ የሕግ መምህር በአንቀጽ 11 ንዑስ አንቀጽ (1) ወይም በአንቀጽ 12 ንዑስ አንቀጽ (1) ላይ የተጠቀሰውን ካሟላ የሕግ መምህርነት ሙያውን መልቀቅ ሳያስፈልገው የጥብቅና ፍቃድ ሊሰጠው ይችላል፡፡
2. በዚህ አንቀጽ ንዑስ አንቀጽ (1) መሠረት የሕግ ትምህርት ቤት መምህር የጥብቅና ፍቃድ እንዲሰጠው ሲያመለክት የጥብቅና ሥራው የመማር ማስተማር ሂደቱን የማያስተጓጉል ስለመሆኑ በሕግ ትምህርት ቤቱ የተሰጠ ማረጋገጫ ማቅረብ አለበት፡፡

15. ስለ ጥብቅና ሙያ መግቢያ ፈተና

1. በዚህ አዋጅ አንቀጽ 6 ንዑስ አንቀጽ (1) ሥር የተደነገጉትን የሚያሟላ ማንኛውም በጥብቅና አገልግሎት መሰማራት የሚፈልግ ሰው የጥብቅና ሙያ መግቢያ ፈተና መውሰድ ይኖርበታል፡፡
2. በዚህ አንቀጽ ንዑስ አንቀጽ (1) የተደነገገው ቢኖርም ከዚህ በታች የተመለከቱትን የሚያሟላ ማንኛውም ኢትዮጵያዊ ወይም ትውልደ ኢትዮጵያዊ ሥራውን በለቀቀ በአንድ ዓመት ጊዜ ውስጥ የጥብቅና ፍቃድ ማመልከቻ ያቀረበ እንደሆነ የጥብቅና ፍቃድ ያለፈተና ሊሰጠው ይችላል፡-

14. Advocacy License Granted to Law School instructors

1. Notwithstanding the provisions of Article 4(2) of this Proclamation, an Ethiopian or a foreign national of Ethiopian origin who teaches law in law schools of higher education institutions and fulfills the requirements of Articles 11(1) or 12(1) may be granted an Advocacy License without having to resign from his teaching post.
2. A law school instructor who requests for grant of an advocacy license pursuant to sub article 1 of this article shall submit an assurance issued by the law school his advocacy service does not affect the teaching learning process.

15. Advocacy Examination

1. Any person who meets the requirements of Article 6(1) of this Proclamation and wishes to engage in the provision of advocacy services shall take the qualification examination for advocacy services.
2. Notwithstanding the provisions of sub Article 1 of this Article, an Ethiopian or a foreign national of Ethiopian origin who fulfil the following criteria shall be granted advocacy license without having to take the advocacy examination if he applies within one year of leaving his post.

- b) Haysta shahaadada dhigriiga koowaad ee jaamacadda oo uu ka qaatay xarumaha waxbarashada sare, islamarkaana muddo 7 sano ah macalin ka ahaa kulliyadaha sharciga,
 - t) Haysta shahaadada dhigriiga koowaad ee jaamacadda oo uu ka qaatay xarumaha waxbarashada sare, islamarkaana muddo 5 sano ah macalin ka ahaa kulliyadaha sharciga ama haysta shahaadada dhibloomaha iyo waayo aragnimo sharci oo todoba sano ah ku haysta garsoore ahaan, xeerilaaliye, ama lataliye xafiis dawladeed ama shirkadaha horumarinta dawladda kasoo shaqeeyay, ama qareenimo.
 - j) Haysta shahaadada dhigriiga koowaad ee jaamacadda oo uu ka qaatay xarumaha waxbarashada sare, islamarkaana muddo 7 sano ah macalin ka ahaa kulliyadaha sharciga ama haysta shahaadada dhibloomaha iyo waayo aragnimo sharci oo sagaal sano ah oo uu kaaliye-garsoore ahaan, qareen ama shirkad bixisa adeegga qareenimo ugu soo shaqeeyay qoraa, ama kaaliye-qareen, ama qoraaga dhokumentiyada sharci ee shirkad gaar loo leeyahay, ama lataliye sharci ama qareen u noqday ururada rayidka ah, ururada bulshada, xarumaha diimaha, hay'adaha caalamiga ah, shirkadaha ganacsi iyo xarumaha kale ee lamidka ah.
3. Iyadoo ay sideeda yihiin arrimaha lagu xeeriyay qodob hoosaadka (2) ee qodobkan, qareenka haysta shahaadada dhigriiga koowaad ee jaamacadda islamarkaana muddo shan sano ah kusoo shaqeeyay shatiga qareenimo ee maxkamada derajada koowaad ee degmada, ama haysta shahaadada dhibloomaha islamarkaana muddo todoba ah kusoo shaqeeyay shatiga qareenimo ee maxkamada derajada koowaad ee degmada waxaa la siin karaa shatiga qareenimo ee dhamaan maxkamadaha deegaanka isagoon gelaynin imtixaan.

- ሀ) በሕግ የመጀመሪያ ዲግሪ ኖሮት በኢትዮጵያ በሚገኙ ከፍተኛ የትምህርት ተቋማት ውስጥ በሕግ መምህርነት ለሰባት ዓመት ያገለገል።
- ለ) በሕግ የመጀመሪያ ዲግሪ ኖሮት ቢያንስ ለአምስት ዓመታት ወይም በሕግ ዲፕሎማ ኖሮት ቢያንስ ለሰባት ዓመታት በዳኝነት፣ በዐቃቤ ሕግነት፣ በመንግስት መሥሪያ ቤት ወይም በመንግስት የልማት ድርጅት ውስጥ በሕግ አማካሪነት ወይም በሕግ ባለሙያነት ወይም በነገረ ፈጅነት ያገለገለ እንዲሁም።
- ሐ) በሕግ የመጀመሪያ ዲግሪ ኖሮት ቢያንስ ለሰባት ዓመታት ወይም በሕግ ዲፕሎማ ኖሮት ቢያንስ ለዘጠኝ ዓመታት በረዳት ዳኝነት፣ በጠበቃ ወይም ጥብቅና ድርጅት የሕግ ጉዳይ ጸሐፊነት ወይም የጠበቃ ረዳትነት፣ በግል የሕግ ጉዳይ ፀሐፊነት እንዲሁም በሲቪል ማኅበረሰብ ድርጅት፣ በሃይማኖት ተቋማት፣ በዓለም አቀፍ ድርጅቶች፣ በንግድ ድርጅቶችና ሌሎች ተቋማት በሕግ አማካሪነት ወይም በሕግ ባለሙያነት ወይም በነገረ-ፈጅነት ያገለገል።

3. በዚህ አንቀጽ ንዑስ አንቀጽ (2) ላይ ተደነገገው ቢኖርም በክልሉ የመጀመሪያ ደረጃ ጥብቅና ፍቃድ ለአምስት ዓመት ያገለገለ እና በሕግ የመጀመሪያ ዲግሪ ያለው ጠበቃ ወይም በክልሉ የመጀመሪያ ደረጃ ጥብቅና ፍቃድ ለሰባት ዓመታት ያገለገለ እና በሕግ ዲፕሎማ ያለው ጠበቃ የጥብቅና አገልግሎት ሥራውን ሳይተው የክልሉ ማናቸውም ፍርድ ቤት የጥብቅና ፍቃድ ያለፈተና ሊሰጠው ይችላል፡፡

- a) has first degree in law from a recognized Ethiopian Higher Education Institution and served as a law instructor for a minimum of seven years in an Ethiopian Higher Education Institution;
- b) having first degree in law and served as for a minimum of Five years or have a diploma in law served as a judge, public prosecutor, as a legal advisor or legal professional or as an attorney in public services or public enterprises for a minimum of seven years;
- c) has first degree in law from Ethiopian Higher Education Institution and served as a law instructor for a minimum of seven years in law school or have a diploma in law served as assistant judge, as advocates’ assistant or law clerk in a law firm or with an advocate, as well as a legal advisor or as a professional in the field of law or as an attorney in civil societies, religious institutions, international organizations, business organizations and in other institutions for a minimum of nine years shall be granted advocacy license without having to take the advocacy examination.

3. Notwithstanding the provisions of sub Article 2 of this Article, an advocate with a first degree in law and who served as a State First Instance Court Advocate for five years, may be granted the All State Courts Advocacy License without having to take the advocacy qualification examination leaving his advocacy service.

Qayb-hoosaadka labaad

Diiwaangelinta iyo cusboonaysiinta qareenada

16. Diiwaangelinta

1. Xafiisku waa inuu hirgeliyaa nidaam casri ah oo loo diiwaangeliyo xogta qareenada iyo shirkadaha bixiya adeegga qareenimo ee la siiyay shatiga.
2. Faahfaahinta xogta la diiwaangelinayo waxaa lagu xeerin awaamiirta u soo saaro xafiisku.
3. Xafiisku waa inuu saddexdii biloodba hal mar ururka qareenada qoraal ku ogeysiyo faahfaahinta tirada qareenada iyo shirkadaha bixiya adeegga qareenimo cusub ee la diiwaangeliyay.
4. Xafiisku waa inuu suurto geliyaa nidaam bulshadu ku heli karaan xogta qareenada iyo shirkadaha bixiya adeegga qareenimo ee la diiwaangeliyay.

17. Xirfadleyaasha la shaqeeya qareenada ama shirkadaha bixiya adeegga qareenimo

1. Qareenkasta iyo shirkadkasta oo bixisa adeegga qareenimo waxay shaqaaleysiin kartaa qoreyaal, caawiye-qareen iyo shaqaalaha kale eelagama maarmaanka u ah. Hase ahaatee shirkada bixisa adeegga qareenimo waxay shaqaaleysiin kartaa qareeno.
2. Qareenka ama shirkadda bixisa adeegga qareenimo ee shaqaaleysiin u samaysa hab waafaqsan qodob hoosaadka (1) ee qodobkan, waa inay shaqaaleysiintaas ka diiwaangeliyaan xafiiska laba bilood gudaheed oo ka bilaabanta maalinta shaqaaleysiinta la fuliyay.

ንዑስ ክፍል ሁለት

ምዝገባ እና እድሳት

16. ምዝገባ

1. ቢሮው የጥብቅና ፍቃድ የተሰጣቸውን ጠበቆች እና የጥብቅና ድርጅቶች ሙሉ መረጃ ዘመናዊ በሆነ መንገድ መመዝገብ አለበት፡፡
2. በምዝገባ ሥርዓቱ ውስጥ የሚካተቱ ዝርዝር ነጥቦች ቢሮው በሚያወጣው መመሪያ ይወሰናል፡፡
3. ቢሮው በዚህ አንቀጽ ንዑስ አንቀጽ (1) መሠረት አዲስ የመዘገባቸውን ጠበቆችና የጥብቅና ድርጅቶች ሥም ዝርዝር በየሦስት ወሩ ለማሳበሩ ማሳወቅ ይኖርበታል፡፡
4. ቢሮው የጥብቅና ፍቃድ የተሰጣቸውን ጠበቆች እና የጥብቅና ድርጅቶች መረጃ ለማሳበረሰቡ ተደራሽ እንዲሆን በተለያዩ መንገድ ይፋ ያደርጋል፡፡

17. ከጠበቃ ወይም ጥብቅና ድርጅት ጋር ስለሚሰሩ ሰዎች

1. ማንኛውም ጠበቃ ወይም የጥብቅና ድርጅት የሕግ ጉዳይ ጸሐፊ፣ የጠበቃ ረዳት ወይም ሌሎች ለሥራው የሚያስፈልጉ ሠራተኞችን መቅጠር የሚችል ሲሆን የጥብቅና ድርጅት ከነዚህ ከተጠቀሱት ሠራተኞች በተጨማሪ ጠበቃ ሊቀጥር ይችላል፡፡
2. በዚህ አንቀጽ ንዑስ አንቀጽ (1) መሠረት ቅጥር የፈጸመ ጠበቃ ወይም የጥብቅና ድርጅት ቅጥሩ በተፈጸመ በሁለት ወራት ጊዜ ውስጥ ለቢሮው ማሳወቅ እና ማስመዝገብ አለበት፡፡

SECTION TWO

REGISTRATION AND RENEWAL

16. Registration

1. The bureau shall maintain a state-of-the-art that contains full information about register of advocates and law firms that have been granted advocacy licenses.
2. The particulars required in the registration process shall be determined by a Directive to be issued by the bureau.
3. The bureau shall notify the Association, every three months, the list of newly licensed and registered advocates and law-firms pursuant to sub Article 1 of this Article.
4. The bureau shall establish a system which enable the public to know the information of licensed and registered advocates and law-firms.

17. Persons who work with Advocates or Law Firms

1. Any advocate or law firm may employ law clerks, advocates' assistants, or other support staff necessary for its work; a law firm may also employ advocates.
2. An Advocate or law firm that has employed pursuant to sub-Article 1 of this Article shall, within two months of the execution of the employment contract, notify the Bureau of the said employment and have them registered therein.

- 3. Waxaa reeban in qareenada iyo shirkadaha bixiya adeegga qareenimo qoraa ama caawiye-qareen u shaqaaleysiyaan shaqsiyaadkan:
- b) Qofkasta oo laga joojiyay ama laga buriyay shatiga qareenimo,
- t) Qof magaciisa laga tirtiray diiwaanka qareenada,
- j) Qof xafiiskii uu hore uga shaqeynayay looga eryay anshaxxumo awgeed,
- x) Qof lagu helay islamarkaana maxkamadi ku xukuntay fal la xidhiidha amaanada islamarkaana aan la siin cafis.
- Kh) Qof haysta shaqo kale oo rasmi ah,
- d) Qof aan lahayn aqoon sharci ama waayo aragnimo sharci.

18. Cusboonaysiinta shatiga

- 1. Shatiga qareenimo waa in la cusboonaysiiyo sanadkasta bisha ugu dambaysa, laba iyo tobanka bilood ee laga bilaabo taariikhdiisii la bixiyay shatigaas.
- 2. Qareenkasta ama shirkadkasta oo bixisa adeeg qareenimo oo ku guuldaraysata inay shatiga ku cusboonaysiiso muddada lagu xeeriyay qodob hoosaadka (1) ee qodobkan, waa inay ku cusboonaysiiso bisha ku xigta bishii laga rabay in la cusboonaysiiyo iyadoo laga qaadayo ganaax. Faahfaahinta waxaa lagu xeerin awaamiirta uu soo saaro xafiisku.

- 3. ማንኛውም ጠበቃ ወይም የጥብቅና ድርጅት የሚከተሉትን በሕግ ጉዳይ ጸሐፊነት ወይም በጠበቃ ረዳትነት መቅጠር አይችልም፡-
 - ሀ) የጥብቅና ፍቃዱ የታገደን ወይም የተሰረዘን ሰው፤
 - ለ) ስሙ ከመዝገብ የተፋቀን ሰው፤
 - ሐ) ከመሥሪያ ቤቱ በዲስፕሊን ጥፋት የተባረረን ሰው፤
 - መ) ከሥነ-ምግባር ጋር በተያያዘ ወንጀል ተከሶ የተቀጣ እና ያልተሰየመን ሰው፤
 - ሠ) ቋሚ ሥራ ያለውን ሰው ወይም
 - ረ) የሕግ ትምህርት ወይም በሕግ ሙያ የሥራ ልምድ የሌለውን ሰው፡፡

18. ስለፍቃድ እድሳት

- 1. የጥብቅና ፍቃድ በየዓመቱ ፍቃዱ ጸንቶ ከሚቆይበት የመጨረሻ ቀን ጀምሮ መታደስ አለበት፡፡
- 2. ማንኛውም ጠበቃ ወይም የጥብቅና ድርጅት በዚህ አንቀጽ ንዑስ አንቀጽ (1) ላይ በተጠቀሰው ጊዜ ውስጥ ፍቃዱን ሳያሳድስ ከቀረ በሚቀጥለው አንድ ወር ጊዜ ውስጥ ቢሮው በሚያወጣው መመሪያ መሠረት የሚጣልበትን የገንዘብ ቅጣት ከፍሎ ፍቃዱ ይታደስለታል፡፡

- 3. No advocate or law firm may employ the following persons as law clerks or advocates assistants:
 - a) A person whose advocacy license has been suspended or revoked;
 - b) A person whose name has been struck off from the Advocates' Register;
 - c) A person dismissed from his previous position for disciplinary misconduct;
 - d) A person who was convicted and punished for an offence related to professional misconduct and not reinstated;
 - e) A person who has permanent job; or
 - f) A person without training in law or lacking experience in the field of law.

18. Renewal of License

- 1. An advocacy license shall be renewed every year within a month of its last validity date.
- 2. Any advocate or firm that fails to renew his or its license within the period provided in sub Article 1 of this Article, upon payment of fine the amount of which shall be determined by a directive to be issued by the Attorney General, may renew his or its license within the following one month.

- 3. Hadii qareenka ama shirkada bixisa adeegga qareenimo ku guuldaraysato inay shatiga ku cusboonaysiiso mudada lagu sheegay qodob hoosaadka (2) ee qodobkan, hase ahaatee ay soo dhaweyso cadeymo lagu qanci karo oo muujinaya in cusboonaysiin la'aantu ay keentay sabab ka baxsan awoodda aadamaha, xafiisku waxa uu u cusboonaysiin karaa shatiga isagoo ka qaada ganaaxa ku haboon. Faahfaahinta waxaa lagu xeerin awaamiirta uu soo saaro xafiisku.
- 4. Qareenka ama shirkada bixisa adeegga qareenimo ee ku guuldaraysato inay shatiga u cusboonaysiiso hab waafaqsan qodobkan waxaa laga qaadi talaabo anshax.

19. Dhokumentiyada lasoo raacinayo codsiga cusboonaysiinta shatiga

Qareenkasta ama shirkada bixisa adeegga qareenimo oo soo gudbinaysa codsiga cusboonaysiinta shatigu, waa inay dhokumentiyadan soo raaciso codsigaas:

- 1. Cadeynta cashuur bixinta.
- 2. Cadeyn muujinaysa in qareenku dhamaystay tabobarka waajibka ah ee shaqada gudaheeda, Hadii aan qaadashada tabobarkaas aan dib loogu dhigin hab waafaqsan qodob hoosaadka (4) ee qodobka 28aad ee bayaankan.
- 3. Cadeyn muujinaysa in qareenku bixiyay qaadhaanka xubinimada ururka qareenada deegaanka.
- 4. Hadii qareenka da'diisu ka weyn tahay 70 sano, cadeyn dhakhtar oo muujinaysa inuu adeegga qareenimo bixin karo.
- 5. Cadeyn muujinaysa in qareenku bixiyay adeegga qareenimo ee bilaashka ahaa ee sharcigu xeeriyay

3. በዚህ አንቀጽ ንዑስ አንቀጽ (2) በተደነገገው የጊዜ ገደብ ውስጥ ጠበቃው ወይም የጥብቅና ድርጅቱ ፍቃዱን ያሳሳደሰው ከአቅም በላይ በሆነ ምክንያት መሆኑን የሚያሳይ አሳማኝ ማስረጃ ካቀረበ ቢሮው በሚያወጣው መመሪያ መሠረት የሚጣልበትን የገንዘብ ቅጣት ከፍሎ በቀጣዩ አንድ ወር ጊዜ ውስጥ የጥብቅና ፍቃዱ ሊታደስለት ይችላል።

4. ማንኛውም ጠበቃ ወይም የጥብቅና ድርጅት በዚህ አንቀጽ መሠረት ፍቃዱን ያሳሳደሰ እንደሆነ የዲስፕሊን ክስ ይቀርብበታል።

19. ፍቃድ ለማሳደስ የሚቀርቡ ማስረጃዎች

ማንኛውም ጠበቃ ወይም የጥብቅና ድርጅት የጥብቅና ፍቃድን ለማሳደስ የሚከተሉትን ማስረጃዎች ማቅረብ ይኖርበታል፡-

- 1. የግብር ክለራንስ ማስረጃ፤
- 2. በዚህ አዋጅ አንቀጽ 28 ንዑስ አንቀጽ (4) መሠረት አስገዳጅ የሕግ ሥልጠና ከተራዘመለት ጠበቃ በስተቀር ጠበቃው በዚህ አዋጅ የተቀመጠውን የሥልጠና ግዴታ ማጠናቀቁን የሚገልጽ ማስረጃ፤
- 3. ለጠበቆች ማኅበር መክፈል የሚጠበቅበትን የአባልነት መዋጮ መክፈሉን የሚያረጋግጥ ከማኅበሩ የሚሰጥ ማስረጃ፤
- 4. እድሜው ከ 70 ዓመት በላይ የሆነ ጠበቃ ሕጋዊ ከሆነ የጤና ተቋም የጥብቅና አገልግሎት ለመስጠት የሚያስችል የጤና ሁኔታ ላይ ያለ ስለመሆኑ የሚገልጽ ማስረጃ እና
- 5. በዓመት ውስጥ መስጠት የሚጠበቅበትን ነጻ የጥብቅና አገልግሎት ስለመስጠቱ የሚያረጋግጥ ማስረጃ።

3. An advocate or Law firm that proves he or it has not renewed the license within the period prescribed under sub-article 2 of this article due to force majeure, may renew the license having paid the fine determined by the directive to be issued by the bureau.

4. Any advocate or law firm that has not renewed his or its license according to this Article, shall be charged for disciplinary misconduct.

19. Documents Necessary for Renewal of License

Any advocate or law firm shall present the following evidences to renew his/its license:

- 1. Tax clearance certificate;
- 2. Evidence showing that the advocates completed the mandatory training prescribed by this proclamation
- 3. Evidence given by the Association which certifies that the advocate has discharged his duty of paying membership contribution;
- 4. Evidence from a health institution, for those advocates above 70 years old, which certifies that the advocate is fit and in good health condition to provide advocacy service.
- 5. Evidence showing that the Advocate discharged his duty of providing pro bono service expected of him in a year.

20. Soo celinta shatiga

1. Qareenkasta waa inuu soo celiyo shatiga marka uu la kulmo midkamid ah xaaladahan:
 - b) Marka uu helo shaqo kale oo rasmi ah.
 - t) Aanu sii wadi Karin bixinta adeegga qareenimo,
 - j) Go'aansado inuu joojiyo bixinta adeega qareenimo.
2. Markasta oo qareen soo celiyo shatigiisa hab waafaqsan qodob hoosaadka (1) ee qodobkan, xafiisku waxa uu aqbali karaa soo celinta shatiga kadib marka cadeynta bixinta cashuurta uu soo gudbiyo qareenkaasi.
3. Qareenka hab waafaqsan qodob hoosaadka (1) ee qodobkan usoo celiyay shatigu, waxa fasaxaas dib loo siin karaa markasta oo uu soo codsado. Hase ahaatee, hadii qareenku faraha ka qaaday shaqooyinka sharci muddo ka badan laba sano, waxaa shatiga dib loo siin karaa oo keli ah kadib marka uu galo imtixaanka bixinta shatiga qareenada.

QAYBTA SADEXAAD

WAAJIBAADKA XIRFADEED EE QAREENADA

Qayb-hoosaadka koowaad

Wajjibaadka guud ee qareenada

21. Wajjibaadka ka dhalanaya gareenimada

Qareenkasta iyo shirkadkasta oo bixisa adeegga qareenimo:

1. Waa inay tusaan shatigooda marka uu ka codsado macmiilku, maxkamadda ama hay'adkasta oo awood u leh.
2. Waxaa ka reeban inay shatigooda u dhiibaan qofkale si uu ugu shaqeysto ama ogolaadaan in cidkale ka faa'iideysato

20. ፍቃድን ስለመመለስ

1. ማንኛውም ጠበቃ የሚከተሉት ሁኔታዎች ሲያጋጥሙት የጥብቅና ፍቃዱን ለቢሮው መመለስ አለበት፡-
 - ሀ) ከሙያው ውጭ በሆነ ሥራ በቋሚነት የተሰማራ እንደሆነ
 - ለ) የጥብቅና አገልግሎት ለመስጠት ያልቻለ እንደሆነ
 - ሐ) የጥብቅና አገልግሎት ለማቆም ከወሰነ፡፡
2. በዚህ አንቀጽ ንዑስ አንቀጽ (1) መሠረት ጠበቃው ፍቃድ ለመመለስ ሲያመለክት ቢሮው የጥብቅና ፍቃድ ደብተሩን ወዲያውኑ መረከብ አለበት፤ ሆኖም የጥብቅና አገልግሎቱን ማቋረጡን የሚገልጽ ማስረጃ ለጠበቃው የሚሰጠው ጠበቃው ከሚመለከተው አካል የግብር ክለራንስ ማስረጃ ይዞ ሲቀርብ ይሆናል፡፡
3. በዚህ አንቀጽ ንዑስ አንቀጽ (1) መሠረት ፍቃዱን የመለስ ጠበቃ ወደ ጥብቅና ሥራው መመለስ ከፈለገ ፍቃዱን መልሶ ሊወስድ ይችላል፤ ሆኖም ጠበቃው ከጥብቅና አገልግሎቱ ከሁለት ዓመት በላይ ተለይቶ የቆየው ከሕግ ሙያ ውጪ በሆነ ሥራ ላይ ተሰማርቶ ከሆነ ፍቃዱ የሚመለስለት ለደረጃው የሚሰጠውን የጥብቅና መግቢያ ፈተና ወስዶ ካለፈ ብቻ ነው፡፡

ክፍል ሦስት

የጠበቆች የሙያ ግዴታዎች

ንዑስ ክፍል አንድ

ጠቅላላ የጠበቆች ግዴታ

21. ስለጥብቅና አገልግሎት ውል እና ተያያዥ ግዴታዎች

ማንኛውም ጠበቃ ወይም የጥብቅና ድርጅት፡-

1. በደንበኛ፣ በፍርድ ቤት ወይም በማንኛውም አግባብ ባለው አካል የጥብቅና ፍቃድን እንዲያሳይ ሲጠየቅ የማሳየት ግዴታ አለበት፤
2. የጥብቅና ፍቃዱን በማንኛውም ሁኔታ ለሌላ ሰው መጠቀሚያ ወይም መገልገያ አሳልፎ መስጠትም የለበትም፡፡

20. Returning License

1. Any Advocate shall return his advocacy license to the Attorney General for the following reasons:
 - a). When he permanently engaged in jobs other than advocacy service;
 - b). When he is unable to render advocacy service;
 - c). When he decides to terminate providing advocacy service.
2. When an advocate applies to return his license pursuant to sub Article 1 of this Article, the Bureau shall immediately receive the license of advocacy Service. However, it is only when the advocate produces tax clearance certificate that evidence of termination of advocacy service shall be provided to him.
3. An advocate who returned his advocacy license pursuant to sub Article 1 of this Article may get his license back if he wants to resume Advocacy service. However, an advocate who dissociated himself from advocacy service for more than two years can get back his license only when he passes the entrance exam set for his class of license.

PART THREE
ADVOCATES' PROFESSIONAL
DUTY
SECTION ONE

General duty of Advocates

21. Obligations Related with Advocacy Service

Every advocate or law firm:

1. Has the duty to show his/its advocacy license when requested by his Client, the Court or any appropriate body.
2. He or it is never allowed to give his or its license for others to make use of it or get benefit out of it.

22. Heshiiska adeegga qareenimo iyo waajibaadyada la xidhiidha

1. Qareenkasta ama shirkadkasta oo bixisa adeeg qareenimo waa inay qoraal ka dhigaan dhamaan heshiisyada ay la gelayaan macaamiisha marka laga reebo adeegyada la talinta sharci ee mudada gaaban, faahfaahinta waxaa lagu xeerin awaamiirta uu soo saaro xafiisku.
2. Heshiiska adeegga qareenimo waa in lagu cadeeyaa wadarta guud ee lacagta adeegga lagu bixinayo, muddada lacagtaas lagu bixinayo iyo nooca adeegga sharci ee uu qabanayo qareenku.
3. Qareenkasta ama shirkadkasta oo bixisa adeegga qareenimo:
 - b) Waa inay yeeshaan xafiis rasmi ah oo ay adeegga ku bixiyaan,
 - t) Waa inay ka fogaadaan inay adeegga qareenimo u isticmaalan mukhalasnimo.
 - j) Waa inay ka fogaadaan inay sabab la'aan uga baxaan heshiiska ay la galaan macmiilka ama ay weydiistaan lacag dheeri ku ah wadartii lagu heshiiyay.
4. Iyadoo ay sideeda yihiin arrimaha lagu xeeriyay xarafka (b) ee qodob hoosaadka (3) ee qodobkan, xafiisku shuruud ahaan qareenka uma weydiin karo markii shatiga siinayo inuu xafiis furto.

23. Daacadnimada iyo u adeegida cadaaladda

1. Qareenkasta ama shirkadkasta oo bixisa adeegga qareenimo waxaa waajib ka saaran yahay inay adeegga qareenimo u bixiyaan si daacadnimo ah islamarkaana u adeegaysa hirgelinta cadaaladda.

22. ስለጥብቅና አገልግሎት ውል እና ተያያዥ ግዴታዎች

1. ማንኛውም ጠበቃ ወይም የጥብቅና ድርጅት በአጭር ጊዜ ውስጥ ከሚሰጠው የሕግ ምክር አገልግሎት ውጭ ከደንበኛው ጋር የሚያደርገውን ውል በፅሁፍ ማድረግ አለበት፤ ውሉ ማካተት ስለሚገባቸው ነገሮች ቢሮው በመመሪያ ይወስናል፡፡
2. የጥብቅና አገልግሎት ውሉ ደንበኛው ለጠበቃው የሚከፍለውን አጠቃላይ የገንዘብ ክፍያ፣ የአከፋፈሉን ስልት እና ጊዜ፣ ጠበቃው በጉዳዩ ላይ የሚሰጠውን የጥብቅና አገልግሎት የሚያካትት መሆን አለበት፡፡
3. ማንኛውም ጠበቃ ወይም የጥብቅና ድርጅት፡-
 - ሀ) ለጥብቅና አገልግሎት መስጫ የሚሆን ቢሮ የማሟላት፤
 - ለ) የጥብቅና ሥራን በአገናኝ አማካኝነት ያለመስራት፤ እና
 - ሐ) የጥብቅና ውልን ያለበቂና ሕጋዊ ምክንያት ያለማቋረጥ እና በጥብቅና ውሉ ከተገለጸው የክፍያ መጠን በላይ ተጨማሪ ክፍያ ከደንበኛ ያለመጠየቅ፤ ግዴታ አለበት፡፡
4. በዚህ አንቀፅ ንዑስ አንቀፅ (3) ፊደል-ተራ (ሀ) ላይ የተደነገገው ቢኖርም የጥብቅና ሙያ አገልግሎት ፍቃድ ሰጪው አካል ቢሮ ማሟላትን እንደመስፈርት ሊጠይቅ አይችልም፡፡

23. ስለታማኝነትና ለፍትህ አጋር መሆን

1. ማንኛውም ጠበቃ ወይም የጥብቅና ድርጅት የጥብቅና አገልግሎት ሥራውን በታማኝነት የመስራትና ለፍትሕ አጋር የመሆን ግዴታ አለበት፡፡

22. Contract of Advocacy Service and Related Obligations

1. Any advocate or law firm is obliged to make, in writing, the advocacy service contract which he or it makes with his Client except legal advice given for a short period of time.,details shall be determined by a directive to be issued.
2. The contract of the advocacy service shall include the total amount of fee the Client pays to the advocate or law firm, computation and time of payment and the extent of the service to be provided.
3. Every advocate or law firm has the following obligations:
 - a) To have an office where he/it provides the advocacy service;
 - b) To perform the service without using brokers;
 - c) Not to terminate the advocacy service contract without good cause and not to demand more payment than the one agreed upon on the contract of service.
4. Notwithstanding the provision of paragraph (a) of Sub-Article (3) of this Article, the license issuing authority shall not require office to grant the advocate license.

23. Honesty and Loyalty to Justice

1. Any advocate or law firm has the following obligations to perform his or its advocacy service honestly and in a manner that ensures loyalty to justice.

- 2. Iyadoo ay sideeda yihiin arrimaha lagu xeeriyay qodob hoosaadka (1) ee qodobkan, qareenkasta ama shirkadkasta oo bixisa adeeg qareenimo waxaa ka reeban inay si kas ah u jidaan kiisaska, soo dhaweeyaan markaati-beenaale, soo dhaweeyo ama suurto geliyo in la soo dhaweeyo cadayn been-abuur ah iyo inuu soo bandhigo doodo madhalays ah. Sidoo kale waxaa waajib ka saaran yahay inuu ilaaliyo anshaxa qareenimo, sirta macmiilkisa iyo xogkasta oo uu ku ogaado shaqadiisa.
- 3. Faahfaahinta anshaxa iyo asluubta qareenimo iyo talaabooyinka anshaxmarinta waxaa lagu xeerin xeernidaameedka uu soo saaro golaha hawlfulintu.

Qayb-hoosaadka labaad
Waajibadka ka qaybgalka
tabobarada sharci

24. **Ujeedada**

Ujeedada guud ee tabobarada sharci ee la siinayo qareenadu waa in kor loo qaado aqoonta iyo xirfada qareenka si loo suurto geliyo inuu bixiyo adeeg hufan oo tayadiisu sarayso.

25. **Tabobarada sharci**

- 1. Qareenkasta waxaa waajib ka saaran yahay inuu sanadkasta qaato ugu yaraan 24 saacadood ugu badnaana 30 saacadood oo tabobaro sharci.
- 2. Tabobarada sharci ee uu qaadanayo qareenku waxay noqon karaan kuwo xidhiidhsan ama kuwo uu qaato waqtiyo kala duwan oo sanadka dhexdiisa ah.
- 3. Ujeedooyinka tabobarada, mudada ay soconayaan, qaybaha ay ka koobanyahay, nidaamka loo bixinayo, kharashka ku baxaya iyo guud ahaan arrimaha kale ee la xidhiidha tabobarada sharci waxaa lagu faahfaahin awaamiirta uu soo saaro xafiisku.

- 2. የዚህ አንቀጽ ንዑስ አንቀጽ (1) ጠቅላላ ድንጋጌ እንደተጠበቀ ሆኖ ማንኛውም ጠበቃ ወይም የጥበቅና ድርጅት ያለበቂ ምክንያት ጉዳይን ያለማንተት፣ ምስክሮችን በሀሰት ያለማደራጀት፣ ሀሰተኛ ማስረጃ ያለማቅረብ ወይም ያለማስቀረብ፣ ተዘጋጅቶ የመቅረብና ተገቢውን ክርክር የማድረግ፣ የሕግ መሠረት የሌለውንና የማያዋጣ ጉዳይን ያለመያዝ፣ የደንበኛውን ምስጢር ያለማውጣት እና ሌሎች መሰል የሥነ-ምግባር ግዴታ አለበት።

- 3. ሌሎች መሰል ከጠበቃ ሥነ-ምግባር ጋር የተያያዙ ግዴታዎች በመስተዳደር ምክር ቤት በሚወጣ ደንብ የሚወሰን ይሆናል።

ንዑስ ክፍል ሁለት

የሕግ ሥልጠና የመውሰድ ግዴታ

24. **ዓላማ**

የሕግ ሥልጠና ዓላማ ጠበቆች የሙያ ኃላፊነታቸውን ለመወጣት የሚያስችል ወቅታዊ እውቀትና ክህሎት በቀጣይነት እንዲኖራቸው ማስቻል ነው።

25. **ስለ የሕግ ሥልጠና**

- 1. ማንኛውም ጠበቃ በዓመት ውስጥ በድምሩ ከ24 እስከ 30 ሰዓት የሚደርስ የሕግ ሥልጠና የመውሰድ ግዴታ አለበት።
- 2. የሕግ ሥልጠናው በተከታታይ ወይም በዚያው ዓመት ውስጥ በተለያዩ ጊዜ ሊሰጥ ይችላል።
- 3. በሕግ ሥልጠና የሚሸፈኑ የሥልጠና ዘርፎችን፣ የሥልጠና ጊዜውን ርዝመት፣ አጠቃላይ የሥልጠና አሰጣጥ መርሃ-ግብር፣ የሥልጠና ክፍያ እና ሌሎች ከሥልጠና ጋር የተያያዙ ጉዳዮችን በተመለከተ ቢሮው በሚያወጣው መመሪያ ይወስናል።

- 2. Without prejudice to the general provision provided under sub Article 1 of this Article, any advocate or law firm has the duty, not to unduly delay cases without good cause; not to organize false witnesses; not to produce false evidence or cause such evidence to be produced; appear before the court duly prepared and make competent arguments; reject cases which have no cause of action and legal basis; keep the confidentiality of his client's information.

- 4. Other similar codes of conduct related with advocates' conduct shall be determined by a Regulation to be issued by the Council of Executive body.

SECTION TWO

THE OBLIGATION TO TAKE
LEGAL TRAINING

24. **Objectives**

The purpose of legal training is to enable Advocates acquire up-to-date knowledge and excellence to discharge their professional responsibility.

25. **Training on the subject of Law**

- 1. Any advocate has the duty to take not less than 24 Hours and not less than 30 hours of training in the field of law in a given year.
- 2. The training on the subject of law may be offered in continuity or in different cycles within that year.
- 3. The subjects to be covered by the training, the duration of the training, general training program procedures, training fee and other issues related with training shall be determined by the directive to be issued by the Bureau.

26. Cidda bixinaysa tabobarka

1. Xarunta tabobar ee bixinaysa tabobarada sharci ee la siinayo qareenadu waa inay noqoto mid haysata aqoonsiga tayada xaqiijinta awoodda fulineed islamarkaana ku qanco xafiiska.
2. Xafiisku isagoo la tashanaya ururka qareenada waa inuu kahor bilowga tabobarka ansixiyo qorshaha tabobarka iyo koorsooyinka la bixinayo, hase ahaatee hadii ay jirto sabab macquul ah, qorshaha tabobarka ee la ansixiyay xafiisku wuu joojin karaa islamarkaana wax laga bedeli karaa.
3. Arrimaha kale ee la xidhiidha nidaamka loo bixinayo tabobarada sharci ee la siinayo qareenada waxaa lagu faahfaahin awaamiirta uu soo saaro xafiisku.

27. Wajibbaadka soo gudbinta

1. Xarunta waxbarasho ee bixinaysa tabobarka sharci ee la siinayo qareenada waxaa waajib ka saaran yahay inay xafiiska iyo ururka usoo gudbiso warbixinta xubnaha qareenada ee bilaabay tabobarkasta oo ay bixinayso iyo xogta qareenada dhamaystay tabobaradaas.
2. Qareenka ku guuldaraysta inuu ka qaybqaato tabobarka waa inuu qoraal ahaan xafiiska iyo ururkaba kusoo wargeliyo sababta uu tabobarkaas uga qaybgeli waayay.

28. Ka qaybgalid la'aanta tabobarka

1. Ururku waa inuu xafiiska u soo gudbiyo Warbixinta Qareenada ku guuldaraystay inay fuliyaan ama u hogaansamaam wajibaadka ka qaybgalka tabobarada.
2. Xafiisku waa inuu talaabada ku haboon ka qaado qareenka ku guuldaraysta inuu fuliyo wajibaadka ka qaybgalka tabobarada sharci iyo wajibadyada la xidhiidha.

26. እውቅና ስለተሰጣቸው ተቋማት

1. የሕግ ሥልጠና የሚሰጠው እውቅና በሚሰጠ ለተከታታይ የሕግ ሥልጠና ሰጪ ተቋም ይሆናል። ዝርዝሩ ቢሮው በሚያወጣው መመሪያ ይወሰናል።
2. ቢሮው ከማኅበሩ ጋር በመመካከር ለተከታታይ የሕግ ሥልጠና ሰጪ ተቋም እውቅና ከመስጠታቸው በፊት የሚሰጡ የሥልጠና ዓይነቶችን ቀድሞ ማጽደቅ ይኖርባቸዋል። ሆኖም በቅድሚያ የጸደቁት የሥልጠና ዓይነቶች በቢሮው ሊሻሻል ወይም ሊሠረዙ ይችላሉ።
3. የተከታታይ የሕግ ሥልጠና ሰጪዎች እውቅና የሚያገኙበት ሥነ-ሥርዓት እና መሥሪያቶች በተመለከተ ቢሮው በሚያወጣው መመሪያ ይወሰናል።

27. ሪፖርት የማድረግ ኃላፊነት

1. የተከታታይ የሕግ ሥልጠና ሰጪ ተቋሙ በሥልጠና ላይ ያሉትን ሠልጣኞች ሥልጠና ከጀመሩበት እንዲሁም ሥልጠና ያጠናቀቁ ሠልጣኞችን ለቢሮውና ለማኅበሩ ማሳወቅ አለበት።
2. ማንኛውም ጠበቃ ቢሮውና ማኅበሩ ባሳወቁት የሥልጠና ጊዜ ለመሰልጠን የማያስችል በቂ ምክንያት ካለው ምክንያቱን ለቢሮውና ለማኅበሩ በጽሑፍ ማሳወቅ አለበት።

28. የሕግ ሥልጠና አለመከታተል

1. ማኅበሩ የሕግ ሥልጠና ግዴታዎች ሳያሟላ የቀረ ማንኛውም ጠበቃ ይህንኑ ለቢሮው በጽሑፍ ማሳወቅ አለበት።
2. ቢሮው ከተከታታይ የሥልጠና ግዴታ ጋር ተያይዞ ያለበቁ ምክንያት የሥልጠና ግዴታውን ለመውሰድ ፈቃደኛ ያልሆነ ጠበቃ ላይ የዲስፕሊን ክስ ሊመሰርትበት ይችላል።

26. Accredited Institutions

1. Training shall be offered by an institution Accredited provide continuous legal training. Details shall be determined by a directive to be issued by the Bureau.
2. The Bureau in consultation with the Association has to approve, in advance, the type of training courses before giving Accreditation to an institution. However, approved subjects for training may be amended or suspended by the Bureau.
3. The procedures and requirements under which institutions that offer legal training are accredited shall be determined by a directive to be issued by the Bureau.

27. Duty to Report

1. The training institution has the duty to report to the Bureau and the Association about the trainees upon the completion of the training for those who have completed their training.
2. Any Advocate who is unable, for good cause, to take his training on the program set by the Bureau and Association shall notify in written this to the Bureau and to the Association.

28. Failure to take Training

1. If any advocate fails to comply with the training obligations provided in this Section, shall notify this fact, in writing, to the Bureau and Association.
2. The Bureau may charge, for the violation of disciplinary rules, an advocate who, without good cause, is not willing to comply with his mandatory training program.

29. Dib u dhigista mudada tabobarada

1. Qareenkasta oo aanay suurtagal u ahayn inuu ka qayb qaato tabobarka la mudeeyay, waa inuu bil ka hor maalinta uu bilaabmayo tabobarkaasi kusoo gudbiyo qoraal uruurka u codsanayo iyo muddo kale looga dhigo tabobarka.
2. Codsiga dib u dhigista ee uu soo gudbiyay qareenku waa inay ku cadaato sababta aanu uga qaybgeli Karin tabobarka la mudeeyay iyo waqtiga kale ee uu ka qaybgeli karo.
3. Hadii lagu qanco sababta qareenku ku xusay codsiga dib u dhigista tabobarka ee uu usoo gudbiyay qodob hoosaadka (2) ee qodobkan, waxaa tabobarka dib loogu dhigi karaa waqtiga kale ee ku haboon sanadka dhexdiisa. Hase ahaatee, go'aanka lagu ogolaaday ama lagu diiday codsiga qareenka waa in xafiisku 15 cisho gudaheed ku wargeliyo qareenka.
4. Hadii sababo ka baxsan awoodida qareenku keenaan inay suurtagal noqon waydo in qareenku ka qaybqaato tabobarada la bixinayo sanadka gudihisa, xafiiska oo latashanaya ururku waxa u tabobarka qareenka dib ugu dhigi karaa sanadka xiga, hase ahaatee qareenku waa inuu ka qaybgalo sanadkaas tabobarkii dib loo dhigay iyo midkii sanadkaas qorshaysnaa.

Qayb-hoosaadka saddexaad

Waaajibaadka bixinta adeegga qareenimo oo bilaash ah

30. Waaajibaadka bixinta adeegga qareenimo oo bilaash ah

1. Qareenkasta oo gaarkiis u hawlgala ama u shaqeeya shirkad bixisa adeeg qareenimo, ama kamid ah qareenada ku shiraakoobay shirkadda waxaa qaajib ka saaran yahay inuu sanadkii sadex kiis lacag la'aan ugu doodo. Cidaha la siin karo adeegga bilaashka ahi waxay kala yihiin:

29. የሕግ ሥልጠና ግዴታን ስለማራዘም

1. ማንኛውም ጠበቃ በአሳማኝ ምክንያት የሥልጠና ግዴታውን መውሰድ ካልቻለ የሥልጠና ጊዜው እንዲራዘምለት ቢሮውና ማኅበሩ ከያዙት የሥልጠና ጊዜ ከአንድ ወር በፊት ቀድሞ ለማኅበሩ በማመልከቻ ማሳወቅ አለበት፡፡
2. ጠበቃው የሥልጠና ጊዜው እንዲራዘምለት የሚያቀርበው ማመልከቻ ሥልጠናውን መውሰድ እንዳይችል ያደረገውን ምክንያት፤
3. ማኅበሩ በዚህ አንቀጽ ንዑስ አንቀጽ (2) መሠረት የቀረበለት ማመልከቻ አሳማኝ ሆኖ ካገኘው የሥልጠና ጊዜውን በዚያው ዓመት ውስጥ ጠበቃው በጠየቀው ጊዜ ሊቀይርለት ይችላል፤ ቢሮው ጥያቄውን ጥያቄውን ካልተቀበለው ያልተቀበለው መሆኑን በ 15 ቀናት ውስጥ በጽሑፍ ለጠበቃው ማሳወቅ አለበት፡፡
4. ጠበቃው በዓመት መውሰድ የሚጠበቅበትን የሕግ ሥልጠና ግዴታ በዚያው ዓመት አጠቃሎ መውሰድ ካልቻለ እና ሥልጠናውን ያልወሰደው ከአቅም በላይ በሆነ ምክንያት ስለመሆኑ ማስረጃ ካቀረበና ቢሮው ካመነበት ጠበቃው ያልወሰደውን የሥልጠና ጊዜ ወደ ቀጣይ ዓመት በማሸጋገር በቀጣይ ዓመት መውሰድ ከሚጠበቅበት የሥልጠና ግዴታ ጋር ደርቦ እንዲወስድ ሊፈቅድለት ይችላል፡፡

ንዑስ ክፍል ሶስት

ስለ ነጻ የጥብቅና አገልግሎት ግዴታ

30. ነጻ የጥብቅና አገልግሎት የመስጠት ግዴታ

1. ማንኛውም በጥብቅና ድርጅት ውስጥ ሸሪክ ሆኖ ወይም ተቀጥሮ የሚሰራ ጠበቃ ወይም በግሉ የሚሰራ ጠበቃ እንደ ጉዳዩ ክብደት እና ቅለት እየታየ በዓመት ከሶስት ጉዳይ ያልበለጠ ነጻ የጥብቅና አገልግሎት የመስጠት ግዴታ አለበት፤ አገልግሎቱ የሚሰጠውም፡-

29. Extension of the Period of Mandatory Training

1. If any advocate, for good cause, is unable to take the training within the period scheduled, he has to notify this, a month in advance, by a written application to the Association along with his request for the extension of time.
2. The application which the advocate submits shall specify the reasons why he was not able to take the training in due time and his plan as to when he would take the training in the future.
3. after considering the application mentioned under sub Article 2 of this Article, found the reasons convincing, then it can reschedule the program based on the advocate's request, anytime within the given year. If the Bureau accepts the request, it shall notify the advocate in writing the extension it has made or the rejection of the request within 15 days.
4. If it is not possible for the advocate to take the training in that same year for reasons beyond his control and such reasons have convinced, then the Bureau may reschedule the training period for the advocate to take the training in the following year in addition to the training he is expected to take in that same year.

SECTION THREE

THE OBLIGATION TO PROVIDE PRO BONO ADVOCACY SERVICE

30. The Obligation to Provide Pro Bono Advocacy Service

1. Every advocate who practices privately or works in a law firm either as a partner or as an employee has the obligation to provide pro bono advocacy service, for not more than three cases in a year, to the following persons:

- b) Qofkasta oo aan awoodin inuu iska bixiyo gunnada adeega qareenimo.
 - t) Ururada bulshada, ururada rayidka ah iyo ururada isu xilqaamay samafalka bulshada.
 - j) Qofkasta oo maxkamadu amarto in la siiyo adeeg bilaash ah.
 - x) Ururada iyo guddiyada ka shaqeeya horumarinta sharciga iyo nidaamka cadaaladda
2. Qareenkasta iyo shirkadkasta oo bixisa adeeg qareenimo waa inay xafidaan diiwaan ay ku cadahay xogta adeegga qareenimo ee lacag la'aanta ah ee la bixiyay, cida la siiyay, mudada uu qaatay iyo nooca adeeg ee la bixiyay.

31. Dabagalka iyo xaqijinta bixinta adeegga qareenimo oo bilaash ah

- 1. Xafiisku isagoon ka gudbayn xadka sharcigu u dejiyay tirada kiisaska bilaash ahaan in loogu adeeggo, waxa uu dabagal ku samayn tirada kiis ee qareenkasta lacag la'aan ugu dooday islamarkaana waxa uu u gudbin karaa kiisaska mudan in bilaash loogu doodo.
- 2. Qareenkasta, isaga oo aan ka gudbayn xadka sharcigu u dejiyay tirada kiisaska bilaash ahaan in loogu adeeggo sharcigu xeeriyay, waxaa waajib ka saaran yahay inuu aqbalo islamarkaana bilaash ugu doodo kiisaska xafiisku usoo gudbiyo.
- 3. Xafiisku isagoo la kaashanaya ururuka, waxa uu waajib ka saaran yahay dabagalka, xaqijinta iyo hubinta adeegyada bilaashka ah ee qareenkasta sharcigu ku waajibiyay.
- 4. Iyadoo ay sideeda yihiin arrimaha lagu xeeriyay qodob hoosaadka (1) ee qodobkan, xafiisku waxaa uu masuul ka saaran yahay xaqijinta jiritaanka xogta warbixinta la xidhiidha dadka la siiyay adeegga sharci ee bilaashka ah.

- ሀ) የመከፈል አቅም ለሌላቸው ሰዎች፤
- ለ) ለበጎ አድራጎት ድርጅቶች፤ ለሲቪክ ማኅበራት እና ለማኅበረሰብ ተቋማት፤
- ሐ) ፍርድ ቤት የጥብቅና አገልግሎት እንዲያገኙ ለሚጠይቅላቸው ሰዎች፤
- መ) ሕግን፣ የሕግ ሙያን እና የፍትሕ ሥርዓቱን ለማሻሻል ለሚሰሩ ከሚቴዎች እና ድርጅቶች ነው፡፡

2. ማንኛውም ጠበቃ ወይም የጥብቅና ድርጅት ለሕዝብ ነጻ የጥብቅና አገልግሎት ግዴታውን መወጣቱን የሚገልጽ ማህደር መያዝ የሚኖርበት አለበት፡፡

31. ነፃ የጥብቅና አገልግሎት ስለመምራት

- 1. ቢሮው እያንዳንዱ ጠበቃ በዓመት መስጠት ከሚጠበቅበት የነጻ የጥብቅና አገልግሎት መጠን ሳያልፍ በነጻ የጥብቅና አገልግሎት ሊስተናገዱ የሚገባቸውን ጉዳዮች እያጣራ ለጠበቆች ይመራል፡፡
- 2. እያንዳንዱ ጠበቃ በዓመት መስጠት ከሚጠበቅበት የነጻ የጥብቅና አገልግሎት ግዴታ ሳያልፍ በቢሮው የሚመራለትን የነጻ ጥብቅና አገልግሎት ተቀብሎ የመሥራት ግዴታ አለበት፡፡
- 3. ቢሮው ከማኅበሩ ጋር በመተባበር ነጻ የጥብቅና አገልግሎት እንዲሰጥ የመራለትን ጠበቃ ወይም የጥብቅና ድርጅት በዚህ አዋጅ መሠረት መፈጸሙን መቆጣጠር እና መከታተል አለበት፡፡
- 4. በዚህ አንቀጽ ንዑስ አንቀጽ (1) የተደነገገው ቢኖርም በጠበቃው በኩል ነጻ የሕግ ድጋፍ አገልግሎት መስጠት ያለበት ሰው አግኝቶ አገልግሎቱን በነጻ የሰጠ በሆነ ጊዜ ቢሮው የአገልግሎቱን ትክክለኛነትና እውነተኛነት አረጋግጦ እውቅና ሊሰጠው ይችላል፡፡

- a) To those who cannot afford to pay;
 - b) To charity, civic societies and mass organizations;
 - c) To those whom Courts request the provision of pro bono advocacy service;
 - d) To committees and organizations which work on the advancement of law and improvement of the justice system.
2. Every advocate or law firm has to keep a record of its pro bono service to the public and such record shall contain details about the date when each service was provided, type and the time the case took.

31. Assigning Pro Bono Service

- 1. The Attorney General shall, without passing the limit each advocate should render pro bono service in a given year, identify and assign pro bono cases to advocates.
- 2. Each Advocate shall have the obligation, without passing the limit of pro bono cases in a given year, to receive cases referred to him by the Bureau and render pro bono service.
- 3. The Bureau, based on this Proclamation shall control and monitor whether an advocate or a law firm has discharged his obligation in handling of the cases assigned to him by the Bureau for pro bono advocacy service.
- 4. Notwithstanding the provisions of sub Article 1 of this Article, the Bureau has the responsibility to monitor whether an advocate has discharged the provisions of pro bono advocacy service.

Qayb-hoosaadka afraad

Ilaalinta hantida macmiilka iyo damaanadqaadka

32. Masuuliyadda damaanadqaadka waajibaadka xirfadeed

Qareenkasta iyo shirkadkasta oo bixisa adeeg qareenimo, waxaa waajib ka saaran yahay inay hirgeliyaan nidaam suurtoogelinaya inay qaadaan masuuliyadda ku guuldaraysiga u adeegidda macaamiisha islamarkaana magdhaw ku heli karaan macaamiishu.

33. Waajibaadka damaanadqaadka adeegga qareenimo

1. Qareenkasta oo damaanadqaaday masuuliyaddiisa xirfadeed islamarkaana heshiis la galay macmiil, waa inuu si degdeg ah u wargeliyo xafiiska marka la buriyo heshiiska u dhexeeyay isaga iyo maciilka ama ay timaado sabab ka hor istaagaysa inuu fuliyo heshiiska.
2. Qareenkasta waxaa uu masuul ka yahay bixinta magdhawga khasaaraha ka yimaada soo wargelin la'aanta xafiiska ee lagu xeeriyay qodob hoosaadka (1) ee qodobkan.

34. Maaraynta hantida macmiilka

Qareenkasta iyo shirkaskasta oo bixisa adeeg qareenimo:

1. Waa inay hantidooda ka soocaan hantikasta oo uu leeyahay macmiilka ama cidkale, taasi oo sabab la xidhiidha adeegga qareenimo gacantiisa kusoo gashay.
2. Waa inay xafidaan ugu yaraan shan sano dhokumentiyada cadeymaha hantida uu leeyahay macmiilka ama cidkale, taasi oo sabab la xidhiidha adeegga qareenimo gacantiisa kusoo gashay.

ንዑስ ክፍል አራት

መድን እና የደንበኞች ንብረት

32. የሙያ ኃላፊነት መድን የመያዝ ግዴታ

ማንኛውም ጠበቃ ወይም የጥብቅና ድርጅት ሥራውን በአግባቡ ሳይወጣ በመቅረቱ ምክንያት በደንበኛው ላይ ሊደርስ ለሚችል ጉዳት ካሳ የሚሆን የሙያ ኃላፊነት መድን ሊይዝ ይችላል።

33. የመድን ሰጪው ግዴታዎች

1. ለጠበቃ ወይም ለጥብቅና ድርጅት የሙያ ኃላፊነት መድን የሰጠ መድን ሰጪ የመድን ውሉ ሲቋረጥ ወይም ግዴታው እንዳይፈጸም ሊያደርግ የሚችል ሁኔታ ሲፈጠር ሁኔታውን ወዲያውኑ ለቢሮው ማሳወቅ አለበት።
2. መድን ሰጪው በዚህ አንቀጽ ንዑስ አንቀጽ (1) የተቀመጠውን ግዴታውን ባለመወጣቱ ለሚደርሰው ጉዳት ኃላፊነት አለበት።

34. የደንበኛን ንብረት ስለማስተዳደር

ማንኛውም ጠበቃ ወይም የጥብቅና ድርጅት፡-

1. ከሙያ ሥራው ጋር በተገናኘ በይዘታው ወይም በአስተዳደሩ ሥር የሚገኝን የደንበኛው ወይም የሦስተኛ ወገንን ንብረት አስተዳደርን ጥበቃ ከራሱ ንብረት ፍጹም በማይገናኝበት ሁኔታ ለይቶ ማስተዳደር አለበት
2. በዚህ አንቀጽ ንዑስ አንቀጽ (1) የተጠቀሱትን የደንበኛው ወይም የሦስተኛ ወገን ንብረቶች የሚመለከቱ ማናቸውንም ሠነዶች ጉዳዩ ካለቀበት ጊዜ ጀምሮ እስከ አምስት ዓመት ድረስ የመያዝ ግዴታ አለበት።

SECTION FOUR

INSURANCE AND CLIENTS' PROPERTY

32. The Obligation to Secure Professional Indemnity Insurance

Every advocate or law firm shall secure an indemnity insurance policy, for the damage he or it may cause on his or its client due to failure to discharge his duty properly.

33. The Obligation of Insurers

1. An Insurer which has sold a professional indemnity insurance policy to an advocate or law firm shall have the obligation immediately to report to the Bureau when the contract is terminated or when a circumstance arises that prevent the performance of the contract.
2. The Insurer shall be liable for damages that may be caused due to its failure to report as provided under sub Article 1 of this Article.

34. Administration of Client's Property

Every advocate or law firm has the following obligations:

1. Administer and keep his client's or third party's property, which he possessed in the course of discharging his duty, separately from his own property.
2. Has the obligation to keep documents related with the properties of his/its client or third party he/it administers up to five years from the time when the case has got its completion.

35. Lacagta amaanada ah

1. Lacagkasta oo uu leeyahay macmiilku oo uu hayo qareenka ama shirkadda bixisa shirkada bixisa adeegga qareenimo, waa in laga sooco lacagta kale islamarkaana waa in la dhigo god-xisaabeed (account) gaar ah ama goobta kale eek u haboon.
2. Awaamiirta uu soo saaro xafiisku ayaa lagu faahfaahin nidaamka loo xafidayo lacagta macmiilku leeyahay ee amaano ahaanta qareenku u hayo.
3. Lacagta macmiilka ee amaano ahaanta qareenka ama shirkadda bixisa adeegga qareenimo hayaan, waxaa lagu bixin karaa oo keli ah kharashyada khuseeya macmiilka, islamarkana cadadkasta oo la bixiyay waa in la xafido juwanada cadeyntii ujeedada loo bixiyay iyo bixinteeda.
4. Qareenkasta ama shirkadda bixisa adeegga qareenimo ee ay soo gaadho lacag ama uu leeyahay macmiilka ama cidkale, waa inay siday ugu dhakhsaha badan u ogeysiyaan cida hantidaas ama lacagtaas leh.
5. Hadii aan si kale loogu sheegin bayaankan ama sharci kale ama heshiiska qareenka iyo macmiilka u dhexeeya, qareenka iyo shirkadda bixisa adeegga qareenimo waxaa waajib ka saaran yahay inay ku wareejiyaan macmiilka ama cida kale ee leh hantida ay gacanta ku hayaan islamarka ay soo codsadan iyagoo raacinaya cadeyn muujinaysa warbixinta xaaladda hantidaas ama lacagtaas.

35. የደንበኛ የአደራ ሂሳብ

1. በጠበቃው ወይም የጥብቅና ድርጅቱ እጅ የሚገኝ የደንበኛ ገንዘብ ከጠበቃው ወይም ከጥብቅና ድርጅቱ በተለየ ሂሳብ ውስጥ መቀመጥ አለበት፡፡
2. ቢሮው ጠበቆች ወይም የጥብቅና ድርጅቶች የደንበኞች አደራ ሂሳብ ለመያዝ ማሟላት የሚገባቸውን መስፈርቶች በመመሪያ ሊወሰን ይችላል፡፡
3. የደንበኛው የአደራ ሂሳብ በጠበቃው ወይም በጥብቅና ድርጅቱ ማንቀሳቀስ የሚቻለው ክፍያ ሊፈፀምባቸው የሚገቡ ሥራዎች መከናወናቸውን እና በደንበኛው ሥም መደረግ ያለባቸው ወጪዎች በበቂ ማስረጃ ሲረጋገጥ ብቻ ነው፡፡
4. ጠበቃው ወይም የጥብቅና ድርጅቱ የደንበኛ ወይም የሦስተኛ ወገን ጥቅም ያለበት ገንዘብ ወይም ሌላ ንብረት ሲቀበል ለደንበኛው ወይም ለሦስተኛ ወገን ወዲያውኑ ማሳወቅ አለበት፡፡
5. በዚህ አዋጅ ከተመለከተው ወይም በሌላ ወይም ከደንበኛው ጋር በተደረገ ስምምነት ካልተፈቀደ በቀር አንድ ጠበቃ ወይም የጥብቅና ድርጅት ለክፍያ ያልዋለ በአደራ ሂሳብ ውስጥ የተቀመጠን ገንዘብ ደንበኛው ወይም መብት ያለው ሦስተኛ ወገን ሲጠይቅ ወይም ጉዳዩ ሲጠናቀቅ ወዲያውኑ ከበቂና የተሟላ ሪፖርት ጋር ማስረከብ አለበት፡፡

35. Trust Account of a Client

- 1 A client’s money which is under the possession of an advocate or a law firm shall be kept in a different account from that of the advocates or the law firm’s private account.
- 2 The Bureau, by directive, may determine the requirements advocates or law firms must fulfil to keep their clients’ trust account.
- 3 The advocate or the law firm can only transact his/its client’s trust account and pay money when activities, which need payment, are undertaken and the expenses are supported by evidences issued in the name of the client.
- 4 The advocate or the law firm, when it receives money or other property that involves the interest of the client or the third party, shall immediately notify the situation to his/its client or to the third party.
- 5 Unless it is allowed by this Proclamation or by relevant law or the agreement made with the client, the advocate or the law firm shall handover, along with sufficient and full report, the balance in the trust account to the client or third party, when the client or the third party requests for such a report or when the case gets completion.

QAYBTA AFRAAD
SHIRKADAH BIXIYA ADEEGGA
QAREENIMO

36. Aasaaska

1. Laba qareen ama tiro ka badan oo haysta shati qareenimo oo dhaqangal ah ayaa hab waafaqsan bayaankan u aasaasi kara shirkad bixisa adeegga qareenimo.
2. Shirkadda bixisa adeegga qareenimo ee loo aasaasay hab waafaqsan qodob hoosaadka (1) ee qodobkan, waxay noqonaysaa shirkad wadaag ah islamarkaana magaceeda marka la qoro dib laga raaciyo (shirkad wadaag ah oo masuuliyadeedu xadidan tahay) oo loo soo gaabiyay xarfaha LP (Limited partnership).
3. Shirkadda bixisa adeegga qareenimo ee loo aasaasay hab waafaqsan qodob hoosaadka (1) ee qodobkan, waxay qaban kartaa oo keli ah adeegyada qareenimada la xidhiidha oo keli ah. Faahfaahintana waxaa lagu xeerin awaamiirta uu soo saaro xafiisku.
4. Ujeedooyinka loo aasaaso shirkadaha ganacsi ee lagu sheegay xeerka ganacsiga iyo bayaanka maalgelintu dhaqangal kuma aha shirkadda bixisa adeegga qareenimo.

37. Shuruudaha aasaaska

1. Shirkadaha bixiya adeegga qareenimo waxay ku aasaasmi karaan marka xeer-hoosaadka uu ansixiyo xafiisku.
2. Codsiga diiwaangelinta shirkadaha bixiya adeegga qareenimo waxa uu ka koobnaan dhokumentiyadan:
 - b) Qoraal codsi ah oo ay ku cadyihiin magacyada iyo saxeexa aasaasayaashu.

ክፍል አራት
ስለጥብቅና ድርጅት

36. የጥብቅና ሙያ አገልግሎት
ድርጅትን ስለማቋቋም

1. በዚህ አዋጅ መሠረት የጸና የጥብቅና ፍቃድ ያላቸው ቢያንስ ሁለት እና ከዚያ በላይ የሆኑ ጠበቆች አንድ ላይ በመሆን የጥብቅና ድርጅት ማቋቋም ይችላሉ፡፡
2. በዚህ አንቀጽ ንዑስ አንቀጽ (1) መሠረት የሚቋቋሙ የጥብቅና ሙያ አገልግሎት ድርጅት “ኃላፊነቱ የተወሰነ የሽርክና ማኅበር” ወይም (“ኃ.የተ.የሽ.ማ”) የሚል ሐረግ ያለው መሆን አለበት፡፡
3. በዚህ አንቀጽ ንዑስ አንቀጽ (1) መሠረት የሚቋቋሙ የጥብቅና ሙያ አገልግሎት ድርጅት ዓላማው የጥብቅና ሙያ አገልግሎት ለመስጠት ብቻ ይሆናል፡፡
4. የጥብቅና ድርጅት የጥብቅና አገልግሎት መስጠቱ በኢትዮጵያ የንግድ እና የኢንቨስትመንት ሕጎች መሠረት አገልግሎቱን የንግድ ወይም የኢንቨስትመንት ሥራ አያሰኘውም፡፡

37. የመቋቋሚያ መሥፈርቶች

1. የጥብቅና ድርጅት በቢሮው በመመዘገብ ይቋቋማል፡፡
2. የጥብቅና ድርጅት ለማቋቋም የሚከተሉት ሰነዶች ከማመልከቻ ጋር ተያይዘው ለቢሮው መቅረብ አለባቸው፡-
 - ሀ) የሽሪኮቹን ሙሉ ሥምና ፊርማ የያዘ ማመልከቻ፤

SECTION FOUR
LAW FIRM

36. Formation of a Law Firm

1. At least two or more advocates, who have a valid advocacy service license issued under the provisions of this Proclamation, may together establish a law firm.
2. the advocacy service firm to be established under the provisions of sub-Article 1 of this Article, shall be a Limited Partnership and the firm name shall be followed by the words “Limited Partnership” or the abbreviation “L.P.”
3. the advocacy service firm to be established under the provisions of sub-Article 1 of this Article, can render services related with advocacy service only. The particulars shall be determined by a directive to be issued by the bureau.
4. The objective by which a law firm is established for is to provide the provision of advocacy service by a law firm doesn’t make the service business or investment as defined under the Ethiopian Commercial Code and the Investment Law

37. Requirements and Procedures of Formation

1. A law firm shall be established upon registration by the Bureau.
2. The following documents shall be submitted to the Bureau, along with the application, to form the firm:
 - a) An application that contains the full name of the partners and their signature.

<p>t) Xeer-hoosaadka shirkadda.</p> <p>j) Nuqulka koobiga shatiga qareenimo ee aasaaseyaasha,</p> <p>x) Hadal-qoraaleedka muujinaya inay aasaasayaashu ku heshiiyeen shirkadda, magaca shirkadda, mudada jiritaanta, ujeedada iyo qoraal muujinaya geedisocodkii ay soo martay aasaaska iyo cida ay u wakiisheen wadista shaqooyinka diiwaangelinta iyo ansixinta.</p> <p>3. Xeer-hoosaadka shirkaddu waa inuu waafaqsan yahay shuruudaha xeerka ganacsiga dalku u dejiyay aasaaska shirkadaha wadaagga ah ee masuuliyadoodu xadidan tahay.</p> <p>4. Xafiisku, kadib marka uu soo gaadho codsiga diiwaangelinta shirkaddu, waa inuu muddo 15 cisho gudaheed ah ku xaqiijiyaa in codsigu waafaqsan yahay bayaankan iyo shuruucda kale islamarkaana waa inuu 15 cisho gudaheed ku diiwaangeliyaa shirkadaas.</p> <p>5. Hadii xafiisku xaqiijiyo in codsiga diiwaangelinta shirkadda ee loo soo gudbiyay aanu waafaqsanayn bayaankan iyo shuruucda kale, waa inuu 20 cisho gudaheed sababta diiwaangelinta loo diiday qoraal ku ogeysiyo cida codsiga soo gudbisay.</p> <p>6. Codsadaha hab waafaqsan qodob hoosaadka (5) ee qodobkan loo diiday diiwaangelintu, waxa uu 15 cisho gudaheed cabasho la xidhiidha diidmada u gudbin karaa madaxa xafiiska.</p>	<p>ለ) የድርጅቱን መመስረቻ ጽሑፍ፤</p> <p>ሐ) የሽሪኮቹ የጥብቅና ፍቃድ ቅጂ</p> <p>መ) ሽሪኮች ድርጅቱን ለመመስረት የተሰማሙበትን የሽርክና ስምምነት፣ የጥብቅና ድርጅቱን ሥም፣ የሽርክና ማኅበሩን የቆይታ ዘመን፣ የድርጅቱን ዓላማ በአጭሩ የተገለጸበት እና በምስረታ ሂደት ድርጅቱን የሚወክለው ሽሪክ የተሰየመበት ቃለ-ጉባዔ፡፡</p> <p>3. የጥብቅና ድርጅት መመስረቻ ጽሑፍ በንግድ ሕጉ ኃላፊነቱ የተወሰነ የሽርክና ማህበር መመስረቻ ጽሑፍ ሊያካትታቸው የሚገቡ ዝርዝሮችን ማካተት ይኖርበታል፡፡</p> <p>4. ቢሮው የቀረቡለት ሰነዶች ከዚህ አዋጅና አግባብነት ካላቸው ሌሎች ሕጎች ጋር የተጣጣሙ መሆናቸውን ካረጋገጠ ማመልከቻውን በተቀበለ በ15 የሥራ ቀናት ውስጥ የጥብቅና ድርጅቱን ይመዘግባል፤ የምዝገባ ምስክር ወረቀት ይሰጣል፡፡</p> <p>5. ቢሮው የቀረቡለት ሰነዶች ከዚህ አዋጅና አግባብነት ካላቸው ሌሎች ሕጎች ጋር የሚጣረሱ ናቸው ብሎ ካመነ ማመልከቻውን በተቀበለ በ 20 የሥራ ቀናት ውስጥ ውድቅ ማድረግና ማመልከቻው ውድቅ እንዲሆን መነሻ የሆነውን ምክንያት በመግለጽ ለአመልካቹ በጽሑፍ ማሳወቅ አለበት፡፡</p> <p>6. በዚህ አንቀጽ ንዑስ አንቀጽ (5) መሠረት ያቀረበው ማመልከቻ ውድቅ የተደረገበት አካል ቅሬታውን ማመልከቻው ውድቅ መደረጉን ባወቀ በ15 የሥራ ቀናት ውስጥ ለቢሮው ኃላፊ ማቅረብ ይችላል፡፡</p>	<p>b) Memorandum of association of the firm;</p> <p>c) Copies of the advocacy licenses of each partner; and</p> <p>d) The Partnership agreement with which the partners agreed to form the firm; name of the firm; duration of the partnership; a brief minute which purports the purpose of the firm and appoints the partner who, representing the would be firm,</p> <p>3. The Memorandum of Association of a Law Firm shall contain the particulars, stated in the commercial code, which Memorandum of Association of Limited Liability Partnership should contain.</p> <p>4. The Bureau, after verifying that the documents submitted to it are in compliance with the requirements of this Proclamation and other relevant laws, shall, within 15 working days of receiving the application, register the firm and issue certificate of registration.</p> <p>5. If the bureau is convinced that the documents submitted to it are in contradiction with the provisions of this Proclamation and other relevant laws, it shall, within 20 working days, reject the request and notify the applicant, in writing, the grounds for rejection.</p> <p>6. The person whose application was rejected pursuant to sub-Article 5 of this Article may file his complaints to the Board within 15 working days of knowing the rejection of the application.</p>
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7. Hadii codsaduhu ku qanci waayo go'aanka madaxa xafiisku ka soo saaro cabashada loogu gudbiyay hab waafaqsan qodob hoosaadka (6) ee qodobkan, waxa uu racfaan ugu gudbisan karaa 15 cisho gudaheed maxkamadda sare ee gobolka.

8. Shahaadada cadeynta diiwaangelinta shirkadda waa inay ku qornaadaan arrimahan:

b) Magaca shirkadda,

t) Ciwaanka shirkadda,

j) Taariikhda la diiwaangeliyay islamarkaana la bixiyay shahaadada,

x) Magaca iyo saaxeexa cida ansixisay.

9. Shirkaddu laga bilaabo maalinta la diiwaangeliyay waxay yeelan jiritaan sharci.

38. Arrimaha ka reeban qareenada shirkadda ka hawlgala

Qareenada wada leh shirkadda ama kuwa u shaqeeya, waxaa ka reeban mudada shirkaddu jirto ama u shaqeynayo arrimahan:

b) Inuu si toos ah ama si dadban shaqaale rasmi ah ka noqdo ama aasaaso shirkad kale oo bixisa adeeg qareenimo.

t) Inuu gacan siiyo ama la shaqeeyo shirkad kale oo bixisa adeeg qareenimo isaga oo aan fasax ka haysan shirkadda.

j) Inuu adeeg qareenimo oo gaar ah bixiyo,

x) Inuu magaca shirkadda lacag kaga qaado macaamiisha islamarkaana u isticmaalo danihiisa gaarka ah.

7. በዚህ አንቀጽ ንዑስ አንቀጽ (6) መሠረት ቢሮው ኃላፊ በሚሰጠው ውሳኔ ላይ ቅር የተሰኘ ወገን ውሳኔ በተሰጠ በ15 የሥራ ቀናት ውስጥ ለዞኑ ከፍተኛ ፍርድ ቤት ይግባኝ ማቅረብ ይችላል።

8. የሚሰጠው የጥብቅና ሙያ አገልግሎት ድርጅት ፍቃድ የሚከተሉትን መያዝ አለበት፡-

ሀ/ የድርጅቱን ስም፤

ለ/ የድርጅቱን መደበኛ አድራሻ፤

ሐ/ ፍቃድ የተሰጠበት ቀንና ዓመተ ምህረት፤

መ/ የፍቃድ ሰጪውን ስምና ፊርማ።

9. የጥብቅና አገልግሎት ድርጅቱ ፈቃድ ካገኘበት ቀን ጀምሮ ሕጋዊ ሰውነት ይኖረዋል።

38. በጥብቅና ድርጅት ሥር በሚሠሩ ጠበቆች ላይ የተጣለ ክልክል

በጥብቅና ድርጅት ውስጥ ሸሪክ ሆኖ የሚሠራ ማንኛውም ጠበቃ ወይም በጥብቅና ድርጅቱ ውስጥ ተቀጥሮ የሚሠራ ሠራተኛ መሳተፍ የማይችልባቸው ተግባራት፡-

ሀ) በቀጥታም ሆነ በተዘዋዋሪ የሌላ የጥብቅና ድርጅት ሸሪክ ወይም ሠራተኛ መሆን፤

ለ) በድርጅቱ ቀደም ብሎ ካልተፈቀደ በስተቀር በቀጥታም ሆነ በተዘዋዋሪ መንገድ ሌላ የጥብቅና ድርጅትን መርዳት ወይም መተባበር፤

ሐ) የግል የጥብቅና አገልግሎት መስጠት፤

መ) የጥብቅና ድርጅቱ ሳያውቅ በራሱ ሥም የጥብቅና አገልግሎት ክፍያ ከደንበኛ መቀበልና ለግል ጥቅም ማዋል፤

7. A party who has grievance on the decision given by the Bureau head on petition submitted to him under Sub-Articles (6 of this Article may appeal, within 15 days of knowing the decision, to the Zonal High Court.

8. The certificate of registration of law firm to be issued shall contain the following information;

- a) name of the firm;
- b) the address of the firm;
- c) date of registration and issuance of certificate of registration;
- d) name and signature of the approving organ;

9. the law firm shall acquire legal personality as of the day issuance of certificate of registration.

38. Restrictions on Advocates who work for Law Firms

An advocate, who is a partner or employee of a law firm, during the time of his membership shall be restricted to undertake the following activities:

- a) Directly or indirectly, from being a partner or employee of another law firm;
- b) From directly or indirectly assisting or collaborating with another law firm, unless the law firm to which he is a partner or an employee, with the view to discharging his assigned firm duty, authorize him in advance to do so;
- c) From providing advocacy service in private;
- d) Receiving advocacy service fee from a client and use the money for his personal benefit without the knowledge and permission of the law firm;

Kh) Inuu qabto ama ka shaqeeyo shaqooyin ka hor imanaya ujeedada iyo danaha shirkadda.

39. Xuquuqaha iyo waajibaadka mulkiileyaasha

1. Mulkiileyaashu shirkaddu waxay leeyihiin xuquuqahan:

- b) Inuu ka qaybgalo shirarka, fikirkiisa dhiibto islamarkaana codeeyo.
- t) Inuu cadad kusar go'an qoondada raasamaalka aasaska ka helo faa'iidada iyo khasaaraha shirkadda.
- j) In xog dhamaystiran laga siiyo shaqada iyo waxqabadka shirkadda.
- x) Inuu helo islamarkaana ka faa'iido xuquuqkasta oo heshiiska aasaaska shirkadda iyo sharciyada kaleba siinayaan.

2. Mulkiileyaashu shirkaddu waxay saaran waajibaadyadan:

- b) inuu waqtigeeda ku bixiyo qaadhaanka shirkadda ee waajibka ku ah.
- t) inuu marwalba si hagar la'aan ah uga shaqeeyo ka midhodhalinta waajibaadyada shirkadda.
- j) Inuu ka baaqsado inuu qado talaabokasta oo wax u dhimi-karta ama ka hor imanaya danaha iyo ujeedada shirkadda.
- x) inuu guto ama u hogaansamo dhamaan waajibaadyada ay saarayaan heshiiska aasaaska shirkadda iyo sharciyada kaleba siinayaan.

ሠ) ማንኛውንም ከጥብቅና ድርጅቱ ዓላማና ተግባር ጋር የሚጣረስና የጥቅም ግጭት

39. የሽሪኮች መብትና ግዴታ

1. የጥብቅና ድርጅት ሽሪክ የሚከተሉት መብቶች አሉት፡-

- ሀ) በጥብቅና ድርጅቱ ስብሰባዎች የመካፈል እና ድምጽ የመስጠት፤
- ለ) በድርሻው መጠን ከጥብቅና ድርጅቱ ትርፍ ወይም የጥብቅና ድርጅቱ ሲከፈም ከተጣራው የማገበሩ ሀብት ከሚተርፈው ሀብት የመካፈል፤
- ሐ) የጥብቅና ድርጅቱን አጠቃላይ አሠራር የመከታተል፤ የማወቅ፤
- መ) በሽርክና ስምምነት፣ በዚህ አዋጅና አግባብነት ባላቸው ሌሎች ሕጎች የተመለከቱ፣ ወይም ከሽርክና ማገበሩ ተፈጥሮ የሚመነጩ ሌሎች መብቶችና ጥቅሞችን የመጠቀም፡፡

2. የጥብቅና ድርጅት ሽሪክ የሚከተሉት ግዴታዎች አሉበት፡-

- ሀ) ለጥብቅና ድርጅቱ መክፈል የሚጠበቅበትን መዋጮ በወቅቱ መክፈል፤
- ለ) በማናቸውም ጊዜ የጥብቅና አገልግሎት ድርጅቱን ዓላማ ለማሳካት በትጋት የመሥራት፤
- ሐ) ለራሱ ጥቅም የሚያስገኝ ቢሆንም ባይሆንም የጥብቅና ድርጅቱን ጥቅም ከሚጸረሩ ድርጊቶች ወይም ኃላፊነትን ከሚያንድሉ ተግባራት መታቀብ እና
- መ) በሽርክና ስምምነትና በሌሎች ሕጎች በሽርክና ስምምነት የተመለከቱ ሌሎች ግዴታዎችን የመወጣት፡፡

e). Engagement in any other business, that may contradict with the purpose and the interests of, the law firm.

39. Rights and Duties of Partners

1. A partner of a law firm shall have the following rights:

- a) The right to participate and vote in the meetings of the firm;
- b) Based on his contribution, to share profits of the firm or the proceeds of liquidated assets of the firm at the time of dissolution;
- c) To get information about and follow up the activities of the law firm;
- d) Get other rights and benefits that emanate from the nature of partnership or this Proclamation and other relevant laws.

2. The partner of a law firm shall have the following obligations:

- a) Pay the firm's membership contribution on time;
- b) Work diligently, at any time, to materialize and achieve the purpose of the law firm;
- c) Refrain from acts that may hamper discharging his responsibilities and activities that are detrimental to the interests of the law firm, whether to his personal benefit or not; and
- d) Discharge his obligations provided in this Proclamation, relevant laws or obligations that emanate from the nature of limited partnerships.

40. Shuruucda kale ee dhaqangalka ku ah shirkadaha bixiya adeegga qareenimo

Arrimaha la xidhiidha ka bixida heshiiska wadaaga ah ee ay galaan mulkiileyaasha, magaca, qoondada raasamalka (share), aasaaska, kala-dirida, xilka iyo waajibaadka mulkiileyaasha, nidaamka xisaabaadka, cashuurbixinta iyo arrimaha kale ee la xidhiidha maamulka shirkadda waxaa dhaqangal ku ah Xeerka Ganacsiga dalka iyo shuruucda kale ee dhaqangalka ah, hadii aanay ka hor imanayn qodobada bayaankan.

QAYBTA SHANAAD
MAAMULKA ADEEGGA
QAREENIMO

Qayb-hoosaadka koobaad

Ururka Qareenada Deegaanka

41. Asaaska

1. Waxaa hab waafaqsan bayaankan loo aasaasay ururka qareenada deegaanka oo hada wixii ka dambeeya loogu yeedhi doono ‘**Ururka Qareenada**’.
2. Ururku qareenadu waxa uu leeyahay jiritaan sharci.
3. Ururka waxaa xubno ka noqonaya dhamaan qareenada deegaanka ee la siiyay shatiga qareenimo iyadoo aan ururku shuruud dheeri ah lagu xidhayn.

42. Xarunta ururka

Xarunta ururku waxaa caasimada deegaanka ee magaalada Jigjiga

43. Shirweynaha koobaad ee ururka

1. Xafiisku, waa inuu 6 bilood gudaheed oo ka bilaabanta maalinta la ansixiyo bayaanka ayuu shaacin shirweynaha koowaad ee ururka.

40. የሌሎች ሕጎች ተፈጻሚነት

ማንኛውም የጥብቅና ድርጅት ሸሪክ ከማግበሩ ስለሚወጣበት ሁኔታ፣ ስለ ጥብቅና ድርጅት ሥያሜ፣ የወጣ ሸሪክን ድርሻ፣ የጥብቅና ድርጅት ህልውና እና መፍረስ፣ የጥብቅና ድርጅት እና ሸሪኮች ኃላፊነት፣ ስለ ገንዘብ ጠያቂዎች፣ የጥብቅና ድርጅት ግዴታዎች፣ ስለግብር፣ የጥብቅና ድርጅት አስተዳደርና ሌሎች ተያያዥ ጉዳዮችን በተመለከተ በዚህ አዋጅ ከሚመራው የጥብቅና አገልግሎት ድርጅት ተፈጥሮ ጋር የማይቃረኑ እስከሆነ ድረስ የንግድ ሕግ እና አግባብነት ያላቸው ሌሎች ሕጎች በዚህ አዋጅ በሚቋቋም የጥብቅና ድርጅት ላይ ተፈጻሚ ይሆናሉ፡፡

ክፍል አምስት

የጥብቅና አገልግሎት አስተዳደር

ንዑስ ክፍል አንድ

የክልሉ የጠበቆች ማኅበር

41. መቋቋም

1. የክልሉ የጠበቆች ማኅበር ከዚህ በኋላ “ማኅበሩ” እየተባለ የሚጠራ በዚህ አዋጅ ተቋቁሟል፡፡
2. ማኅበሩ ራሱን የቻለ የሕግ ሰውነት አለው፡፡
3. ማንኛውም ጠበቃ ወይም የጥብቅና ድርጅት የጥብቅና ፍቃድ ሲሰጠው ያለምንም ቅድመ ሁኔታ የማኅበሩ አባል ይሆናል፡፡

42. ዋና መሥሪያ ቤት

የማኅበሩ ዋና መሥሪያ ጅግጅጋ ከተማ ይሆናል፡፡

43. የመጀመሪያ ጠቅላላ ጉባዔ ስለመጥራት

1. ቢሮው ይህ አዋጅ ከጸናበት ጊዜ ጀምሮ እስከ ስድስት ወር ባለው ጊዜ ውስጥ የማኅበሩን የመጀመሪያ ጠቅላላ ጉባዔ ስብሰባ ይጠራል፡፡

40. Application of Other Laws

The relevant Commercial Code provisions on Limited Liability Partnership shall be applicable regarding conditions of the departure of a partner from the law firm and share of a partner leaving the law firm. Commercial Code of Ethiopia and other relevant laws shall be applicable on a law firm constituted under this Proclamation as long as they do not contradict with the nature of the law firm governed under this Proclamation.

PART FIVE

ADVOCACY SERVICE
ADMINISTRATION

SECTION ONE

THE STATE ADVOCATES’
ASSOCIATION

41. Establishment

1. The State Advocates’ Association, herein after called the “The Association” is hereby established by this Proclamation.
2. The Association has its own legal personality.
3. Every advocate or law firm shall become member of the Association without any precondition when he/it is issued with the advocacy license.

42. Head Office

The Head Office of the Association shall be in Jigjiga.

43. Calling the first General Meeting

1. The Bureau shall call the Association’s first general meeting within six months’ of entering in to force of this Proclamation.

2. Shirweynaha koobaad ee loo qabto hab waafaqsan qodob-hoosaadka (1) ee qodobkan ayaa lagu dooran masuuliyiinta ururka.

44. Ilaha miisaaniyadda

- 1. Isha ugu muhiimsan ee dakhliga ururku waa qaadhaanka ay bixiyaan xubnaha ururku.
- 2. Iyadoo ay sideeda tahay ilaha dakhli ee ururku ka heli karo ururada iyo hay'adaha kale, dawladdu miisaaniyad kabiid ah ayay ku caawin kartaa ururka.

45. Qaab-dhismeedka ururka

- 1. Ururka qareenadu wuxuu yeelan qaabdhismeedkan maamul ee soo socda:
 - b) Shirweynaha guud.
 - t) Guddiga fulinta,
 - j) Gudoomiye iyo gudoomiye ku xigeen.
 - x) Xoghayaha guud, iyo
 - kh) Shaqaalaha kale eel agama maarmaanka ah.
- 2. Ururku si uu u fuliyo ujeedooyinka loo aasaasay waxa uu aasaasi karaa waaxyo iyo guddi hoosaadyo kala duwan.

46. Xilka iyo waajibaadka ururka

- Ururka qareenadu waxa uu yeelan xilkan iyo waajibaadyadan:
 - 1. Isagoo la kaashanaya xafiiska waxa uu dabagal ku sameeyaa ka qaybgalka qareenada ee tabobarada sharci ee shaqada dhexdeeda lagu siiyo.
 - 2. Waxa talobixin kasiyaa xafiiska xarunta waxbarasho ee tabobarka siin karta qareenada.

2. በዚህ አንቀጽ ንዑስ አንቀጽ (1) መሠረት የተጠራው ጠቅላላ ጉባዔ የማኅበሩን አመራር አካላት ይሰይማል።

44. ስለ በጀት

- 1. የማኅበሩ ዋነኛ የገቢ ምንጭ ከአባላቱ የሚሰበሰብ መዋጮ ይሆናል።
- 2. ማኅበሩ ከሌሎች ሕጋዊ ምንጮች የሚያገኛቸው ገቢዎች እንደተጠበቁ ሆኖ ራሱን እስኪችል ድረስ ከመንግስት ድጋፎች ይደረጉለታል።

45. የማኅበሩ አቋም

- 1. ማኅበሩ የሚከተሉት አመራር አካላት ይኖሩታል፡-
 - ሀ) ጠቅላላ ጉባዔ
 - ለ) ሥራ አስፈጻሚ ኮሚቴ
 - ሐ) ፕሬዚዳንት እና ምክትል ፕሬዚዳንት
 - መ) ዋና ጸሐፊ እና
 - ሠ) ሌሎች ሠራተኞች።
- 2. ማኅበሩ እንደ አስፈላጊነቱ ሥራውን ለማከናወን ኮሚቴዎች ወይም በሥሩ የሚሠሩ የሥራ ክፍሎች ሊያደራጅ ይችላል።

46. የማኅበሩ ሥልጣን እና ተግባራት

- ማኅበሩ የሚከተሉት ሥልጣን እና ተግባራት ይኖሩታል፡-
 - 1. ተከታታይ የሕግ ሥልጠናን ከቢሮው ጋር በመሆን በጋራ ይመራል፤ የተከታታይ የሕግ ሥልጠናን የሚመለከቱ የአዋጁን ድንጋጌዎች ያስፈጽማል፤
 - 2. የተከታታይ የሕግ ሥልጠና ሰጪዎችን ከቢሮው ጋር በመተባበር እውቅና ይሰጣል፤

2. The meeting called pursuant to sub Article 1 of this Article shall nominate the management of the Association.

44. Budget

- 1. The main source of income of the Association shall be periodic contributions of its members.
- 2. Without prejudice to the incomes the Association may derive from other sources, it shall get financial and other supports from the Government until it is self-sufficient.

45. The Organizational Structure of the Association

- 1. The Association shall have the following administrative organs
 - a) General Meeting;
 - b) Executive Committee;
 - c) President and Vice President;
 - d) General Secretary; and
 - e) Other Staff.
- 2. The Association may, to discharge its activities properly, set up committees or departments under it as may be necessary.

46. Powers and Responsibilities of the Association

- The Association shall have the following powers and responsibilities:
 - 1. Supervise continuing legal training, cause the implementation of the provisions of this Proclamation on continued legal training;
 - 2. Provide Advice to the Bureau on the institutions who offer continuing legal training;

- 3. Wuxuu diyaariyaa awaamiirta lagu maamulayo miisaaniyadda iyo xisaabaadka waxaanu u gudbiyaa shirweynaha guud, marka la ansixiyana wuu fuliyaa.
- 4. Waxa uu hantidhawr u diri karaa si uu baadhis ku sameeyo diiwaanada xisaabeed ee hantida iyo lacagaha ay leeyihiin macaamiishu ama cidkale ee ay gacanta ku hayaan qareenadu.
- 5. Wuxuu dhagaystaa cabashooyinka la xidhiidha nidaamka loo xafiday hantida macaamiisha ama cidkale leedahay ee ay gacanta ku hayaan qareenadu.
- 6. Wuxuu xafiiska u gudbiyaa talobixinta falalka ka dhanka ah nidaamka xafidaada hantida macaamiisha ee ay ku kacaan qareenadu.
- 7. Wuxuu kormeer joogto ah iyo dabagal ku sameeyaa nidaamka loo maamulay ama loo xafiday hantida iyo lacagaha ay leeyihiin macaamiishu ama cidkale ee ay gacanta ku hayaan qareenadu.
- 8. Wuxuu qareenada siiyaa tabobaro lagu kobcinayo xirfadaha xafidaada hantida iyo lacagta oo ay kamid yihiin diiwaangelinta, bixinta iyo wareejinta.
- 9. Wuxuu xaqiijiyaa in qareenadu u hogaansamaan bayaankan, si sharciga waafaqsana u dhawreen danaha iyo xuquuqaha macaamiisha islamarkaana waxa uu suurto geliyaa in macaamiishu dhawrto xuquuqaha qareenada.
- 10. Wuxuu taageero weyn ka geystaa dedaalada hirgelinta sarraynta sharciga, ilaalinta xuquuqaha aadamaha, xuquuqda caruurta iyo haweenka, kor u qaadista aqoonta qareenada iyo horumarinta sharciyada Deegaanka.

- 3. የአደራ ሂሳብ አፈጻጸምን አስመልክቶ መመሪያ አዘጋጅቶ ለጠቅላላ ጉባዔው ያቀርባል፤ ሲፀድቅም ተግባራዊ ያደርጋል፤
- 4. ማናቸውም የአደራ ሂሳብ አያያዝና አመራር በትክክል እየተካሄደ መሆኑን ለመቆጣጠር በማናቸውም ጊዜ የኦዲት ምርመራ እንዲካሄድ ሊያደርግ ይችላል፤
- 5. ከአደራ ሂሳብ አያያዝ ጋር የሚነሱ የደንበኞች ቅሬታዎችን ይቀበላል፤ ማናቸውንም ሰው በማነጋገር ምርምራ ለማድረግ ይችላል፤
- 6. ከአደራ ሂሳብ ጋር የተያያዘ ሥራን በአግባቡ ያለመወጣት ሁኔታ ሲከሰት ጉዳዩ በዲስፕሊን ጉባዔ ታይቶ ውሳኔ እንዲያገኝ ለቢሮው ሊመራው ይችላል፤
- 7. ከአደራ ሂሳብ ከሚገኝ ወለድ ወይም ማናቸውም ገቢ አጠቃቀምን አስመልክቶ መከበራቸውን ይከታተላል፤
- 8. ስለአደራ ሂሳብ ምንነት፣ አያያዝና ሪፖርት አደራረግ እንዲሁም መደረግ ስላለባቸው ጥንቃቄዎች ተገቢው ግንዛቤ እንዲፈጠር ተከታታይ ሥልጠናዎችን ይሰጣል ወይም እንዲሠጡ ያደርጋል፤
- 9. የደንበኞች ጥቅም መጠበቅን ያረጋግጣል፤ እንዲሁም የደንበኞችን ጥቅም ለማስጠበቅ ጠቀሜታ ያላቸው የጠበቃ መብቶች መከበራቸውን ይከታተላል፤
- 10. የሕግ ትምህርት ጥራት እንዲጠበቅ፣ የሕግ የበላይነት እንዲከበር፣ ሰብዓዊ መብቶች በተለይም የሴቶችና ሕፃናት መብቶች እንዲከበሩ፣ የጥበቅና ሙያ እና የክልሉ የሕግ ሥርዓት እንዲሻሻል አስተዋጽኦ ያደርጋል፤

- 3. Prepare and present a Directive concerning the administration of trust account to the General Meeting; and implement same when it is approved.
- 4. Cause audit investigation, at any time on any trust account, to monitor and ensure whether a trust account is properly managed;
- 5. Receive complaints of clients in relation to trust account management, interrogate and investigate any person;
- 6. Refer cases of mismanagement of trust account to the Bureau for action before the Discipline Committee;
- 7. Ensure that the interests of clients are respected and follow up whether advocates' rights, which have implications on ensuring clients' rights as well, have been protected and respected;
- 8. Offer trainings or cause to be offered continuing legal training, with the view to create awareness, on the meaning of trust account, accounting, reporting and precautionary measures that have to be taken in relation to trust account.
- 9. Ensure that the interests of clients are respected and follow up whether advocates' rights, which have implications on ensuring clients' rights as well, have been protected and respected;
- 10. Contribute to the advancement and development of quality of law education, rule of law, enforcement of human rights of women and children and the profession of advocacy service and the State legal system as a whole;

11. Wuxuu taageero gaar ah ka geystaa sidii haweenka qareenada ahi u heli lahaayeen aqoon korodhsi iyo tabobarada muhiimka u ah adeegga qareenimo.

12. Wuxuu xaqiijiyaa in qareenadu u hogaansamaan islamarkaana adeegga ay bixiyaan u fliyaan hab waafaqsan bayaankan iyo shuruucda kale ee dhaqangalka ah.

13. Wuxuu fuliyaa waajibaadyada kale ee lagu siiyay qodobada bayaankan.

47. **Xilka iyo waajibaadka shirweynaha guud ee ururka**

Shirweynaha guud ee ururka oo ay ka qaybgelayaan dhamaan qareenada hab waafaqsan bayaankan loo siiyay shatiga qareenimo waxa uu yeelanayaa xilkan iyo waajibaadkan:

1. Doorashada iyo shaqo ka caydhinta gudoomiyaha iyo kudoomiye kuxigeenka.
2. Wuxuu ansixiyaa qorshaha iyo miisaaniyad sanadeedka ururka.
3. Wuxuu go'aamiyaa qoondada qaadhaanka ee ay bixinayaan xubnuhu.
4. Wuxuu falanqeeyaa islamarkaana ansixiyaa warbixinta guddiga fulinta iyo warbixinta hantidhawrka dibada.
5. Wuxuu falanqeeyaa islamarkaana xafiiska kala taliyaa arrimaha khuseeya danaha iyo xuquuda xubnaha ururka.
6. Wuxuu go'aamiyaa in hantidhawrka dibadu baadhis ku sameeyo diiwaanada xisaabeed ee ururka.
7. Waxa uu xaqiijiyaa in go'aanada guddiyada ururka iyo qaybaha shaqo ee ururku waafaqsan yihiin hirgelinta cadaaladda iyo ilaalinta danta guud.

11. ሴት የሕግ ባለሞያዎች በጥብቃና ሙያ በመሰማራት ማኅበሩን እንዲቀላቀሉ ድጋፍ ያደርጋል፤

12. የማኅበሩ አባላት ይህን አዋጅና ሌሎች አግባብነት ያላቸው ሕጎች እና መመሪያዎችን በማክበር የጥብቅና አገልግሎትን እየሰጡ መሆኑን ይከታተላል፡፡

13. በዚህ አዋጅ የተሰጡ ሌሎች ተግባራትን ያከናውናል፤

47. **የጠቅላላ ጉባዔ ሥልጣንና ተግባራት**

ጠቅላላ ጉባዔው በዚህ አዋጅ መሠረት ፍቃድ የተሰጣቸውን ጠበቆች እና የጥብቅና ድርጅቶች በሙሉ የሚያካትት ሆኖ የሚከተሉት ሥልጣንና ተግባራት ይኖሩታል፡-

1. የማኅበሩን ፕሬዚዳንት እና ምክትል ፕሬዚዳንት ይሾማል፤ ይሽራል፤
2. የማኅበሩን ስትራቴጂክ እቅድ፤ ዓመታዊ እቅድና በጀት ያጸድቃል፤
3. የአባላትን መዋጮ መጠን ይወስናል፤
4. የሥራ አስፈጻሚ ኮሚቴውን እና የውጪ አዲተሮችን ሪፖርት ይመረምራል፤ ያጸድቃል፤
5. ለአባላቱ ጠቅላላ ጥቅም እና ለፍትሕ ተደራሽነት ጠቀሜታ ባላቸው ጉዳዮች ላይ ይወስናል፤
6. የውጭ አዲተሮችን ይሾማል፤
7. በሌሎች የማኅበሩ አካላት የሚሰጡ ውሳኔዎች ከሕዝብ ጥቅም እና ከማኅበሩ ዓላማ ጋር የሚጣጣሙ መሆኑን ያረጋግጣል፤

11. provide special support to the female advocates on ways of building the professional capacity and by offering legal training necessary for delivery of advocacy service.

12. Monitor whether the members of the Association are providing advocacy service in compliance with this Proclamation, other relevant laws and directives.

13. undertake other duties entrusted to it under other provisions of this proclamation.

47. **Powers and Duties of the General Meeting**

The General Meeting comprises advocates and law firms licensed pursuant to this Proclamation and shall have the following powers and duties:

1. Appoint or remove the President and Vice President of the Association;
2. Approve the Association’s strategic and annual plan as well as budget;
3. Determine the amount of membership contribution;
4. Consider and approve the Executive Committee and External Auditors’ reports;
5. Decide on issues beneficial to the general interest of its members and accessibility of justice;
6. Appoint external auditors;
7. Ensure that decisions given by other subsidiary organs of the Association are in compliance with public interest and the purposes of the Association.

- 8. Waxa uu falanqeeayaa islamarkaana go'aan kasoo saaraa arrimaha ururka khuseeya ee aan cid gaar ak loo xilsaarin.
- 9. Wuxuu magacaabaa xubnaha guddiga fulinta.
- 10. Waxa uu xilka iyo waajibaadyada lagu siiyay qodobkan u wakiilan karaa qaybaha kale ee ururka.
- 11. Wuxuu diyaariyaa, waxkabel ku sameeyaa islamarkaana ansixiyaa xeer-hoosaadka ururka.

48. Oaab-dhismeedka guddiga fulinta ururka

- 1. Guddiga fulinta ee ururku waxa uu yeelanayaa fulinta shaqooyinka maamul ee ururka.
- 2. Tirada xubnaha guddiga fulintu waxay noqonayaan 7 qof oo lagu soo doorto shirweynaha guud ee ururka.

49. Xilka iyo waajibaadka guddiga fulinta

Guddiga fulinta ururku waxa uu yeelanayaa xilkan iyo waajibaadyadan:

- 1. Wuxuu maamulaa shaqooyinka ururka.
- 2. Waxa uu shaaciyaa yeedhista shirweynaha guud ee ururka ee sanadlaha ah.
- 3. Wuxuu fuliyaa go'aanada kasoo baxa shirweynaha guud ee ururka.
- 4. Wuxuu soo saaraa awaamiirta maamulka iyo mushaarka shaqaalaha ururka.
- 5. Wuxuu dabagal ku sameeyaa shaqooyinka ay fuliyaan ama loo xilsaaray gudoomiyaha iyo guddomiye kuxigeenka.
- 6. Wuxuu fuliyaa waajibaadyada kale ee shirweynaha guud u xilsaro.

- 8. ለማኅበሩ ሌሎች አካላት በግልጽ ባልተሰጡ ጉዳዮች ላይ ይወስናል፤
- 9. የሥራ አስፈጻሚ ኮሚቴ አባላትን ይሾማል፤
- 10. አስፈላጊ ሆኖ ሲገኝ ሥልጣኑን በከፊል ለሌላ አካል በውክልና ሊሰጥ ይችላል፤
- 11. የማኅበሩን መተዳደሪያ ደንብ ያወጣል፤ ያሻሽላል፤ ያጸድቃል፡፡

48. የሥራ አስፈጻሚ ኮሚቴ አቋም

- 1. ማኅበሩ የአስፈጻሚነት ሥልጣን ያለው የሥራ አስፈጻሚ ኮሚቴ ይኖረዋል፡፡
- 2. የማኅበሩ ሥራ አስፈጻሚ ኮሚቴ ከጠቅላላ ጉባዔው አባላት መካከል የመመረጥ ሰባት አባላት ይኖሩታል፡፡

49. የሥራ አስፈጻሚ ኮሚቴው ሥልጣንና ተግባራት

የሥራ አስፈጻሚ ኮሚቴው የሚከተሉት ሥልጣን እና ተግባራት ይኖሩታል፡-

- 1. ማኅበሩን ያስተዳድራል፤
- 2. የማኅበሩን ዓመታዊ ጠቅላላ ጉባዔ ይጠራል፤
- 3. የጠቅላላ ጉባዔ ውሳኔዎችን ይፈጽማል፤ ያስፈጽማል፤
- 4. የሥራ-ተኞችን መተዳደሪያ ደንብ ያወጣል፤ ደመወዝና አበል ይወስናል፤
- 5. በጠቅላላ ጉባዔውና በፕሬዚዳንቱ የሚሰጡትን ተግባራት በአግባቡ ማከናወናቸውን ይከታተላል፤
- 6. በጠቅላላ ጉባዔው የሚሰጡትን ሌሎች ተግባራት ያከናውናል፤

- 8. Decide on issues which are not specifically given to other organs of the Association;
- 9. Appoint Executive committee members;
- 10. Delegate, when necessary, its powers and authorities, partially, to another organ;
- 11. Issue the memorandum of Association of the Association, amend and approve same.

48. The Executive Committee

- 1. The Association shall have an Executive Committee which has the power of execution;
- 2. the Executive Committee shall have seven members and shall be appointed by electing from members of the General Meeting.

49. Powers and Duties of the Executive Committee

The Executive Committee shall have the following powers and Duties:

- 1. Administer the Association;
- 2. Call the annual General Meeting of the Association;
- 3. Execute and cause the execution of the decisions of the General Meeting;
- 4. Issues employees administrative manual and Determine the salaries and allowances of employees;
- 5. Control and monitor whether the President and Vice President perform their duties and responsibilities properly.
- 6. Perform other tasks assigned to it by the General Meeting

50. Xilka iyo waajibaadka guddoomiyaha iyo guddoomiye kuxigeenka ururka

1. Guddoomiyuhu isagoo hoostegaya shirweynaha guud iyo guddiga fulinta waxa uu hogaamiyaa dhamaan shaqooyinka ururka.
2. Iyadoo ay sideeda yihiin arrimaha lagu xeeryay qodob hoosaadka (1) ee qodobkan, guddoomiyuhu waxa uu yeelan xilka iyo waajibaadyadan:
 - b) Wuxuu magaca ururka ku geli karaa heshiis, ku dacweyn karaa ama meteli karaa marka la dacweeyo ama magacaabaa qareen difaaca danaha iyo xuquuqda ururka, sidoo kale waxa uu xubnaha ururka u wakiilan karaa inay metalaan ururka marka uu lagama maarmaan u arko.
 - t) Waxa uu diyaariyaa islamarkaana guddiga fulinta u gudbiyaa qorshaha, miisaaniyad sanadeedka iyo warbixinta shaqooyinka ururka.
 - j) Wuxuu diyaariyaa awaamiirta lagama maarmaanka u ah habsami u socodka shaqooyinka ururka, marka la ansixiyana wuu dhaqangeliyaa.
 - x) Wuxuu hab waafaqsan awaamiirta oo ururku soo saaro u shaqaaleeyaa, maamulaa una caydhin karaa shaqaalaha ururka.
 - Kh) Wuxuu isagoo metalaya ururka wadaxaajood iyo gorgortan la geli karaa cidkale isagoo ka duulaya awaamiirta uu ururku soo saaro.
 - d) Wuxuu xaqiijiyaa hirgelinta go'aanada ay soo saaraan guddiga fulinta iyo shirweynaha guud.
 - r) Waxa uu fuliyaa shaqooyinka kale ee ay u xilsaraan guddiga fulinta iyo shirweynaha guud

50. የፕሬዚዳንት እና ምክትል ፕሬዚዳንት ሥልጣንና ተግባራት

1. ፕሬዚዳንቱ አጠቃላይ የማኅበሩን ሥራ የሚመራ ሆኖ ተጠሪነቱ ለጠቅላላ ጉባዔው እና ለሥራ አስፈጻሚ ኮሚቴው ይሆናል።
2. በዚህ አንቀጽ ንዑስ አንቀጽ (1) የተደነገገው እንደተጠበቀ ሆኖ ፕሬዚዳንቱ የሚከተሉት ሥልጣንና ተግባራት አሉት፡-
 - ሀ) ማኅበሩን ወክሎ ውል ይዋዋላል፤ ይከሰሳል፤ ይከሰሳል፤ ማኅበሩ በሚከሰስበት፣ በሚከሰስበት ወይም በሌላ ተመሳሳይ የሕግ ጉዳይ ማኅበሩን ወክሎ የሚቀርብ ጠበቃ ይወክላል፤ የማኅበሩን ጉዳይ ማስፈጸም እንዲችል የማኅበሩን ሠራተኛ ወይም ሦስተኛ ወገን እንደ አስፈላጊነቱ ይወክላል፤
 - ለ) የማኅበሩን ዓመታዊ እቅድ፣ በጀት፣ የሥራ ክንውን እና የሂሳብ ሪፖርት አዘጋጅቶ ለሥራ አስፈጻሚ ኮሚቴ ያቀርባል፤
 - ሐ) ለሥራ የሚያስፈልጉ መመሪያዎችን ረቂቅ ያዘጋጃል፤ በሥራ አስፈጻሚ ኮሚቴው ሲጸድቅ ተግባራዊ ያደርጋል፤
 - መ) በማኅበሩ የሰው ኃይል አስተዳደር መመሪያ መሠረት የማኅበሩን ሠራተኞች ይቀጥራል፤ ያስተዳድራል፤
 - ሠ) የሥራ አስፈጻሚ ኮሚቴው በሚሰጠው መመሪያ መሠረት የማኅበሩን ሥራዎች ያሠራል፤ ከሦስተኛ ወገኖች ጋር ባለው ግንኙነት ማኅበሩን ይወክላል፤
 - ረ) የጠቅላላ ጉባዔና የሥራ አስፈጻሚ ኮሚቴ ውሳኔዎች ተግባራዊ መደረጋቸውን ይከታተላል፤
 - ሰ) በጠቅላላ ጉባዔውና በሥራ አስፈጻሚ ኮሚቴው የሚሰጡትን ሌሎች ተግባራት ያከናውናል።

50. Powers and Duties of the President and Vice President

1. The President shall manage the general business of the Association and is accountable to the General Meeting and the Executive Committee;
2. Without prejudice to the provisions of sub Article 1 of this Article, the President shall have the following powers and duties:
 - a) On behalf of the Association, concludes contract, sue, defend; appoint an advocate, to represent the Association, who brings an action or defends the Association or defends the interests of the Association in similar matters; appoint the employee of the Association to represent the Association as may be necessary.
 - b) Prepare and submit, to the Executive Committee, the annual activity plan, budget, performance and financial reports;
 - c) Prepare draft directives necessary for the functions of the Association and implement same when approved by the General meeting.
 - d) Hire and administer the employees of the Association based on the Human Resources Manual of the Association;
 - e) Follow up the implementation of the decisions of the General Meeting and the Executive Committee;
 - f) Perform other tasks assigned to him by the General Meeting and the Executive Committee.

- 3. Gudoomiye kuxigeenka ururku waxa uu leeyahay xilkan iyo waajibaadyadan:
 - b) wuxuu metalaa gudoomiyaha marka uu maqan yahay ama aanu gudankarin xilkiisa,
 - t) wuxuu qabtaa shaqooyinka ay u xilsaaraan gudoomiyaha iyo guddiga fulintu.

51. Xoghavaha guud

- 1. Xoghayaha guud oo ay magacaabayaan guddiga fulintu, waxa uu hoostegayaa gudoomiyaha iyo guddiga fulinta.
- 2. Xoghayaha guud waxa uu yeelan xilkan iyo waajibaadyadan:
 - b) wuxuu maareeyaa shaqo maalmeedka ururka,
 - t) wuxuu suurto geliyaa in si haboon loo xafido hadal-qoraaleedka shirweynaha guud iyo shirarka guddiga fulinta.
 - j) isagoo la tashanaya gudoomiyaha wuxuu diyaariyaa ajandeyaasha shirarka guddiga fulinta.
 - x) iyadoo aan waxba loo dhimayn awoodda guddiga fulintu waxkaga bedeli karo ama si kale u go'aamin karo, wuxuu isagoo la kaashanaya shaqaalaha ururka magaca ururka baanka kaga furaa god-xisaabeed (account).
 - Kh) wuxuu xaqiijiyaa in nidaam haboon islamarkaana waafaqsan halbeegyada sharcigu dejiyay loo xafiday loona maamulay hantida, diiwaanada iyo nidaamka xisaabaadka ururka.
 - d) wuxuu qabtaa shaqooyinka kale ee ay u xilsaaraan guddiga fulinta iyo gudoomiyuhu.

3. የማኅበሩ ምክትል ፕሬዚዳንት፡-

- ሀ) ፕሬዚዳንቱ በማይኖሩበት ጊዜ ወይም ሥራውን ሊሰራ በማይችልበት ጊዜ ተክቶ ይሠራል፤
- ለ) በሥራ አስፈጻሚ ኮሚቴውና በፕሬዚዳንቱ የሚሰጡትን ሌሎች ተግባራት ያከናውናል፡፡

51. ዋና ጸሐፊ

- 1. ዋና ጸሐፊው በሥራ አስፈጻሚው ኮሚቴ የሚሾም ሆኖ ተጠሪነቱ ለሥራ አስፈጻሚ ኮሚቴው እና ለፕሬዚዳንቱ ይሆናል፤
- 2. ዋና ጸሐፊው የሚከተሉት ሥልጣንና ተግባራት አሉት፡-
 - ሀ) የማኅበሩን የእለት ተእለት ሥራ ይመራል፤ ያከናውናል፤
 - ለ) የጠቅላላ ጉባዔውና የሥራ አስፈጻሚ ኮሚቴው ቃለ-ጉባዔዎች በአግባቡ መያዣቸውንና መጠበቃቸውን ያረጋግጣል፤
 - ሐ) ከፕሬዚዳንቱ ጋር በመማከር የሥራ አስፈጻሚ ኮሚቴውን የስብሰባ አጀንዳ ያዘጋጃል፤
 - መ) ሥራ አስፈጻሚው ኮሚቴ በሌላ ሁኔታ እንዲፈጸም የመወሰን ሥልጣኑ እንደተጠበቀ ሆኖ ዋና ጸሐፊው ከሌሎች ሠራተኞች ጋር በመሆን የማኅበሩን የባንክ ሂሳብ ይከፍታል፤ ያንቀሳቅሳል፤
 - ሠ) የማኅበሩን የንብረት አስተዳደር እና የሂሳብ አያያዝ ሥርዓት ተቀባይነት ባለው የሂሳብ ዘዴ መሠረት መያዙን እና መስተዳደሩ ያረጋግጣል፤
 - ረ) ሌሎች በሥራ አስፈጻሚ ኮሚቴው እና በፕሬዚዳንቱ የሚሰጡትን ተግባራት ያከናውናል፡፡

3. The Vice President of the Association:

- a) Act on behalf of the President when he is absent or unable to discharge his duties and responsibilities;
- b) Perform other tasks assigned to him by the Executive Committee or the President.

51. The Secretary General

- 1. The Secretary General shall be appointed by the Executive Committee and shall be accountable to the Executive Committee and the President.
- 2. The Secretary General shall have the following powers and duties:
 - a) manage and perform the day to day activities of the Association;
 - b) Ensure that the minutes of the General Meeting and the Executive Committee are properly maintained and kept;
 - c) Prepare the agenda of meeting of the Executive Committee in consultation with the President;
 - d) Without prejudice to the power of the Executive Committee to decide otherwise, jointly with other employees of the Association, open and transact the bank accounts of the Association;
 - e) Ensure that the property administration and the accounting systems of the Association are properly placed and financial documents are kept properly;
 - f) Perform other tasks assigned to him by the Executive Committee and the president.

52. Xeer-hoosaadka Ururka

Xeerhoosaadka ururka waxaa lagu goaamin arrimaha la xidhiidha shirweynaha guud, xulashada xubnaha guddiga fulinta, qaab-dhismeedka, xilka iyo waajibaadka gudoomiyaha, kuxigeenka, shaqaalaha kale, nidaamka shirarka go'aan qaadashada, muddo xileedka waaxyaha kala duwan ee ururka iyo arrimaha kale ee la xidhiidha danaha loo aasaasay ururka.

Qab-hoosaadka labaad

Guddiga anshaxa qareenada

53. Aasaaska iyo qaabdhismeedka guddiga anshaxa qareenada

1. Guddiga anshaxa qareenada oo hada wixii ka dambeeya logu yeedhi doono ‘**Guddiga anshaxa**’ ayaa lagu aasaasay bayaankan.
2. Guddigu waxa uu hoostegayaa madaxa xafiiska.
3. Guddiga anshuxa oo uu magacaabayoo madaxa xafiisku, waxa uu ka koobnaanayaa 7 xubnood oo ugu yaraan 2 xubnood yihiin dumar oo laga soo xulayo qaybahan soo socda:
 - b) Sadex xubnood oo xafiiska laga soo xulay,
 - t) Sadex xubnood oo laga soo xulay ururka qareenada,
 - j) Hal xubin oo uu soo xulo guddiga maamulka garsoorka,
4. Muddo xileedka guddiga anshuxu waa laba sano islamarkaana laba jeer wax ka badan xubinku looma xuli kari guddiga inuu ka mid noqdo.
5. Shirgudoonka guddiga anshaxa waxaa iska dhex dooranaya guddiga.

52. ሰለማገብሩ ውስጠ-ደንብ

ሰለጠቅላላ ጉባዔው እና የሥራ አስፈጻሚ ኮሚቴው አመራር አካላት አደረጃጀት፣ ኃላፊነት፣ ስለ ፕሬዚዳንት፣ ምክትል ፕሬዚዳንት እና ሌሎች ሠራተኞች የሥራ ድርሻ፣ የምርመራ ስብሰባ ሥነ-ሥርዓት፣ የማገበሩ ልዩ ልዩ አካላት የሥራ ዘመን እና ሌሎች ለማገበሩ በሕግ የተሰጡ ሥልጣንና ተግባራት ጋር የተያያዙ ጉዳዮች ማገበሩ በሚያወጣው ውስጠ-ደንብ ይወሰናሉ፡፡

ገዑስ ክፍል ሁለት

የጠበቆች ዲስፕሊን ጉባዔ

53. የጠበቆች ዲስፕሊን ጉባዔ መቋቋምና አወቃቀር

1. የጠበቆች ዲስፕሊን ጉባዔ ከዚህ በኋላ “የዲስፕሊን ጉባዔው” እየተባለ የሚጠራ በዚህ አዋጅ ተቋቋሟል፡፡
2. የጉባዔው ተጠሪነት ለቢ.ሮው ኃላፊ ይሆናል፤
3. ዲስፕሊን ጉባዔው ከሚከተሉት አካላት የተውጣጡ በየተቋማቱ ተመርጠው በቢ.ሮው ኃላፊ የሚሾሙ ሰባት አባላት ይኖሩታል ከነዚህ ውስጥ ሁለቱ ሴት ይሆናል፡
 - ሀ) ከቢ.ሮው ሶስት ተወካዮች
 - ለ) ከጠበቆች ማገበሩ ሶስት ተወካዮች እና
 - ሐ) ከክልሉ ጠቅላይ ፍርድ ቤት አንድ ተወካይ፡፡
4. የአንድ አባል የሥራ ዘመን ሁለት ዓመት ሲሆን ከሁለት ጊዜ በላይ ሊመረጥ አይችልም፡፡
5. የዲስፕሊን ጉባዔው ሰብሳቢ ከአባላቱ ውስጥ በጉባዔው አባላት ይመረጣል፡፡

52. the Association’s By-Laws

Organization of the General Meeting, the selection of the Executive Committee; their responsibility; about the president, vice president and other employees and meeting procedures; durations of the Association’s different organs and other issues related with powers and duties given to the Association shall be decided by the by-laws.

SECTION TWO

ADVOCATES’ DISCIPLINE COMMITTEE

53. Establishment of Advocates’ Discipline Committee and its Organizational Structure

1. The Advocates’ Discipline Committee, herein after called the “**Discipline Committee**,” is hereby established by this Proclamation.
2. The Committee shall be accountable to the Bureau head;
3. The Committee shall have seven members , two of them are female comprised of the following bodies which nominated by Bureau head:
 - a) Three members from the Bureau
 - b) Three members from Advocates’ Association; and
 - c) One member to be designated by Judicial Administrative Council.
4. The term of a member shall be two years and no member shall be elected for more than two terms.
5. The Chairperson of the Committee shall be elected by the members from among the Committee members.

- 6. Guddiga anshuxu:
 - b) waxa uu kulmi karaa markasta oo uu u arko lagama maarmaan,
 - t) shirkoodu wuxuu qabsoomi karaa markay joogaan tiro ka badan kala badh xubnuhu soo xaadiraan (50%+)
 - j) go'aanada guddigu waxay ku meelmarayaan cod hal dheeri ah, hasayeeshee hadii ay dhinacyadu cod isku mid ah bixiyaan, waxaa cod dheeri ah yeelan dhinaca shirgudoonku u codeeyay.
- 7. Iyadoo ay sideeda yihiin arrimaha lagu xeeriyay qodob hoosaadka (5) ee qodobkan, guddigu waxa uu sii sari karaa nidaam u gaar ah shirarkiisa.

54. Xilka iyo waajibaadka guddiga anshaxa

Guddigu waxa uu yeelanayaa xilkan iyo waajibaadyadan:

- 1. Waxa uu suurto geliyaa nidaam lagu xaqiijinayo in qareenada iyo shirkadaha bixiya adeegga qareenimo ay masuuliyadooda u guteen hab waafaqsan xeerka anshaxa qareenada.
- 2. Wuxuu baadhaa islamarkaana ka go'aan gaadhaa cabashooyinka la xidhiidha meelkadhacyada qareenadu ku kacaan ee ka dhanka ah bayaankan iyo xeerka anshaxa ee ay usoo gudbiyaan qareenada iyo shirkadaha bixiya adeega qareenimo.
- 3. Hadii guddigu go'aamiyo in la dhagaysan karo meelkadhaca ka dhanka ah bayaankan iyo xeerka anshaxa waxa uu qareenka ama shirkadda bixisa adeegga qareenimo u diri karaa yeedhitaan inuu 15 cisho gudahood ku horyimaado guddiga si uu isku difaaco.

- 6. **ዲስፕሊን ጉባዔው፡-**
 - ሀ) እንደ አስፈላጊነቱ በማናቸውም ጊዜ መሰብሰብ ይችላል፤
 - ለ) ከአባላቱ ከግማሽ በላይ ከተገኙ ምልዓተ-ጉባዔ ይሆናል፤
 - ሐ) ውሳኔዎችን በድምጽ ብልጫ ያሳልፋል፤ ሆኖም ድምጽ እኩል ሲሆን በሰብሳቢው በኩል ያለው ድምጽ የጉባዔው ውሳኔ ሆኖ ይጸድቃል፡፡
- 7. በዚህ አንቀጽ ንዑስ አንቀጽ (5) የተደነገገው እንደተጠበቀ ሆኖ ጉባዔው የራሱን የሰብሰባ ሥነ-ሥርዓት ደንብ ሊያወጣ ይችላል፡፡

54. የዲስፕሊን ጉባዔው ሥልጣን እና ተግባራት

ዲስፕሊን ጉባዔው፡-

- 1. የጠበቆችና የጥብቅና ድርጅቶች የሥራ አፈፃፀም ከሙያ ሥነ-ምግባር ደንብ ጋር የተጣጠመ መሆኑን መከታተል የሚያስችል ሥርዓት ይዘረጋል፡፡
- 2. ይህንን አዋጅ ወይም የጠበቆች የሥነ-ምግባር ደንብ ወይም መመሪያ በመተላለፍ በጠበቃ እና ጥብቅና ድርጅት ላይ የሚቀርብ ክስን ይመረምራል፤ ክሱ ጠበቃውን ወይም የጥብቅና ድርጅቱን የሚያስቀርብ መሆን አለመሆኑን ይወስናል፤
- 3. ክሱ እና ማስረጃው ጠበቃውን የሚያስቀርብ መሆኑን ከወሰነ ጠበቃው መልሱን በ 15 ቀናት ውስጥ በጽሑፍ እንዲያቀርብ በመጥሪያ ላይ በመግለጽ ክሱን ለጠበቃው ይልካል፤

- 6. The Committee shall perform its tasks as follows:
 - a) May meet at any time as may be necessary;
 - b) There shall be a quorum to conduct a meeting when more than half of its members are present;
 - c) Decisions shall be passed by a majority vote. In case of tie, however, the Chairperson shall have a casting vote.
- 7. Without prejudice to the provisions of sub Article 5 of this Article, the Committee may issue its own procedure of meeting.

54. The Powers and Duties of the Advocates' Discipline Committee

The Committee shall:-

- 1. Set a system whereby it can monitor and ensure the Advocates' and law firms' performance is in compliance with professional code of conduct;
- 2. Investigate complaints, for violation of this Proclamation and the code of conduct of advocates, lodged against advocates and law firms and decide whether the advocate or the law firm should be called to defend himself/itself or not.
- 3. If the Committee decides the advocate or the firm should defend the disciplinary action and evidence brought against him/it, it shall send summons to the advocate or the law firm so that he/it can submit his/its statement of defense, in writing, within 15 days.

- 4. Guddiga anshuxu waxa uu soo saari karaa go'aankiisa kadib marka uu baadhitaan ku sameeyo cabashada islamarkaana falanqeeyo cadeymaha iyo difaaca dhinaca la soo eedeeyay.
- 5. Wuxuu daraasad ku sameeyaa islamarkaana xafiiska u gudbiyaa nidaamka loo kobcin karo islamarkaana kor loogu qaadi karo halbeegga anshax iyo waxka bedelka xeerka anshaxa qareenada.

Qayb-hoosadka sadexaad

Guddiyada imtixaanaadka iyo qiimaynta shatiga qareenada

55. Aaasaaska iyo qaabdhismeedka guddiga qiimaynta shatiga qareenimo

- 1. Guddiga imtixaanaadka shatiga qareenadaoo hada wuxuu ka dambeeya logu yeedhi doono 'Guddiga imtixaanaadka shatiga qareenada' ayaa lagu aasaasay bayaankan.
- 2. Guddigu waxa uu hoostegayaa madaxa xafiiska.
- 3. Guddiga imtixaanaadka shatiga qareenadauu magacaabayoo madaxa xafiisku, waxa uu ka koobnaanayaa 7 xubnood oo ay ugu yaran laba xubnood dumar yihiin, kuwaasi oo lagasoo xulayo qaybahan soo socda:
 - b) Laba xubnood oo xafiiska lagasoo xulay,
 - t) Sadex xubnood oo laga soo xulay ururka qareenada,
 - j) Hal xubin oo uu soo xulo guddiga maamulka garsoorku,
 - x) Hal xubin oo lagasoo xulo macaliimta wax ka dhigta kuliyada sharciga ee jaamacadda jigjiga.
- 4. Muddo xileedka guddiga anshuxu waa laba sano islamarkaana laba jeer wax ka badan xubinku looma xuli kari guddiga inuu ka mid noqdo.

4. **በጠበቃው ወይም በጥብቅና ድርጅት ላይ የቀረበውን ክስ እና ማስረጃ እንዲሁም በጠበቃው በኩል የተሰጠ መልስ እና ማስረጃ ከመረመረ እና ካከራከረ በኋላ ውሳኔ ይሰጣል።**

5. **የጠበቆች ሥነ-ምግባር ብቃት የሚጎለብትበትን፣ የጥብቅና ሙያ ክብር የሚጠበቅበትን ሁኔታ እያጠና ለቢሮው ሀሳብ ያቀርባል።**

ንዑስ ክፍል ሶስት

ስለ ጥብቅና ሙያ የፈተና እና ገምጋሚ ኮሚቴዎች

55. የጥብቅና ሙያ መግቢያ ፈተና ኮሚቴ መቋቋምና አወቃቀር

- 1. የጥብቅና ሙያ መግቢያ ፈተና ኮሚቴ ከዚህ በኋላ “የፈተና ኮሚቴው” እየተባለ የሚጠራ በዚህ አዋጅ ተቋቁሟል።
- 2. የጉባዔው ተጠሪነት ለቢሮው ኃላፊ ይሆናል።
- 3. የፈተና ኮሚቴው ከሚከተሉት አካላት የተውጣጡ በየተቋማቱ የሚመረጡና በቢሮው ኃላፊ የሚሾሙ ሰባት አባላት ኖሮት ሁለቱ ሴት ይሆናሉ፡-
 - ሀ) ከቢሮው ሁለት ተወካዮች
 - ለ) ከጠበቆች ማኅበር ሦስት ተወካዮች
 - ሐ) ከክልሉ ፍርድ ቤት አንድ ተወካይ
 - መ) ከጂግጂጋ የኒቨርሲቲ የሕግ ትምህርት ቤቶች አንድ ተወካይ።
- 4. የአንድ የፈተና ኮሚቴ አባል የሥራ ዘመን ሁለት ዓመት ሲሆን ከሁለት ጊዜ በላይ በፈተና ኮሚቴ አባልነት ሊመረጥ አይችልም።

- 4. The Committee shall give its verdict after examination of the disciplinary charge, the evidence, and the defense of the advocate or the firm.
- 5. Study and present proposals to the Bureau on the way the competence and standard of conduct of advocates can improve and develop as well as the dignity of the advocacy profession is respected.

Section three

the Advocacy Profession Entrance Qualification Exam Committee

55. Establishment and Structure of the Advocacy Profession Entrance Qualification Exam Committee

- 1. The Advocacy Profession Qualification Exam Committee, herein after called the “Exam Committee” is hereby established by this Proclamation.
- 2. The Committee shall be accountable to the Bureau head;
- 3. The Exam Committee shall have seven members two of them are female, comprised of the following bodies which nominated by Bureau head:
 - a) Two representatives from the Bureau;
 - b) Three members from the Association of advocates;
 - c) One member from the Judicial Administration Council; and
 - d) One law instructor from the Law Faculty of Jig-jiga University.
- 4. The term of a member of the Exam Committee shall be two years and no member shall be elected for more than two terms.

5. Shirgudoonka guddiga imtixaanaadka shatiga qareenada waxaa xulaya madaxa xafiiska.

6. Guddiga anshuxu:

- b) waxa uu kulmi karaa markasta oo uu u arko lagama maarmaan,
- t) shirkoodu wuxuu qabsoomi karaa markay joogaan tiro ka badan kala badh xubnuhu soo xaadiraan (50%+)
- j) go'aanada guddigu waxay ku meelmarayaan cod haldheeri ah, hasayeeshee hadii ay dhinacyadu cod isku mid ah bixiyaan, waxaa cod dheeri ah yeelan dhinaca shirgudoonku u codeeyay.

56. Xilka iyo waajibaadka guddiga imtixaanaadka shatiga qareenada

Guddiga imtixaanaadka shatiga qareenadawaxa uu yeelanayaa xilkan iyo waajibaadyadan:

1. Isaga oo la kaashanaya xafiiska, waxa uu diyaariyaa islamarkaana goobta iyo goorta xafiisku la qaatay ku qaadaa imtixaanka qiimaynta aqoonta iyo kartida qareenada.
2. Wuxuu go'aamiyaa nidaamka iyo tabaha imtixaanka loo qaadayo.
3. Wuxuu saxaa islamarkaana soo dhejiyaa natiijada imtixaanka qiimaynta aqoonta iyo kartida qareenada.
4. Wuxuu shahaadada cadeynta gudbida imtixaanka siiyaa codsadeyaasha ku guulaystay imtixaanka.
5. Nidaamka qaadista imtixaanka, dhibcaha gudbida iyo arrimaha kale ee la xidhiidha imtixaanaadka waxaa lagu xeerin awaamiirta uu soo saaro xafiisku.

5 የፈተና ኮሚቴው ሰብሳቢ በቢሮው ኃላፊ የሚመረጥ ይሆናል።

6. የፈተና ኮሚቴውን ስብሰባ በተመለከተ፡-

- ሀ) ኮሚቴው እንደ አስፈላጊነቱ በማንኛውም ጊዜ ሊሰበሰብ ይችላል፤
- ለ) ከኮሚቴው አባላት ከግማሽ በላይ ከተገኙ ምልዓተ-ጉባዔ ይሆናል
- ሐ) የኮሚቴው ውሳኔዎች በድምጽ ብልጫ ያልፋሉ፤ ሆኖም ድምጽ እኩል በእኩል ከተከፈለ የሰብሳቢው ድምጽ ወሳኝነት ይኖረዋል።

56. የኮሚቴው ሥልጣን እና ተግባራት፡-

- የፈተና ኮሚቴው፡-
- 1. በቢሮው የጥበቅና ፍቃድ ከሚሰጠው የሥራ ክፍል ጋር በመመካከር ቢያንስ በዓመት አንድ ጊዜ የጥበቅና ችሎታ መመዘኛ ፈተና እያዘጋጀ በተወሰነ ጊዜ እና ቦታ ለአመልካቾች ይሰጣል፤
- 2. የፈተናውን ሥነ-ሥርዓትና ጊዜ ይወስናል፤
- 3. የፈተና ወረቀቶችን ያርማል፤ ለማለፊያ የሚያበቃ ነጥብ ይወስናል፤ ውጤቱን በይፋ ያስታውቃል፤
- 4. ፈተናውን በስኬት ላጠናቀቀ ተፈታኝ ፈተናውን ማለፉን የሚያረጋግጥ ማስረጃ ይሰጣል፤
- 5. የፈተና ሥነ-ሥርዓት ደንብ አዘጋጅቶ ለቢሮው ኃላፊ አቅርቦ ሲጸድቅ በሥራ ላይ ያውላል።

5. The Chairperson of the Exam Committee shall be nominated by the Association of advocates.

6. The meeting of the Exam Committee shall be conducted as follows:

- a) The Committee shall hold its meeting at any time as may be necessary;
- b) There shall be quorum to conduct a meeting where more than half of its members are present; and
- c) Decisions shall be passed by a majority vote. In case of tie, however, the Chairperson shall have a casting vote.

56. The Powers and Duties of the Exam Committee

The Exam Committee shall have the following powers and duties:

1. In consultation with the Bureau, prepare advocacy competence qualification exams and examine applicants, at least twice a year, at a place and time agreed.
2. Determine the procedure and time to administer the Exam;
3. Evaluate answers to exams, grade and determine the pass mark, and publicize the result;
4. Give certificate for the applicant who successfully pass the exam;
5. Prepare exam procedure Regulation and implement when accepted by the Bureau.

57. Aaasaaska guddiga qiimaynta shatiga qareenada

1. Guddiga qiimaynta shatiga qareenimo oo hada wuxuu ka dambeeya logu yeedhi doono ‘Guddiga qiimaynta shatiga qareenada’ oo go’aamiya in tartamaha la siiyo shatiga qareenka ayaa lagu aasaasay bayaankan.
2. Guddigu waxa uu hoostegayaa madaxa xafiiska.
3. Guddiga qiimaynta shatiga qareenimo uu magacaabayo madaxa xafiisku, waxa uu ka koobnaanayaa 5 xubnood oo uguyaraan 2 xubnood noqonayaan dumar oo laga soo xulay qaybahan soo socda:
 - b) Laba xubnood oo xafiiska lagasoo xulay,
 - t) Laba xubnood oo laga soo xulay ururka qareenada,
 - j) Hal xubin oo uu soo xulo guddiga maamulka garsoorku.
4. Muddo xileedka guddiga qiimaynta shatiga qareenada waa laba sano islamarkaana laba jeer wax ka badan xubinku looma xuli kari guddiga inuu ka mid noqdo.
5. Shirgudoonka guddiga imtixaanaadka shatiga qareenada waxaa xulaya madaxa xafiiska.

58. Xilka iyo waajibaadka guddiga qiimaynta shatiga qareenada

Guddiga qiimaynta shatiga qareenada waxa uu yeelanayaa xilkan iyo waajibaadyadan:

1. Kadib markay soo gaadho natiijada imtixaanka tartamaha iyo cadeymaha kale ee khuseeya waxa uu go’aamiyaa in shatiga la siin karo tartamaha.

57. የጥብቅና ፍቃድ ገምጋሚ ኮሚቴ መቋቋም

1. ለአመልካቾች የጥብቅና ፍቃድ ሊሰጥ የሚገባው ስለመሆን አለመሆኑ የሚወሰን “የጥብቅና ፍቃድ ገምጋሚ ኮሚቴ” በዚህ አዋጅ ተቋቁሟል፡፡
2. የኮሚቴው ተጠሪነት ለቢሮው ኃላፊ ይሆናል፡፡
3. ኮሚቴው ከሚከተሉት አካላት የተውጣጡ በየተቋማቱ የሚመረጡና በቢሮው ኃላፊ የሚሾሙ አምስት አባላት ሆኖ 2 ሴት ይሆናል፡-
 - ሀ) ከቢሮው ሁለት ተወካዮች
 - ለ) ከጠበቆች ማኅበር ሁለት ተወካዮች እና
 - ሐ) ከክልሉ ፍርድ ቤት አንድ ተወካይ፡፡
4. የአንድ አባል የሥራ ዘመን ሁለት ዓመት ሲሆን ከሁለት ጊዜ በላይ በአባልነት ሊመረጥ አይችልም፡፡
5. የኮሚቴው ሰብሳቢ ከአባላቱ መካከል በቢሮው ኃላፊ የሚሰየም ይሆናል፡፡

58. የጥብቅና ፍቃድ ገምጋሚ ኮሚቴው ሥልጣን እና ተግባር

ኮሚቴው የሚከተሉት ሥልጣንና ተግባራት ይኖሩታል፡-

1. የአመልካቹን ማስረጃዎች መርምሮ አመልካቹ ፍቃድ እንዲሰጠው ወይም አንዳይሰጠው ይወስናል፤

57. Establishment of Advocacy License Evaluation Committee

1. “Advocacy License Evaluation Committee”, which decides whether advocacy license should be granted or not is hereby established by this Proclamation;
2. The Committee shall be accountable to the Bureau head;
3. The Advocacy License Evaluation Committee shall have five members , two of them are female, comprised of the following bodies which nominated by the institutions and appointed by the Bureau head:
 - a) Two representatives from the Bureau
 - b) Two representatives from the Association of advocates; and
 - c) One representative from Judicial Administration council.
4. The term of a member of this Committee shall be two years and no member shall be elected for more than two terms.
5. The Chairperson of the Committee shall be nominated by the Bureau head from among the members of the Committee.

58. Powers and Duties of the Advocacy License Evaluation Committee

The Advocacy License Evaluation Committee shall have the following Powers and Duties:-

1. After examination of the applicant’s evidence decide, whether the applicant should be issued with the license or the application be rejected;

2. Waxa uu u yeedhi karaa islamarkaana weydiin karaa tartamaha iyo cidkale si loo xaqiijiyo in tartamuhu inshax suuban leeyahay islamarkaana u adeegi karo nidaamka cadaaladda.

59. Nidaamka shirarka guddiga qiimaynta shatiga qareenada

1. Guddiga anshuxu:
 - b) waxa uu kulmi karaa markasta oo uu u arko lagama maarmaan,
 - t) shirkoodu wuxuu qabsoomi karaa markay joogaan tiro ka badan kala badh xubnuhu soo xaadiraan (50%+)
 - j) go'aanada guddigu waxay ku meelmarayaan cod haldheeri ah, hasayeeshee hadii ay dhinacyadu cod isku mid ah bixiyaan, waxaa cod dheeri ah yeelan dhinaca shirgudoonku u codeeyay.
2. Iyadoo ay sideeda yihiin arrimaha lagu xeeriyay qodob hoosaadka (1) ee qodobkan, guddigu waxa uu sii sari karaa nidaam u gaar ah shirarkiisa.

Qayb-hoosaadka afraad

Xilka iyo waajibaadka xafiiska

60. Xilka iyo waajibaadka xafiiska

Xafiisku waxa uu yeelanayaa xilkan iyo waajibaadyadan:

1. Wuxuu diiwaangeliyaa islamarkaana shatiga siiyaa qareenada, shirkadaha bixiya adeegga qareenimo iyo shaqaalaha kale ee la shaqeeya qareenada iyo shirkadaha bixiya adeegga qareenimo.
2. Wuxuu shatiga qareenimo siiyaa, tartamayaasha guddiga qiimaynta shatiga qareenadu go'aamiyeen in la siiyo shatiga.

2. አመልካቹ ለፍትሕ ሥራ አካሄድ የሚስማማ የሥነ-ምግባር ብቃት ያለው መሆኑን ለማረጋገጥ ማንኛውንም ሰው መጠየቅ ወይም ማስረጃ አስቀርቦ መመርመር ይችላል።

59. የጥብቅና ፍቃድ ገምጋሚ ኮሚቴው ስብሰባ

1. የጥብቅና ፍቃድ ገምጋሚ ኮሚቴው፡-
 - ሀ) ኮሚቴው እንደ አስፈላጊነቱ በማናቸውም ጊዜ ሊሰበሰብ ይችላል፤
 - ለ) ከኮሚቴው አባላት ከግማሽ በላይ ከተገኙ ምልዓተ-ጉባዔ ይሆናል፤
 - ሐ) የኮሚቴው ውሳኔዎች በስብሰባው በተገኙ አባላት በድምጽ ብልጫ ያልፋሉ፤ ሆኖም ድምጽ እኩል በእኩል የተከፈለ እንደሆነ ሰብሳቢው ወሳኝ ድምጽ ይኖረዋል፤
2. በዚህ አንቀጽ የተደነገገው እንደተጠበቀ ሆኖ ኮሚቴው የራሱን የስብሰባ ሥነ-ምግባር ደንብ ሊያወጣ ይችላል።

ንዑስ ክፍል አራት

የቢሮው ሥልጣንና ተግባር

60. የቢሮው ሥልጣንና ተግባር

ቢሮው የሚከተሉት ሥልጣንና ተግባራት ይኖሩታል፡-

1. የጥብቅና ፍቃድ፣ የጥብቅና ድርጅቶችን እና ከጠበቃ እና ጥብቅና ድርጅቶች ጋር የሚሰሩ ሰዎችን ይመዘግባል፤ የጥብቅና ፍቃድ ያድሳል፤
2. የጥብቅና ፍቃድ ገምጋሚ ኮሚቴ የጥብቅና ፍቃድ እንዲሰጠው ለወሰነለት ባለሙያ የጥብቅና ፍቃድ ይሰጣል።

2. Cause the appearance of any person and hear or cause the production of any evidence to verify that the applicant has a good conduct and meets the requirements of the justice process.

59. Meeting of the Advocacy License Evaluation Committee

1. The Committee:
 - a) May hold its meeting at any time as may be necessary;
 - b) There shall be quorum to conduct a meeting where more than half of its members are present; and
 - c) Decisions shall be passed by a majority vote. In case of tie, however, the Chairperson shall have a casting vote.
2. Without prejudice to the provisions of this Article, the Committee may issue its own meeting procedure.

PART FOUR

POWERS AND DUTIES OF THE BUREAU

60. Powers and Duties of the Bureau

The Bureau shall have the following powers and duties:

1. Register applicants of advocacy license, law firms, support staff who work with advocates or law firm; and renew advocacy license;
2. Issue advocacy license to the person allowed to have advocacy license, by Advocacy License Evaluation Committee;

- 3. Wuxuu hab waafaqsan xeer-nidaameedka uu soo saaro golaha hawfulinta u qaadaa gunada adeega qareenimo.
- 4. Isagoo ka duulaya go'aanka guddiga anshaxa wuxuu shaqada ka joojiyaa, shatiga ka xayira islamarkaana kala noqdaa qareenada lagu helay inay ku gafeen bayaankan iyo xeerka anshaxa qareenada.
- 5. Isagoo la kaashanaya ururka qareenada waxa uu dejiyaa halbeegyada adeeg bixinta qareenada iyo shirkadaha bixiya adeegga qareenimo.
- 6. Wuxuu aasaasaa guddiyada kala duwan ee bayaankan lagu xeeriyay ee lagama maarmaanka u ah hirgelinta maamulka qareenada.
- 7. Isagoo la kaashanaya dawladda iyo hay'adaha kale ee aan dawliga ahayn, wuxuu suurto geliyaa in ururka qareenadu helo taageerada farsamo, cudud shaqaale iyo maaliyadeed.
- 8. Wuxuu ururka qareenada ka caawiyaa dhaqangelinta bayaankan iyo diyaarinta awaamiirta ururka ee lagama maarmaanka u ah koboca, adkaynta iyo habsami u shaqaynta ururka qareenada deegaanka.
- 9. Wuxuu soo saara awaamiir lagu faahfaahinayo cadadka iyo nidaamka bixinta adeega qareenimo iyo masuuliyadda ka dhalanaysa ku tagrifalka masuuliyadda xirfada qareenimo.
- 10. Wuxuu suurto geliyaa islamarkaana xaqiijiyaa in qareenada deegaanku helaan tabobaro sharci oo joogto ah islamarkaana isagoo la kaashanaya ururka qareenada waxa uu xaqiijiyaa in qareenadu ka qaybgalaan.

- 3. **በዚህ አዋጅ መሠረት በሚወጣ ደንብ መሠረት የጥብቅና ፍቃድ አገልግሎት ክፍያ ይሰበሰባል።**
- 4. **የጠበቆች ዲስፕሊን ጉባዔ በሚወሰነው መሠረት ይህን አዋጅ እና በሌሎች ሕጎች ላይ ለተደነገገው ድንጋጌዎች የተላልፍ ጠበቃ ወይም የጥብቅና ድርጅቶች የጥብቅና ፍቃድ ያግኛል፤ ይሰርዛል።**
- 5. **በጠበቆችና በጥብቅና ድርጅቶች ለሚሰጡ የሕግ አገልግሎቶች ከማግበሩ ጋር በመመካከር መለኪያዎችን ያወጣል።**
- 6. **በክልሉ ውስጥ የጥብቅና ሙያ አስተዳደር ሥርዓት እንዲጠናከር በዚህ አዋጅ የተደነገገው የተለያዩ ኮሚቴዎች እንዲቋቋሙ ያደርጋል።**
- 7. **ከመንግሥት እና ከመንግሥታዊ ካልሆኑ ጋር በመመካከር ማግበሩ በሰለጠነ የሰው ኃይል እንዲደራጅ፣ ለመነሻ የሚሆን በጀት እንዲኖረው እና እንደተቋም ለመንቀሳቀስ እንዲችል አስፈላጊውን ድጋፍ ያደርጋል።**
- 8. **አዋጁን ለማስፈጸም እና የጥብቅና ማግበሩ እንዲጠናከር ለማድረግ የሚያስፈልጉ መመሪያዎችን በማዘጋጀት እና በሚመለከተው አካል እንዲፀድቅ በማድረግ አስፈላጊውን እገዛ ያደርጋል።**
- 9. **የሕግ አገልግሎት ለመስጠት የሚያስከትሉ የክፍያ መጠንና አሠራር እንዲሁም የሕግ ሙያዊ ኃላፊነትን አላግባብ መጠቀም የሚፈጠረውን ተጠያቂነት የሚገልጽ መመሪያ ያወጣል።**
- 10. **በክልሉ ውስጥ ጠበቆች ተከታታይ የህግ ስልጠና እንዲያገኙ ያመቻቻል፣ ያረጋግጣል እንዲሁም ከጠበቆች ማህበር ጋር በመተባበር ጠበቆች እንዲሳተፉ ያደርጋል።**

- 3. Collect advocacy license fee or other payments determined by a Regulation to be issued pursuant to this Proclamation;
- 4. Suspend or revoke advocacy license advocates and law firms that are found for violations of this proclamation and other Disciplinary regulation based on the decisions of the advocates' Discipline Committee;
- 5. In consultation with the Board and Association, set standards for the services offered by advocates and law firms;
- 6. establish different committees stipulated under this proclamation which are necessary for strengthening of the administration of advocacy service.
- 7. in cooperation with the governmental and non-governmental organizations, provide necessary support to the Association to organize human resource; have starting budget and perform as an organization.
- 8. Provide necessary support the implementation of this proclamation and on drafting of directives needed for strengthening the Advocates' Association of the Regional State.
- 9. May issues directives detailing the amount and procedure for providing legal services and the liability arising from the abuse of legal professional responsibility.
- 10. Facilitates and ensures that statewide advocates and law firms receives regular legal training and in cooperation with the association ensures that advocates participate fully.

1. Wuxuu talaabada ku haboon ka qaadaa qareenada ku guuldaraysta inay ka qaybgalaan tabobarada sharci ee joogtada ah ee la qorsheeyay.
2. Wuxuu dabagalaa islaamrkaana xaqiijiyaa nidaamka shaqo iyo go'anada ururka qareenadu ay waafaqsan yihiin bayaankan iyo xeernidaameedka iyo awaamiirta loo soo saaray hab waafaqsan.
3. Wuxuu yeelanayaa awoodaha kale ee lagu siiyay bayaankan iyo xeernidaameedka iyo awaamiirta loo soo saaro hab waafaqsan.

QAYBTA LIXAAD

FALALKA ANSHAX-XUMADA IYO GANAAXYADA

Qayb-hoosaadka koowaad

Falalka anshax-xumada fudud iyo ganaaxyadooda

61. Noocyada falalka anshax-xumada fudud

Falalkan hoos ku xusan iyo kuwa lamidka ah ee lagu qeexay xeerka anshaxa qareenada ayaa loo qaadanayaa falaka anshax-xumada fudud:

1. Qareenka oo diida inuu tuso shatigiisa markay codsadaan macmiilka, maxkamadda iyo hay'ada kale ee ay khusayso.
2. Qareenka oo ku guuldareysta inuu si joogto ah macmiilkiisa ula socodsiiyo heerka ay marayso dacwadu, ama si fiican u qaabili waayo ama yasa macmiilka.
3. Qareenka oo sabab la'aan usoo xaadiri waaya balanta maxkamada ee loo qabtay.
4. Qareenka oo ku dhawr jeer guuldaraysta inuu bixiyo qaadhaanka xubinimo ee ururka qareenada.

11. በተከታታይ በተያዘለት የህግ ስልጠና ባልተገኙ ጠበቆች ላይ ተገቢውን እርምጃ ይወስዳል።
12. የጠበቆች ማኅበር የአሠራር ሥርዓትና ውሳኔዎች በዚህ አዋጅ እና በአዋጁ መሠረት በሚወጣ ደንቦችና መመሪያዎች የተከተለ መሆኑን ያረጋግጣል።
13. ሌሎች በዚህ አዋጅ፣ ይህን አዋጅ ተከትሎ በሚወጣ ደንብ እና በሌሎች አግባብነት ባላቸው ሕጎች የተሰጡትን ሥልጣን እና ተግባራት ይፈጽማል።

ክፍል ስድስት

የዲስፕሊን ጥፋቶች እና ቅጣት

ንዑስ ክፍል አንድ

ቀላል የዲስፕሊን ጥፋት እና ቅጣት

61. ቀላል የዲስፕሊን ጥፋት ዓይነቶች

የሚከተሉትና መሰል በጠበቆች ሥነ-ምግባር ደንብ የተደነገጉ በጠበቃ ወይም የጥብቅና ድርጅት የሚፈጸሙ ጥፋቶች ቀላል የዲስፕሊን ጥፋቶች ናቸው፡-

1. የጥብቅና ፍቃድን ለደንበኛ፣ ለፍርድ ቤት ወይም ለሚመለከተው አካል እንዲያሳይ በተጠየቀ ጊዜ ለማየሳት ፈቃደኛ ያለመሆን፤
2. ጉዳዩ ያለበትን ሁኔታና የደረሰበትን ደረጃ በደንበኛው ሲጠየቅ በአግባቡ ያለማሳወቅ፣ ደንበኛን ማመናጨቅ ወይም ክብሩን መንካት፤
3. ያለበቁና አሳማኝ ምክንያት በቀጠሮ ቀን መዘግየት እና ፍርድ ቤት ያለመገኘት፤
4. ለጠበቆች ማኅበር መክፈል የሚጠበቅበትን ክፍያ ወይም መዋጮ በተደጋጋሚ እና በወቅቱ ያለመክፈል፤

11. Takes appropriate action against any advocate or law firm who fail to attend regularly scheduled legal training.
12. ensure as to whether the working procedure and decisions of the Advocates' Association conforms with this proclamation, and the regulation and directives to be issued pursuant to this Proclamation.
13. Exercise powers and duties entrusted to it by this Proclamation, a Regulation to be issued pursuant to this Proclamation and other relevant law;

PART SIX

DISCIPLINARY VIOLATIONS AND MEASURES SECTION ONE

NON-SERIOUS DISCIPLINARY

VIOLATIONS AND MEASURES

61. Non-Serious Disciplinary Violations

The following and similar misconducts provided by the Advocates' Code of Conduct, when committed by an advocate or a law firm, shall be considered as violation of non-serious disciplinary rules:

1. Refusal to show his/its advocacy license when requested by a client, a court or a concerned body;
2. Failure to inform his/its client, about the condition and level of the case, when requested; or mistreat his/its client or degrade his dignity;
3. Failure to appear, without good cause, before the court on the date and time the case was adjourned.
4. Failure to pay, repeatedly and on time, expected payment or membership contribution for the Advocates' Association;

- 5. Qareenka oo ku guuldaraysta inuu shatiga ku cusboonaysiiyo waqtiga sharcigu xeeriyay.
- 6. Qareenka oo sii wada inuu adeeg qareenimo bixiya isaga oo aan cusboonaysiin shatigiisa.
- 7. Qareenka hela shaqo kale, hase ahaatee aan iska celin shatigii qareenimo.

62. Ganaaxyada falalka anshax-xumada fudud

- 1. Qareenka ama shirkadda bixisa adeegga qareenimo ee ku kaca halmar ama laba jeer falalka anshax-xumada fudud ee lagu xeeriyay qodob-hoosaadyada (1) iyo (2) ee qodobka 61^{aad} ee bayaankan, waxaa la siin diginin afka ah, hase ahaatee hadii uu mar sadexad ku kaco isla anshax-xumadaas waxaa la siin diginin qoraal ah
- 2. Qareenka ama shirkadda bixisa adeegga qareenimo ee ku kaca falalka anshax-xumada fudud ee lagu xeeriyay qodob-hoosaadyada (3) iyo (4) ee qodobka 61^{aad} ee bayaankan, waxaa la siin diginin qoraal ah.
- 3. Qareenka ama shirkadda bixisa adeegga qareenimo ee ku kaca falalka anshax-xumada fudud ee lagu xeeriyay qodob-hoosaadyada (3) iyo (4) ee qodobka 61^{aad} ee bayaankan, waxaa laga qaadi ganaax aan ka yarayn 5,000 kana badnayn 10,000 birr.

Qayb-hoosaadka labaad

Falalka anshax-xumada culus iyo ganaaxyadooda

63. Noocyada falalka anshax-xumada culus.

Falalkan hoos ku cas iyo kuwa lamidka ee lagu qeexay xeerka anshaxa qareenada ayaa loo qaadanayaa falalka anshax-xumo ee culus:

- 1. Qareenka ama shirkadda bixisa adeegga qareenimo ee qoraa ahaan u shaqaaleysiisa shaqsiyaadka lagu xeeriyay qodobhoosaadka (3) ee qodobka 17^{aad} ee bayaankan

- 5. የጥብቅና ፍቃድን በወቅቱ አለማሳደስ፤
- 6. ባልታደሰ የጥብቅና ፍቃድ የጥብቅና አገልግሎት መስጠት፤
- 7. የጥብቅና ፍቃዱን ለጥብቅና ፍቃድ ሰጪው ተቋም ሳይመልስ በሌላ ቋሚ ሥራ ተሰማርቶ መገኘት፡፡

62. የቀላል የዲሲፕሊን ጥፋት ቅጣት

- 1. በዚህ አዋጅ አንቀጽ 61 ንዑስ አንቀጽ (1) እና (2) ከተደነገጉት ጥፋቶች አንዱን የፈጸመ ጠበቃ ወይም የጥብቅና ድርጅት የቃል ማስጠንቀቂያ በዲሲፕሊን ጉባዔው ይሰጠዋል፡፡ ለሁለት ጊዜ የቃል ማስጠንቀቂያ የተሰጠው ጠበቃ ወይም የጥብቅና ድርጅት ለሦስተኛ ጊዜ ተመሳሳይ ጥፋት ከፈጸመ የጽሑፍ ማስጠንቀቂያ ይሰጠዋል፡፡
- 2. በዚህ አዋጅ አንቀጽ 61 ንዑስ አንቀጽ (3) እና (4) የተደነገጉትን ጥፋቶች የፈጸመ ጠበቃ ወይም የጥብቅና ድርጅት የጽሑፍ ማስጠንቀቂያ ይሰጠዋል፡፡
- 3. በዚህ አዋጅ አንቀጽ 61 ንዑስ አንቀጽ (3) እና (4) የተደነገጉትን ጥፋቶች የፈጸመ ጠበቃ ወይም የጥብቅና ድርጅት እንደነገሩ ሁኔታ ከብር አምስት ሺህ እስከ ብር አስር ሺህ በሚደርስ የገንዘብ መቀጮ ይቀጣል፡፡

ንዑስ ክፍል ሁለት

ከባድ የዲሲፕሊን ጥፋት እና ቅጣት

63. ከባድ የዲሲፕሊን ጥፋት ዓይነቶች

የሚከተሉት እና መሰል በጠበቆች ሥነ-ምግባር ደንብ የሚጠቀሱ በጠበቃ ወይም የጥብቅና ድርጅት የሚፈጸሙ ጥፋቶች ከባድ የዲሲፕሊን ጥፋቶች ናቸው፡-

- 1. በዚህ አዋጅ አንቀጽ 17 ንዑስ አንቀጽ (3) ሥር የተዘረዘሩ ሰዎችን በጠበቃ ረዳትነት ወይም በሕግ ጉዳይ ጸሐፊነት መቅጠር እና ማሠራት፡፡

- 5. Failure to renew the advocacy license on time.
- 6. Rendering advocacy service without Renewing the advocacy license;
- 7. Being employed in a permanent work without returning the advocacy license to the license issuing body.

62. Measures Against Non-Serious Disciplinary violations

- 1. The Committee shall give oral warning to an advocate or a law firm who or which violates one of the disciplinary misconducts provided on sub Articles (1) and (2) of Article 61. An advocate or a law firm, who or which had been given oral warning twice, shall be served with a written warning when he or it violates the rules for the third time.
- 2. An advocate or a law firm who or which violates disciplinary rules provided under Article 61(3) and (4) shall be served with a written warning.
- 3. An advocate who or a law firm which violates Article 861(3) and (4) of this Proclamation shall, as the case may be, fined from birr five thousand to Birr Ten thousand.

SECTION TWO

SERIOUS DISCIPLINARY

VIOLATIONS AND MEASURES

63. Types of Serious Disciplinary Violations

The following and similar misconducts provided by the Advocates’ Code of Conduct, when committed by an advocate or a law firm, shall be considered as violation of serious disciplinary rules:

- 1. Employ and engage as a law clerk or advocate’s assistant, persons mentioned under Article 17(3) of this Proclamation;

- 2. Ku guul daraysiga in xafiiska lagu wargeliyo shaqaaleysiinta caawiyaha qareenka iyo shaqaalaha kale ee taageerada ah.
- 3. Bilaa sabab dib loogu dhigo muddaynta ama loo jiiido dacwada.
- 4. In adeegga qareenimo la bixiyo iyadoo aan xafiis la furan.
- 5. In sabab la'aan uga baaqdo ka qaybgalka tabobarada sharci ee loo diyaariyay qareenada.
- 6. Ilaalinta la'aanta sirta macaamiisha.
- 7. Diidmada inuu bixiyo adeegga qareenimo ee bilaashka ah markay usoo gudbiyaan ciday khusaso.
- 8. Adeegga qareenimo oo loo adeegsado mukhalasnimo ama u adeegsado cidkale mukhalasnimo.
- 9. Marka laga reebo arrimaha lagu xeeriyay qodob-hoosaadka (1) ee qodobka 21^{aad} ee bayaankan, adeegga qareenimo oo la bixiyo iyadoo aan la saxeehin heshiis qoraal ah.
- 10. Macmiilka oo la weydiisto lacag ka badan midii lagu heshiyyay ama heshiiska oo laga baxo sabab la'aan.
- 11. Adeegga qareenimo oo la bixiyo damaanad la'aan ama iyada oo aan loo cusboonaysiin damaanadqaadka xirfadeed hab waafaqsan qodobka 32^{aad} ee bayaankan.
- 12. Isku dayga in go'aan aan sharciga waafaqsanayn usoo saaraan maxkamadaha iyo hay'adaha kale ee dacwada gacanta ku haya.
- 13. Isaga oo og inuu qaado ama ka doodo dacwad uu ogyahay inay tahay mid danahiisa ay iska horimanyaana ama sharcigu u ogolayn.

- 2. በሥሩ የቀጠራቸውን የጠበቃ ረዳትና ድጋፍ ሰጭ ሠራተኞች ለፍቃድ ሰጭው አካል ያለማሳወቅና ያለማስመዝገብ፡፡
- 3. ያለበቁና አሳማኝ ምክንያት ተለዋጭ ቀጠሮ በተደጋጋሚ መጠየቅና የፍርድ ቤት ጉዳይ እንዲያተት ማድረግ፡፡
- 4. የጥብቅና አገልግሎት መስጫ ቢሮ ሳይኖር የጥብቅና አገልግሎት መስጠት፡፡
- 5. ያለበቁ ምክንያት የሕግ ሥልጠና በአግባቡ አለመውሰድ፡፡
- 6. የደንበኛን ምስጢር አለመጠበቅ፡፡
- 7. ነጻ የጥብቅና አገልግሎት እንዲሰጥ በሚመለከተው አካል ሲመራለት ለመቀበል ፈቃደኛ አለመሆን፡፡
- 8. የጥብቅና ሥራን በአገናኝ አማካኝነት መሥራት ወይም ለሌሎች ጠበቆች የአገናኝነት ሥራ መስራት፡፡
- 9. በዚህ አዋጅ አንቀጽ 21 ንዑስ አንቀጽ (1) ላይ ከተደነገገው በስተቀር ከደንበኛ ጋር የሚደረግ የጥብቅና አገልግሎት ውል ስምምነትን በጽሑፍ ያለማድረግ፡፡
- 10. በጥብቅና ውሉ ከተገለጸው የጥብቅና አገልግሎት ክፍያ ተጨማሪ ክፍያ መቀበል ወይም ያለበቁ ምክንያት የጥብቅና ውልን ማቋረጥ፡፡
- 11. በዚህ አዋጅ አንቀጽ 32 በተጠቀሰው ጊዜ ውስጥ የመድን ዋስትና ሳይገባ ወይም የመድን ዋስትናው በወቅቱ ሳይታደስ የጥብቅና አገልግሎት መስጠት፡፡
- 12. በፍርድ ቤት ወይም ሌሎች ውሳኔ በሚሰጡ አካላት ዘንድ የሚታዩ ጉዳዮችን በተመለከተ አግባብ ባልሆነ መንገድ ውሳኔ ለማግኘት መጣር፡፡
- 13. የጥቅም ግጭት የሚያስነሳ ወይም የጥቅም ግጭት ያለበት ጉዳይ መሆኑን እያወቀ ጉዳዩን መያዝ፡፡

- 2. Failure to declare and get registered advocate's assistant and support staff, employed under him/it, with the licensing body;
- 3. Prolonging the disposal time of court cases by repeatedly applying, without good cause, for change of adjournments;
- 4. Rendering advocacy service without having an office;
- 5. Failure to take properly, for reasons other than those allowed by law, the mandatory continuing professional legal training;
- 6. Failure to keep the confidentiality of client's information;
- 7. Refusal to provide pro bono advocacy service when a case is assigned to him/it by the concerned body;
- 8. Doing advocacy service with the medium of a broker or serving as a broker to other advocates;
- 9. Failure to make the contract of advocacy service with a client in writing, except provided by article 21(1) of this proclamation;
- 10. Terminating the contract of advocacy service without good cause or demanding inappropriate and additional service fee other than what is agreed upon on the contract of advocacy service;
- 11. Providing advocacy service without securing insurance policy or renewing same within the period provided under Article 32 of this Proclamation;
- 12. Engagement in another permanent job without returning the advocacy service license to the licensing body;
- 13. Handling, with the knowledge, a case which may potentially cause, or has, conflict of interest;

14. Inuu qaado islamarkaana ka doodo dacwadaha aanu shatiga u haysanin.

15. In cadeymaha loogu gudbin waayo maxkamada nidaam haboon islamarkaana karti darro awgeed uu natiijo xun ama aan haboonayn kiiska.

16. Shatiga qareenimo oo loo dhiibto cid sadexaad si ay ugu shaqaysato.

17. In si kas ah ama taxadardaro ah loo sababo in ay khasaraan ama laga guulaysto macaamiisha lacag la'aanta loogu doodayo.

18. In lagu xadgudbo lacagta iyo hantida macmiilka ee loo hayo hab waafaqsan qodobka 33^{aad} iyo qodob hoosaadyada (1) (4) iyo (5) ee qodobka 34^{aad} ee bayaankan.

19. In la curyaamiyo, marinhabaabiyo kiiska ama laga guulaysto kiiska macmiilka iyadoo lala heshiinayo dhinaca kale ee dacwadda.

20. iyadoo la leeyahay ujeedo lacag looga qaadanayo macmiilka in la qaado dacwadaha aan lahayn aasaas sharci.

21. In la soo gudbiyo cadeymo been abuur ah ama isticmaalo qaabkale oo aan sharciga waafaqsanayn si loo helo shatiga qareenada.

22. In maxkamaddu ku hesho islamarkaana ku xukunto fal la xidhiidha xatooyo, been-abuur, amaano-lunsi, khiyaamo ama wax isdabamarin la xidhiidha adeegga qareenimo.

23. In maxkamaddu ku hesho islamarkaana ku xukunto fal la xidhiidha soo dhawaynta ama suurto gelinta in lasoo dhaweeyo cadeyn been abuur ah, markhaati beenaale, ama eedaysanaha oo lagula taliyo inuu diido imaanshaha maxkamadda ama baxsado, qarinta iyo burburinta cadeymaha si aanay u isticmaalin dhinaca kale ee dacwada taasi oo wax u dhimi karta nidaamka cadaaladda iyo falalka kale ee lamidka ah ee la xidhiidha adeegga qareenimo.

14. ከተሰጠው የጥብቅና ፍቃድ ደረጃ በላይ የጥብቅና አገልግሎት መስጠት፡፡

15. የደንበኛውን ማስረጃ በአግባቡ ለፍርድ ቤት አለማቅረብና ከአቅም በታች በመከራከር መዝገቡ ውጤታማ እንዳይሆን ማድረግ፤

16. የጥብቅና ፍቃድን በማንኛውም ሁኔታ ለሦስተኛ ወገን መጠቀሚያ አሳልፎ መስጠት፡፡

17. ነጻ የጥብቅና አገልግሎት የመስጠት ግዴታውን እያወቀ ወይም በቸግሮትና በአግባቡ ባለመወጣት የደንበኛን ጉዳይ ውጤታማ እንዳይሆን ማድረግ፡፡

18. በዚህ አዋጅ አንቀጽ 33 እና 34 ንዑስ አንቀጽ (1)፣ (4) እና (5) በመተላለፍ ከደንበኛ የአደራ ሂሳብ አያያዝ ጋር የተያያዙ ጥፋቶችን መፈጸም፡፡

19. ከተቃራኒ ባለጉዳይ ጠበቃ ጋር በመመሳጠር ወይም ማስረጃ በማጥፋት የደንበኛ ጉዳይ ውጤታማ እንዳይሆን ማድረግ፡፡

20. የሕግ መሠረት የሌለውን ጉዳይ ያዋጣል በማለት መያዝና ከደንበኛ ክፍያ መቀበል፡፡

21. ሀሰተኛ ማስረጃ በመጠቀም ወይም በማንኛውም ሁኔታ በማታለል የጥብቅና ፍቃድ ማውጣት፡፡

22. ከጥብቅና ሙያ አገልግሎት ጋር በተያያዘ በእምነት ማጉደል፣ ማታለል፣ ማጭበርበር፤

23. ከጥብቅና ሙያ አገልግሎት ጋር በተያያዘ ሀሰተኛ ማስረጃ ማቅረብ ወይም እንዲቀርብ ማድረግ፣ ሀሰተኛ ምስክር በማዘጋጀት በሀሰት ማስመስከር፣ ተከላኝ ፍርድ ቤት እንዳይቀርብ ወይም እንዲጠፋ ማድረግ ወይም መምከር፣ ለተቃራኒ ወገን ጠቃሚ የሆነን ማስረጃ እንዳይጠቀምበት በማሰብ ማጥፋትና ፍትሕ እንዲዛባ ማድረግ እና በመሳሰሉት ከሥነ-ምግባር ጉድለት ጋር በተያያዙ ወንጀሎች በፍርድ ቤት ጥፋተኛ ተብሎ መቀጣት፡፡

14. Providing advocacy service for the class which he/it is not licensed for;

15. Failure to, properly, produce to the court the evidences of his client or performing under capacity with the view to make his client's case ineffective;

16. Transfer his/its license to the use of third parties so that third parties can make use of it in any way;

17. Deliberately make his/its pro bono client lose his case or render the case ineffective due to negligence;

18. Committing misconducts in relation to handling of his/its clients trust account in violation of Articles 33 and 34/1/, /4/ and /5/.

19. Rendering his client's case ineffective due to unacceptable and inappropriate relationship with the opponent's advocate or concealing evidence;

20. Handling cases which have clearly no cause of action and receiving fee for such inappropriate service;

21. Obtaining advocacy license fraudulently or using a forged evidence;

22. Being found guilty of and punished by the court for misconducts such as breach of trust, fraud, misrepresentation, forgery, or making use of such documents or for the act of theft.

23. Produce forged evidence or cause to be produced; prepare false witnesses and get them falsely testify; advise the accused or defendant not to appear before the court or cause his disappearance or advising him to do so; conceal or destroy an evidence with a view to denying the opposing party the opportunity to make use of it and distortion of justice; and

24. Adeegga qareenimo oo la bixiyo iyadoo shatigii la hakiyay ama la buriyay.

64. Ganaaxyada falalka anshax-xumada culus

1. Qareenka ama shirkadda bixisa adeegga qareenimo ee ku kaca laba jeer falalka anshax-xumada fudud ee lagu xeeriyay qodob-hoosaadyada (3) ilaa (5) ee qodobka 61^{aad} ee bayaankan, ama ku kaca fal kamid ah falalka anshax-xumada culus ee lagu xeeriyay qodob-hoosaadyada (1) ilaa (7) ee qodobka 63^{aad} ee bayaankan, waxaa laga qaadi ganaax aan ka yarayn 7,500 kana badnayn 15,000 birr.

2. Qareenka ama shirkadda bixisa adeegga qareenimo ee ku kaca falalka anshax-xumada culus ee lagu xeeriyay qodob-hoosaadyada (8) ilaa (13) ee qodobka 63^{aad} ee bayaankan, waxaa laga qaadi ganaax aan ka yarayn 20,000 kana badnayn 30,000 birr.

3. Qareenka ama shirkadda bixisa adeegga qareenimo ee ku kaca falalka anshax-xumada culus ee lagu xeeriyay qodob-hoosaadyada (14) ilaa (20) ee qodobka 63^{aad} ee bayaankan, iyadoo laga duulayo hadba siday xaaladdu tahay waxaa muddo lix bilood ah laga xayiri (joojin) shatiga qareenka ama shahaadada diiwaangelinta shirkadda.

4. Qareenka ama shirkadda bixisa adeegga qareenimo ee ku kaca falalka anshax-xumada culus ee lagu xeeriyay qodob-hoosaadyada (21) ilaa (24) ee qodobka 63^{aad} ee bayaankan, waxaa laga burin shatiga qareenka ama shahaadada diiwaangelinta shirkadda.

24. በታገደ ወይም በተሰረዘ የጥብቅና ፍቃድ መታገዱን ወይም መሰረዙን እያወቀ የጥብቅና አገልግሎት መስጠት፡፡

64. የከባድ የዲሲፕሊን ጥፋት ቅጣት

1. በዚህ አዋጅ አንቀጽ 61 ከንዑስ አንቀጽ (3)-(5) ባለ ቀላል የዲሲፕሊን ጥፋቶች በዓመት ከሁለት ጊዜ በላይ ጥፋተኛ ሆኖ የተገኘ ወይም በዚህ አዋጅ አንቀጽ 63 ከንዑስ አንቀጽ (1)- (7) ከተዘረዘሩት ጥፋቶች አንዱን የፈጸመ ጠበቃ ወይም የጥብቅና ድርጅት ከብር ሰባት ሺህ አምስት መቶ እስከ ብር አስራ አምስት ሺህ በሚደርስ የገንዘብ መቀጮ ይቀጣል፡፡

2. በዚህ አዋጅ አንቀጽ 63 ከንዑስ አንቀጽ (8)- (13) ከተዘረዘሩት ጥፋቶች አንዱን የፈጸመ ጠበቃ ወይም የጥብቅና ድርጅት ከብር ሃያ ሺህ እስከ ብር ሠላሳ ሺህ በሚደርስ የገንዘብ መቀጮ ይቀጣል፡፡

3. በዚህ አዋጅ አንቀጽ 63 ከንዑስ አንቀጽ (14)- (20) ከተዘረዘሩት ጥፋቶች አንዱን የፈጸመ ጠበቃ ወይም የጥብቅና ድርጅት እንደነገሩ ሁኔታ እስከ ስድስት ወር ለሚደርስ ጊዜ የጥብቅና ፍቃዱ ወይም የምዝገባ ምስክር ሰርተፊኬቱ ይታገዳል፡፡

4. በዚህ አዋጅ አንቀጽ 63 ከንዑስ አንቀጽ (21)-(24) ከተጠቀሱት ጥፋቶች አንዱን የፈጸመ ጠበቃ ወይም የጥብቅና ድርጅት የጥብቅና ፍቃዱ ወይም የምዝገባ ሰርተፊኬቱ ይሰረዛል፡፡

24. Rendering advocacy service with a license which is not renewed suspended or revoked.

64. Measures Against Serious Disciplinary Violations

1. An advocate who or a law firm which is proved to have violated sub Articles 3-5 of Article 61 of this Proclamation more than two times a year; or an advocate or a law firm who or which violated one of the disciplinary rules provided under sub Articles 1-7 of Article 61 of this Proclamation, shall be fined from Birr seven thousand five hundred to fifteen thousand.

2. An advocate or a law firm who or which violated one of the disciplinary rules provided under sub Articles 8-13 of Article 63, shall be fined from Birr twenty thousand to thirty thousand.

3. The license of an advocate or certificate of registration of a law firm who or which violated one of the disciplinary rules provided under sub Articles 14-20 of Article 63 of this Proclamation, shall be, as the case may be, suspended up to six months.

4. The license of an advocate or certificate of registration of a law firm who or which violated sub-Articles 21- 24 of Article 63 of this Proclamation shall be revoked.

- 5. Qareenka ama shirkadda bixisa adeegga qareenimo ee ku kaca laba jeer shan sano gudaheed lagu ganaaxay falalka anshax-xumada fudud ee lagu xeeriyay qodob-hoosaadyada (1) iyo (2) ee qodobkan, islamarkaana ku kaca fal anshax xumo oo culus, waxaa muddo lix bilood ah lilaa sanad laga xayiri (joojin) shatiga qareenka ama shahaadada diiwaangelinta shirkadda.
- 6. Qareenka ama shirkadda bixisa adeegga qareenimo ee ku kaca laba jeer todoba sano gudaheed loo ganaaxay hab waafaqsan qodob-hoosaadyada (3) ee qodobkan, islamarkaana ku kaca fal anshax xumo oo culus, waxaa laga burin shatiga qareenka ama shahaadada diiwaangelinta shirkadda.
- 7. Fulinta ganaaxyada anshaxmarinta ee lagu xeeriyay qodobkani waxba uma dhimayso masuuliyadda ciqaabeed ee ka dhalanaysa falka.

Qayb-hoosaadka sadexaad
Nidaamka anshaxmarinta,
racfaanka, muddo dhaafka iyo
ciqaabta sharci

65. Nidaamka soo dhaweynta kiiska anshax-xumada

- 1. Nidaamka soo dhaweynta falalka anshax xumada, dhagaysiga iyo go'aaminta ganaaxa anshaxmarinta waxaa lagu faahfaahin awaamiirta uu soo saaro xafiisku.
- 2. Kiisaska la xidhiidha falalka anshax-xumada ee fudud lama dhagaysan karo hadii aan lagu soo gudbin sanad gudaheed oo ka bilaabanta maalinta uu dhacay falku.
- 3. Kiisaska la xidhiidha falalka anshax-xumada ee fudud lama dhagaysan karo hadii aan lagu soo gudbin labo sandood gudahood oo ka bilaabanta maalinta uu dhacay falku.

- 5. በዚህ አንቀጽ ንዑስ አንቀጽ (1) እና (2) ላይ የተጠቀሱትን ጥፋቶች ፈፅሞ በአምስት ዓመት ጊዜ ውስጥ ለሁለት ጊዜ የተቀጣ ጠበቃ ወይም የጥብቅና ድርጅት ሌላ ተመሳሳይ ከባድ የዲስፕሊን ጥፋት የፈጸመ እንደሆነ የጥብቅና ፍቃዱ ወይም የምዝገባ ሰርተፍኬቱ ከ 6 ወር እስከ 1 ዓመት ለሚደርስ ጊዜ ሊታገድ ይችላል።
- 6. በዚህ አንቀጽ ንዑስ አንቀጽ (3) ሥር የተጠቀሰውን ቅጣት በሰባት ዓመት ውስጥ ለሁለት ጊዜ የተቀጣ ጠበቃ ወይም የጥብቅና ድርጅት ሌላ ተመሳሳይ ከባድ የዲስፕሊን ጥፋት ፈጽሞ ከተገኘ የጥብቅና ፍቃዱ ወይም የምዝገባ ሰርተፍኬቱ የሚሰረዝ ይሆናል።
- 7. በዲስፕሊን ጥፋተኛ ሆኖ መገኘትና መቀጣት በወንጀል የሚያስጠይቁ የዲስፕሊን ጥፋቶችን በተመለከተ የወንጀል ተጠያቂነትን አያስቀርም።

ንዑስ ክፍል ሶስት

ስለዲሲፕሊን ክስ አቀራረብ፣ ይርጋ፣ ይግባኝ እና የወንጀል ቅጣት

65. ስለዲሲፕሊን ክስ አቀራረብ

- 1. የዲስፕሊን ክስ አቀራረብ እና የክርክር ሥነ-ሥርዓት አቀራረብ ቢሮው በሚያወጣው መመሪያ የሚወሰን ይሆናል።
- 2. በቀላል የዲስፕሊን ጥፋት ላይ የሚቀርብ ክስ የዲስፕሊን ጥፋቱ በተፈጸመ በአንድ ዓመት ጊዜ ውስጥ ካልቀረበ በይርጋ ይታገዳል።
- 3. በከባድ የዲስፕሊን ጥፋት ላይ የሚቀርብ ክስ የዲስፕሊን ጥፋቱ በተፈጸመ በሁለት ዓመት ጊዜ ውስጥ ካልቀረበ በይርጋ ይታገዳል።

- 5. The license of an advocate or certificate of registration of a law firm who has been punished twice in five years as provided under sub Articles 1 and 2 of this Article shall be suspended for a period of six months to one year if he or it is found violating another similar serious disciplinary rule.
- 6. The license of an advocate or certificate of registration of a law firm, who or which has been disciplined twice for disciplinary measures provided under sub Article 3 of this Article, shall be revoked if he or it is found violating another similar serious disciplinary rule.
- 7. Being punished for violation of disciplinary rules, shall not be a ground for exemption from criminal liability.

SECTION THREE

DISCIPLINARY PROCEEDINGS, PERIOD OF LIMITATION, APPEAL, AND CRIMINAL PUNISHMENT

65. Disciplinary Proceedings

- 1. The procedure and how disciplinary proceedings are conducted shall be governed by a directive to be issued by the Board;
- 2. Charges brought in violation of non-serious disciplinary rules shall be barred if not brought in one year from the date of the commission of the misconduct.
- 3. Charges brought in violation of serious disciplinary rules shall be barred if not brought in two years from the date of the commission of the misconduct.

66. Waxka bedelka go'aanka

anshaxmarinta

1. Hadii la helo cadeymo muujinaya in ganaaxa anshaxmarinta ee lagu riday qareenka ama shirkada bixisa adeega qareenimo lagu saleeyay cadeymo been abuur ah ama markaati beenaale, guddigu wuxuu wax ka bedeli karaa go'aanka anshaxmarinta.
2. Cadeymaha loo soo gudbinayo hab waafaqsan qodob-hoosaadka (1) ee qodobkan waa in lagu soo gudbiyo muddo bil gudaheed ah oo ka bilaabanta maalinta go'aanka lasoo saaray.
3. Iyadoo ay sideeda yihiin arrimaha lagu xeeriyay qodob-hoosaadyada (1) iyo (2) ee qodobkan, nidaamka soo dhaweynta cabashooyinka waxka bedelka ganaaxyada anshaxmarinta waxaa lagu faahfaahin awaamiirta uu soo saaro xafiisku.

67. Nidaamka cabashooyinka iyo

Racfaanka

1. Cidkasta oo ka cabanaya go'aanka anshaxmarinta ee ay soo saaraan guddiga anshaxa qareenadu, waxa uu 30 cisho gudaheed oo ka bilaabanta maalinta uu soo gaadho go'aanka anshaxmarintu u gudbisan karaa cabasho madaxa xafiiska.
2. Madaxa xafiisku, kadib markay soo gaadho cabashada lagu sheegay qodob hoosaadka (1) ee qodobkan, waa inuu 30 cisho gudaheed go'aan kaga gaadho.
3. Cidkasta oo ku doodaysa in go'aanka uu madaxa xafiisku u soo saaray hab waafaqsan qodobkani uu leeyahay khaladaad sharci waxay muddo 30 cisho gudaheed ah oo ka bilaabanta maalinta uu soo gaadho go'aanka anshaxmarintu u gudbisan karaa codsi dib u eegis maxkamadda saree e gobolka.

66. ውሳኔን ስለመከለስ

1. በጠበቃ ወይም በጥብቅና ሙያ አገልግሎት ድርጅት ላይ የተወሰነ የዲስኅሊን እርምጃ በሐሰተኛ ሠነድ፣ ምስክርነት ወይም በመደለያ ስለመሆኑ ማስረጃ ከቀረበ ጉባኤው ጉዳዩን እንደገና በመመርመር አስፈላጊውን ውሳኔ ሊሰጥ ይችላል፡፡
2. በዚህ አንቀጽ ንዑስ አንቀጽ (1) መሠረት የሚቀርብ ማስረጃ ውሳኔ በደረሰው በአንድ ወር ጊዜ ውስጥ አቤቱታውን ማቅረብ አለበት፡፡
3. በዚህ አንቀጽ በንዑስ አንቀጽ (1) እና (2) የተደነገጉት እንደተጠበቁ ሆኖ በጠበቃ ወይም በጥብቅና ሙያ አገልግሎት ድርጅት ላይ የሚቀርብ የዲስኅሊን ክስ አቀራረብ እና የክርክር ሥነ-ሥርዓትን በተመለከተ ቢሮው መመሪያ ሊያወጣ ይችላል፡፡

67. ስለ አቤቱታ እና ይግባኝ

1. በዲስኅሊን ጉባኤው ውሳኔ ቅር የተሰኘ ወገን የዲስኅሊን ጉባኤው ውሳኔ ግልባጭ በደረሰው በሰላሳ ቀናት ውስጥ ለቢሮው ኃላፊ ይግባኝ ማቅረብ ይችላል፡፡
2. የቢሮው ኃላፊው የቀረበለትን አቤቱታ ተቀብሎ በ 15 ቀናት ውስጥ ውሳኔ መስጠት አለበት፤
3. በቢሮ ኃላፊው ውሳኔ ላይ ቅሬታ ያለው ወገን የሕግ ስህተት አለ ብሎ ካመነ የኃላፊው የውሳኔ ግልባጭ በደረሰው በሰላሳ ቀናት ውስጥ ይግባኙን ለክልሉ ከፍተኛ ፍርድ ቤት ማቅረብ ይችላል፡፡

66. Revision of Disciplinary measures

1. Where there is sufficient proof that the Disciplinary measure taken against an advocate or a law firm that provide an advocacy license was based on fraudulent evidence or witness, the Committee may reconsider the matter and revise its decisions.
2. The evidence referred under sub-article (1) of this Article should be submitted within one month from the day of receiving the copy of the decision.
3. Without prejudice to the provisions under sub-article (1) and (2) of this Article, The procedure and how disciplinary proceedings are conducted shall be governed by a Directive to be issued by the Bureau.

67. Appeal

1. A party who has grievance against the decision of the Discipline Committee may lodge an appeal to the Bureau head
2. The head of the Bureau shall reach a decision on the appeal submitted under sub -article (1) of this article within 30 days of receiving the copy of the decision.
3. A party who has grievance over the decision of the Bureau head for mistake of law may apply to the State High Court within 30 days of receiving the copy of the decision.

Qayb-hoosaadka afraad
Usoo celinta xuquuqaha

ንዑስ ክፍል አራት
ስለ መሰየም

SECTION FOUR

REINSTATEMENT

68. Nidaamka soo dhaweynta codsiga

1. Qareenka ama shirkadda bixisa adeegga qareenimo ee lagu xukumay fal anshax-xumo culus, waxa uu hab waafaqsan bayaankan, xeernidaameedka iyo awaamiirta loo soo saaro hab waafaqsan u codsan karaa in diiwaanka laga tiro ganaaxaas islamarkaana dib loogu soo celiyo xuquuqahiisii.
2. Codsiga soo celinta xuquuqaha waxaa loo soo gudbin karaa gudiga anshaxa qareenada, laba sano kadib dhamaadka muddada ganaaxa anshaxmarinta.

69. Nidaamka soo celinta xuquuqaha

1. Qareenka ama shirkadda bixisa adeegga qareenimo ee lagu xukumay fal anshax-xumo ayaa codsiga soo celinta xuquuqaha usoo gudbin guddiga anshaxa qareenada.
2. Hadii guddiga anshaxa qareenadu ku qanco codsiga xuquuq soo celinta, waxa uu xafiiska iyo cidada kale ee ay khusayso weydiin karaa talobixintooda.
3. Guddiga anshaxa qareenadu kadib markay soo gaadho talobixinta xafiiska iyo cidaha ay khusayso ee uu weydiiyay talobixinta islamarkaana uu dhagaysto codsadaha waxa uu go'aamin karaa in diiwaanka laga tiro ganaaxa anshaxmarinta islamarkaana xuquuqaha dib loogu soo celiyo codsadaha.

68. የመሰየም አቤቱታ አቀራረብ

1. በዚህ አዋጅና በአዋጁ መሠረት በሚወጡ ደንቦችና መመሪያዎች መሠረት በከባድ የዲስፕሊን ጥፋት የተቀጣ ጠበቃ ወይም የጥብቅና ድርጅት የጥፋተኛነት ሪከርድ እንዲሰረዝለትና ሥሙ እንዲመለስለት መጠየቅ ይችላል፡፡
2. የመሰየም አቤቱታ የሚቀርበው ለዲስፕሊን ጉባዔ ሆኖ አቤቱታው ሊቀርብ የሚችለው ቅጣቱን ከጨረሰ ከሁለት ዓመት በኋላ ነው፡፡

69. የመሰየም ሥርዓት

1. አመልካች ጠበቃ ወይም የጥብቅና ድርጅት የመሰየም አቤቱታውን ለዲስፕሊን ጉባዔው ያቀርባል፤
2. የዲስፕሊን ጉባዔውም አስፈላጊ ሆኖ ካገኘው ለቢሮው ወይም ሌላ የሚመለከተው አካል በአቤቱታው ላይ አስተያየት እንዲሰጥ ያደርጋል፤
3. የዲስፕሊን ጉባዔውም የቢሮው ወይም የሚመለከተውን አካል አስተያየት ከተቀበለና አመልካቹን በአካል በማነጋገር አስፈላጊውን ምርመራ ካደረገ በኋላ ጥፋቱ ከሪከርድ እንዲሰረዝ ሊወስን ይችላል፡፡

68. Procedure of Reinstatement Application

1. An advocate or a law firm who or which is punishable for serious violation of disciplinary rules as provided under this Proclamation, regulations and directives to be issued there under, shall have the right to apply for reinstatement and his or its name deleted from the register of disciplinary measures.
2. A reinstatement application shall be submitted to the Discipline Committee two years after the completion the disciplinary measure.

69. Procedure of Reinstatement

1. The advocate or a law firm seeking a reinstatement shall submit his/its application to the Discipline Committee;
2. The Discipline Committee, if it finds it necessary, shall refer the application to the Attorney General or other concerned body for its opinion on the application; and
3. The Discipline Committee may strike the disciplinary measure record from the Register after, physically interrogating the applicant and receiving the opinion of the Attorney General or the concerned body and due examination of the case.

70. Natijada soo celinta xuquuqaha

1. Go'aanka soo celinta xuquuqdu waxa uu diiwaanka ka tirayaa go'aanka anshaxmarinta ee lagu riday qareenka ama shirkada.
2. Go'aanka ganaaxa loogu riday qareenka ama shirkadda bixisa adeega qareenimo laguma xusi karo dhokumentikasta oo kale islamarkaana waa in shatigii dib loogu celiyo hadii laga qaaday kadib marka uu ka gudbo imtixaanka loo diyaariyay qareenada uuna buuxiyo shuruudaha lagu xeeriyay bayaankan.
3. Iyadoo arrimaha lagu sheegay qodob hoosaadka (2) ee qodobkani ay sidooda yihiin, qareenka ama shirkadda bixisa adeega qareenimo ee loo ganaaxay falalka anshax-xumada culus ee agu sheegay qodob hoosaadyada (21) ilaa (24) ee qodobka 63^{aad} ee bayaankan, looma soo celinkaro xuquuqahii islamarkaana waxaa reeban inay mar dambe ka shaqeyso adeeg qareenimo.

71. Amarada kale ee guddiga anshaxa qareenada

Guddiga anshaxu qareenadu waxa uu ku amri karaa qareenka ama shirkadda bixisa adeegga qareenimo ee loo soo celiyay xuquuqaha inay muddo cayiman bixiyaan adeeg qareenimo oo bilaash ah.

72. Soo celinta xuquuqaha ee falalka anshax-xumada fudud

qareenka ama shirkadda bixisa adeegga qareenimo ee lagu riday ganaax ka dhan ah fal anshax xumo oo fudud, waxaa loo soo celin karaa xuquuqaheeda sanad kadib maalinta lagu riday ganaaxa anshax-marinta.

70. የመሰየም ውጤቶች

1. አመልካቹ ጠበቃ ወይም የጥብቅና ድርጅት የጥፋተኝነት ሪከርድ ይሰረዝላታል።
2. ሪከርዱ በማናቸውም ዓይነት ውሳኔ ላይ አይጠቀስም፤ ፍቃዱ ተሰርዞበት ከሆነ ለደረጃው የሚሰጠውን ፈተና ተፈትኖ ካለፈ እና በዚህ አዋጅ የተጠቀሱትን መስፈርቶች የሚያሟላ ከሆነ ፍቃዱ ይመለስላታል።
3. የዚህ አንቀጽ ንዑስ አንቀጽ (2) ድንጋጌ ቢኖርም በዚህ አዋጅ አንቀጽ 63 ከንዑስ አንቀጽ (21)-(24) ሥር በተደነገጉት ከባድ የዲስፕሊን ጥፋቶች ምክንያት የጥብቅና ፍቃዱ የተሰረዘበት ወይም በእነዚህ ድርጊቶች በወንጀል የተቀጣ ወይም ከሚሰጠው የጥብቅና አገልግሎት ጋር በተያያዘ በሙስና ወንጀል የተቀጣ ወይም ታስቦ በሚፈጸም እና ከአስር ዓመት ጽኑ እስራት በላይ በሚያስቀጣ ወንጀል ጥፋተኛ ተብሎ የተቀጣ ማንኛውም ጠበቃ ወይም የጥብቅና ድርጅት የተሰየመ ቢሆንም የጥብቅና ፍቃዱ አይመለስለትም፤ በጥብቅና አገልግሎት ሙያ ድጋሚ መሰማራት አይችልም።

71. የዲስፕሊን ጉባዔው ስለሚሰጣቸው ትዕዛዞች

የዲስፕሊን ጉባዔው አንድ ጠበቃ ወይም የጥብቅና ድርጅት እንዲሰየም ሲወስን ነፃ የሕግ አገልግሎት እንዲሰጥ ሊያዘ ይችላል።

72. መሰየምና ቀላል ጥፋቶች

በቀላል ጥፋት የተቀጣ ጠበቃ ወይም የጥብቅና ድርጅት የመሰየም አቤቱታ ማቅረብ ሳያስፈልገው ቅጣቱን ከጨረሰ አንድ ዓመት በኋላ ሪከርዱ ይሰረዝላታል ወይም ቀሪ ይደረግላታል።

70. Effects of Reinstatement

1. The record of the discipline measure taken against the applicant Advocate or law firm shall be removed from the register;
2. The record shall not be mentioned in any kind of decision; if his/its advocacy license was revoked, it shall be returned, on condition of taking the professional competency exam given to his class of license and satisfies the requirements of this Proclamation.
3. Notwithstanding the provisions of sub Article 2 of this Article, any advocate or a law firm whose license was revoked for violation of serious disciplinary rules provided under sub Articles 21-24 of Article 63; shall not get back his license and engage in advocacy service thereafter.

71. Orders of the Discipline Committee

When the Discipline Committee decides on the reinstatement of an advocate or a law firm, it may order the reinstated advocate or law firm, for a specified period, to render free pro bono advocacy service.

72. Reinstatement and Non Serious Disciplinary violations

The record of an advocate or a law firm, who was punished for violation of non-serious disciplinary rules shall be removed or cancelled from the register after one year without the need for him or it to lodge an application for reinstatement.

QAYBTA TODOBAAD

QODOBO KALA DUWAN

73. Masuuliyadda faldambiyeedka

1. Hadii faldambiyeed ka dhalanayo falalka anshax-xumada ah ee lagu xeeriyay bayaankan, qareenka ama shirkadda bixisa adeegga qareenimo waxaa lagu oogi faldambiyeedka ka dhashay falkaas.
2. Iyadoo ay sideeda yihiin arrimaha lagu sheegay qodob-hoosaadka (1) ee qodobkan, qofkasta oo isaga oo aan haysan shatiga qareenimo bixiya adeeg u baahan in loo qaato shati qareenimo, waxaa lagu oogi faldambiyeedka ka dhalanaya falkaas.

74. Qodobada kala guurka

1. Xafiiska ayaa sii wadidoona shaqooyinka bixinta shatiga qareenada inta la aasaasayo guddiyada kala duwan ee lagu xeeriyay bayaankan.
2. Falalka anshax-xumada ahaa ee dhagaysigoodu bilaabmay kahor dhaqangalka bayaankan, waxaa loo dhagaysan islamarkaana go'aan looga gaadhi hab waafaqsan sharciyada dhaqangalka ahaa bayaankan kahor.
3. Dhamaan shaqooyikii qarenadu gacanta kuhayeen ee xeerkan kahoreeyayay waxa ee yeelayaan dhaqangal sharci mana saamaynayso darajooyinka lagu xeeriyay bayaankan.

75. Awooda soo saarista xeer iyo awaamiir

1. Golaha hawl fulinta ee dawlada deegaanka soomaalidu wuxuu mudo lix bilood gudahoda ah kusoo saarayaa xeer nidaameedyada lama huraanka u ah hirgalinta bayaankan.

ክፍል ሰባት

ልዩ ልዩ ድንጋጌዎች

73. የወንጀል ተጠያቂነት

1. የወንጀል ጥፋት የተፈፀመው በዚህ አዋጅ ውስጥ በተገለጹት ሥነ ምግባር የጎደላቸው ድርጊቶች ከሆነ ጠበቃው ወይም የሕግ አገልግሎት የሚሰጠው ድርጅት በዚህ ድርጊት በተፈፀመው ወንጀል ይከሰሳል።
2. በዚህ አንቀጽ ንዑስ አንቀጽ (፩) የተገለጹት ጉዳዮች እንዳሉ ሆኖ የሕግ ባለሙያ ፈቃድ የሌለውና የሕግ ባለሙያ ፈቃድ የሚፈልግ አገልግሎት የሰጠ ሰው በድርጊቱ በተፈፀመው ጥፋት ይከሰሳል።

74. መሸጋገሪያ ድንጋጌዎች

1. ቢሮው በዚህ አዋጅ የተመለከቱትን ልዩ ልዩ ኮሚቴዎች በማቋቋም የጠበቃ ፍቃድ የመስጠት ስራውን ይቀጥላል።
2. ይህ አዋጅ ከፀናበት ቀን በፊት ችሎት የጀመረው ሥነ ምግባር የጎደለው ድርጊት ሰምቶ ውሳኔ የሚሰጠው ከዚህ አዋጅ በፊት በሥራ ላይ በነበሩት ሕጎች መሠረት ነው።
3. በዚህ ደንብ ቁጥጥር ውስጥ ያሉ የህግ ባለሙያዎች የሚወስዱት እርምጃ ሁሉ በህግ ተፈጻሚነት ይኖረዋል እናም በዚህ አዋጅ ውስጥ የተገለጹትን ዲግሪዎች አይነኩም.

75. ደንብና መመሪያ የማውጣት ሥልጣን

1. የክልሉ መስተዳድር ምክር ቤት ይህን አዋጅ ለማስፈጸም የሚረዳ ደንብ በስድስት ወራት ውስጥ ያወጣል።

PART SEVEN

MISCELLANEOUS PROVISIONS

73. Criminal liability

1. If a criminal offense is committed by the unethical actions described in this decree, the lawyer or the legal service organization shall be charged with the crime committed in this action.
2. A person who provides services without a lawyer's license and requires a lawyer's license will be prosecuted for the offense committed in the act despite the cases described in sub- article (1) of this article.

74. Transitory provisions

1. The Bureau will continue the work of granting advocates licenses until by establishing the various committees referred to in this Proclamation.
2. Trials of misconduct commenced prior to the effective date of this Proclamation shall be heard and decided in accordance with the laws in force prior to this Proclamation.
3. All actions taken by legal professionals under the control of this regulation shall be enforceable by law and shall not affect the degrees specified in this Article.

75. Power to Issue Regulations and directives

1. The Administrative council of the region may issue regulations necessary for the implementation of this Proclamation.

2. xafiisku wuxuu soo saari karaa awaamiirta loogu baahan yahay hirgalinta bayaankan iyo xeer nidaameedyada ku soo baxay hab waafaqsan bayaankan mudada sare kucad gudaheeda.

**76. Shuruucda Aan Dhaqangalaka
Lahayn**

- 1 Waxaa hab waafaqsan bayaankan loo buriyay bayaanka ku soo baxay hanaanka diiwaangelinta qareenada iyo bixinta liisanka qareenimadaee dawladda deegaanka soomaalida ee tirsigiisu yahay: 74/2001
- 2 Bayaan, x/nidaameed, awaamiir iyo qaab shaqeed kasta oo ka hor imanaya qodobada bayaankan dhaqangal kuma noqonayo arimaha lagu xeeriyay bayaankan.

77. Mudada dhaqangalka bayaankan

Bayaanani wuxuu dhaqangelayaa laga bilaabo marka lagu soo daabaco Dhool Gazeeta.

Jigjiga, Sane 2014

**MUSTAFE MUXUMED CUMAR
MADAXWEYNAHA DAWLADDA
DEEGAANKA SOOMAALIDA**

2. ቢሮው ይህን አዋጅና በዚህ አዋጅ መሠረት የወጡትን ደንቦች ለማስፈጸም አስፈላጊ የሆኑ መመሪያዎችን ከላይ በተጠቀሰው ጊዜ ውስጥ ሊያወጣ ይችላል።

76. የተሻሩና ተፈጻሚነት የሌላቸው ሕጎች

- 1. በዚህ አዋጅ መሰረት በሶማሌ ክልል መንግስት የጠበቆችን ምዝገባ እና የጥብቅና አገልግሎት ፍቃድ አሰጣጥ ሂደት ላይ የወጣው አዋጅ፡- 74/2001.
- 2. ማንኛውም አዋጅ፣ ደንብ፣ መመሪያ፣ ወይም የአሠራር ሥርዓት በዚህ አዋጅ በተሸፈኑ ጉዳዮች ላይ ተፈጻሚነት አይኖረውም።

77. አዋጁ የሚጸናበት ቀን

ይህ አዋጅ በደል ጋዜጣ ከታተመበት ቀን ጀምሮ የጸና ይሆናል።

ጅግጅጋ፣ ሳኔ፣ 2014

**ሙስጠፋ ሙሁመድ ኡመር
የሶማሌ ክልል መንግሥት ፕሬዝዳንት**

2. The Bureau may issue directives for the implementation of the proclamation and regulations to be issued next to it.

76. inapplicable Laws

- 1. The provisions relating to the powers and functions of the education bureau provided by Proclamation No. 74/96 is hereby repealed by this Proclamation;
- 2. Any regulations, directives, or practices that contravene this Proclamation shall be inapplicable on matters provided for in this Proclamation.

77. Effective Date of this proclamation

This proclamation shall enter into force on the date of publication in the Dhool Gazeta.

Done at Jigjiga, this day of Sane 2022

**MUSTAFE MUHUMED OMER
SOMALI REGIONAL STATE
PRESIDENT**