



Dawladda Deegaanka Soomaalida

DHOOL GAZETA

የሶማሌ ክልላዊ መንግሥት

Somali Regional State

Qimaha የንዱ ዋጋ 5.25 Price	Dhool Gazeta Waxaa Soo Saara Baarlamaanka Dawladda Deegaanka Sommaalida	205
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Tusmo Bayaan Tirsi 23/1994 ayaanka Aasaasida wakaalada Jidadka miyiga ee D.D. Soomaalida." . Bog 1	<u>ማውጫ</u> አጥጅ ቁጥር ፳፫/፲፱፻፺፬ “የሶማሌ ክልላዊ መንግሥት የገጠር መንገዶች ባለሥልጣን ለማቋቋም የወጣ አዋጅ ገጽ ፩	CONTENT Proclamation No. 23/2002 “The Somali Regional State Rural Roads Authority establishment Proclamation Page 1
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Bayaan Tirsi 23/1994
ayaanka Aasaasida wakaalada Jida-
a miyiga ee D.D. Soomaalida.”

Maadaama fidinta jidadka miyigu muhiim u tahay horumarinta dhaqaa-
na iyo Arrimaha Bulshada ee Deegaa-
a.

Maadaama dhismaha iyo dayactirka
ladka miyigu u sida ugu habboon u
rgeli karo marka uu arrinta maamulo
fiis deegaan..

Haddaba, sida ku cad dastuurka ee
ib loo habeeyey Qod.49/3/B/ Golaha
Iarlamaanka deegaanka Soomaalidu
axa uu bayaaminayaa qaanuunkan so
cda:-

QAYBTA KOOWAAD
GUUD AHAAN

od. I^{aad} ciiwaan Gaaban
ayaankan waxa loogu yeedhi karaa
Bayaan Aasaasida wakaalada Jida-
ca miyiga ee D.D. Soomaalida bay-
in tirsi- 23/1994

አዋጅ ቁጥር ፳፫/፲፱፻፺፬

“የሶማሌ ክልላዊ መንግሥት የገጠር
መንገዶች ባለሥልጣን ለማቋቋም የወጣ
አዋጅ

የገጠር መንገዶች መስፋፋት ለክልሉ
የኢኮኖሚና ማህበራዊ ልማት ወሳኝ
በመሆኑ:-

የገጠር መንገድ ግንባታና ጥገና በቅል
ጥፍና ሊካሄድ የሚችለው ራሱን በቻለ
የክልል ተቋም ሲመራ በመሆኑ:-

የሶማሌ ክልላዊ መንግሥት ም/ቤት
በተሻሻለው ህገ መንግስት አንቀጽ ፵፱/፫/
ሀ/ መሰረት የሚከተለውን አውጇል:-

ክፍል አንድ
ጠቅላላ

አንቀጽ ፩ አጭር ርዕስ

ይህ አዋጅ የሶማሌ ክልላዊ መንግሥት
የገጠር መንገዶች ባለስልጣን ለማቋቋም
የወጣ አዋጅ ቁጥር ፳፫/፲፱፻፺፬ ተብሎ
ሊጠቀስ ይችላል።

PROCLAMATION No. 23/2002
“THE SOMALI REGIONAL
STATE RURAL ROADS
AUTHORITY ESTABLISHMENT
PROCLAMATION

WHERE AS, the expansion of rural
Roads is decisive for the economic and
social development of the Region.

WHERE AS, the construction and
maintenance of rural Roads can effec-
tively be carried out when managed by
an autonomous regional body.

NOW, THEREFORE, the council
of the Somali Region in accordance
with Article 49(3) (A) of the revised
constitution, it is hereby proclaimed as
follows;

PART ONE

1-Short Title:-
This proclamation may be cited as
“The Somali Regional state Rural
Roads Authority establishment
Proclamation No 23/2002.

Qod.2 Qeexid:-

Haddii macnaha eraygu aanu keenin macne kale bayaankan dhexi-diisa:-

1. "Jidadka Miyiga" waxa loola jeedaa wakaalada jidadka ee Itoobiya, tiiyoo ay raacayso awoodaha lagu siiyey bayaa-nka Aasaaska wakaaladaas, bayaan No.80/1987 jidadka ay u xeerisay inay yihiin jida-dka Miyiga.
2. "Deegaan" waxa loola jeedaa Deegaanka Soomaalida.
3. "Golaha" Waxa loola jeedaa Golaha baarlamaanka Deega-ank Soomaalida.
4. "Wasaarada" waxa loola jee-daa laamaha Fulinta ee dawl-ada dimocraadiga federaalka itoobiya Bayaanka ku soo baxay awoodaha iyo waajibaa-dkooda bayaan No: 4/1987 wa-saaraarada awoodeeda lagu xusay ee Hawlaha guud iyo Horumarinta magaalooyinka
5. "Wakaalada" waxa loola jee-daa wakaalada jidadka miy-iga dawladda Deegaanka Soo-maalida ee lagu aasaasay bay-aaankan.
6. "jid beeled" waxa loola jee-daa jid bulsho isku deegaan ah muruqeed, maalkeega ama kaalmo ay ku dhisteen ama dayactireen iyaga oo raa-caya himilooyinka horumarin-eed ee Goluhu u soo saaro.
7. "Dhisme" waxa loola jeedaa qabashada hawlaha dhismay-aasha iyo hagaajinta.
8. "Guddiga sare" waxa loola jee-daa Gudiga maamulaya waka-alada ee lagu aasaasay bayaa-nkan lagana soo xulay xafiisy-ada kala duwan.

Qaybta labaad

Qod.3-Aasaasida iyo cidda uu wakaalada hoos tagayo:-

1. waxaa bayaankan lagu aasaa-say Wakaalada Jidadka miy-iga Deegaanka Soomaalida, oo wixii hadda ka dambeeya loogu yeedhi doono "wakaal-ada", waa xafiis dawladdeed oo leh dhammaan xuquuqaha sharciyeed, iskiina u taagan.
2. Wakaaladu Waxay hoostagaa-ysa xafiiska xidhiidhinta hor-umarinta xoolo-dhaqataada iyo reer Guraga .

አንቀጽ ፪ ትርጓሜ

የቃሉ አግባብ ሌላ ትርጓሜ የማይሰጥ ካልሆነ በስተቀር በዚህ አዋጅ ውስጥ:-

- ፩. "የጠር መንገድ" ማለት የኢትዮጵያ መንገዶች ባለስልጣን በተቋቋመበት አዋጅ ቁጥር ፹/፱፻፱ በተሰጠው ስልጣን ገጠር መንገድ ተብሎ የሚያሰመው መንገድ ነው።
- ፪. "ክልል" ማለት የሶማሌ ክልል ማለት ነው።
- ፫. "ምክር ቤት" ማለት የሶማሌ ክልላዊ መንግሥት ምክር ቤት ማለት ነው።
- ፬. "ሚኒስቴር" ማለት ኢትዮጵያ ፌዴራላዊ ዲሞክራሲያዊ ሪፐብሊክ ያስፈጻሚ አካላትን ስልጣንና ተግባር ለመወሰን ባወጣው አዋጅ ቁጥር ፱/፲፱፻፺ የተቋቋመው የስራና ከተማ ልማት ሚኒስቴር ሲሆን በዚህ አዋጅ የተጠቀሰውም በተቋቋመበት አዋጅ በተሰጠው ስልጣን ምክንያት ነው።
- ፭. "ባለስልጣን" ማለት በዚህ አዋጅ መሠረት የተቋቋመው የሶማሌ ክልላዊ መንግሥት የጠር መንገዶች ባለስልጣን ነው።
- ፮. "የኮሚቴ መንገድ" ማለት ምክር ቤቱ በሚያወጣው ፖሊሲ መሰረት የየአካ ባቢው ሕዝብ በገንዘቡና በጉልበቱ ወይም በእርዳታ የሚሰራውና የሚጠግነው መንገድ ነው።
- ፯. "ግንባታ" ማለት የኮንስትራክሽንና የማሻሻያ ተግባሮችን የማከናወን ተግባር ነው።
- ፰. "ቦርድ" ማለት በዚህ አዋጅ መሠረት ከሚመለከታቸው አካላት ተወጣጥቶ የተቋቋመ ባለስልጣኑን የሚመራ አካል ነው።

ከፍል ሁለት

አንቀጽ ፫:- ስለመቋቋምና ተጠሪነት

- ፩. የሶማሌ ክልላዊ መንግሥት የጠር መንገዶች ባለሥልጣን ከዚህ በኋላ "ባለሥልጣኑ" እየተባለ የሚጠራ የሕግ ስውነት ያለው ራሱን የቻለ የክልል መሥሪያ ቤት ሆኖ በዚህ አዋጅ ተቋቋሟል።
- ፪. ባለሥልጣኑ ተጠሪነቱ ለአርብቶ አደርና ገጠር ልማት ማስተባበሪያ ጽ/ቤት ይሆናል።

2-Definition:-

Unless the context requires otherwise in this Proclamation;

- 1) "Rural Roads" means a road designated as rural Road by the Ethiopian Roads Authority pursuant to power vested in it under the Ethiopian Roads Authority establishment proclamation No.80/1995.
- 2) "Region" Means the Somali Region
- 3) "Council" means the council of the Somali Region.
- 4) "Ministry" Means the ministry of the Public works and urban development established under the definition of powers and duties of the executive organs of the federal democratic Republic of Ethiopia Proc. No 4/1995 and referred to here in respect of powers vested in it pursuant to such proclamation.
- 5) "Authority" means the Rural Roads Authority of the Somali Regional State established under this Proclamation.
- 6) "Community roads" means a road which the people of a given community constructs, maintains or with aid following a policy to be issued by the council.
- 7) "Construction" means undertaking of the construction and improvement activities.
- 8) "Board" means the management Board of the Authority established pursuant to this proclamation, selected from the concerned bodies.

PART TWO

3- Establishment & Accountability:-

- 1) The Somali Regional State Rural Roads Authority Hereinafter referred to as the "Authority" is hereby established as an autonomous Regional Authority having a juridical personality pursuant to this proclamation.
- 2) The Authority shall be accountable to the Pastoralist & Rural Development co-ordinating office

Qod.4-Qaab-dhismeedka wakaalada:-

- Wakaaladu waxay yeelanaysa;
1. Guddi sare oo Guddoomiyaheeda iyo xubnaheegaba ay magacawdo Golaha hawl-fulintu.
 2. Maareeye Guud oo ay magacawdo Golaha hawl-fulinta (cabinet), marka Madaxweynuhu soo hordhigo.
 3. Shaqaalaha kale ee lagama maarmaan u ah shaqada.

Qod.5^{ad} Ujeeddooyinka wakaalada:-

Ujeeddooyinka wakaaladu waa inay horumariso, maamushana jidadka miyiga,, ayna abuurto xalaad u sahaleysa si ay bulshadu ka qayb-qaadasho toos ah ugu yeelan lahayd dhismeyasha iyo dayactirka jid beeledyada

Qod.6^{ad} Xarunta wakaalada:-

Xarunta wakaaladu iyada oo ay jig-Jiga-tahay, haddana waxay gobaolada iyo degmooyinka ku yeelan laamo hadba sida baahidu tahay

Qod.7^{ad} Afeef:-

Waxa reeban in jidadka miyiga iyo jid beeledyadaba la dhiso iyadoon la samaynin qorshe dayactir oo lagu kalsoon yahay ama aan la haysan cudduda ku habboon dayactir shaqo.

Qaybta Saddeexaad

Qod.8^{ad} Awoodaha iyo waajibadka Wakaalada:-

Wakaaladu waxay yeelanaysaa awoodahan iyo waajibaadyadan:-

1. Waxay dhaqangalisaa himilooyinka iyo xeerarka dawladada ee ku wajahan jidadka.
2. waxay yagleeshaa himilooyinka, xeerarka iyo awaamiirta la xidhiidha jid beeledyada iyo jidadka miyiga ee deegannka
3. Waxay diyaarisaa qorshaha iyo barnaamijka wakhtiga gaaban iyo ka fogba, marka la ansixiyana hirgelisaa
4. Waxay samaysaa, isla markaana amartaa sidii jidadka miyiga loogu samayn lahaa daraasad mashaariiceed.

አንቀጽ ፬. የባለስልጣኑ ድርጅታዊ አወቀቅር

ባለሥልጣኑ:-

- ፩. ሰብሳቢውና አባላቱ በምክር ቤቱ ካብኔው የሚሰየም አንድ ቦርድ
- ፪. በፕሬዚዳንቱ አቅራቢነት በምክር ቤቱ ካብኔ የሚሾም አንድ ዋና ስራ አስኪያጅና
- ፫. ለስራ አስፈላጊ የሆኑት ሰራተኞች ይኖሩታል።

አንቀጽ ፭. የባለሥልጣኑ አላማዎች

የባለስልጣኑ አላማዎች ገጠር መንገዶችን ለማልማትና ለመስተዳደር እንዲሁም ህዝቡ በኮሚቴ መንገድ ግንባታና ጥገና በቀጥታ የሚሳተፍበትን አመቺ ሁኔታ መፈጠር ይሆናል።

አንቀጽ ፮. ዋና መስሪያ ቤት

የባለስልጣኑ ዋና መስሪያ ቤት ጅጅጋ ከተማውስጥ ሆኖ ቅርንጫፍ መስሪያ ቤቶች በዞንና በወረዳ ደረጃ እንደአስፈላጊነቱ ማቋቋም ይችላል።

አንቀጽ ፯. ክልል

አስተማማኝ የመንገድ ጥገና ዕቅድ ላይደረግ ወይም ብቁ የጥገና ግብር ሐይል ላይኖር የገጠር መንገድም ሆነ የኮሚቴ መንገድ ግንባታ ማካሄድ በጥብቅ የተከለከለ ነው።

ክፍል ሦስት

አንቀጽ ፰. የባለሥልጣኑ ሥልጣንና ተግባራት

ባለሥልጣኑ የሚከተሉት ስልጣንና ተግባሮች ይኖሩታል።

- ፩. መንገዶችን የሚመለከት የመንግስት ፖሊሲዎችንና ህጎችን ያስፈጽማል።
- ፪. ባለስልጣኑን ገጠር መንገዶችና ኮሚቴ መንገዶችን የሚመለከቱ ክልላዊ ፖሊሲዎችን፣ ሕጎችንና መመሪያዎች ያመነጫል።
- ፫. የአዋጅና የረጅም ጊዜ ዕቅዳችንና ፕሮግራሞችን ያዘጋጃል፤ ሲጻፉም ተግባራዊ ያደርጋል።
- ፬. የገጠር መንገዶችን ፈዘቢሊቲ ጥናት ያካሂዳል እንዲካሄድም ያደርጋል።

4-organizational Structure

The Authority shall have:-

- 1) A Board whose chairman members to be appointed by cabinet of the council.
- 2) The General manager to be appointed by the cabinet of the council upon the recommendation of the president
- 3) The other necessary staff.

5- Objective of the Authority:-

The objectives of the Authority to develop and administer Rural Roads and to create a proper condition for direct participation of the people in the construction and maintenance of community Roads.

6-Head Office:-

The Authority shall have its head office in Jijiga, and may establish branch offices in zonal and woreda level as may be necessary

7- Prohibition:-

The construction of either Rural Roads or community Road is strictly prohibited without reliable road maintenance plan or the existence of competent maintenance task force.

PART THREE

8-Powers and Duties of the Authority

The Authority shall have the powers and duties to:-

- 1) Implement policies and laws of the government relating Roads.
- 2) Initiate regional policies, laws and directives relating to the Authority, Rural Roads and community Roads.
- 3) Prepare short and long term plans and programmes and implement same upon approval.
- 4) Carry out and cause the carrying out of feasibility studies on Rural Roads.

Iyada oo raacaysa xeerka naqshadaha ee u yaala wakaalada jidadka ee itoobiya, isla markaana adeegsanaysa la taliyaal tayo leh ayay wakaaladu diyaarisaa nashqadaha loogu baahan yahay daraasada iyo dhismayaasha deg deg ah.

Waxay ku dhista jidadka miyiga qandaraasleyaal. Hase ahaatee, hadii ay u aragto in aanay mukhaarash ahayn waxay ku dhisi cududeeda Cuddudeeda ama iyada oo adeegsanaysa qandaraasleyaal ayey dayactirtaa jidadka miyiga.

Waxay bixisaa qandaraasyo iyada oo raacaysa nidaamka qandaraasyada ee u dajisan wasaarada, marka la qabanayo dhismayaasha iyo dayactirka jidadka miyiga ee lagu fulinayo miisaaniyad dawlada fulinteedana dabagashaa, isla markaana hubisaa. Iyada oo raacaysa kolba sida wasaaradu xal u arragto ayey nashqadaha, dhismaha, dayactirka iyo dabagalka jidadka miyiga si tartan caalami ah qandaraasleyaal ama injineero la taliyeyaal ah qandaraas ku Siisa. isla markaana dabagal ku samaynaysa in awaamiirta wasaaradu soo saartay ee la xidhiidha fulinta la meelmarshay, hubisaana.

1. Iyadoo qodobkan qodob hoosaadkiisa 8^{aad} iyo 9^{aad} ilaashan yihiin:-

b) Waxay diyaarisaa go'aankeedana Golaha hawl-fulinta u Gudbisaa siyaabaha ay u aragto in dhismayaasha ama dayactirka jidadka miyiga in ay ku fuliso cududeeda ama u adeegsato qandaraasleyaal.

t) Waxay go'aamisaa shuruudaha lagu xulanayo qandaraaslayaasha iyo muhandisyo laga talo qaato, marka jidadka miyiga lagu sameynayo daraasad mashruuceed, mid nashqadaha iyo kormeerba.

1. Waxay dadweynaha u fidisaa adeegyo xaga farsamada ah slamarkana isku dubaridida hawlaha jid beeleedyada la xidhiidha.

፩. የኢትዮጵያ መንገዶች ባለሥልጣን የሚያወጣቸውን የዲዛይን ደረጃዎች በመከተል ለገጠር መንገዶች የሚያስፈልጉትን ዲዛይኖች በብቁ አማካሪዎች አማካይነት ያዘጋጃል ለጥናትና ለአስተዳደር ግንባታ የሚያስፈልጉትን ዲዛይኖች ያዘጋጃል።

፪. የገጠር መንገዶችን ግንባታ በስራ ተቋራጭ አማካይነት ያካሂዳል ሆኖም ግንባታን በስራ ተቋራጮች አማካይነት ማካሄድ የሚያዋጣ ሆኖ ሲገኝ በራሱ ሃይል ያካሂዳል።

፫. ገጠር መንገዶችን በራሱ ሃይል ይጠግናል ወይም በስራ ተቋራጮች ያስጠግናል።

፬. ሚኒስቴሩ የሚያዘጋጃቸውን የውል ፎርምችን በመከተል ግንባታቸውና ጥገናቸው በመንግስት በጀት የሚካሄድ ደባቸውን የገጠር መንገዶች ውሎችን ይዋወላል። አፈፃፀማቸውን ይከተላል ያረጋግጣል።

፭. ሚኒስቴሩ በሚወስነው አማራጭ መሰረት የገጠር መንገዶችን ዲዛይን፣ ግንባታ፣ ጥገናና የግንባታ ቁጥጥር በዓለም አቀፍ ጨረታ ለስራ ተቋራጭ ወይም ለአማካሪ መሀንዲሶች የሚሰጥ ሲሆን ሚኒስቴሩ የሚያወጣቸው የአፈጻጸም መመሪያዎች መተግበራቸውን ይከታተላል ያረጋግጣል።

፮. በዚህ አንቀጽ በንዑስ አንቀጽ ፮ እና ፱ የተደነገጉት እንደተጠበቀ ሆኖ:-

ሀ) የገጠር መንገድ ግንባታ ወይም ጥገና በራሱ ሐይል ወይም በጨረታ የሚከናወንበትን አማራጭ እያጠና ለምክር ቤቱ ካበኔ የውሳኔ ሃሳብ ያቀርባል።

ለ) ለገጠር መንገዶች ግንባታና ጥገና ፊዚቢሊቲ ጥናት ዲዛይንና ግንባታ ቁጥጥር የሚያስፈልጉ እንደ አግባብነቱ ሥራ ተቋራጮች ወይም አማካሪ መሀንዲሶች የሚመርጥበት ሁኔታ ይወስናል።

፲፩. የኮሚቴ መንገዶችን በሚመለከት ያስተባብራል የቴክኒክ አገልግሎት ይሰጣል።

5) Prepare through qualified consultants, designs required for Rural Roads following design standard issued by the Ethiopian Roads Authority, prepare design required for study and emergency construction.

6) Construct Rural Roads through contractors provided that it may undertake construction by its own force where contracting out of same is not feasible.

7) Maintain Rural Roads by its own force or through contractors.

8) Award contracts following forms of contracts drawn up by the ministry for the construction and maintenance of Rural Roads financed with the budget of the government: Follow up and ensure implementation of same.

9) Follow up and ensure that directives of the ministry are complied with when the contracts for design, construction, maintenance and supervision in respect of Rural Roads are awarded to contractors or consultants through international competitive bidding and according to the alternative determined by the ministry.

10) Notwithstanding the provisions of sub Article 8 and 9 of this Article.

(a) Study and recommend to the cabinet of council the alternatives of undertaking the construction or maintenance of Rural Roads with its own force or through contractors.

(b) Determine the conditions of selecting contractors or consulting engineers as the case may be feasibility study, design and supervision in respect of Rural Roads.

11) Coordinate and render technical service to the public with respect to community Roads.

waxay cilmi baadhis la taaban karo ku sameysaa jidadka miyiga, natijada wax ku oolka ah ee ka soo baxdana ku hawlgeshaa.

Waxay tababartaa ama amarta tababarida cudduda da-deed ee horumarinta iyo dayactirka jidadka miyiga loogu baahan yahay.

Iyadoo ka tala qaadaneysa wakaalada jidadka ee Itoobiya ayey jidadka miyiga ku sameysaa calaamadaha taraafikada iyo calaamadaha kale ee la xidhiidha jidadka miyiga.

Waxay ka dhaqan-gelisaa jidadka miyiga sharciyada la xidhiidha miisaanka iyo cabbirka gaadiidka.

Waxay jidadka miyiga ka dhawrtaa waxyeelooyinka gaadhaya iyo si xun u isticmaalka, isla markaana ka saartaa turunturooyinka ka dhaca.

Waxay go'aaminsaa baaxada dhulka ay wakaaladu uga baahan tahay dhulka ku xeersan, dhinaca ku haya jidadka miyiga iyo siyaabaha cida kale dhulkaas ku adeegsa karan

Dhulka iyo waxyaabaha adkaha ah ee loo adeegsado dhismaha iyo dayactirka jidadka miyiga iyo weliba hoyga, hangarrada iyo adeegyada kal-eba bilaa khidmad ayey ku isticmaali karaan, hase ahaatee dhulkaas ay isticmaalayso wixii hanti ah ee ku yaala sida sharcigu dhigayo ayey u magdhabaysaa.

Waxay diiwaan-gelisaa jidadka shakhsi ama hay'adi dhisto, dayactirto ama maamusho oo loogu talagalay in lagu fuliyo adeeg ama ujeeddado shakhsi, midgaar ah ama mid guud ahaaneed.

1. Talaabooyinka lagu daryeelayo deegaanka ayay qaadaa marka ay gudanayso awoodaha iyo waajibbaadkeeda

1. Waa mukiile hanti, wuxuu galaa heshiisyo wuxuu magaciisa ku oogi karaa dacwad sidoo kale waa lagu oogi karaa isagana.

2. Waxay qabanaysaa wax kasta oo door ka qaadan kara dhaqan-gelinta awoodaha iyo waajibbaadkeeda.

፲፪. ገጠር መንገዶችን በሚመለከት የማቴሪያል ጥናት ያካሂዳል እንዲካሄድም ያደርጋል። የተገኙ ጠቃሚ ውጤቶችንም በስራ ላይ ያውላል።

፲፫. ለገጠር መንገዶች ልማትና ጥገና የሚያስፈልገውን የሰው ሃይል ያሰለጥናል እንዲያሰለጥን ያደርጋል።

፲፬. የኢትዮጵያ መንገዶች ባለስልጣን በመማከር የትራፊክ መቆጣጠሪያ ምልክቶችን ወይንም መሳሪያዎችን ዲዛይን ይሰራል። በገጠር መንገዶችም ላይ ይኖራል።

፲፭. የተሽከርካሪ ክብደትና መጠን ደንቦችን በገጠር መንገዶች ላይ ያስፈጽማል።

፲፮. ገጠር መንገዶች ከጉዳትና አላአግባብ ከመጠቀም ይጠብቃል በገጠር መንገዶች የሚከሰቱ እንቅፋቶች ያስወግዳል እንዲወገዱ ያደርጋል።

፲፯. ከገጠር መንገዶች ግራና ቀኝ እንዲሁም በአካባቢው ለስራው የሚያስፈልገውን የመሬት መጠንና ሌሎች ሰዎች በዚህ መሬት የሚጠቀሙበትን ሁኔታዎች ይወስናል።

፲፰. ለገጠር መንገዶች ግንባታና ጥገና እንዲሁም ለመኖሪያ፣ ለመሳሪያ መሳሪያና ለሌሎች አገልግሎት የሚያስፈልገውን መሬትና ድንጋይ ነክ ሀብቶች ያለክፍያ ይጠቀማል ሆኖም በሚጠቀምበት መሬት ላይ በሚገኙ ንብረቶች በህግ መሠረት ካሳይክፍላል።

፲፱. ማንኛውም የተፈጥሮ ሰው ወይም የግል ሰው ለግል፣ ለልዩ ወይም ለጋራ ዓላማና አገልግሎት የሚሰራውን የሚጠግነውንና የሚያስተዳድረውን መንገድ ይመዘግባል።

፳. ሥልጣንና ተግባሩን በሥራ ላይ በሚያውልበት ጊዜ አካባቢው እንዲጠበቅ የሚያስፈልጉትን ጥንቃቄዎች ያደርጋል።

፳፩. የንብረት ባለቤት ይሆናል፡ውል ይዋዋላል፣ በስሙ ይከሃላል ይከሰሳል።

፳፪. ሥልጣንና ተግባሩን ለመፈፀም የሚያስፈልጉ ሌሎች ተዛማጅ ተግባሮች ያከናውናል።

- 12) Conduct or cause the carrying out of material research relating to Rural Roads, apply useful result thereof.
- 13) Train or cause the training of human resource required for the development and maintenance of Rural Roads.
- 14) Design in consultation with the Ethiopian Roads Authority traffic control posts and device relating to Rural Roads place same on Rural Roads.
- 15) Enforce vehicles weight and size regulations on Rural Roads
- 16) Protect Rural Roads from damage and abuse, remove and cause the removal of obstructions from Rural Roads.
- 17) Determine the extent of land required for its activities in the adjacency as well as surrounding of Rural Roads and the conditions of use of such land by others.
- 18) Use free of charge land and such other resource and quantity substances required for the purposes of constructing and maintenance of Rural Roads, camps, storage of equipment and other required services provided However, that it shall pay compensation in accordance with the law for property on the land it uses
- 19) Registers a road constructed, maintained and administered by any physical or juridicial person for private, special or common purposes or service.
- 20) Take necessary measures to protect the environment on the implementation of its powers and duties.
- 21) Own property, enter into contract, sue and be sued in its own name.
- 22) Perform other related duties as are required for the implementation of its powers and duties.

Qod 9^{aa} - Xubnaha Gudiga sare:-
Wakaaladu waxay yeelanaysaa Guddi sare oo ka kooban (5) xubnood oo Magacawdo Golaha Hawl fulintu ahna laamaha khuseeya.

10. Awoodaha iyo waajibaadka Gudiga sare:-

Guddiga sare waxay yeelanayaan woodaha iyo waajibaadyadan:-

1. Wuxuuu qiimayn ku sameeyaa himilooyinka horumariinta, xeerarka iyo awaamiirta deegaanka ee uu soo bandhigo Maareeyaha Guud, sidoo kale qorshaha wakhtiga gaaban iyo ka dheer, barnaamijka shaqo sannadeed iyo miisaaniyada wakaalada, ka hor intaan golaha hawl-fulinta ee deegaanka loo gudbin, marka la ansixiyana fulinteeda dabagalaan.
2. Wuxuu hubiyaa hirgelinta himilooyinka, xeerarka iyo awaamiirta ka soo baxda dawladaha dhexe iyo ta deegaankaba ee ku saabsan jidadka Miyiga.
3. Waxay ansixiyaan hab dhaqameedyada iyo awaamiirta wakaaladu raacayso marka ay gudanayso shaqadeeda.
4. Waxay magacaaban xubnaha sare maareynta hoostaggana maareeyaha Guud.
5. Waxay go'aan ka gaadhaan waxyaalaha kale ee maareeyaha Guud soo hordhigo.

Qad 11- Kalfadhiga Guddiga sare:

1. Kulanka caadiga ee Guddiga waxa la qabani saddexdii biloodba mar. Hase ahaatee, marka u Gudoomiyuhu isku ugu yeedho ama maareeyaha Guud ee wakaaladu codsado, waxay yeelan kulan aan caadi ahayn.
2. Shirarka Guddigu waxay qabsoomi marka xubnaha Guddiga aqlabiyadoodu jogto.
3. Guddigu go'aan waxay ku gaadhi karaan marka xubnaha jooga ay cod dheeri ah ku taageeraan. Hase ahaatee, haddi codka xubnuhu isle'eg noqdo shir guddoonka aya yeelan cod dheeri ah.
4. Iyadoo arrimaha qodobkani sidooda yihiin guddigu waxay dajisan karaan xeer-hoosaa-dyo iyo habraacyo lagu maamulayo qaabka shirarkoda.

አንቀጽ ፱ - የቦርዱ አባላት

ባለሥልጣኑ አግባብነት ያለቸው አምስት /፮/ አባላት ያቀፈ በካብረው የሚመዘኑ ቦርድ ይኖሩታል።

አንቀጽ ፲ - የቦርዱ ስልጣንና ተግባር

ቦርዱ የሚከተሉት ስልጣንና ተግባሮች ይኖሩታል:-

- ፩. የባለሥልጣኑ ዋና ሥራ አስኪያጅ የሚያመነጫቸውን ክልላዊ ፖሊሲዎችን፣ ሕጎችና መመሪያዎችን እንዲሁም የባለስልጣኑ የአጭርና የረጅም ጊዜ እቅዳትን፣ ዓመታዊ የስራ ፕሮግራሞችንና በጀት ለምክር ቤቱ ካብሪ ከመቅረቡ በፊት ይገመገማል። ሲፈቅድም አፈፃፀማቸውን ይከታተላል።
- ፪. ገጠር መንገዶችን በሚመለከት መንግስትና ክልሉ የሚያወጧቸው ፖሊሲዎች፣ ሕጎችና መመሪያዎች በሥራ ላይ መዋላቸው ይረጋገጣል።
- ፫. ባለሥልጣኑ ለስራው አፈፃፀም የሚመራባቸውን ውስጠ ደንቦችና መመሪያዎች ያጸድቃል።
- ፬. ተጠሪነታቸው ለዋናው ሥራ አስኪያጅ የሆኑት ከፍተኛ የሥራ አመራር አባላቶችን ይሾማል።
- ፭. በዋና ሥራ አስኪያጅ በሚቀርቡ ሌሎች ጉዳዮች ላይ ይወስናል።

አንቀጽ ፲፩ የቦርድ ስብሰባ

- ፩. የቦርዱ መደበኛ ስብሰባ በየሦስት ወሩ አንድ ጊዜ ይካሄዳል ሆኖም በሰብሰቢው ሲጠራ ወይም በባለስልጣኑ ዋና ሥራ አስኪያጅ ሲጠየቅ ቦርዱ በማናቸውም ጊዜ አስቸኳይ ስብሰባ ሊያደርግ ይችላል።
- ፪. በቦርድ ስብሰባ ላይ አብዛኛቸው አባላት ስገኙ ምዕራብ ጉባዔ ይሆናል።
- ፫. የቦርዱ ውሳኔ የሚተላለፈው በስብሰባው በተገኙ አባላት በአብዛኛው ድምጽ ሲደገፍ ነው።
- ፬. የዚህ አንቀጽ ድንጋጌዎች እንደተጠበቁ ሆኖ ቦርዱ የራሱን የስብሰባ ስነ ስርዓትና ደንብ ሊያወጣ ይችላል።

9. Members of the Board:-

The Authority shall have a Board consist of the (5)members to be appointed by the Cabinet from the Peritenant bodies.

10. Powers and Duties of the Board
The Board shall have the powers and duties to:-

- 1) Review before submission to the cabinet of the council regional policies, laws and directives initiated by the General Manager as well as short and long term plan, annual work program and budget of the Authority, follow up the implementation of same upon approval by the regional council.
- 2) Ensure the implementations of policies, laws and Directives issued by the Government and the region relating to the Rural Roads.
- 3) Approve internal rule and directives guiding the Authority in the performance of its activities.
- 4) Appoint senior members of management who are directly accountable to the General manager.
- 5) Decide on such matters as may be submitted to it by the General manager.

11 Meeting of the Board -

- 1) The regular Board meetings shall be held once every three months, provided however, that the Board may hold extra ordinary meeting at any time when called by the chairman or upon request by the General manager of the Authority.
- 2) The presence of the majority of the members at any board meeting shall constitute a quorum.
- 3) Decisions of the Board shall be passed when supported by simple majority vote of members present at meeting. Provided however, the chairman shall have a casting vote in case of tie.
- 4) Without prejudice to the provisions of this Article the Board may issue its own rules and procedures governing the conduct of meetings.

Qod.12. Awoodaha iyo Waajibaadka Maareeyaha guud:-

1. Maareeyaha Guud Waa awooda ugu sareysa ee wakaalada sidaas awgeedna wuxuu hagua, maamulaana hawlaha wakaalada.

2. Iyadoo uuna qodobkan qodob hoosaadkiisa (1) aan lagu koobin maareeyaha Guud Waa:-

B) Wuxuu hirgelinayaa awoodaha iyo waajibaadyada wakaalada ee ku xusan baayaankan qodobkiisa 8aad

T) Hab waafaqsan bayaanka tirisi 42/1985 ee arrimaha shaqada iyo shaqaalaha ayuu shaqaale wakaalada u shaqaaleeyaa, maamulaana isla markaana eryaa.

J) Wuxuu diyaariyaa xeer-hoosaadada iyo awaamiirta wakaalada lagu hagayo marka ay gudaneyso shaqa-deeda. marka guddiga sare ansixiyana wuu dhaqan-galiyaa.

x) Wuxuu diyaariyaa guddiga sarena hordhiga qorshaha wakhtiga gaaban iyo kan dheer, barnaamijka waxqabad sannadeedka iyo miisaaniyada wakaalada, marka la ansixiyana wuu dhaqan-galiyaa.

kh) Miiisaaniyada wakaalada loo oggolaado ayuu si waafaqsan qorshaha shaqo lacagta ugu fasaaxaa.

d) Si waafaqsan sharciga ayuu magaca wakaalada akownti u furaa, dhaq-dhaqaajiyaana.

r) Wuxuu soo xulaa, guddiga sarena hordhigaa magacaabista xubnaha sare ee maareeynta ee hoos imanaya maareeyaha guud.

s) Wuxuu fuliyaa isla markaana amaraa fulintiisa go'aanada guddiga sare.

sh) Wuxuu si kaltan ah u gudbiyaa guddiga sare warbixinta waxqabadka shaqo, aarrimaha xisaabaadka iyo warbixinta odhitarka ee wakaalada.

Dh) waxa uu matalaa wakaalada marka lala macaamiloonayo cid kale.

አንቀጽ ፲፪ የዋናው ሥራ አስኪያጅ

ሥልጣንና ተግባር

1- ዋናው ሥራ አስኪያጅ የባለሥልጣን ዋና ሥራ አስፈጻሚ ሆኖ የባለስልጣኑን ሥራዎች ይመራል ያስተዳድራል።

2- በዚህ አዋጅ ንዑስ አንቀጽ /1/ ላይ ወሰን ዋናው ስራ አስኪያጅ፡-

ሀ/ በዚህ አዋጅ በአንቀጽ ፳ የተመለከቱት የባለስልጣኑ ሥልጣንና ተግባሮች ሥራ ላይ ይውላል።

ለ/ በአሠሪና ሠራተኛ ጉዳይ አዋጅ ቁጥር ፱፪/፲፰፻፹፭ መሰረት የባለስልጣኑ ስራተኞች ይቀጥራል ያስተዳድራል ያሰናብታል።

ሐ/ ባለስልጣኑ በሥራው አፈፃፀም የሚመራባቸው ውስጠ ደንቦችና መመሪያዎች ያዘጋጃል በቦርዱ ሲፈቀድም በስራ ላይ ይውላል።

መ/ የባለስልጣኑ የአጭርና የረጅም ጊዜ እቅዶችን፣ ዓመታዊ የሥራ ፕሮግራሞችና በጀት በማዘጋጀት ለቦርድ ያቀርባል ሲፈቀድም በሥራ ላይ መዋላቸውን ያረጋግጣል።

ሠ/ በፀደቁ የባለስልጣኑ ፕሮግራሞችና በጀት መሰረት ገንዘብ ወጪ ያደርጋል።

ረ/ በህግ መሰረት በባለስልጣኑ ስም የባንክ አካውንት ይከፍታል ያንቀሳቅሳል።

ሰ/ ተጠሪነታቸው ለዋናው ሥራ አስኪያጅ የሆኑ የባለስልጣኑን ክፍተኛ የሥራ አመራር አባላትን መርጦ ለቦርዱ ሹመት ያቀርባል።

ሸ/ የቦርዱ ውሳኔዎች ይፈጽማል ያስፈጽማል።

ቀ/ የባለስልጣኑን የስራ አፈፃፀም የሂሳብ መግለጫዎችንና የኦዲት ሪፖርቶችን ለቦርዱ ያቀርባል።

በ/ ከሦስተኛ ወገኖች ጋር በሚደረጉ ግንኙነቶች ሁሉ ባለስልጣኑን ይወክላል።

12-Powers and Duties of the

General Manager

1) The General manager shall be the chief executive officer of the Authority and shall direct and administer the activities of the Authority.

2) With out being limited by sub Article (1) of this Article, the general manager shall:-

(a) Implement the powers and duties of the Authority stated in Article 8 of this proclamation.

(b) Employ, administer and dismiss the employees of the Authority in accordance with the labour proclamation No.42/1993

(c) Prepare internal rules and directives guiding the Authority in the performance of its activities, implement same upon approval by the Board.

(d) Prepare and submit to the Board the short and long term plans, annual work programs and budget of the Authority and implement same upon approval.

(e) Effect expenditure, in accordance with the work program and budget approved to the Authority.

(f) Open and operate bank accounts in the name of the Authority in line with the laws.

(g) Submit for appointment by the Board senior members of management who are directly accountable to the General manager.

(h) Implement and cause the implementation of the decisions of the Board.

(i) Submit periodically to the Board progress reports, books of accounts and Audit reports of the Authority.

(j) Represent the Authority in all its dealings with third parties

3) Oggolaansho gaar ah marka guddiga sare ka helo ayuu xaliyaa khilaafyada si ka baxsan Maxkamadda.

4) Kolba heerka geedii socodka shaqada wakaaladu u baa-han tahay ayuu qayb ka mid ah awoodiisa iyo waajibaadki-isa u wakiilan karaa mas' uuliyiinta iyo shaqaalaha wa-kaalada hase ahatee, wakila shaadaas haddi ay ka badan tahay 30 maal mood Waa in marka hore Gudiga sare ansi-xiyaan.

Qaybta AFRAAD
SHURUUCDA KALA
DUWAN.

Qod.13-Ilaha lacageed:-
ilaha lacageed waxay noqona-yan kuwan so socda.

- 1- Miisaaniyad ay u qoondaysa Dawladda Deegaanku.
- 2- Sanduuqa Jidadka iyo
- 3- Meelo kale.

Qod.14- Diiwaanada xisaaba- adka iyo hanti dhawrka:-

- 1- Wakaaladu waxay xafidey-saa diiwaanada xisaabaadka oo dhamaystiran, islamark-ana saxna ah.
- 2- Diiwaanada xisaabaadka iyo dukumentiyada lacageed ee wakaalada waxaa sannadki-iba mar hanti dhawr ku sam-aynaya hanti dhawrka guud ee deegaanka ama odhiitar uu u xilsaaray.
- 3- badhiis fasameed ayaa lagu samaynaya dhisme kaste iyo dayactir ugu yaraan sann- adkiiba mar.

Qod.15- Shuruucda aan dhaq- angalka lahayn :-
Sharci kasta oo lid ku ah bayaankani waxyaabaha uu xeerinayo ma yellanayo fuli- tan sharci.

Qod.16- Muddada dhaqan-ga- lka
Bayaankan waxaa uu dhaqa- n-gelayaa marka lagu soo da- abaco Dhool-Gazeta.

Cabdi-rashiid Duulane Rafle
Madaxweynaha D.D.
Soomaalida.

፫- ዋናው ሥራ አስኪያጅ ቦርዱን በተለይ በማስፈቀድ ክርክሮችን ከፍርድ ቤት ውጪ መፍታት ይችላል።

፬- ዋናው ሥራ አስኪያጅ የባለስልጣኑ ሥራ በቅልጥፍና በሚያስፈልገው መጠን ሥልጣኑና ተግባሩን በከፊል ለባለስልጣኑ የሥራ ኃላፊዎችና ሌሎች ሠራተኞች በውክልና ሊሠጥ ይችላል ሆኖም እራሱን ተክቶ ከ30 ቀናት ለሚበልጥ ጊዜ የሚሠራ ኃላፊ ሲወክል ውክልናው በቅድሚያ ለቦርድ ቀርቦ መጽደቅ አለበት።

ክፍል አራት

ልዩ ልዩ ድንጋጌዎች

አንቀጽ ፲፫- የገቢ ምንጭ

የባለስልጣኑ ገቢ ከሚከተሉት ምንጮች የሚገኝ ይሆናል።

፩- የክልሉ መንግሥት በሚመደበው በጀት

፪- የመንገድ ፈንድ እና

፫- ሌሎች ምንጮች

አንቀጽ ፲፬- የሂሳብ መዛግብትና

አዲት

፩- ባለስልጣኑ የተሟሉና ትክክለኛ የሆኑ የሂሳብ መዛግብቶች ይይዛል።

፪- የባለስልጣኑ ሂሳብና ገንዘብ ነክ ሰነዶች በክልሉ ዋና አዲተር ወይም ዋና አዲተር በሚሰይመው ሌላ አዲተር በየአመቱ ይመረምራሉ።

፫- የቴክኒክ ምርመራ በእያንዳንዱ የግንባታ ጥገና ሥራዎች ላይ ቢያንስ በዓመት አንድ ጊዜ ይከናወናል።

አንቀጽ ፲፭- ተፈጻሚነት ስለሌላቸው

ሀጎች

በዚህ አዋጅ በተሸፈነው ጉድዮች የሚቃረን ማናቸውም ህግና ደንብ ተፈጻሚነት አይኖራቸውም።

አንቀጽ ፲፮ አዋጁ የሚፀናበት ጊዜ

ይህ አዋጅ በዶል ጋዜጣ ታትሞ ከወጣበት ቀን ጀምሮ የፀና ይሆናል።

አብድራሽድ ዱላኔ ረፊሌ
የሱማሌ ክልላዊ መንግሥት
ፕሬዚዳንት

3) The General manager may wi the specific permission of ti Board settle disputes out of cou

4) The General manager may d legate part of his powers at duties to the officials and oth employees of the Authority to tl extent necessary for the efficie management of the Authori Provided However, that the d legation of an official who acts c his behalf for more than 30 day requires prior approval of tl Board.

PART FOUR

Miscellaneous provisions

13-Source of income

The Authority shall be finance from the following sources:-

- 1) Budget allocated by the Region State.
- 2) The Road fund.
- 3) Other sorces.

14 Books of Accounts an Auditing

- 1) The Authority shall keep complet and accurate books of accounts.
- 2) The accounts and financi documents of the Authority sha be audited annually by the auditc General of the Region or b auditors designated by him.

3) Technical examination shall b undertaken on each constructio and maintenanc work at leas once a year.

15- Inapplicable laws
No law, in so far as it is inconsis tent with this proclamation, sha have force or effect in respect o matters provided for by thi proclamation.

16- Effective Date:-
This proclamation shall enter i to force when published on Dhc Gazeta.

Abdirashid Dulane Rafle
President of the Somali Regional State