



Waggaa 9<sup>ffaa</sup> ..... Lak. 12  
ግዳ ዓመት ..... ቁጥር ፲፪  
9<sup>th</sup> year ..... No. 12

Finfinnee, Waxabajjii 15/1993  
ፊንፊን ሰኔ ፲፮ ቀን ፲፱፻፹፫  
Finfine, June 22<sup>th</sup> 2001

# MAGALATA OROMIYAA

## መ ገ ለ ተ አ ሮ ሚ ያ

# M E G E L E T A O R O M I A

Gatiin Tokkoo ..... 4.25	Too'annaa Caffee Mootummaa Naannoo Oromiyaatiin Kan Bahe	Lakk. S. Poostaa ..... 101769
ያንዱ ዋጋ .....	በኦሮሚያ ክልላዊ መንግሥት ም/ቤት ጠባቂነት የወጣ	የፖ.ሣ.ቁጥር .....
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### QABEENTAA

Labsii Lakkoofsa 66/1995

'Labsii manneetii murtii Hawaasummaa Gandaa Mootummaa Naannoo Oromiyaa irra Deebi'anii Dhaabuu fi aangoo isaanii murteesuuf bahe lakk 66/95 ..... fulla 1

### ማውጫ

አዋጅ ቁጥር ፳፮/፲፱፻፹፮

“የኦሮሚያ ክልላዊ መንግሥት ቀበሌ ማኅበራዊ ፍርድ ቤቶችን መልሶ ለማቋቋምና ሥልጣናቸውን ለመወሰን የወጣ አዋጅ ቁጥር ፳፮/፲፩ ..... ገጽ ፩

### CONTENT

Proclamation No. 66/2003

'Proclamation to provide for the Re-establishment and determination of the powers of the social courts of the Regional State of oromia proclamation No. 66/2003 ..... Page 1

### LABSII MANNEEN MURTII HAWAASUMMAA GANDAA IRRA DEEBI'ANII DHAABUUF BAHE

Manneen Murtii Hawaasummaa Gandoota hunda keessatti bu'uura Heera Mootummaa Naannoo Oromiyaa kan fooyya'ee baye kee.101(1) tiin haala haaraatiin kan ijaaraman waan ta'eef;

Labsii lak. 13/89 aangoo manneen murtii Hawaasummaa gandaa murteessuuf bayee hojii irra jiru aangoo manneen murtii kanaaf seerichaan kennaman ilaalchisee qabxiilee jiran hundaaf hiikoo kan hin kennine waan ta'eef.

Aangoo manneen murtii Hawaasummaa kallattii Heera Mootummaa Naannoo Oromiyaa isa fooyya'ee bayeen irra deebi'anii murteessuun barbaachisaa waan ta'eef.

Bu'uura Heera Mootummaa Naannoo Oromiyaa kan bara 1994 fooyya'ee baye kee. 49(3)(A) tiin kan kanatti aanu labsameera.

### የቀበሌ ማኅበራዊ ፍርድ ቤቶችን መልሶ ለማቋቋም የወጣ አዋጅ

በተሻሻለው የኦሮሚያ ክልላዊ መንግሥት ሕገ-መንግሥት አንቀጽ ፻፩ (፩) መሠረት የቀበሌ ማኅበራዊ ፍርድ ቤቶች በሁሉም ቀበሌዎች ውስጥ በአዲስ መልክ የተቋቋሙ በመሆናቸው ፤

የቀበሌ ማኅበራዊ ፍርድ ቤቶችን ሥልጣን ለመወሰን የወጣውና በሥራ ላይ ያለው አዋጅ ቁጥር ፲፫/፹፱ ለእነዚህ ፍርድ ቤቶች በሕገ-የተሰጣቸውን ሥልጣን አስመልክቶ ለሁሉም ጉዳዮች አልባት የማይሰጥ በመሆኑ ፤

የተሻሻለውን የኦሮሚያ ክልላዊ መንግሥት ሕገ-መንግሥት መሠረት በማድረግ የቀበሌ ማኅበራዊ ፍርድ ቤቶችን ሥልጣን መልሶ መወሰኑ አስፈላጊ ሆኖ በመገኘቱ ፤

በተሻሻለው የኦሮሚያ ክልላዊ ሕገ-መንግሥት አንቀጽ ፵፱(፫)(ሀ) መሠረት የሚከተለው ታውጇል ።

### PREAMBLE

WHEREAS, social courts are dully re-established in all Kebeles by virtue of Article 101 (1) of the Revised Constitution of the Regional State of Oromia.

WHEREAS, Proclamation No. 13/97 which was issued to determine the jurisdiction of social courts in Oromia does not adequately address all issues pertaining to matters falling within the jurisdiction of these courts;

WHEREAS, it is found necessary to re-define their powers in light of the Revised Constitution;

NOW THEREFORE, in accordance with Article 49(3)(A) of the 2001 Revised Constitution of the Regional State of Oromia, it is hereby proclaimed as follows:

**KEEWWATA 2. Hiika**

Akkaataan jechichaa hiika biraa kan kennisiisuuf yoo ta'e malee, Labsii kana keessatti:

- (a) "Abbaa seeraa mana murtii hawaasummaa gandaa" (kana booda Abbaa seeraa jedhamee kan ibsamu) jechuun mana murtii haawaasummaa ganda keessatti abbaa seerummaatiin tajaajiluudhaaf bu'uura labsii kanaatiin nama filatame ta'ee eeggattootas kan dabalatudha.
- (b) "Ganda" jechuun naannoo caasaaleen mootummaa kan gadi-jallaa jechuun mana marii gandaa fi mana marii bulchiinsa gandaa, akkasumas, mana murtii haawaasummaa gandaa qabatuu dha.
- (c) "Mana Marii Gandaa" jechuun Heera Mootummaa Naannoo Oromiyaa kan bara 1994 fooyya'ee bahe keessatti haala ibsameen miseensoonni isaa jiraattoota uummata gandaatiin kallattiidhaan kan filataman ganda keessatti qaama aangoo ol'aanaa qabuudha.
- (d) "Mana marii Bulchiinsa Gandaa" jechuun Heera Mootummaa naannoo Oromiyaa kan bara 1994 fooyya'ee bahe keessatti haala ibsameen qaama raawwachiiftuu gar-jallaa gandaati.
- (e) "Mana Murtii Hawaasummaa gandaa" (kana booda mana murtii jedhamee kan ibsamu) jechuun mana murtii haawaasummaa sadarkaa gandaatti hundeeffamuudha.

**KEEWWATA 3. IBSA SAALAA**

Labsii kana keessatti saala dhiiraan kan ibsame saala dubbartiis kan illalu ta'a.

**KEEWWATA 4. HUNDEEFFAMA**

- 1) Gandoota Mootummaa Naannoo Oromiyaa hunda keessatti bu'uura labsii kanaatiin Manneen Murtii Hawaasummaa Gandaa hundeeffamaniiru.
- 2) Manneen Murtii Hawaasummaa kanaan dura hundeeffamanii jiran bu'uura labsii kanaatiin akka hundeeffamanitti ni lakkaa'aman.

**KEEWWATA 5. KAAYYOOWWAN MANNEEN MURTII HAWAASUMMAA GANDAA**

Mannen Murtii Hawaasummaa Gandaa kaayyoowwan kanaan gadii ni jabbatu:

- (a) Mirqa, bilisummaa fi faayidaa uummataa fi dhuunfaa heeraa fi seeraan eegaman kabachiisu.

**፪. ትርጓሜ**

የቃሉ አግባብ ሌላ ትርጉም የሚያሰጠው ካልሆነ በስተቀር በዚህ አዋጅ ውስጥ፤

- ሀ) "የቀበሌ ማኅበራዊ ፍርድ ቤት ዳኛ" /ከዚህ በኋላ ዳኛ ተብሎ የሚጠቀሰው/ ማለት በዚህ አዋጅ መሠረት በቀበሌ ማኅበራዊ ፍርድ ቤቶች ውስጥ በዳኝነት እንዲያገለግል የተመረጠ ሰው ሆኖ ተጠባባቂ ዎችንም የሚጨምር ነው።
- ለ) "ቀበሌ" ማለት በክልሉ መንግሥት መዋቅር የበታች /ዝቅተኛው/ መዋቅር ማለትም የቀበሌ ምክር ቤትና የቀበሌ አመራር ምክር ቤት እንዲሁም የቀበሌውን ማኅበራዊ ፍርድ ቤት የሚኖረው ነው።
- ሐ) "የቀበሌ ምክር ቤት" ማለት በ፲፱፻፺፩ ዓ.ም. ተሻሽሎ በወጣው የአሮሚያ ክልላዊ ሕገ-መንግሥት ውስጥ በተጠቀሰው መሠረት በቀበሌው ከፍተኛው ሥልጣን ያለው አካል ነው።
- መ) "የቀበሌ አመራር ምክር ቤት" ማለት በ፲፱፻፺፩ ዓ.ም. ተሻሽሎ በወጣው የአሮሚያ ክልላዊ መንግሥት ሕገ-መንግሥት በተጠቀሰው መሠረት የቀበሌ የበታች አስፈጻሚው አካል ነው።
- ሠ) "የቀበሌ ማኅበራዊ ፍርድ ቤቶች" /ከዚህ በኋላ ፍርድ ቤት ተብሎ የሚጠራው/ ማለት በቀበሌ ደረጃ የሚቋቋም የቀበሌ ማኅበራዊ ፍርድ ቤት ነው።

**፫. የጾታ አገላለጽ**  
በዚህ አዋጅ ውስጥ በወንድ ጾታ የተገለጸው የሴትንም ጾታ የሚመለከት ይሆናል።

**፬. መቋቋም**  
፩. በአሮሚያ ክልላዊ መንግሥት ውስጥ ባሉት ቀበሌዎች ሁሉ የቀበሌ ማኅበራዊ ፍርድ ቤቶች በዚህ አዋጅ ተቋቋመዋል።  
፪. ከዚህ በፊት ተቋቋመው ያሉት የቀበሌ ማኅበራዊ ፍርድ ቤቶች በዚህ አዋጅ እንደተቋቋሙ ይቆጠራሉ።

**፭. የቀበሌ ማኅበራዊ ፍርድ ቤቶች ዓላማዎች**

የቀበሌ ማኅበራዊ ፍርድ ቤቶች የሚከተሉት ዓላማዎች ይኖራቸዋል፤

- ሀ) በሕገ መንግሥትና በሌሎች ሕጎች ጥበቃ የተደረገላቸውን የሕዝብና የግለሰብ ጥቅም መብትና ነፃነት፡-

**Article 2. Definitions**

Unless the context demands otherwise, in this Proclamation:

- (a) "Judge of the Social Court" (herein after referred to as "the judge") shall mean a person who is elected to the judgeship of a Social Court in accordance with this Proclamation including acting judges.
- (b) "Kebele" shall mean the lowest government structure comprising the Kebele Council, the Kebele Administration Council and the Social Court.
- (c) The "Kebele Council" shall mean the highest organ of the Kebele as defined in the 2001 revised Constitution of the Regional State of Oromia whose members are elected directly by the residents of the Kebele.
- (d) The "Kebele Administration Council" shall mean the lowest executive organ of the Kebele as defined in the 2001 revised Constitution of the Regional State of Oromia.
- (e) The "Social Court" (hereinafter referred to as "the court") shall mean the court which is established at the Kebele level pursuant to this Proclamation.

**Article 3. Reference to Gender**

Provisions of this Proclamation set out in the masculine gender shall also apply to the feminine gender.

**Article 4. Establishment.**

- 1. social courts are hereby established in each Kebele of the Regional State of Oromia.
- 2. All the social courts which were in existence prior to the coming into force of this Proclamation shall be deemed to have been established pursuant to this Proclamation.

**Article 5. Objectives of the Social Courts**

The objectives of the social courts shall be the following:

- (a) Protection of the public and individual rights, freedoms and interests recognized by the constitution and other laws;

- (b) Jiraattota gandaa jidduutti nagaa fi tasgabbii mirkaneessuudhaan misoomaaf haala mijaa'aa uummuu fi,
- (c) Jiraattonni gandaa hubannoo seeraaf qaban akka cimuu tattaaffii gochuu ta'a.

**KEEWWATA 6. BILISUMMAA ABBAA SEERUMMAA**

Abbootiin Seeraa Mana Murtii Hawaasummaa Gandaa hojii abbaa seerummaa isaanii bilisummaa guutun raawwatu. Seeraan malee haala biraatiin hin hooganamani.

**KEEWWATA 7. HAALA BAKKEE FI YEROO DHAADDACHI ITTI ILAALAMU**

- 1) Manni Murtii Hawaasummaa Gandaa dhaddacha uummataaff ifa ta'etti hojii dhaddachaa ni adeemsisa, ta'us jireenya dhuunfaa falmattootaa, haamilee ummatichaa fi nageenya biyyattii ykn naannoodhaa eeguudhaaf jecha qofa falmichi dhaddacha cufaa ta'een dhagayamuu ni danda'a.
- 2) Manneen Murtii Hawaasummaa Gandaa hojii isaani kan gaggeessan:
  - (a) Iddoo Manni Maree Bulchiinsa Ganda hojii isaa itti gaggeessutti ta'a.
  - (b) Yeroo hojii idilee murtaa'uun ta'a. Yeroo kanas hawaasichi akka hubatuuf beeksisa ni maxxansu.

**KEEWWATA 8 FILANNOO ABBOTII SEERAA**

- 1) Abbootiin Seeraa Mana Murtii Hawaasummaa Gandaa dura taa'aa bulchaa gandaatiin dhihaatanii walgahii Mana Marii Gandaatiin sagalee sadii keessaa lama yoo argatan ni filataman.
- 2) Barri hojii isaanii bara hojii Man Marii Gandaa wajjiin tokko ta'a. Abbaan Seeraa tokko bara hojii biraatiif deebi'ee filatamuu ni danda'a.
- 3) Jiraattoota gandaa keessaa miseensa Mana Marii Bulchiinsa Gandaa fi misensa mana marii gandaa sagalee qaban kan hin taane, umriin isaa waggaa (soddomaa) 30 ol ta'ee fi afaan Oromoo kan dubbatu kan fakkenya gaarii, tattaaffii fi kaka'umsa hojii, kabajaa fi amantaa uummataa qabu abbaa seeraa Mana Murtii Hawaasummaa Gandaa ta'ee filatamu ni danda'a.

ለ) በቀበሌ ነዋሪዎች መካከል ሠላምና መረጋጋትን በማረጋገጥ ለልማት ምቹ ሁኔታን መፍጠር፤

ሐ) የቀበሌው ነዋሪዎች ያላቸው የሕግ ግንዛቤ እንዲጎለብት ጥረት ማድረግ ይሆናል።

፩. የዳኝነት ነፃነት  
የቀበሌ ማኅበራዊ ፍርድ ቤቶች ዳኞች የዳኝነት ሥራቸውን በሙሉ ነፃነት ያከናውናሉ፤ ከሕግ በስተቀር በሌላ አይመሩም።

፪. የችሎት አካሄድ፣ ማስቻያ ሥፍራና ጊዜ

፩. የቀበሌ ማኅበራዊ ፍርድ ቤቶች ለሕዝብ ግልጽ በሆነ ችሎት ያስችላሉ ሆኖም የተከራካሪዎችን የግል ኑሮ የሕዝብን ሞራል እና የሀገሪቱን ወይም የክልሉን ሠላም ለመጠበቅ ሲባል ብቻ ክርክሩ በዝግ ችሎት ሊሰማ ይችላል።

፪. የቀበሌ ማኅበራዊ ፍርድ ቤቶች ሥራቸውን የሚያከናውኑት፡-  
ሀ) የቀበሌው ምክር ቤት አስተዳደር ሥራውን በሚያከናውንበት ቦታ ነው።  
ለ) መደበኛው የሥራ ሰዓት የሚወሰን ይሆናል። ይህንንም ጊዜ ሕዝቡ እንዲያውቀው ማስታወቂያ ይሰጥላል።

፫. የዳኞች አመራረጥ፡-

፩. የቀበሌ ማኅበራዊ ፍርድ ቤት ዳኞች በቀበሌው ሊቀመንበር አቅራቢነት የቀበሌው ምክር ቤት ጉባዔ ፪/፫ኛ ድምጽ ካገኙ ይመረጣሉ።

፪. የሥራ ዘመናቸው ከቀበሌው ምክር ቤት የሥራ ዘመን ጋር አንድ ይሆናል። አንድ ዳኛ ለሌላ የሥራ ዘመን መልሶ ሊመረጥ ይችላል።

፫. ከቀበሌው ነዋሪዎች የቀበሌ አመራር ምክር ቤትና የቀበሌው ምክር ቤት ድምፅ ሰጪ አባል ያልሆነ ዕድሜው ከሠላሣ ዓመት በላይ የሆነ የኦሮምኛ ቋንቋ የሚናገር ጥሩ ሥነ-ምግባር እና የሥራ ተነሳሽነት ያለው ከሕዝቡ አክብሮትና አመኔታ ያለው የቀበሌ ማኅበራዊ ፍርድ ቤት ዳኛ ሆኖ ሊመረጥ ይችላል።

- (b) Ensuring peace and stability among the Kebele community, and thereby create conducive atmosphere for development, and
- (c) Making their best level efforts to raise the legal consciousness of the Kebele community.

**Article 6. Independence of the Judiciary**

judges of the social courts shall exercise their judicial power in full independence. They shall be guided by no other authority than that of the law.

**Article 7. Proceedings in Social Courts.**

- 1). Social courts shall hold their hearings in open courts. Provided, however, that they may hold hearing in camera only if it is in the interest of the privacy of the parties, or of public morality, and national or local security.
- 2) Social courts shall conduct hearings at:
  - (a) the place where the Kebele Council sits, and
  - (b) a determined regular time. They shall notify the public of this regular working time.

**Article 8. Election of Judges.**

- 1) Judges of the social courts shall, up on the recommendation of the chairman of the kebele, be elected by a two third majority vote of the Kebele Council.
- 2) Their office tenure shall be the same as that of the Kebele Council. Provided, however, that a judge may be re-elected for another term.
- 3) Any resident of the kebele, except members of the Kebele Administration Council and voting members of the Kebele Council, who is more than thirty years of age, speaks Afaan Oromo and whose diligence and good reputation won him public respect and trust can be elected as a judge of social courts.

- 4) Ulaagaaleen keewwata 8.3 jalatti ibsaman akka jiranitti ta'ee namoota filanoodhaaf dhihaatan keessaa:
  - (a) kan afaan Oromootiin barreessuu fi dubbisuu danda'an fi
  - (b) dubartootni akka filataman jajjabeeffamuu qabu.

**KEEWWATA 9. BAYY'INA ABBOOTII SEERAA.**

- 1) Manni murtii Hawaasummaa Gandaa tokko abbootii seera sadii (3) fi eeggattoota abbootii seeraa Lama (2) ni qabaata.
- 2) Dhaddachi abbootii seeraa sadiin (3) gaggeeffama.
- 3) Manni marichaa Abbootii seera yeroo filu abbaa seeraa walitti qabaa, kan mirgaa, kan bitaa, eggataa tokkoffaa fi eggataa 2<sup>aa</sup> eenyu akka ta'u battaluma filatamanitti adda baasee muirteessuun irra jiraata.

**KEEWWATA 10. HOJIIRRAA GAGGEEFFAMUU**

- 1) Abbaan Seeraa Mana Murtii Hawaasummaa hojjiirraa kan gaggeeffamu.
  - (a) Barri hojii isaa yeroo dhumu;
  - (b) Barri hojii isaa dhumuu baatus hojii isaa irratti dadhabina kan agarsiise yoo ta'e yookiin balleessaa kan raawwate yoo ta'e fi kunis Murtii mana marii Gandaatiin sagalee caalamaatiin yoo murtaaye.
  - (c) Gandicha gadhiise yoo deeme,
  - (d) Mana Marii Bulchiinsa Gandaa keessatti miseensa ta'ee yoo filatame; ykn.
  - (e) Mana Marii Gandaa keessatti miseensa sagalee qabu ta'ee yoo filatamedha.
- 2) Keewwata 10.1 (a) jalatti kan ibsame jiraatus abbaan seera barri hojii isaa dhume hanga filannoon bara haaraa adeemsifamutti hojjiirra ni tura.
- 3) Sababa abbaan seeraa keewwata 10.1, (b) (c) fi (d) tiin gaggeeffameef dhaddacha hirate guutuuf abbaan seeraa eeggataa tokkoffaan yookiin lammaffaan, akkuma dabaree isaatiin, mana murtichaatiin bakka bu'ee akaa hojjatu ni gaddhamu.

፬. በአንቀጽ ፳(፫) ሥር የተዘረዘሩት መመዘኛዎች እንደተጠበቁ ሆነው ለምርጫ ከቀረቡ ሰዎች ውስጥ ፡-

- ሀ) የአርምኛ ቋንቋ የሚጽፍና ማንበብ የሚችልና ፤
- ለ) ሴቶች እንዲመረጡ ሊበረታቱ ይገባል ።

**፱. የዳኞች ቁጥር**

- ፩. አንድ የቀበሌ ማኅበራዊ ፍርድ ቤት ሦስት ዳኞችና ሁለት ተጠባባቂ ዳኞች ይኖሩታል ።
- ፪. ችሎት በሦስት ዳኞች ይካሄዳል።
- ፫. ምክር ቤቱ ዳኞችን ሲመርጥ ስብሰቤ ዳኛ ፣ የቀኝ ፣ የግራ አንደኛ ተጠባባቂ እና ሁለተኛ ተጠባባቂ ማን መሆን እንዳለበት ሲመረጡ ለይቶ መወሰን አለበት።

**፲. ከሥራ ስለመሰናበት ፍ**

- ፩. የቀበሌ ማኅበራዊ ፍርድ ቤት ዳኛ ከሥራው ሊሰናበት የሚችለው ፡-
  - ሀ) የሥራ ዘመኑ ሲጠናቀቅ
  - ለ) የሥራ ዘመኑ ባይጠናቀቅም በሥራው ላይ ድክመት ካሳየ ወይም ጥፋት የፈፀመ እንደሆነና ይኸውም በቀበሌው ምክር ቤት አብላጫ ድምፅ ከተወሰነ
  - ሐ) ቀበሌውን ለቆ ከሄደ
  - መ) በቀበሌው አመራር ምክር ቤት ውስጥ በአባልነት ከተመረጠ ወይም
  - ሠ) በቀበሌው ምክር ቤት ውስጥ ድምፅ ያለው አባል ሆኖ ከተመረጠ ፤
- ፪. በአንቀጽ ፲/፩/ ሀ/ ሥር የተጠቀሰው ቢኖርም የሥራ ዘመኑ በተጠናቀቀ ዳኛ አዲስ ምርጫ እስከሚካሄድ ድረስ በሥራ ላይ ይቆያል ።
- ፫. በአንቀጽ ፲/፩/ ለ/ ሐ/ እና/ መ/ መሠረት ዳኛው ከሥራው በመሰናበቱ የጎደለውን ችሎት ለማሟላት እንደኛ ወይም ሁለተኛ ተጠባባቂ ዳኛ እንደ ቅደም ተከተላቸው በፍርድ ቤቱ ተወክሎ እንዲሠራ ይደረጋል ።

- 4) Subject to the requirements stated under Art 8(3), among the requites
  - (a) those who can write and read afan Oromo; and
  - (b) females, shall be encouraged.

**Article 9 The Number of Judges.**

- 1) Each social court shall have three (3) judges and two (2) other acting judges.
- 2) There shall sit three (3) judges in a bench.
- 3) The presiding judge, the right and the left judges and the 1<sup>st</sup> and the 2<sup>nd</sup> acting judges shall be determined at the time of election.

**Article 10 Removal of Judges.**

- 1) Judges of the social courts can be removed on the following grounds:
  - (a) When the term for which they are elected expires;
  - (b) However, a judge may be removed by a majority vote of the decision of the Kebele Council if he is proved incompetent or inefficient even though the term for which he was elected is yet to expire;
  - (c) In cases where he abandons his residence in that Kebele;
  - (d) In cases where he is elected to the Kebele Administration Council;
  - (e) In case where he is elected as a voting member of the Kebele Council;
- 2) Notwithstanding what is provided under sub. Article 10 (1) (a) above, a judge whose term of office has expired shall remain in office until the next election.
- 3) The first or the second acting judge may, in this order, act in his stead when a judge is removed pursuant to sub-article 10 (1) (a), (c) and (d) of this Article.

- 4) Bakka abbaa seeraa eeggatic-haa abbaa seeraa gaggeeffame bakka bu'e filannoon bu'uura keewwata 8.1 tiin ni gaggeeffama,
- 5) Akkaataa keewwata 10.1 (b)tiin abbaan seeraa dadhabina argisiisuun isaa karaa dura taa'aa Gandaatiin koree dhaabataa dhimma bulchinsa fi seeraatiin qulqullaayee mana marichaaf dhiyaata.

**KEEWWATTA 11. DHADDACHA IRRAA KA'UU**

- 1) Abbaan seeraa tokko kaka'umsa mataasaatiin ykn iyyannoon falmattoota keessaa garee tokkoon yoo irratti dhiyaate sababoota kanaan gaditti ibsamaniin dhaddacha irraa ka'uu ni danda'a;
  - (a) Dhimma ofii itti himate yookiin himatame ykn ragummaatti lakkaayame yoo ta'e falmattoota wajjin lola yookiin firooma dhihoo yoo qabaateef dhimmicharratti murtii haqaa kennuuf sababa isa rakkisuu danda'u yoo qabaate, ykn sababni biraa murtii haqaa kennuuf isa rakkisu yoo jiraate,
  - (b) Dhimmicha jaarsummaadhaan dursee kan ilaale yoo ta'e.
  - (c) Keewwata 11.1 (a) jalatti kan ibsame firooma dhihoo jechuun abbaa seerichaatiif namoota abbaa, haadha, akkoo, akaakayyuu, ijoollee, obbolaa, eessuma, wasiila, adaadaa, niitii (dhirsa), hamaatii, abbiyyuu fi ijoollee firoota tarreeffaman kan ta'an jechuudha.
- 2) Abbaan seeraa tokko dhaddacha irraa akka ka'u iyyanniyeroo dhiyaate abbootii seeraa lamaan hafaniin murtiin iyyannicha irratti ni kennama. Isaan lamaan yaadaan waliigalluu yoo dadhaban abbootii seeraa eeggattoota keessaa tokko dabalatanii sagalee caalmaatiin kan murteessan ta'a.
- 3) Murtiin iyyannaa kanaratti kennamu ol' iyyannaa hin qabu.

- ፬. ዳኛው በመሰናበቱ ምክንያት የተፈጠረውን ክፍተት ለመሙላት በአንቀጽ ፲/፩/ መሠረት ምርጫ ይካሄዳል።
- ፭. በአንቀጽ ፲/፩/ መሠረት ዳኛው ድክመት ማሳየቱን በቀበሌው ሊቀመንበር በኩል በአስተዳደርና ሕግ ጉዳይ ቋሚ ኮሚቴ ተጣርቶ ለምክር ቤቱ ይቀርባል።

**፲፩. ከችሎት ስለመነሳት.**

- ፩. አንድ ዳኛ በራሱ አነሳሽነት ወይም ከተከራካሪ ወገኖች ውስጥ በአንዱ አቤቱታ የቀረበበት እንደሆነ በሚከተሉት ምክንያቶች ከችሎት ሊነሳ ይችላል፡-
  - ሀ) ራሱ ከሣሽ ወይም ተከሣሽ በሆነበት ጉዳይ ወይም በምሥክርነት በተቆጠረበት ጉዳይ ከሆነ፣ ከተከራካሪ ወገኖች ጋር ፀብ ወይም የቅርብ ዝምድና ያለው ከሆነና በጉዳዩ ላይ ትክክለኛ ፍትሕ ለመስጠት የሚያስችግረው ምክንያት ሲኖረው፣
    - ለ) ጉዳዩን አስቀድሞ በሽምግልና ያየው እንደሆነ፣
    - ሐ) በአንቀጽ ፲፩/፩/ ሀ/ ሥር የተጠቀሰው የቅርብ ዝምድና ማለት ለዳኛው አባት፣ እናት፣ ሴት፣ ወንድ አያት ቅድመ አያት፣ ልጆች፣ ወንድሞችና፣ እህቶች፣ አጎት፣ አክስት፣ ሚስት ወይም ባል፣ አማት፣ አማች፣ እና የእነዚህ የተዘረዘሩት ዘመዶች ልጆች የሆኑ ማለት ነው።
- ፪. አንድ ዳኛ ከችሎት እንዲነሳ አቤቱታው ሲቀርብ በአቤቱታው ላይ በቀሩት ሁለት ዳኞች ውሳኔ ይሰጣል። ሁለቱ ዳኞች በሃሳብ ከተለያዩ ከተጠባባቂ ዳኞች ውስጥ አንዱን ጨምረው በአብላጫ ድምፅ የሚወስኑት ይሆናል።
- ፫. በዚህ አቤቱታ ላይ የሚሰጠው ውሳኔ ይግባኝ የለውም።

- 4) Where a judge is removed and replaced by an acting judge the gap shall be filled by election to be held pursuant to Article 8 (1) of this proclamation.
- 5) For the purpose of Article 10 (1) (b) the kebele chairman shall cause the standing Committee for the Administration and Justice Affairs to investigate into the inefficiency of a judge and submit its findings to the Kebele Council.

**Article 11. Withdrawal of Judges.**

- 1) A judge may withdraw from hearing a case upon his own initiation or by the petition of either of the parties on the following grounds:
  - (a) If the case relates to a matter for which the judge sued or was sued, or testified as a witness, or if he has dispute with the parties, or closer relationship that may not enable him to give a fair decision, or if he has any other reason to conclude that injustice may be done;
  - (b) if the judge has previously seen the case by way of arbitration;
  - (c) For the purpose of Article 11(1) (a) closer relationship shall mean the father, mother, grandmother, grandfather, children, brother, sister, uncle, aunt, spouse, mother in law, father-in-law of the judge, and their children.
- 2) Where the judge is sitting with other judges he shall withdraw and the remaining two judges shall hear the application for withdrawal and give a decision thereon. If the two judges fail to reach decision unanimously, decision shall be given by a majority vote of these two judges and one of the acting judges.
- 3) No. appeal shall lie from the decision on the application for withdrawal of judges.

4) Bu'uura keewwata 11.1 fi 11.2 tiin abbaan seeraa tokko dhaddacha irraa yoo ka'e dhimma kanaaf qofa abbaan seeraa eeggataan bu'uura keewwata 10.3 tiin bakka bu'ee akka hojjatu ni godhama.

5) Sababoota adda addaa kan bir-atiinis abbaan seeraa tokko hojjiirraa yoo hafe hanga inni deebi'utti abbaan seeraa eeggataan bu'uura keewwata 10.3 tiin bakka bu'ee akka hojjatu ni godhama.

Kutaa 2

Aangoo Manneen murtii hawaasummaa gandaa tumaalee waligala

KEWWAATA 12. AANGOO HAAYYUMMAA SEERAA

- (a) Himatamaan jiraataa ganda sanii yoo ta'e; ykn
(b) Qabeenyi hin sochoone falmichaaf sababa ta'e ganda san keessatti kan argamu yoo ta'e; ykn
(c) Badiin danbii darbuu raawwatame ganda manni murtii sun hundeeffame keessatti yoo ta'e dha.
(d) Qubee "b" jalatti kan ibsame qabeenyi hin sochoone daangaa gandoota lamaan ykn lamaa olii gidduutti kan argamu yoo ta'e ykn qubee "c" jalatti badiin ibsame gandoota adda addaa keessatti kan raawwatame yoo ta'e dhimmicha ilaaluuf aangoo kan qabu mana murtii hawaasummaa himannichi dursee dhihaateef ta'a.

KEWWAATA 13. AANGOO HARIIROO HAWAASAA

- (a) Namni kamiyyuu dameewwan mukaa lafa ollaa isaa irraa gara lafa isaatti dagaage baatii tokko keessatti akka isa irraa ciramu manni murtii ajajuu ni danda'a;

፬. አንቀጽ ፲፩/፩/ እና ፲፩/፪/ መሠረት አንድ ዳኛ ከችሎት ከተነሣ ተጠባባቂው ዳኛ በአንቀጽ ፲/፫/ መሠረት ለጉዳዩ ብቻ ተተክቶ እንዲሠራ ይደረጋል።

፭. በሌሎች የተለያዩ ምክንያቶች አንድ ዳኛ ከሥራው ላይ ቢቀር እሱ እስኪመለስ ድረስ በአንቀጽ ፲/፫/ መሠረት ተጠባባቂ ዳኛ ተተክቶ እንዲሠራ ይደረጋል።

ክፍል ሁለት

የቀበሌ ማኅበራዊ ፍርድ ቤቶች ሥልጣን ጠቅላላ ድንጋጌዎች

- ፲፪. የወል የዳኝነት ሥልጣን አንድ የቀበሌ ማኅበራዊ ፍርድ ቤት የቀረበለትን ጉዳይ ሊያይ የሚችለው።
ሀ) ተከሣሹ የቀበሌው ነዋሪ ከሆነ ወይም
ለ) ለክርክሩ ምክንያት የሆነው የማይንቀሳቀስ ንብረት በቀበሌው ውስጥ የሚገኝ ከሆነ ወይም
ሐ) ደንብን በመተላለፍ የተፈጸመው ጥፋት ፍርድ ቤቱ በተቋቋመበት ቀበሌ ውስጥ ተፈጽሞ ከተገኘ ነው።
መ) በፊደል /ለ/ ሥር የተጠቀሰው የማይንቀሳቀስ ንብረት በሁለት ወይም ከዚያ በላይ ባሉ ቀበሌዎች አዋሳኝ መካከል የሚገኝ ከሆነ ወይም በፊደል /ሐ/ ሥር የደንብ መተላለፍ ጥፋት የተፈጸመው በተለያዩ ቀበሌዎች ውስጥ ከሆነ በቅድሚያ ክስ የቀረበለት ማኅበራዊ ፍርድ ቤት ይሆናል።

፲፫. የፍትሐብሔር የዳኝነት ሥልጣን የቀበሌ ማኅበራዊ ፍርድ ቤቶች በሌሎች ሕጎች የተሰጣቸው ወይም የሚሰጣቸው ሥልጣን እንደተጠበቀ ሆኖ ከዚህ በታች የተዘረዘሩትን የፍትሐብሔር ጉዳዮች አይቶ ለመወሰን የመጀመሪያ ደረጃ ሥልጣን አላቸው።

፩. ግምቱ ከ1000 /አንድ ሺ/ ብር በማይበልጥ የንብረት ወይም የገንዘብ ክርክር፤

፪. የአገልግሎት፣ የሥራ አጥነትና የመሳሰሉ ማስረጃዎች መስጠት፤

፫. ወደ ጉረቤት ዘልቀው በሚገቡ የዛፍ ቅርንጫፎችና ሥሮች ላይ የሚነሱ ክርክሮች፤

ሀ) ማንኛውም ሰው መሬቱ ላይ ተዘርግተው የገቡትን የጎረቤቱን የዛፍ ቅርንጫፍ በአንድ ወር እንዲቆረጥለት ፍርድ ቤት ሊያዘድቅለት።

4) When a judge withdraws pursuant to Article 11 (1) and (2) hereof the acting judge, only for hearing that case, shall replace him as per Article 10(3).

5) Where a judge absents himself from office the acting judge shall act in his stead until the former will be back, in accordance with Article 10 (3) of this proclamation.

PART TWO JURISDICTION OF SOCIAL COURTS General Provisions

Article 12 Common Jurisdiction. A social court shall have jurisdiction over a case if:

- (a) the defendant is a resident of the kebele where the court is situated; or
(b) the immovable property which is the subject matter of the dispute is found in that kebele; or.
(c) the alleged petty offence is committed in that kebele.
(d) if the immovable property referred to in sub-article "b" is situated in two or more kebeles, or if the petty offence referred to in sub-article "c" is committed in different kebeles, the social court before which the case was brought first shall have exclusive jurisdiction over the matter.

Article 13 Civil Jurisdiction of the Social Courts.

Without prejudice to the power given to them by other laws, social courts shall have first instance jurisdiction on the following civil matters:

- 1) Dispute relating to a property the value of which does not exceed Birr 1,000.00 (one thousand Birr), or cases involving not more than this sum.
2) Issuing certificates of unemployment, and the like.
3) Branches and Roots.
(a) A possessor of a land whose right is encumbered by branches springing from adjoining land may apply to the social court to order his neighbour to cut such branches within in one month.

(b) Namni kamiyyuu hidda mukaa lafa ollaa isaa irraa gara lafa ollaa isaa-tti daangaa darbee yaa'e garuu, ofumaaf ykn dhunfaa isaatiin ciruuf mirga ni qaba;

4. Falmii dallaa ykn mana haaromsuu irratti ka'u:

(a) Dallaa tokko ykn mana tokko haaromsuuf lafa ollaa ofii irra deemuun ykn darbuun dirqama ta'ee yoo argame ollaan ofii kun lafa isaarra akka deemamu ykn darbamu eeyyamuun dirqama isaa ta'a;

(b) Haa ta'u malee lafa isaa irra akka deemamu ykn darbamu eeyyamuun isaa miidhaa yoo isa irraan gahe beenyaan akka kanfalamuuf abbootiin seeraa murteessuu ni danda'u. Beenyaan inni gaafatu qarshii kuma tokkoo ol yoo ta'e garuu, himanni dhiyaachuu kan danda'u mana murtii aanaattii dha.

5) Qabeenya bade lafa ormaa keessa seenanii yammuu barbaadan falmii ka'u:

(a) Sababa kamiinuu qabeenyi ofii tokko lafa ormaa keessa seenee yoo bade ykn yoo dhokate abbaan qabeenyaa lafa ormaa kana keessa seenee barbaadatee akka fudhatu abbaan qabiiyyee lafichaa eeyyamuun dirqama isaa ta'a;

(b) Haa ta'u malee lafa isaa keessa akka seenamu eeyyamuun isaa miidhaa isa irraan yoo gahe beenyaan kanfalamuufii qaba. Abbaan qabiiyyee lafichaa hanga beenyaa argatutti qabeenya lafa isaa argame sun qabachuu ykn hin kennu jechuuf mirga qaba. Beenyaan inni gaafatu qarshii kuma tokkoo ol yoo ta'e garuu himanni dhiyaachuu kan danda'u mana murtii aanaattii dha;

(c) Abbaan qabiiyyee lafichaa matuma isaatiin qabeenya bade (dhokate) sana barbaadee arguudhaan abbaa qabeenyichaaf yoo deebise garuu, namni biraa lafa isaa keessa akka hin seenne dhorkuu ni danda'a.

ለ) ማናቸውም ሰው ከጎረቤት መሬት ወሰን አልፎ ወደ ራሱ መሬት ያለፉትን የዛፍ ሥሮች ግን ራሱ ለመቁረጥ መብት አለው።

፬. አጥር ወይም ቤት ስለማደስ አስመልክቶ የሚነሱ ክርክሮች

ሀ) በአንድ መሬት ላይ የተሠራውን አጥር ወይም ቤት ለማደስ የጎረቤት መሬት ማለፍ አስፈላጊ ሆኖ ከተገኘ ጎረቤቱ የሆነው የመሬት ባለይዘታ በመሬት ላይ መተላለፉን መፍቀድ አለበት።

ለ) ሆኖም ግን በመሬቱ ላይ መተላለፍያ መፍቀድ ጉዳት የሚያደርስበት ከሆነ ካሣ እንዲከፈለው ዳኞች ሊወስኑ ይችላሉ። የሚጠየቀው ካሣ ከ1000 /አንድ ሺ/ ብር በላይ ከሆነ ግን ክሱ ሊቀርብ የሚችለው ለወረዳው ፍርድ ቤት ነው።

፭. ጠፍተው ወደ ሦስተኛ ሰዎች መሬት የገቡትን ንብረቶች ፍለጋ የሚነሱ ክርክሮች

ሀ) በማናቸውም ምክንያት አንድ ንብረት ወደ ሦስተኛው ሰው መሬት ውስጥ ገብቶ ከጠፋ ወይም ከተሰወረ ባለመብት ሦስተኛ ሰው መሬት ውስጥ ገብቶ እንዲፈልግና እንዲወስድ ዳቸው የመሬቱ ባለይዘታ የመፍቀድ ግዴታ አለበት።

ለ) ሆኖም ግን ወደ መሬት እንዲገባ መፍቀድ ጉዳት የሚያደርስበት ከሆነ ካሣ ሊከፈለው ይገባል። የመሬት ባለይዘታ ካሣው እስኪከፈለው ድረስ ከመሬቱ ላይ የተገኘውን ንብረት የመያዝ ወይም አልሰጥም የማለት መብት አለው የሚጠይቀው ካሣ ከአንድ ሺ ብር በላይ ከሆነ ግን ክሱ ሊቀርብ የሚችለው ለወረዳ ፍርድ ቤት ነው።

ሐ) የመሬት ባለይዘታ የጠፋውን ወይም የተሰወረውን ንብረት ወዲያውኑ ራሱ ፈልጎ ለባለመብት የሰጠ እንደሆነ ሌላ ሰው በመሬቱ ላይ እንዳይገባ መከላከል ይችላል።

(b) The possessor of a land may, without having to make a request, cut as from the boundary all roots rising from adjoining land.

4) Repairing of fence or house.

(a) Access to land shall be permitted where it is necessary for the purpose of repairing a fence or a wall set up on adjoining land.

(b) The social court may, up on claim, order a compensation for any damage there by caused. However, when the claim for a compensation is more than one thousand Birr, it shall be brought before a District court.

5) Lost Property.

(a) Where a property of someone has been carried away or has strayed on somebody else's land due to any reason, the possessor of the land shall allow the interested person to enter on his land for the purpose of search and removal.

(b) The possessor of the land may claim compensation for any damage there by caused and shall have a right to detain the lost property. However, when the claim for a compensation is more than one thousand birr, it shall be brought before a District court.

(c) The possessor of the land may prohibit access where he himself immediately searches the lost property and returns it to the interested person.

6. Falmii ujummoo Bishaanii, Mandala fi Daandii Eleetrikii:

- (a) Abbaan qabiyyee lafaa tokko miidhaa isa irra gahu hundaaf wabii gahaa ta'e dursee erga qabateen booda ujummoo bishaanii, mandala, daandiin electrikii fi KKF lafa isaa irra ykn keessa darbanii namoota biroof faayidaa akka kennan eeyyamuun dirqama isaatii;
- (b) Diriirsuun ujummoo bishaanii, mandalaa fi daandiin electrikii hanga danda' ametti abbaa lafaa sun irratti haala miidhaa cimaa hin qaqqabsiifneen raawwatamuu qaba;
- (c) Abbaan qabiyyee lafaa sunis yeroo barbaade baasi mataa isaatiin ujummoo, mandalli ykn daandiin electrikii sun lafa isaa irraa bakka biraatti jijjiramanii akka diriirfaman ykn ijaaraman gochuu ni danda'a. Abbootiin seeraallee kanuma isaaf ajaju ni danda'u.

7. Mirga Daandii irra Deeman Argachuu

Namni daandiin itti cufame ykn daandii bahaa fi galmaaf gahaa ta'e hin qabne tokko daandiin barbaachisaa ta'e akka banamuuf ykn daandiin biraa lafa nama biroo keessa akka isaaf bahu manni murtii ajaja kennuu ni danda'a. Haa ta'u malee daandiin isaaf banname/kenname kun abbaa qabiyyee lafaa sun irratti miidhaa kan geessisur yoo ta'e manni murtii ajaja jedhame kana kennuu kan danda'u namichi daandii argate sun abbaa qabiyyee lafichaaf beenyaa gahaa ta'e dursee yammu kanfalu dha.

8. Mirga Abbaa qabeenyummaatti akka Malee Fayyadamuu

- (a) Abbaan qabeenyaa tokko mirga abbaa qabeenyummaa isaatti yammu maahii bahuu haala faayidaa namoota ollaa isaa jiran hir'isutti ykn miidhutti ta'uu hin qabu. Akka malee mirga isaatti yoo fayyadames gocha akka malee kana irraa akka of qusatu abbootiin seeraa ajajuu ni danda'u.

፩. ስለ መተላለፊያ ገዢዎች ፣ ቧንቧዎችና የኤሌክትሪክ መስመሮች የሚነሱ ክርክሮች

ሀ) የመሬት ባለይዞታ ለሚደርስበት ጉዳት በሙሉ አስቀድሞ ዋስትና ከያዘ በራሱ መሬት ላይ ለሌሎች ሰዎች ጥቅም የሚሆኑ የውሃ ቧንቧዎች ፣ የውሃ ገዢዎች የኤሌክትሪክ መስመሮችና እነዚህን የመሳሰሉት ሌሎች ሥራዎች እንዲተላለፉ የመፍቀድ ግዴታ አለበት።

ለ) የውሃ መተላለፊያ ገዢዎች ፣ ቧንቧዎች እና የኤሌክትሪክ መስመሮች የመዘርጋቱ ሥራ ከፍ ያለ ጉዳት በማያስከትል መልኩ መፈፀም አለበት።

ሐ) የመሬት ባለይዞታ በፈለገ ጊዜ በራሱ ወጪ የመተላለፊያ ገዢዎች ቧንቧዎች ወይም የኤሌክትሪክ መስመሮች ከመሬቱ ላይ ወደ ሌላ ሥፍራ እንዲዛወሩ ወይም እንዲቋቋሙ ማድረግ ይችላል ዳኞቹም ይህን ሊያዘሉት ይችላሉ።

፪. የመተላለፍ መብት መንገድ የተዘጋበት ወይም በቂ ያልሆነ መውጫና መግቢያ መንገድ የሌለው ሰው አስፈላጊው መንገድ እንዲከፈተለት ወይም ሌላ መተላለፊያ መንገድ በሌላ ሰው መሬት ውስጥ እንዲወጣለት ፍርድ ቤቱ ትዕዛዝ ሊሰጥ ይችላል። ሆኖም ግን የተከፈተለት መንገድ ወይም የሚሰጠው መተላለፊያ መንገድ በባለይዞታ ላይ ጉዳት የሚያደርስ ከሆነ ፍርድ ቤቱ ትዕዛዙን ለመስጠት የሚችለው መተላለፊያ መንገድ ያገኘው ሰው ለባለይዞታው አስቀድሞ በቂ ካሳ ከከፈለ ነው።

፫. በባለሀብትነት አለመጠን ስለመገልገል፣

ሀ) ባለሀብቱ በመብቱ በሚገለገልበት ጊዜ የጎረቤቱን ጥቅም በሚቀንስ ወይም በሚጎዳ መልኩ መሆን የለበትም ፣ አለመጠን በመብቱ ከተጠቀመ ከዚህ ከማይገባ አድራጎት እንዲቆጠብ ዳኞች ትዕዛዝ ሊሰጡ ይችላሉ።

6) Pipes.

(a) A possessor of a land shall, against full payment in advance of compensation for the damage thereby caused, allow the installation on his land of water, gas or electirc lines or similar works to the benefit of other land.

(b) The installation shall be made with minimum disturbance to the land encumbered.

(c) The possessor may at any time require that the installation be removed at his own expense and placed on some other part of the land; and the judges may order to that effect.

7) Right of Way.

Whosoever is denied access to public way by blockage or does not have way sufficient to access his home or land may request the court to order the removal of such blockage or may demand right of way from his neighbour's land. The court, however, can give such an order on condition that the person who is given right of way pays compensation proportionate to the damage, if any, that may be caused thereby to his neighbour.

8) Abuse of Ownership.

(a) The owner of a property shall not exercise his ownership right in the manner which is detrimental to the interests of his neighbour. Judges may order him to refrain from his abusive acts if the owner abuses his right.

(b) Keessumaayyuu aarri, cileen, ajaan, ykn xuriin aadaa ollummaatiin hin obsamne akka malee gara ollaatti akka yaa'u ykn jallatu gochuun dhoorkaa dha. Kunis raawwataamee yoo argame akka dhaabbatu abbootiin seeraa ajajuu ni danda'u.

(c) Ajaja yammuu kennan garuu, aadaa uummaachaa, haala taa'insa lafichaa, seera uumamaa fi fayyaa hawaasichaa tilmama keessa galchuu qabu.

9) Waa'ee Bishaan Bokkaa

(a) Namni kamiyyuu bishaan bokkaa mana isaa irraa bu'u haala ollaa isaa miidhutti manadalaan ykn ujummoodhaan mooraa isaa keessaa alatti akka dhangala'u gochuu hin danda'u. Akkas godhee yoo argame abbootiin seeraa isa dhoorkuu ni danda'u.

(b) Barbaachisaa ta'ee yoo argame bishaan bokkichaashandaadhaan ykn ujummoodhaan gara uummanni hunduu bishaan xurii dhangalaasanitti akka yaa'u gochuun isa irra jiraata. Kanas akka raawwatu abbootiin seeraa ajajuu ni danda'u.

10) Waa'ee Bishaan Lagaa

Namni kamiyyuu bishaan lagaa lafa isaa irra darbu ykn lafa isaa keessaa burqu gara lafa isa gajjallaatti akka hin yaane hidha yoo ijaare, yaa'a yoo baase abbootiin seeraa dhoorkaa ajajuu ni danda'u.

KEEWATA 14. AANGOO BADI DANBII DARBUU

1) Manneen Murtii Hawaasummaa Ganda dhimmoota badii danbii darbuu armaan gaditti keewwatoota 15 hanga 38tti tarreeffaman irratti aangoo sardarkaa duraa ni qabaatu.

2) Gosoota adabaa keewwatoota 15 hanga 38 jalatti ibsaman keessaa adabni hidhaa guyyaa tokko irraa, adabni maallaqaa qarshii tokko irraa eegalee hanga fiixee adabaa keewwatoota kanneen jalatti ibsameetii ol guddachaa kan deemu ta'ee hangi adaba murtaa'uu kan qabu ulfinaa yookiin salphina badichaa, akkasumas namticha badii raawwate barsiisuu haala danda'uun madaaludhaan ta'uu qaba.

ለ) በተለይም ጢስን ፣ ጥላሽትን፣ መጥፎ ሽታ ወይም በጉርብትና አኗኗር ሊታገሱት ከሚችሉው በላይ የሆኑትን ቆሻሻዎች ወደ ጎረቤቶች እንዲፈሱ ወይም እንዲገቡ ማድረግ የተከለከለ ነው ። ይህም ተፈጽሞ ከተገኘ ድርጊቱ እንዲቆም ዳኞች ትዕዛዝ ሊሰጡ ይችላሉ ።

ሐ) ትዕዛዙን ሲሰጡ ግን የአገሩን ልማድ የመሬቱን አቀማመጥ የተፈጥሮውን ዓይነትና የጎብኪነት ጤንነት ግምት ውስጥ በማስገባት ነው ።

፱. ስለ ዝናብ ውሃ

ሀ) ማናቸውም ሰው ከቤቱ ጣሪያ ላይ የሚወርደውን የዝናብ ውሃ ጎረቤቱን በሚጎዳ መልኩ ለቦይ ከግቢው ውጪ እንዲፈስ ማድረግ የለበትም ። እንዲህ አድርጎ ከተገኘ ዳኞች ሊከለኩት ይችላሉ ።

ለ) አስፈላጊ ሆኖ ከተገኘ የዝናብ ውሃ በአሸንዳ ወይም በቧንቧ ወደ ተበጀው የሕዝብ የውሃ መሄጃ እንዲፈስ ማድረግ ይጠበቅበታል ። ይህን እንዲፈጽም ዳኞች ትዕዛዝ ሊሰጡ ይችላሉ ።

፲. ስለ ወንዝ ውሃ

ማናቸውም ሰው በመሬት ላይ የሚያልፈውን ወይም ከመሬት ላይ የሚመነጨውን ውሃ ከወደታች ወደ ሚገኘው መሬት እንዳይፈስ የሚያግድ ግድብ የሰራ እንደሆነ ፣ የውሃ መውረጃ ዝግግ ዳኞች የእግድ ትዕዛዝ ሊሰጡ ይችላሉ ።

፲፬. የደንብ መተላለፍ ጥፋት ሥልጣን

፩. የቀበሌ ማገባባቂ ፍርድ ቤቶች ከዚህ በታች በተራ ቁጥር ፲፭ እስከ ፴፰ በተዘረዘሩት የደንብ መተላለፍ ጥፋቶች ላይ የመጀመሪያ ደረጃ የዳኝነት ሥልጣን ይኖራቸዋል ።

፪. ከአንቀጽ ፲፭ እስከ ፴፰ ሥር የተጠቀሱት የቅጣት ዓይነቶች ውስጥ የእሥራት ቅጣት ከአንድ ቀን እሥራት የገንዘብ ቅጣት ከአንድ ብር መቀጮ ጀምሮ በአንቀጾች ሥር እስከ ተጠቀሱት የቅጣት ጣሪያዎች እያደገ የሚሄድ ሆኖ የቅጣቱም መጠን ሊወሰን የሚገባው የጥፋቱን ክብደትና ጥፋተኛውን ሊያስተምረው ይችላል ከሚለው ሁኔታ ጋር ተመዝግቦ መሆን አለበት ።

(b) In particular the owner shall not cause smoke, soot, unpleasant smells, noise or vibrations in excess of good neighbourly behaviour. Should the owner casue such acts, judges may order him to refrain therefrom.

(c) Judges, however, shall regard to local custom, the position of the lands and the nature thereof and the health of the community, to order stay of abuse.

9) Rainwater.

(a) No one shall drain rainwater from his own compound to the prejudice of his neighbour through drain pipe. Should the owner do so, judges may order him to refrain from.

(b) He shall make such gutters or pipes as may be necessary to bring the water to public sewers. Judges may order him to do so.

10) Running Water.

Judges may prohibit a possessor of a land from setting up a dike that prevents the flow of water crossing or springing from his land downstream.

Article 14. Jurisdiction on petty Offences.

1) Social courts shall have first instance jurisdiction on petty offences specified under Article 15 to 38 of this proclamation.

2) The minimum penalties of one day arrest and a fine of one birr provided under Article 15 to 38 of this proclamation may be aggravated to the maximum degree specified under these provisions. However, punishment shall be determined by taking into account the seriousness of the offence committed as well as the reform which it brings to the offender himself.

**KEEWWAT 15. NAMA AANGOO QABUUF GARGAARSA GOCHUU DIDUU**

Namni kamiyyuu namni aangoo qabu tokko hojii isaa yeroo raawwachaa jirutti nageenyi ummataa akka hin boorifne yookiin yakki tokko akka hin raawwatamne yookiin yakkamaan tokko fiigee akka hin miliqne yookin balaan kana fakkaatu adda biraa akka hin geenye taasisuudhaaf gargaarsa haaqaan barbaachisaa ta'e akka godhuuf yeroo isa gaafatutti sababni humna saatii ol ta'e utuu hin jiraatiin yookiin gargaarsa gaafatame kana yoo godhe mataa isaa yookiin qabeenya isaa irratti balaan ga'uu danda'u utuu hin jiraatiin gargaarsa gaafatame gochuu kan dide yoo ta'e adaba maallaqaa hanga qarshii 100 (dhibba tokko) yookiin hidhaa hanga baatii tokkoo ga'uu danda'uun adabama.

**KEEWWATA 16 AJAJA RAAWWACHUU DIDUU**

Namni aangoo qabu tokko hojii isaa raawwachaa yeroo jirutti:

- (a) Maqaa isaa akka himu yookiin waraqaa eenyummaa isaa akka agarsiisu, hojii isaa, teessoo isaa yookiin bifa kana fakkaatuun mallattoo eenyummaa isaa akka ibsu yeroo isa ajajutti kan dide yookiin deebii dharaa kan kenne;
- (b) Akka dhaabbatu yookiin daandii akka gadilakkisu yookiin wantoota baatee deemu keessaa kan shakkii uuman tokko tokko akka sakattaassisu yookiin ajaja kana fakkaatu kamiyyuu akka raawwatu gaafatamee kan dide namni kamiyyuu adaba maallaqaa hanga qarshii 100 (dhibba tokkoo) yookiin hidhaa hanga baatii tokkoo ga'uu danda'uun adabama.

**KEEWWATA 17. ODUU FI BARREEFAMA RIFAASUU UUMAN**

Oduu yookiin olola dhara ta'e bifa kamiinuu hawaasa keessatti kan tamsaasee yookiin akka tamsa'u kan taasisse yookiin abbootii taayitaatti kan beekise yookiin oduun hammeenya qabu kan nageenyaa fi jireenya gamtaa ummataa hubuu danda'u akka babal'atu kan taasisse namni kamiyyuu adaba maallaqaa hanga qarshii 300 (dhibba sadii) yookiin hidhaa hanga baatii tokkoo ga'uu danda'uun adabama.

**፲፮. ባለሥልጣን የመርዳት እንቢታ**

ማንኛውም ሰው አንድ ባለሥልጣን ሥራውን በሚያከናውንበት ጊዜ የሕዝብ ሰላም እንዳይኖወጥ ወይም አንድ ወንጀል እንዳይሠራ ለማድረግ ወይም አንድ ወንጀል ሸሽቶ እንዳያመልጥ ወይም ይህን የመሳሰለ አደጋ እንዳይደርስ ለማድረግ አስፈላጊ የሆነውን ዕርዳታ እንዲያደርግለት ሲጠይቀው ከአቅሙ በላይ የሆነ ምክንያት ሳይኖር ወይም ይህን የተጠየቀውን ዕርዳታ ቢሰጥ በራሱ ሊደርስ የሚችል አደጋ ሳይኖር ይህን ዕርዳታ ለማድረግ እንቢተኛ የሆነ እንደሆነ እስከ አንድ መቶ ብር ለመድረስ በሚችል የገንዘብ መቀጫ ወይም እስከ አንድ ወር ለመድረስ በሚችል እሥራት ይቀጣል ።

**፲፯. ትዕዛዝ እንዲፈጸም ሲጠየቅ እንቢተኛ ስለመሆን**

አንድ ሥልጣን ያለው ሰው ሥራውን በሚያከናውንበት ጊዜ ፣

- ሀ) ስሙን እንዲናገር ወይም የመታወቂያ ወረቀት እንዲያሳይ ሥራውን ፣ አድራሻውን ወይም ይህን የመሳሰለ ሌላ የግል መታወቂያ ምልክቱን እንዲገልጽለት ሲያዘው እንቢ ያለ ወይም ሀሰተኛ ቃል የሰጠ
- ለ) እንዲቆም ወይም የመተላለፊያ መንገድ እንዲለቅ ወይም ይዟቸው ከሚሄደው ዕቃዎች ውስጥ አጠራጣሪ የሆኑትን አንዳንድ ነገሮች እንዲፈተሽ ሲጠየቅ አላስፈራሽም ያለ ወይም ይህንን የመሳሰለውን ማንኛውም ሰው እስከ አንድ መቶ ብር ለመድረስ በሚችል የገንዘብ መቀጫ ወይም እስከ አንድ ወር ለመድረስ በሚችል እሥራት ይቀጣል ።

**፲፱. የሚያስደነግጡ ወሬዎችና ጽሑፎች**

በማንኛውም መልኩ ወሬዎችን ወይም የሀሰት ፕሮፓጋንዳ በሕዝብ ውስጥ የነዛ ወይም እንዲነዛ ያደረገ ወይም ለባለሥልጣኖች የገለጸ ወይም የሕዝቡን ፀጥታና የመልካም አኗኗር ሥርዓት ሊያበላሹ የሚችሉ የተንኮል ወሬዎች እንዲባባስ ያደረገ ማንኛውም ሰው እስከ ሦስት መቶ ብር ለመድረስ በሚችል የገንዘብ መቀጫ ወይም እስከ አንድ ወር ለመድረስ በሚችል እሥራት ይቀጣል ።

**Article 15. Refusal to Lend Assistance to a Public Authority.**

Whoever on being duly requested or summoned by a representative of a public authority acting in the discharge of his official duties to lend him indispensable help or assistance, with a view in particular to preventing a breach of the peace, the commission of an offence or the escape of the offender, refuses so to do without any reason of force majeure or the risk of a serious danger to his person or property, is punishable with fine not exceeding one hundred Birr or arrest not exceeding one month.

**Article 16. Refusal to Obey an Injunction.**

A person who, on being duly requested or ordered by a public servant acting in the discharge of his duties, refuses:

- (a) to supply his name or identity, his occupation, residence, address or any other particular relating to his personal status, or gives inaccurate information in respect thereto; or
- (b) to stop, move on, to free a public thoroughfare, to allow his papers, luggage or any suspicious things he carries about him to be examined or to comply with any other order of a similar nature, is punishable with fine not exceeding one hundred Birr or arrest not exceeding one month.

**Article 17. Alarming Announcement, News or Publications.**

Whosoever announces, spreads, publishes or reports to the authorities false, exaggerated or biased news intended to or capable of perturbing public order or tranquility, is punishable with fine not exceeding three hundred Birr or arrest not exceeding one month.

KEEWWATA 18. HOJII FI BOQONNAA NAMA BIRAA IRRATTI JEEQUMSA UUMUU

- 1) Dubbii barbaachuu fi lola kaasuu-dhaan, sagalee iyyaa fi wacaa dhaggeessisuudhaan, sirbuudhaan yookiin haala kana fakkaatu adda-biraatiin yookiin meeshaalee sagalee iyyaa dhaggeesisan kan akka Teeppii, Raadiyoo fi Daawwan-aaan konkolaataa fi kan kana fakkaataniin garmalee fayyadamuudhaan hojii fi boqonnaa nagaa nama biraa irratti jeequmsa uumuudhaan nagaa kan dhorkate namni kamiyyuu adaba maallaqaa hanga qarshii 100 (dhibba tokkoo) ga'uu danda'uun adabama.
- 2) Hojiin jeequmsaa kun kan raawwatame halkan yoo ta'e yookin ta'e jedhamee naannoo manneen yaalaa yookiin manneen barnootaa yookiin dhaabbiilee kana fakkaatan birootti yoo ta'e yookiin ta'e jedhamee kaka'umsa hammeen-yaaf fi jibbinsaatiin kan raawwatame yeroo ta'etti manni murtichaa adaba maallaqaa hanga qarshii 300 (dhibba sadii) yookiin hidhaa hanga baatii tokkoo ga'uu danda'u murteessuu ni danda'a.

KEEWWATA 19. MACHAA'ANII YOOKIIN WANTA SAMMUU ADOOCHU FUDHATANII UUMMATA JEEQUU

Dhugaatii nama macheessu dhugee machaa'uudhaan yookiin wanta sammuu nama adoochu fudhachuudhaan addabaabaayii yookiin bakka ummatni walgahutti gocha jibbamaa fi safuu hawaasichaatiif faallaa ta'e kan raawwate namni kamiyyuu adaba maallaqaa hanga qarshii 100 (dhibba tokkoo) yookiin hidhaa hanga guyyaa saddeetii ga'uu danda'uun adabama.

KEEWWATA 20. JIREENYA NAGAA NAMOOTAA HUBUU

- Namni kamiyyuu:
- (a) Saroota, beeladoota fi bineeyyii biroo hamoo fi bala'amoo ta'an kakaasuudhaan nama biraa irratti balaan akka ga'u kan taasise yoo ta'e,
  - (b) Poolisiitti utuu hin beeksiisnii fi utuu hin hayyamsiisiin yookiin uummatni akka of-eeggatu kan taasisu mallattoo barbaachisaa ta'e utuu hin godhin kiyyoo kan kiyyeesse yookiin wantoota kana fakkaatan biroo bakka kamittuu kan godhe yoo ta'e adaba maallaqaa hanga qarshii 100 (dhibba tokkoo) yookiin hidhaa baatii tokkoo ga'uu danda'uun adabama.

፲፰. በሌላ ሰው ሥራ ዕረፍት ላይ ሁከት ስለማድረግ

፩. ማንኛውም ሰው ነገር በመፈለግና ፀብ በማንግዛት የጨካኝ ድምጽ በማሰማት፣ በመዝፈን ወይም ይህን በመሳሰሉት ሌሎች ድርጊቶች ወይም የጨካኝ ድምጽ ሊያሰሙ በሚችሉ መሣሪያዎች እንደ ቴፕ፣ ራዲዮ እና በሚሮሁ መኪናዎችና ይህን በመሳሰሉ ሌሎች ነገሮች አለመጠን በመገልገል በሥራ ወይም በሰላማዊ ዕረፍት ላይ ሁከት በማድረግ ጤና የነሳ እንደሆነ እስከ መቶ ብር በሚደርስ የገንዘብ መቀጮ ይቀጣል።

፪. ይህ የማወክ ሥራ የተፈፀመው በሌሊት ወይም ሆነ ብሎ በማድረግ በሆስፒታሎች ወይም በትምህርት ቤቶች ወይም ይህን በመሳሰሉ ቤቶች አቅራቢያ እንደሆነ፣ ወይም ደግሞ ሆነ ብሎ በከፋት ወይም በጥላቻ መንፈስ በመነሳሳት የተደረገ ሲሆን ፍርድ ቤቱ እስከ ሦስት መቶ ብር በሚደርስ የገንዘብ መቀጮ ወይም እስከ አንድ ወር ድረስ እሥራት ሊወስን ይችላል።

፲፱. ሰከር ወይም አዕምሮ የሚያደነዝዝ ነገር ወስዶ ሕዝብን ስለማወክ፡

ማንም ሰው የሚያሰከር መጠጥጠጥ ወይም አዕምሮ የሚያደነዝዝ ነገር ወስዶ በሕዝብ አደባባይ ወይም የሕዝብ መሰብሰቢያ በሆነ ሥፍራ ላይ የሚያስነቅፍና የሚያስነውር ሥራ የፈፀመ እንደሆነ እስከ አንድ መቶ ብር በሚደርስ መቀጮ ወይም እስከ ስምንት ቀን በሚደርስ እሥራት ይቀጣል።

፳. የሰዎችን ሰላማዊ ኑሮ ስለመንሳት ማንም ሰው፡-

- ሀ) አደገኛ የሆነ ውሾችን ወይም ሌላ ዓይነት አውራጆችን በማነሳሳት በሌላ ሰው ላይ አደጋ እንዲደርስበት ያደረገ እንደሆነ፣
- ለ) ለፖሊስ ሳያስታውቅና ሳያስፈቅድ ወይም ለሕዝብ ማስጠንቀቂያ የሚሆን ተገቢ ምልክት ሳያደርግ ወጥመድ ያጠመደ ወይም እነዚህን የመሳሰሉ ሌሎች ነገሮች በማናቸውም ቦታ ላይ ያደረገ እስከ መቶ ብር የሚደርስ የገንዘብ መቀጮ ወይም እስከ አንድ ወር በሚደርስ እሥራት ይቀጣል።

Article 18. Disturbance of Work or Rest of Others.

- 1) Whosoever, with a view to provoking and inciting others for dispute, disturbs the work, rest or tranquility of others, in particular by brawls and wrangles, shouts, songs, vociferations or uproars, signals, calls of the ringing of bells or by the abuse of noisy instruments, apparatus, machines or other noise producing articles like radio, tape recorder, is punishable with fine not exceeding hundred Birr.
- 2) If the noise or disturbance is caused at night or is willfully caused in the vicinity of hospitals, schools, or similar institutions or, generally, if it is caused in a deliberately wicked or mischievous manner, the court may impose a fine not exceeding three hundred birr or arrest not exceeding one month.

Article 19. Causing Public Scandal while drunk or intoxicated.

Whosoever, being drunk or intoxicated, causes scandal or disorder or utters threats in a public place, is punishable with fine not exceeding one hundred Birr or arrest not exceeding eight days.

Article 20. Offences against other Persons' Safety.

- Whosoever endangers the safety of another person:
- (a) by setting against him dogs or dangerous animals or by not restraining them to the best of his ability; or
  - (b) by placing or setting, without previously obtaining permission from the police or giving public notice, traps, alarm appliances or any other dangerous devices, is punishable with fine not exceeding one hundred birr or arrest not exceeding one month.

KEEWATA 21. NAMOOTAA FI BEELADOOTA BALAA GEESISUU DANDA'AN AALAAAN EEGUU DADHABUU

Namni kamiyyuu:
Maraatuu ta'uu isaaniitiin kan ka'e namoota hidhaatti jiran yookiin dhukkubsattoota biroo haala kana fakkaatu irratti argaman yookiin beeladootaa fi bineeyyii hamoo fi bala'amoo ta'an kan nama ciniinanii fi nama jifatan haalaan eeguu dadhabuudhaan balaa akka geessisuu danda'aniin kan gadhiise yoo ta'e,
Namootni, beeladootni fi bineeyyiin akkasii bakka itti eegamanii kan badan yookiin kan miliqan ta'uu isaanii abbootii taayitaatiif utuu hin beeksisin kan hafe yoo ta'e adaba maallaqaa hanga qars-hii 100 (dhibba tokko) yookiin hidhaa hanga baatii tokko ga'uu danda'uun adabama.

KEEWATA 22. DANBII EEGUMSA HALKANII

Zeroo halkan keessa sochii namootaa hoorku yookiin daangessu ilaalchisee danbiilee abbootii taayitaa kutaalee adda addaatiin ba'an kan hin kabajne namni kamiyyuu adaba maallaqaa hanga qarshii 100 (dhibba tokko) yookiin hidhaa hanga baatii tokko ga'uu danda'uun adabama.

KEEWATA 23. DAANDIIWWANII FI BAKKEEWWAN UUMMATNI ITTI WALGAHU EEGUU

Namni kamiyyuu:
(a) Wantoota hojiidhaaf tajaajilan yookiin kosiwwan gosa adda addaa yookiin wantoota gufuu ta'an yookiin miidhaa geessisuu danda'an gosa kamiyyuu addabaabaayyii ummatni walitti qabamu irratti yookiin daandii ummatni irra deemurratti yookiin karaa namni irra ba'uu fi irra galurratti kaa'uudhaan, rarraasuudhaan, tuuluudhaan gatuudhaan daanqaa yookiin rakoo kan uume yoo ta'e,
(b) Bakkeewwan akkasii irratti wantootni inni kaa'e yookiin tuule yookiin boolli inni qote ummata akka hin gufachiisnee fi ummataatti mul'achuu akka danda'an mallattoo barbaachisaa ta'e utuu hin kaa'in kan dhiise yookiin faayidaa ummataatiif jecha ibsaa daandiirra diriiree jiru sababa gahaa ta'e tokkoyyuu utuu hin qabaatiin dhaamsuudhaan yookiin mancaasuudhaan jireenya nagaa ummataa irratti miidhaa kan geessise yoo ta'e adaba maallaqaa hanga qarshii 300 (dhibba sadii) yookiin hidhaa hanga baatii tokko ga'uu danda'uun adabama.

፳፩. አደገኞች የሆኑ የሰዎችን ወይም የእንስሶችን ጥበቃ ስለማግኘት ወይም የሌሎች በሽተኞች በመሆናቸው በጥበቃ ሥር ያሉ እንዲሁም አደገኝነትና ወይም ተዋጊነት ያላቸውን እንስሳዎች ወይም አውራጃዎችን ተገቢው ጥበቃ ካለማድረግ አደጋ ሊያደርሱ በሚችሉ መልኩ የለቀቃቸው እንደሆነ።

ሀ) በእብድነት የታሠሩትን ወይም ሌሎች በሽተኞች በመሆናቸው በጥበቃ ሥር ያሉ እንዲሁም አደገኝነትና ወይም ተዋጊነት ያላቸውን እንስሳዎች ወይም አውራጃዎችን ተገቢው ጥበቃ ካለማድረግ አደጋ ሊያደርሱ በሚችሉ መልኩ የለቀቃቸው እንደሆነ።

ለ) የዚህ ዓይነት ሰዎች ወይም እንስሶች ከሚጠበቁበት ቦታ የጠፉ ወይም ያመለጡ መሆናቸውን ለባለሥልጣናት ሳያስታውቅ የቀረ እንደሆነ እስከ አንድ መቶ ብር በሚደርስ የጎንዘብ መቀጮ ወይም እስከ አንድ ወር በሚደርስ እሥራት ይቀጣል።

፳፪. ስለ ሌሊት ደንብ ጥበቃ

ማንኛውም ሰው በየክፍሉ ባለሥልጣን ስለሌሊት ሰዓት ዕላፊ በሌሊት መዘዋወርን ስለመከላከል ወይም ስለመወሰን የወጡትን ደንቦች ያላከበረ እንደሆነ እስከ አንድ መቶ ብር የሚደርስ የጎንዘብ መቀጮ ወይም እስከ አንድ ዓመት በሚደርስ እሥራት ይቀጣል።

፳፫. መንገዶችና የሕዝብ መሰብሰቢያ ሥፍራዎችን ስለመጠበቅ

ማንኛውም ሰው፡-

ሀ) መሰናክል ሊሆኑ ወይም ግልጽ የሆነ ጉዳት ሊያደርስ የሚችሉትን ማንኛውም ዓይነት ዕቃዎች ለሥራ የሚሆኑ ነገሮች ጉድፎች፣ ጥራጊዎችና፣ ቆሻሻዎች በሕዝብ መሰብሰቢያ አደባባይ በሕዝብ መተላለፊያ መንገድ ወይም የሕዝብ መግቢያና መውጫ በሆኑ ሥፍራዎች ላይ በማስቀመጥ፣ በማንጠልጠል፣ በማራገፍ ወይም በመጣል ችግር ወይም እክል የፈጠረ እንደሆነ፤

ለ) እንደዚህ ካሉት ሥፍራዎች ላይ ያስቀመጣቸው ነገሮች ወይም የቆፈራቸው ጉድጓዶች እና ልዩ ልዩ ሥራዎች ሕዝብን እንዲያደናቅፉና ለሕዝብ እንዲታዩ አስፈላጊውን መጠነኛ ማስጠንቀቂያ ወይም ምልክት ሳያደርግ የተወ ወይም ለሕዝብ ጥቅም ሲባል በመተላለፊያና በመንገድ ላይ የተደረጉትን የብርሃን መስጫ መብራቶች አንዳችም ተገቢ ምክንያት ሳይኖረው በማጥፋት ወይም በማሰላሰት በሕዝብ ሰላማዊ ኑሮ ላይ መሰናክል የሚያደርስ ጉዳት ያደረገ እንደሆነ እስከ ሦስት መቶ ብር በሚደርስ የጎንዘብ መቀጮ ወይም እስከ አንድ ወር በሚደርስ እሥራት ይቀጣል።

Article 21. Failure to Exercise Proper Supervision over Dangerous Persons or Animals.

who so ever

(a) fails to take the necessary precautions, concerning the custody of or supervision over lunatics, irresponsible persons, as well dangerous or ferocious animals; or

(b) intentionally omits to warn the competent authority of the escape or running away of such persons or animals is punishable with fine not exceeding one hundred Birr or arrest not exceeding one month.

Article 22. Control of Traffic at Night.

Whosoever fails to comply with orders issued by local authorities regarding curfew and the prohibition or restriction of traffic at night without permission is punishable with fine not exceeding one hundred Birr or arrest not exceeding one month.

Article 23. Control of Streets and Public Places.

Whosoever impairs public safety, in particular:

(a) by depositing, suspending, unloading or throwing at a crossing or a public place or a place accessible to the public materials garbage, refuse, objects or things, of any nature whatsoever capable of causing an appreciable risk or nuisance; or

(b) by neglecting to place a warning notice or light the materials or objects thus exposed or deposited, or the excavations, erections or works affected in such a place, or by removing or interfering with, without necessity or adequate reasons, lights placed in the interest of the public is punishable with fine not exceeding three hundred Birr or arrest not exceeding one month.

**KEEWWATA 24. SIRNA AWWALCHAA**

Maatii isaa keessaas ta'e maatii isaatiin ala namoota jiran keessaa nama mana isaatti du'e utuu hin awaaliin kan hafe namni kamiyyuu adaba maallaqaa hanga qarshii 300 (dhibba sadii) yookiin hidhaa hanga baatii tokkoo ga'uu danda'uun adabama.

**KEEWWATA 25. NAMA IRRATTI HOJII DARBIINSA HARKAA RAAWWACHUU**

Namni kamiyyuu:

- (a) Nama biraa utuu hin rukutiin yookiin utuu hin madeessiin kan dhiibe yookiin kan itti bu'e yoo ta'e,
- (b) Nama biraa irrati kosii kan gate ykn xurii kan dhangalaase yoo ta'e adabbii mallaqaa hanga qarshii dhibba tokko ykn hidhaa hanga guyyaa sadeeti ga'uu danda'uun adabama.

**KEEWWATA 26. REEFA DHOKSUU**

Namni kamiyyuu:

- (a) Reeffa daa'ima du'aa ta'ee dhalate jedhamuu yookiin reeffa nama biraa akka tasaa arguu isaa abbootii taayitaatti utuu hin beeksisin kan dhokse, kan awwaale, bishaan keessa kan buuse, kan gube yookiin gocha kana fakkaatu kan raawwate yoo ta'e,
- (b) Yookiin nama tokko mirgaa ofiirraa ittisuutiin yookiin haala biraatiin akka tasaa madeessee yookiin ajjeessee battalumatti abbootii taayitaatiif utuu hin beeksisin kan hafe yoo ta'e adaba maallaqaa hanga qarshii 300 (dhibba sadii) yookiin hidhaa hanga baatii tokko ga'uu danda'uun adabama.

**KEEWWATA 27. KABAJA IRRATTI MIIDHAA SALPHAA GE ESSISUU**

Namni kamiyyuu kabajaa nama biraa irratti gocha salphisuu fi arrabsuu haalaan salphaa ta'e kan raawwate yoo ta'e adaba maallaqaa qarshii 100 (dhibba tokko) yookiin hidhaa bultii saddeetiin adabama.

**KEEWWATA 28. HOJII SAGAAGALUMMAATIIF NAMA KAKAASUU**

Namni kamiyyuu daandii ummatni irra deemu yookiin bakka ummatni itti walgahurratti:

- (a) Bifa kamiinuu namoota biraa gocha qunnamtii saalaatiif yookiin gocha safuu hawaasichaatiin walfaalleessu adda biraatiif kan kakaase yookiin kan jajjabeesse;
- (b) Yookiin hojii sagaagalummaa irratti of bobbaasuudhaan namoota ollaa isaa ta'anii fi naannoo isaa jiraatan kan jeeqe adaba maallaqaa hanga qarshii 300 (dhibba sadii) yookiin hidhaa hanga bultii saddeetii ga'uu danda'uun adabama.

**፳፬. ስለ ቀብር / የአቀባብር ጥበቃ/**

ማንኛውም ሰው ከቤተሰቡ ውስጥም ሆነ ከቤተሰቡ ውጪ በቤቱ የሞተውን ሰው ሳይቀብር የቀረ እንደሆነ እስከ ሦስት መቶ ብር የሚደርስ የገንዘብ መቀጮ ወይም እስከ አንድ ወር በሚደርስ እሥራት ይቀጣል።

**፳፭. በሰው ላይ ስለሚሠራ የእጅ አልፊት ማንኛውም ሰው :-**

- ሀ) ሌላውን ሰው ሳይመታ ወይም ሳይቆስል የገፋው
- ለ) ሆነ ብሎም ቢሆን ወይም ባለመጠንቀቅ በሌላ ሰው ላይ ቆሻሻ የጣለበት እጣቢ ያፈሰሰ እስከ መቶ ብር በሚደርስ የገንዘብ መቀጮ ወይም እስከ ስምንት ቀን በሚደርስ እሥራት ይቀጣል።

**፳፮. ሬሣ ስለ መደበቅ ማንኛውም ሰው :-**

- ሀ) ሞቶ ተወለደ የሚባለውን የሕፃን ወይም የሰው ሬሣ በድንገት ማግኘቱን ለባለሥልጣኖች ሳያመለክት የደበቀ ፣ የቀበረ ፣ በውሃ ውስጥ የጣለ ፣ ያቃጠለ ወይም ይህን በመሰለ በማናቸውም ዓይነት ሌላ ሥራ ያጠፋ እንደሆነ ፣
- ለ) ወይም አንድ ሰው በአልሞት ባይ ተጋዳይነት ወይም መብታዊ በሆነ አጋጣሚ ነገር አቁሰሎ ወይም ገድሎ ወዲያውኑ ለባለሥልጣኖች ሳይ ስታውቅ የቀረ እንደሆነ እስከ ሦስት መቶ ብር በሚደርስ የገንዘብ መቀጮ ወይም እስከ አንድ ወር የሚደርስ እሥራት ይቀጣል።

**፳፯. በክብር ላይ ቀላል ጉዳት ስለማድረስ፤ ማንኛውም ሰው በሌላ ሰው ክብር ላይ እጅግ ቀላል የሆነ የስድብ ወይም የማዋረድ ተግባር የፈፀመ እንደሆነ እስከ አንድ መቶ ብር በሚደርስ የገንዘብ መቀጮ ወይም እስከ ስምንት ቀን በሚደርስ እሥራት ይቀጣል።**

**፳፰. ለብልጫና ተግባር ሰውን ስለማነሳሳት ማንኛውም ሰው በሕዝብ መመላለሻ ጉዳና ወይም በአደባባይ ላይ ሆኖ :-**

- ሀ) በማናቸውም ዓይነት ሥራ ሌላውን ሰው ለግብረ ሥጋ ተግባር ወይም ለመልካም ባህል ተቃዋሚ የሆነ አድራጎት እንዲፈጸም ያነሳሳ ወይም ያደፋ ፈረው እንደ ሆነ ፣
- ለ) ወይም በአመንዝራነትና በብልጫና ሥራ ላይ በመሰማራት የጎረቤቱን ወይም በአካባቢው የሚገኙትን ነዋሪዎች ያወከ እንደ ሆነ እስከ ሦስት መቶ ብር በሚደርስ የገንዘብ መቀጮ ወይም እስከ ስምንት ቀን የሚደርስ እሥራት ይቀጣል።

**Article 24. Regulation of Burials.**

Whosoever fails to bury the corpse of a person who died in his house, whether the deceased is member of his family or not, is punishable with fine not exceeding three hundred Birr or arrest not exceeding one month.

**Article 25. Assault and Minor Acts of Violence.**

Whosoever:

- (a) commits an assault or minor acts of violence against another person, without striking or wounding the said person; or
- (b) deliberately or negligently throws at another person filth or an object or liquid likely to inconvenience or soil him, is punishable with fine not exceeding one hundred Birr or arrest not exceeding eight days.

**Article 26 Concealment of a Corpse.**

Whosoever:

- (a) has hidden, buried, drowned, cremated or caused to disappear in any other manner a still born child or a child alleged to have been still born, or a human corps, without notifying the facts to the competent authority; or
- (b) having wounded or killed another in self defence or in a state of necessity, failed to notify the fact forthwith to the competent authority, is punishable with fine not exceeding three hundred birr or areest not exceeding one month.

**Article 27. Slight Offences against Honour.**

Whosoever insults or commits offensive behaviour against another person which is not grave is punishable with fine not exceeding one hundred Birr or arrest not exceeding eight days.

**Article 28. Immoral Soliciting and Debauchery.**

Whosoever in the street or in a public place or in a place or in a place accessible to the public:

- (a) by improper soliciting incites another person to sexual intercourse or to committing acts contrary to decency or acts of debauchery of any kind; or
- (b) by engaging in prostitution or debauchery, is a nuisance to the occupiers of the dwelling or the inhabitants of the neighbourhood, is punishable with fine not exceeding three hundred Birr or arrest not exceeding eight days.

KEEWWATA 29. QABEENYA UMMATAA FI DHUUNFAA EEGUU

Namni kamiyyuu:

- (a) Haala ifa ta'een utuu hin hayyamsiisin lafa ummataa yookiin lafa nama dhuunfaa irraa biyyee, dhagaa, muka, cirracha, kaloo yookiin wanta laficha irratti argamu adda biraa kan fudhate yoo ta'e;
- (b) Mirga yookiin hayyama utuu hin qabaatin yeroo kamiyyuu lafa nama biraa kan midhaan irra facasame yookiin kan kuduraan irra dhaabbatee fi kan dallaadhaan marfame cufame keessa kan darbe yookin kan seene yookiin beeladaa fi kotteduudaa itti naqee kan nyaachise yoo ta'e;
- (c) Mirga yookiin hayyama utuu hin qabaatiin bakka adamoodhaaf yookiin qurxummii kiyyeesuu dhaaf dhorkaa ta'e keessa kan seene yoo ta'e adaba maallaqaa hanga qarshii 300 (dhibba sadii) yookiin hidhaa hanga baatii tokko ga'uu danda'uun adabama.

KEEWWATA 30. HANNA SALPHAA

- 1) Namni kamiyyuu rakkinaan yookiin dharraadhaan kaka'ee battalumatti nyaachuuf yookiin itti fayyadamuuf yaaduudhaan qabeenya nama biraa kan tilmaamni isaa xiqqaa ta'e kan hate yoo ta'e adaba maallaqaa hanga qarshii 50 (shantamaa) yookiin hidhaa hanga bultii kudhashanii ga'uu danda'uun adabama. Namtichi gocha kana kan raawwate wantichi lubbuu isaatiif haalaan barbaachisaa ta'uu isaatiin kan ka'e ta'uusaa kan ibse yoo ta'e manni murtichaa adabicharraa bilisa isa taasisuu ni danda'a.
- 2) Qabeenya fira kan akka abbaa, haadhaa, akaakayyuu, akkoo, obboleessa, obboleettii, wasiila, eessuma, adaadaa, durbii yookiin abbaa manaa fi haadha manaa waliin jiran irratti nama miseensa maatii akkasii ta'een hanni salphaa raawwatame kan adabsiisu miti.

KEEWWATA 31. ASHEETA MIDHAANII YOOKIIN ATAAKILTII FUNAANUU

Namni kamiyyuu yeroo kamittuu:

- (a) Maasii yookiin ataakiltii nama biraa keessaa asheeta midhaanii yookiin firii ataakiltii bakkuma sanitti nyaachuuf jedhee hayyama malee kan mure, kan cabse, kan hate yoo ta'e;

፳፱. የሕዝብና የግል ንብረትን ስለመጠበቅ

ማንም ሰው ፡-

- ሀ) በሚገባ ሳይፈቀድለት ከሕዝብ ወይም የግል መሬት ላይ አፈር ፣ ድንጋይ ፣ እንጨት ፣ አሸዋ ፣ ሣር፣ ወይም ሌላ በመሬት ላይ የሚገኙ ነገሮች የወሰደ እንደሆነ ፤
- ለ) በማናቸውም ጊዜ ቢሆን መብት ወይም ተገቢ ፈቃድ ሳይኖረው ፣ በተዘራ ሰብል ወይም ፍሬ ባለበት በሌላ ሰው መሬት ላይ ያለፈ ወይም ይህን በመሳሰለው መሬት መካከል የገባ ወይም ያለፈ እንደሆነ ወይም የቀንድ ከብቶችና የጋማ ከብቶችን ይህንኑ ያስጋጠ እንደሆነ ፤
- ሐ) መብት ወይም ፈቃድ ሳይኖረው በተከለከለ የማይኛ ወይም በዓሣ ማጥመጃ ሥፍራ ውስጥ የገባ እንደሆነ እስከ ሦስት መቶ ብር በሚደርስ የገንዘብ መቀጮ ወይም እስከ አንድ ወር በሚደርስ እሥራት ይቀጣል ።

፴. ቀላል ስርቆት፡-

፩. ማንኛውም ሰው በችግር ወይም በፍላጎት ተነሳሰቶ ግምቱ አነስተኛ የሆነውን የሌላ ሰው ገንዘብ ወይም ድምፅ ሊገለገልበት አስቦ የሰረቀ እንደሆነ እስከ ሆሞሣ ብር በሚደርስ የገንዘብ መቀጮ ወይም አሥራ አምስት ቀን በሚደርስ እሥራት ይቀጣል አድራጊው ይህን ተግባር የፈፀመው በችግረኛነቱ ወይም ይህ ነገር ለሕይወቱ በፍጹም አስፈላጊ ሆኖበት ማድረጉን ያስረዳ እንደሆነ ፍርድ ቤቱ ከቅጣት ነፃ ሊያደርገው ይችላል።

፪. በአባት ፣ እናት ፣ አያት ፣ ወንድምና እህት ፣ አክስት ፣ አጎት ወይም የአክስት ልጅ ወይም ደግሞ ባልና ሚስት ሆነው አብረው በሚኖሩ ቤተሰቦች የተደረገ ቀላል ሥርቆት ቅጣትን ፣ አያስከትልም።

፴፩. የእህልና የተክል እሽት ስለመልቀም፡

ማንም ሰው በማናቸውም ወራት ቢሆን ፡-

- ሀ) የሌላ ሰው ንብረት ከሆነው እርሻ ወይም ከአትክልት ውስጥ የእህል እሽቶችን ፣ የአትክልትና የዛፍ ፍሬዎችን እሥፍራው ላይ ለመብላት ያለፈቃድ የሠረቀ ፣ የቀጠፈ ፣ እንደሆነ ፤

Article 29. Protection of Public and Private Property.

Whosoever:

- (a) removes, without due authorization, from a public or private place, earth, stones, wood, sand or materials, grass, hedges, plants or seeds; or
- (b) enters or goes over without being entitled thereto, in any reason whatever, enclosed or shown land bearing crops or fruit, or causes or allows his cattle or his mounts to go over such land or pasture thereon; or
- (c) unlawfully enters reserved hunting or fishing land, is punishable with fine not exceeding three hundred Birr or arrest not exceeding one month.

Article 30. Petty Theft.

- 1) Whosoever, prompted by need or desire or by lack of conscience, take a thing of small value belonging to another for his immediate consumption or use, is punishable with fine not exceeding fifty Birr or arrest not exceeding ten days. The court may impose no punishment when the offender was urged by hardship or need duly proven.
- 2) A petty theft committed to the prejudice of one's relatives, particularly of one's father, mother, grandfather, grandmother, brother, sister, uncle, aunt, nephew, niece or a spouse not legally separated shall not be punishable.

Article 31. Pifering and Gleaning.

Whosoever in any season of the year:

- (a) without leave takes or gathers in order to eat them on the spot, fruit, berries, grains, vegetables and other agricultural or horticultural products belonging to another person; or

(b) Maasii midhaan yookiin ataakiltiin irraa guuramee hindhumne keessaa midhaan, firii yookiin wantoota kana fakkaatan biroo qabeeyna nama biraa keessaa kan funaane yookiin kan sassaabe yoo ta'e adaba maallaqaa hanga qarshii shantamaa yookiin hidhaa hanga bultii kudha shanii ga'uu danda'uun adabama.

KEEWWATA 32. WANTOOTAA SHAKKII UUMAN TOKKO TOKKO SABABA MALEE QABACHUU

Namni kamiyyuu eessaa akka aragtee fi tajaajila akkamiitiif akka isa fayya-dan sababa gahaa fakkaatuun ibsuu kan hin dandeenye wantoota akka furtuu, hiiktuu, qottoo fi sibiila kana fakkaatan adda addaa akkasumas sanadoota fi barreeffamoota gatii baasan yookiin wantoota kana fakkaatan kan shakkii uuman qabatee kan argame yoo ta'e adaba maallaqaa hanga qarshii 300 (dhibba sadii) yookiin hidhaa hanga baatii tokko ga'uu danda'uun adabama.

KEEWWATA 33. QABEENYA HARKA ISAA GALE BEEKSISUU DHIISUU

Namni kamiyyuu:

- (a) Qabeenya lafaa argate yookiin qabeenya nama biraa kan bade yookiin kan dhoksamee argame ta'ee kan harka isaa jiru,
(b) Hanna yookiin yakka qabeenya nama biraa iraatti raawwatameen kan argame ta'uusaa utuu hin beekiin qabeenya akkasii haala kamiinuu kan argate kan bite yookiin kan fuudhe yeroo ta'etti qabeenyichi sababa gocha yakka-atiin kan argame ta'uusaa akkuma shakkeen yookiin akkuma bareen qabeenyichi harka jiraac-huu isaa akka haalichi isaaf hayya-metti battalumatti qaama aangoo qabu kan dhimmichi isa illaalutti utuu hi beeksisiin yoo hafe adaba maallaqaa hanga qarshii 300 (dhibba sadii) yookiin hidhaa baatii tokko ga'uu danda'uun adabama.

KEEWWATA 34. QABEENYA NAMA MANCAASUU YOOKIIN GATH DHABSISUU

Namni kamiyyuu:

- (a) Akka eeguuf yookiin galfataan kan itti kenname mana nama biraa haala badaa ta'een qabuudhaan manicha yookiin qaama manichaa kan mancaase yookiin gatii akka dhabu kan taasise yoo ta'e.

ለ) ለእርሻዎች ፣ ከአትክልቶች ወይም ሰብላቸው በሙሉ ካልተነሳባቸው ማሳዎች ውስጥ እህሎችን ፣ ፍሬዎችንና ሌሎችንም ይህን የመሳሰሉትን ነገሮች ከሌላ ሰው ንብረት ውስጥ የለቀመ የቃረመ ፣ የሰበሰበ እንደሆነ እስከ አምሳብር በሚደርስ የገንዘብ መቀጮ ወይም እስከ አሥራ አምስት ቀን በሚደርስ እሥራት ይቀጣል ።

፴፪. አጠራጣሪ የሆኑትን አንዳንድ ዕቃዎች ያለ ምክንያት ስለመያዝ

ማንም ሰው ከየት እንዳመጣቸውና ከምን እንዳገኛቸው ለምን ዓይነት አገልግሎት እንደሚጠቀሙበት በቂ በሚመስል ምክንያት ማስረዳት የማይችለውን ቁልፎችን ፣ መክፈቻዎችን ምሳሌዎችንና ይህን የመሳሰሉ ብረቶችን እንዲሁም ሠነዶችንና ባለዋጋ ጽሑፎችን ወይም ይህን የመሳሰሉ የሚያጠራጥሩ ዕቃዎችን ይዞ የተገኘ እንደሆነ እስከ ሦስት መቶ ብር በሚደርስ የገንዘብ መቀጮ ወይም እስከ አንድ ወር በሚደርስ እሥራት ይቀጣል ።

፴፫. በእጅ የገባን ንብረት ያለ ማሳወቅ

ማንም ሰው ፡-

- ሀ) ወድቆ የተገኘውን ዕቃ ወይም ከሌላ ሰው ሀብት ውስጥ የጠፋውን ዕቃ ወይም ተሸሽጎ የተገኘውን ሀብት ፣
ለ) በሥርቆት ወይም በሌላ ሰው ንብረት ላይ በተደረገው ወንጀል የመጣ መሆኑን ሳያውቅ በማናቸውም አኳኋን ያገኘ የገዛ ወይም የተቀበለ ሰው ይህ ዕቃ በወንጀል ሥራ የመጣ መሆኑን ወዲያው እንደጠረጠረና እንዳወቀ ያለበት ቦታ ሁኔታና ሌሎችም አካባቢ ምክንያቶች እንደ ፈቀደለት በእጅ መኖሩን ለከፍሎ ባለሥልጣን ሳያስታውቅ የቀረ እንደሆነ እስከ ሦስት መቶ ብር በሚደርስ የገንዘብ መቀጮ ወይም እስከ አንድ ወር በሚደርስ እሥራት ይቀጣል ።

፴፬. የሰውን ሀብት ስለ ማበላሸት ወይም ዋጋ ማሳጣት

ማንም ሰው ፡-

- ሀ) እንዲጠብቅ ወይም በሌላ ዓይነት ሁኔታ በአደራ የተቀበለውን የሌላ ሰው ቤት በመጥፎ ሁኔታ በመያዝና በአጠባበቅ ጉድለት ቤቱን ወይም የቤቱን አካል ያበላሸና ዋጋ እንዲያጣ ያደረገ እንደሆነ ፣

(b) gleans, rakes or picks in fields, orchards or land owned by another and from which crops have not yet been fully gathered, is punishable with fine not exceeding fifty Birr or arrest not exceeding fifteen days.

Article 32. Unjustified Possession of Suspicious Articles.

Whosoever is found in possession of keys, hooks, pincers, instruments or weapons, or securities, articles or objects the origin of which he cannot explain satisfactorily or the use of which he cannot justify is punishable with fine not exceeding three hundred Birr or arrest not exceeding one month.

Article 33. Failure to Notify the Competent Authority and Concealment of property.

Whosoever omits to notify the competent authority, as soon as circumstances and material conditions enable him so to do:

- (a) upon his finding an object mislaid or lost by another person; or
(b) upon acquiring or receiving in any capacity whatsoever objects of any nature originating, without his knowledge, from a theft or another offence against another person's property, the felonious origin of which he subsequently suspected, knew or ascertained, is punishable with fine not exceeding three hundred Birr or arrest not exceeding one month.

Article 34. Defacement or Depreciation of another Person's Property.

Whosoever:

- (a) defaces or depreciates by inadequate care or maintenance another person's house for the upkeep of which he is responsible; or

(b) Lafa qabiyyee ofii ta'erratti hojii hojjetatuun kan ka'e mana nama biraarra balaan akka ga'u kan taasise yoo ta'e.

(c) Karaa ba'aa fi gala nama biraa bakka qodaa itti miican gochuudhaan, meeshaa mana ittiin ijaaran karrarra tuuluudhaan, bo'oo bishanii yookiin lolaa haalaan eeguu dhiisuudhaan, bo'oo bishanii yookiin lolaa gara qabeenya nama biraatti jallisuu fi bishaanichi lafa nama biraa irratti akka dhangala'u taasisuu fi gochota kana fakkaatan biroo raawwachuudhaan qabeenya nama biraa irraatti miidhaa kan geessise yoo ta'e adaba maallaqa hanga qarshii 300 (dhibba sadii) yookiin hidhaa hanga baatii tokko ga'uu danda'uun adabama.

KEEWATA 35. YAADA HAMME ENYAATIIN FAAYIDAA NAMA BIRAA HUBUU

Namni kamiyyuu badhaadhina argachuudhaaf yaaduudhaan utuu hin ta'ii mala gowwomsuu fi waliindhahuudhaan hammenyaa fi hawwii nama miidhuutiin yookkin sababa biraa kamiinuu kaka'ee namni biraa faayidaa gatii qabu kan mataa ofii yookiin kan nama biraa irratti gocha miidhaa geessisu akka raawwatu kan taasise yoo ta'e adaba maallaqa hanga qarshii 300 (dhibba sadii) yookiin hidhaa hanga baatii tokko ga'uu danda'uun adabama.

KEEWATA 36 KAFFALTII MALEE TAJAJILA ARGACHUU

Namni kamiyyuu kaf Faluu kan hin dandeenye ta'uusaa utuu beekuu dhaabilee tajaajila ummataa kan akka hoteela, mana dhugaatii, mana nyaataa, manneen bultii, dhukaanota daldalaa seenuudhaan kan nyaate, kan dhuge, tajaajila bultii fi tajaajiloota kana fakkaatan biroo akka argatu kan taasise yoo ta'e adaba maallaqaa hanga qarshii 300 (dhibba sadii) yookiin hidhaa hanga baatii tokko ga'uu danda'uun adabama.

KEEWATA 37. TAJAJILOOTA BIROO HAALA WALIIN DHAHUUTIIN ARGACHUU

Namni kamiyyuu gatii utuu hin kaffaliin tajaajiloota akkasii argachuu akka hin dandeenye utuu beekuu. (a) tajaajila geejjibaa keessa seenee kan tajaajilame yoo ta'e.

ለ) በራሱ ይዞታ መሬት ላይ በሚያከናውነው ሥራ ምክንያት በሌላው ሰው ቤት ላይ አደጋ እንዲደርስበት ያደረገ እንደሆነ፤

ሐ) የሌላውን ሰው የመውጫ የመግቢያ መንገድ ላይ የዕቃ ማጠቢያ በማድረግ በመንገዱ ላይ የቤት መሥሪያ ዕቃውን በመቆለል፣ የውሃ መፍሰሻ በየችን በመጥፎ ሁኔታ በመያዝ፣ ወይም የቦቶችን ትልም ወደሌላ ሰው ንብረት በመምራትና ውሃው በሌላ ሰው መሬት ላይ እንዲፈስ በማድረግና ይህን በመሳሰለ ሌላ ዓይነት ሥራ በሌላው ሰው ንብረት ላይ ጉዳት ያደረሰ እንደሆነ እስከ ሦስት መቶ ብር በሚደርስ እሥራት ወይም እስከ አንድ ወር በሚደርስ እሥራት ይቀጣል።

፴፮. በተንኮል መንገድ የሌላውን ሰው ጥቅም ስለመገዳት፡-

ማንም ሰው ብልጽግናን ለማግኘት በማቀድ ሳይሆን በማታለልና በማጭበርበር ዘዴ በክፋትም ሆነ በመገዳት ምኞት ወይም በማንኛውም ሌላ ምክንያት የሌላውን ሰው በራሱ ወይም በሌላ ሰው የገንዘብ ጥቅም ላይ ጉዳትን የሚያደርስ ሥራ እንዲፈጸም ያደረገ እንደሆነ እስከ ሦስት መቶ ብር በሚደርስ የገንዘብ መቀጮ ወይም እስከ አንድ ወር በሚደርስ እሥራት ይቀጣል።

፴፯. ካለ ክፍያ አገልግሎት ስለማግኘት፡-

ማንም ሰው ለመክፈል የማይችል መሆኑን እያወቀ ለሕዝብ ጥቅም ተቋቁመው አገልግሎታቸውን በዋጋ በሚያበረክቱ እንደ ሆኑ፣ እንደ መጠጥ ቤት እንደ ምግብ ቤት እንደ ማደሪያ ቤት ባሉት የንግድ ሱቆች ውስጥ ገብቶ የተመገበ ወይም የጠጣ ወይም የማደሪያ ሥፍራ ወይም ማናቸውንም ሌላ አገልግሎት እንዲያገኝ ያደረገ እስከ ሦስት መቶ ብር በሚደርስ የገንዘብ መቀጮ ወይም እስከ አንድ ወር በሚደርስ እሥራት ይቀጣል።

፴፰. ሌሎችን አገልግሎቶች በአጭብርባሪነት ስለ ማግኘት

ማንኛውም ሰው ዋጋ ሳይከፍልበት ይህን የመሳሰለውን አገልግሎት ለማግኘት የማይችል መሆኑን እያወቀ፣

ሀ) በየብስ በባሕር ወይም በአየር መመላለሻ ውስጥ ገብቶ የተገለገለ እንደሆነ፤

(b) damages another person's house by works effected on his land; (c) obstructs another person's right of way or access to his property by the discharge thereon construction materials or objects, by the diversion or defective upkeep of water or drains, and damages the property of other persons by any other similar acts, is punishable with fine not exceeding three hundred Birr or arrest not exceeding one month.

Article 35. Malicious Injury to another Person's Interests.

Whosoever, without any intent to secure an illicit enrichment, causes another person to do acts detrimental to his proprietary interests or those of a third party by resorting to deceptive or fraudulent methods, whether out of malice intent to injure or for any other reason is punishable with fine not exceeding three hundred Birr or arrest not exceeding one month.

Article 36. Filching

Whosoever, knowing that he is unable to pay, orders or obtains food stuffs, beverages, accommodation or benefits of any kind whatsoever in establishments such as boarding houses, eating houses, inns or hotels catering for the public is punishable with fine not exceeding three hundred Birr or arrest not exceeding one month.

Article 37. Fraudulent Obtaining of other Benefits.

Whosoever fraudulently obtains without payment benefits which he knew to be obtainable only against remuneration, in particular:

(a) conveyance by public or private means of transport, or

(b) gatiin kan itti kaffalamu manneen tiyaatiraa, siniimaa fi iddoowwan kana fakkaatan kan taphni adda addaa itti agarsiifamu keessa kan seene yoo ta'e adaba maallaqa hanga qarshii 300 (dhibba sadii) yookiin hidhaa hanga baatii tokko ga'uu danda'uun adabanma.

KEEWWATA 38.  
HAYYAMA MALEE  
MAALLAQA  
SASSAABUU

Namni kamiyyuu seeraan utuu hin hayyamamiiniif yookiin abbaa aangoo dhimmi ilaalu utuu hin hayyamsiisiin addabaabaayii yookiin bakka namootni jiran irra naanna'ee maallaqa kan gaafate yookiin kan sassaabe yoo ta'e adaba maallaqaa hanga qarshii 300 (dhibba sadii) yookiin hidhaa hanga baatii tokko gahu danda'uun adabama. Hojiin maallaqa sassaabuu kun kan raawwatame manneen sirni amantii itti gaggeeffamu keessatti yookiin bakka walga'ii tokkootti yookiin bakka waldaalee hawaasaa yookiin dhuunfaatti yookiin kutaalee hojii akkasii akka hojii idilee olii godhanii gaggeessaniin yookiin tajaajila ispoortitiif ta'ee maallaqni sassaabamu kun tajaajila hawaasaatiif kan oolu yoo ta'e adabbiin jedhame kun hin raawwatamu.

KEEWWATA 39. ADABA  
SALPHAA MURTEESSUU

Yakka raawwatameef adabbiin kennamu keewwatoota armaan olitti tarreeffaman irratti kan ibsame yoo jiraateyyuu manni murtichaa;

- (a) Badiin raawwatame salphaa ta'uusaa tilmaama keessa galchuudhaan akeekkachiisaa fi dhiifama gaafachiisuu qofa murteessuu ni danda'a.
- (b) Barbaachisaa ta'ee yeroo itti mul'atetti haala hojii dhuunfaa himatamichaa hin miineen naannoo isaa fi dhaabbilee hawaasummaa naannoo jireenya isaatti argaman keessatti hojii misoomaa guyyaa tokkoo kaasee hanga guyyaa torbaa akka hojjetu murteessuu ni danda'a.

KUTAA 3

TUMAALIE DEEMSA  
FALMII KEEWWATA 40.

AKKAATAA HIMANNOON FI  
DEEBIIN ITTI DHIYAATU

- 1) himanni yookiin deebiin Mana Murtii Hawaasummaa Gandaatti dhiyaatu barreeffamaan ta'uu qaba.
- 2) Himannii yookiin deebiin barruudhaan dhiyaatu koppii sadiin ta'uu qaba.

ለ) ዋጋ በሚከፈልባቸው በቲያትር፣ በሲኒማ ፣ በጨዋታ ቤቶችና እነዚህን በመሳሰሉ ሥፍራዎች ውስጥ የገባ እንደሆነ እስከ ሦስት መቶ ብር በሚደርስ የገንዘብ መቀጮ ወይም እስከ አንድ ወር በሚደርስ እሥራት ይቀጣል።

፴፰. ያለፈቃድ ገንዘብ ስለመሰብሰብ

ማንም ሰው በሕግ ሳይፈቀድለት ወይም የክፍሉን ባለሥልጣን ሳያስፈቅድ በአደባባይ እየዞረ ገንዘብ የሰበሰበ ወይም የጠየቀ እንደሆነ እስከ ሦስት መቶ ብር በሚደርስ የገንዘብ መቀጮ ወይም እስከ አንድ ወር በሚደርስ እሥራት ይቀጣል። ይህንን የገንዘብ መሰብሰብ ጉዳይ የተፈፀመው ሃይማኖታዊ ሥርዓት በሚፈፀምባቸው ሕንፃዎች ውስጥ ወይም ባንድ ስብሰባ ሥፍራ ወይም ባንድ ማኅበር ወይም ባንድ የግል ከሆኑ የማኅበር ክፍሎች ይህን በመሳሰሉ ክፍል ሆኖ የገንዘቡም ስብሰባ ለበጎ አድራጎት የሆነ እንደሆነ ይህ የተባለው ቅጣት ድንጋጌ አይፈፀምባቸውም።

፴፱. ቀላል ቅጣት ስለመወሰን

ለተፈጠረው ወንጀል የሚሰጠው ቅጣት ከዚህ በላይ በተዘረዘሩት አንቀጾች ሥር የተጠቀሰው ቢኖርም እንኳ ፍርድ ቤቱ፡-

- ሀ) የተፈፀመው ጥፋት ቀላል መሆኑን ከግምት ውስጥ በማስገባት በማስጠንቀቂያና ይቅርታ እንዲጠይቅ በማድረግ ብቻ ሊወሰን ይችላል።
- ለ) አስፈላጊ ሆኖ ካገኘው የተከሰተውን የግል ሥራውን በማይገባ ሁኔታ በአካባቢውና በአካባቢው በሚገኙ ማኅበራዊ ተቋማት ውስጥ ከአንድ ቀን እስከ ሰባት ቀን የልማት ሥራ እንዲሠራ ሊወሰን ይችላል።

ክፍል ፫

የክርክር ሥነ-ሥርዓትን የሚመለከቱ  
ድንጋጌዎች

፵. የክስና የመልስ አቀራረብ፡-

- ፩. በማህበራዊ ፍርድ ቤት የሚቀርብ ክስ ወይም መልስ በጽሁፍ መሆን አለበት።
- ፪. በጽሁፍ የሚቀርበው ክስ ወይም መልስ በሦስት ቅጂ ተዘጋጅቶ መቅረብ አለበት።

(b) admittance to a show, entertainment performance, exhibition or any other similar function organized for profit, is punishable with fine not exceeding three hundred Birr or arrest not exceeding one month.

Art. 38. Unauthorized Collection.

Whosoever publicly collects funds or appeals for money without being authorized so to do by law or the competent authority is punishable with fine not exceeding three hundred Birr or arrest not exceeding one month.

This article shall not apply to collections made in building dedicated to the practice of religion, or in private professional, sporting or other clubs, societies or circles, in particular if made for purposes of charity upkeep.

Article 39. Imposing Simple Penalty.

Notwithstanding the penalties provided herein this proclamation the social court:-

- (a) taking into account the degree and nature of the offence committed may punish the offender by warning and forcing him to apologize.
- (b) where it deems necessary and in a manner that does not affect the private life of the offender may also order the offender to render social service for one to seven days in community development activities of his own residence.

PART THREE

PROVISIONS RELATING TO  
PROCEDURE

Article 40. Pleadings.

- 1) Pleadings before the social courts shall be in writing.
- 2) A written pleading shall be prepared in three copies.

- 3) Armaan olitti kan ibsame yoo jiraateyyuu hanqina humnaatiin kan ka'e barreeffamaan dhiheeffachuu hin danda'u jedhee nama itti amane irraa manni murtichaa himata yookiin deebii afaaniin dhihaatu fuudhuu ni danda'aa.
- 4) Himanni yookiin deebiin kan dhihaate afaaniin yoo ta'e abbootiin seeraa dhaddacha gubbatti maqaa, umrii saala fi teessoo himataa fi himatamaa, dubbii himannichaa yookiin deebichaa gabaabinaan akkasumas ragaa jiru galmeessanii barreeffamatti jijjiiruudhaan battalumatti eega dubbisaniin fi booda himataan yookiin himatamaan akka irratti mallatteessan taasisuu qaba.
- 5) Himanni barreeffamaanis ta'e afaaniin dhiyaatu tilmaama qabeenyichaa yookiin hanga maallaqaa himannichi irratti hundaaye ibsuu qaba. Sababni himannichaa gaaffii mirgaa kan maallaqaan tilmaamamuu hin dandeenye yoo ta'e kunumti ibsamuu qaba.

**KEEWWATA 41. NAMOOTAA HIMATA DHIYEESUU DANDA'AN**

- 1) Himanni badii danbii darbuu kan dhiyaatu:
  - (a) Qaama yookiin qabeenya namaa irratti badii raawwatame yoo ta'e, abbaa miidhaan irra gayeen yookiin bakka bu'aa isaatiin,
  - (b) Mana hojii mootummaa yookiin mana hojii kan biraa irratti badii raawwatame yoo ta'e karaa bakka bu'aa isaatiin,
  - (c) Badiin kan raawwatame uummata gandichaa waliigala irratti yoo ta'e dura taa'aa Mana Marii Bulchiinsa Gandaatiin yookiin nama inni barreeffamaan bakka buusuun ta'a.
- 2) Himanni hariiroo hawaasaa kan dhiyaatu nama falmicharraa bu'aa argachuu danda'uun, yookiin nama miidhaan irra gayeen yookiin bakka bu'aa isaatiin ta'a.
- 3) Bakka bu'aa jechuun abukaattoo heeyyama fi bakka bu'ummaa qabu, dubbii fixaa waajjiiraa yookiin haadha manaa, abbaa manaa, abbaa, haadha, ilma, intala, obboleessa, obbooleettii, akaakayyuu yookiin akkoo himataa ykn himatamaa dha.

- ፫. ከላይ የተገለጸው ድንጋጌ ቢኖርም ፍርድ ቤቱ ክስን ወይም መልሱን በአቅም ማነስ ምክንያት በጽሁፍ ማቅረብ አይችልም ብሎ ካመነበት ይህን ክስን ወይም መልሱን በቃል ሊቀበለው ይችላል ።
- ፬. ይህም ሊሆን ዳኞች በችሎት ላይ የተከራካሪዎቹን ስም ፣ ዕድሜ ፣ ጾታ ፣ አድራሻ ፣ የክስን ወይም የመልሱን ፍሬ ነገር በአጭሩ ፣ እንዲሁም ያለውን ማስረጃ መዝግበው በጽሁፍ በማኖር ወዲያውኑ ለከሣሹ ወይም ለተከሣሹ ካነበቡለት በኋላ እንዲፈረምበት መደረግ አለበት ።
- ፭. በጽሁፍ ሆነ በቃል የሚቀርበው ክስ ለክሱ ምክንያት የሆነውን የንብረት ግምት ወይም የገንዘብ ልክ ማመልከት አለበት ። የክስን ምክንያት ወይም የመብት ጥያቄው በገንዘብ ሊተመን የማይችል ከሆነ ይኸው መገለጽ አለበት ።

**፵፩. ክስ ሊያቀርቡ የሚችሉ ሰዎች**

- ፩. የደንብ መተላለፍ ክስ የሚቀርበው
  - ሀ) በሰው አካል ወይም ንብረት ላይ የተፈፀመ ጥፋት ከሆነ ጉዳቱ በደረሰበት ሰው ወይም በወኪሉ ፣
  - ለ) ጉዳቱ የተፈፀመው በመንግሥት መሥሪያ ቤት ወይም በሌላ መሥሪያ ቤት ላይ ከሆነ በወኪላቸው ፣
  - ሐ) ጥፋቱ የተፈፀመው በቀበሌው ሕዝብ ላይ ከሆነ በቀበሌው አመራር ምክር ቤት ሊቀመንበር ወይም እሱ በጽሁፍ በወከለው ሰው ይሆናል ።
- ፪. የፍትህ ተቋማት ክስ የሚቀርበው ከጉዳዩ ጥቅም ባለው ሰው ወይም ጉዳቱ በደረሰበት ሰው ወይም በወኪሉ ይሆናል ።
- ፫. ወኪል ማለት የጥብቅና ፈቃድና ውክልና ያለው ጠበቃ ፣ የመሥሪያ ቤት ነገረ ፈጅ ወይም የከሣሽ ወይም የተከሣሽ ሚስት ፣ ባል ፣ አባት ፣ እናት ፣ ልጅ ፣ ወንድም ፣ እህት ፣ ወንድ አያት ወይም ሴት አያት ናቸው ።

- 3) Notwithstanding what is provided above, the court may also accept an oral statement of claim or defence if it thinks that the party is not in a position to plead in writing.
- 4) Where an oral pleading is filed with with the court the judges, on the bench, shall reduce it into writing stating the name, age, sex, address of the parties, the subject matter of the suit or the defence, the evidence thereto, and shall forthwith read the brief to the party and have him signed.
- 5) Whether a suit is filed orally or in writing it shall specify the value of the property or the amount of money involved, and if the suit is for a claim of right which cannot be expressed interms of money, a statement to that effect.

**Article 41 The Real Parties in Interest.**

- 1. An action for a petty offence may be initiated by:
  - a) the injured party or his representative where the subject matter of the suit relates to offences committed against his person or property;
  - (b) the representative of the organ if the case relates to a government or any other body;
  - (c) the head of the Kebele Administration Council or the person represented by him in writing if the offence is committed against the residents in general.
- 2) A civil suit may be instituted by a person who has vested interest in the case, or by the aggrieved party himself, or his representatives.
- 3) The term "representative" includes a licensed counselor having the power of attorney, pleader, the spouse of the party, the father, the mother, the son, the daughter, the brother, the sister, grand parents of the plaintiff or the defendant.

Keewwata 42. Ajaja Waamichaa

- 1) Himatamaan himata badii danbii darbuus ta'e kan hariiroo hawaasaa isa irratti dhiyaateef deebii kennu akka danda'u koppiin himannichaa xalayaa waamichaa mana murtii wajjin guyyaa beellamaatiin guyyaa torba dura isa gahuu qaba. Xalayaan waamichaa kunis maqaa himataa fi himatamaa, yeroo fi bakka himanni itti dhagahamu (ilaalamu) akkasumas gosa himannichaa gabaabinaan kan ibsu ta'uu qaba.
- 2) Namni yookiin qaamni kamiyyuu waamichi mana murtii hawaasummaa isa yoo gaye dhiyaatuuf yookiin ragaa gaafatame dhiyeessuuf dirqama qaba.

Keewwata 43. Beellamatti Dhiyaachuu Dhabuu

- 1) Badii danbii darbuutiin namni himatame yoo dhiyaachuu dhabe waamichi yeroo lammaffaaf ni ergamaaf. Ammas yoo hin dhiyaanne hidhataa gandatiin yookiin poolisiidhaan dirqamee akka dhiyaatu godhama.
- 2) dhimmichi murtiif kan bule yoo ta'e malee himataan beellama duraa irraa yoo hafe beellamni tokko nijijiiramaaf. Beellama lammaffaatti yoo hafe garuu galmeen ni cufama.
- 3) dhimmichi murtiif kan bule yoo ta'e malee dhimma hariiroo hawaasaa irratti himatamaan beellama duraa irraa yoo hafe yeroo lammaffaaf waamichi ni godhamaaf. Beellama lamaffaatti yoo hafe garuu manni murtichaa bakka inni hin jirretti galme qoratee ragaa himataas dhagahee murtii ni kenna.
- 4) Himataa fi himatamaan lamaannuu beellama duraa irraa yoo hafan bu'uura keewwata 43.2tiin kan raawwatamu ta'a.
- 5) dhimmichi murtiif kan bule yoo ta'e himataa fi himatamaan dhiyaachuu baatanis kunumti galmaayee murtiin ni kenname malee galmeen hin cufamu.

፵፪. የመጥሪያ ትዕዛዝ

- ፩. ተከሣሹ ለቀረበበት የደንብ መተላለፍ ሆነ የፍትሐብሔር ክስ መልስ መስጠት እንዲችል የክሱ ቅጂ ከፍርድ ቤቱ መጥሪያ ጋር የቀጠሮው ቀን ከመድረሱ ከሰባት ቀን በፊት ሊደርሰው ይገባል ። የመጥሪያውም ወረቀት የከሣሽና የተከሣሽ ስም፣ ክሱ መቼና የት እንደሚሰማ ፣ እንዲሁም የክሱን ዓይነት ባጭሩ የሚገልጽ መሆን አለበት ።
- ፪. ማንኛውም የማህበራዊ ፍርድ ቤት መጥሪያ የደረሰው ሰው ወይም አካል የመቅረብ ወይም የተጠየቀውን ማስረጃ የማቅረብ ግዴታ አለበት ።

፵፫. ከቀጠሮ መቅረት

- ፩. በደንብ መተላለፍ ጥፋት የተከሰሰ ሰው ሳይቀርብ የቀረ እንደሆነ ለሁለተኛ ጊዜ መጥሪያ ይላክለታል ። አሁንም ያልቀረበ ከሆነ በቀበሌ ታጣቂ ወይም በፖሊስ ተገዶ እንዲቀርብ ይደረጋል ።
- ፪. ጉዳዩ ለውሳኔ ያደረ ካልሆነ በቀር ከሣሹ በመጀመሪያ ቀጠሮ ከቀረ አንድ ቀጠሮ ይለወጥ ላታል ። በሁለተኛው ቀጠሮ ከቀረ ግን መዝገቡ ይዘጋል ።
- ፫. ጉዳዩ ለውሳኔ ያደረ ካልሆነ በቀር በፍትሐብሔር ጉዳይ ተከሣሹ በመጀመሪያ ቀጠሮ ከቀረ ሁለተኛ መጥሪያ ይላክ ላታል ። በሁለተኛው ቀጠሮ ከቀረ ግን ፍርድ ቤቱ ጉዳዩን እሱ በሌለበት መርምሮ የከሣሽንም ማስረጃ ስምቶ ውሳኔ ይሰጣል ።
- ፬. ከሣሽና ተከሣሽ ከመጀመሪያ ቀጠሮ ከቀሩ በአንቀጽ ፵፫ ንዑስ አንቀጽ ፪ መሠረት የሚፈፀም ይሆናል ።
- ፭. ጉዳዩ ለውሳኔ ያደረ ከሆነ ግራ ቀኙ ባይቀርቡም ይሄው ተመዝግቦ ውሳኔ ይሰጣል እንጂ መዝገቡ አይዘጋም ።

Article 42. Summons.

- 1) Where it is a civil suit or an action for a petty offence, a copy of the suit or the charge and summons shall be served on to the defendant seven days before the time set for hearing the case so that he can prepare his defense. The summons shall contain the name of the plaintiff and defendant, time and place of hearing and the nature of the suit or charge in brief
- 2) Any person or organ that has been summoned by the social courts shall have the duty to appear before them or shall send the evidences required by them.

Article 43. Failure to Appear on the Date of Hearing.

- 1) Where a defendant charged with petty offence fails to appear the court shall send him summons for a second time. If he still fails to appear, he shall be forced to appear by local militia or the police.
- 2) Unless the case has matured for decision, the court shall adjourn it once if the plaintiff fails to appear on the date of hearing. However, the court shall dismiss the case if the plaintiff fails to appear on the next adjournment.
- 3) Unless the case has matured for decision, the court shall adjourn a civil suit if the defendant fails to appear on the first day of the hearing. If the defendant, however, fails to appear on the next adjournment, the court may dispose of the case ex-parte by hearing the evidences adduced by the plaintiff.
- 4) Where both the plaintiff and the defendant fail to appear on the first day of the hearing, Article 43(2) hereof shall apply.
- 5) Where the case has ripen for decision, the court may not dismiss the cause, but rather having recorded the fact of their non-appearance dispose of the case even if both parties fail to appear.

Keewwataa 44. Galmee Banuu fi irra Deebi'anii ilaaluu

1) Bu'uura keewwata 43.2 fii 43.4tiin galmee cufame banamu kan danda'u himataan barreeffamaan iyyata yoo dhiyeeffate dha. Himataan beellama duraa irraa kan hafes sababa gahaadhaan ta'uu isaa manni murtichaa yoo hubate galmee cufame ni banama. Haa ta'u malee iyyanni akkasii gaafa galmee cufamee kaa-see ji'a tokko keessatti yoo hin dhiyaanne fudhatama hin qabu.

2) Bu'uura keewwata 43.3tiin dhimmi bakka himatamaan hin jirretti murtaa'e irra deebi'amee akka ilaalamuufii himatamaan mana murtichaa isa murtii kenne barreeffamaan gaafachuu ni danda'a. Manni murtichaas himatamaan beellama duraa irraa kan hafe sababa gahaadhaan ta'usaa yoo hubate murtii duraa kaasuudhaan himata dhiyaate irratti himatamaan deebii akka kennu ajajuu qaba. Haa ta'u malee gaaffiin akkasii himatamaan bakka inni hin jirretti murtiin kennamu isaa gaafa baree kaasee ji'a tokko keessatti yoo dhiyaachuu baate fudhatama hin qabu.

3) bu'uura keewwata 44.1 fi 44.2tiin sababa gahaa jechuun dhukkuba bakka ciisaa irraa ka'uu nama dhorku, cidha mataa isaa fi kan fira dhiyoo, du'a fira dhiyoo fi haalli humnaa ol ta'e bakka irraa bakkatti sosso'uu nama dhorku yookiin kan biraa kanaan walfakkaatu hunda babalata.

4. Keewwata 44.3 jalatti kan ibsame fira dhiyoo jechuun nama himataa wajjin sadarkaa firoomaa labsii kana keewwata 11.1 (c) jalatti ibsame qabu jechuudha.

Keewwata 45. Himata kaasuu Murtiidhaan duratti sababa bitaa fi mirgi araaramanii ykn sababa biraa kamiinuu himataan himannaa isaa barreeffamaan kaasuu ni danda'a. Himanni haala kanaan ka'e irra deebii'amee hin ilaalamu.

፵፬. መዝገቡ ስለሚከፈትበትና ጉዳዩ እንደገና ስለሚታይበት

፩. በአንቀጽ ፵፫/፪/ እና ፵፫/፬/ መሠረት የተዘጋ መዝገብ ሊከፈት የሚችለው ከሣሹ በጽሁፍ ያመለከተ እንደሆነ ነው። ከሣሹ ከመጀመሪያ ቀጠሮ ላይ የቀረው በበቂ ምክንያት መሆኑን ፍርድ ቤቱ የተረዳው ከሆነ የተዘጋውን መዝገብ ይከፍታል። ይሁን እንጂ እንዲህ ዓይነቱ ማመልከቻ መዝገቡ ከተዘጋበት ቀን ጀምሮ በአንድ ወር ጊዜ ውስጥ ካልቀረበ ተቀባይነት የለውም።

፪. በአንቀጽ ፵፫/፫/ መሠረት ጉዳዩ ተከሣሹ በሌለበት ታይቶ የተወሰነ ከሆነ ተከሣሹ ጉዳዩ እንደገና እንዲታይለት ውሳኔውን ለሰጠው ፍርድ ቤት በጽሁፍ ሊያመለክት ይችላል። ፍርድ ቤቱም ተከሣሹ ከመጀመሪያ ቀጠሮ የቀረው በበቂ ምክንያት መሆኑን ከተረዳው የሰጠውን ውሳኔ በማንሣት ተከሣሹ ለቀረበበት ክስ መልስ እንዲሰጥ ማዘዝ አለበት። ይሁን እንጂ እንዲህ ዓይነቱ አቤቱታ ተከሣሹ በሌለበት ውሳኔ መሰጠቱን ካወቀበት ቀን ጀምሮ በአንድ ወር ጊዜ ውስጥ ካልቀረበ ተቀባይነት የለውም።

፫. በአንቀጽ ፵፬/፩/ እና ፵፬/፪/ መሠረት በቂ ምክንያት ማለት የማያንቀሳቅስ በሽታ፣ የራስና የቅርብ ዘመድ የሰርግ ሥነ-ሥርዓት፣ የቅርብ ዘመድ መሞት እና ከቦታ ቦታ መዘዋወር የሚከለክል ከአቅም በላይ የሆነ ሁኔታ ወይም ይኸን የመሳሰሉትን ችግሮች ሁሉ ይጨምራል።

፬. በአንቀጽ ፵፫/፫/ ሥር የተገለፀው የቅርብ ዘመድ ማለት በዚህ አዋጅ አንቀጽ ፲፩/፩/ሐ/ ሥር የከሣሹ ዘመዶች ተብለው የተገለጹት ናቸው።

፵፭. ክስ ማንሣት ከሣሹ ውሳኔ ከመሰጠቱ በፊት በዕርቅ ምክንያት ወይም በሌላ በግናቸውም ምክንያት ክሱን በጽሁፍ ሊያነሳ ይችላል። በዚህ መልኩ የተነሣ ክስ እንደገና ሊታይ አይችልም።

Article 44. Effect of Dismissal.

1) A suit dismissed pursuant to Articles 43(2) and 43(4) of this Proclamation may be reopened if the polaintiff so demands in writing and if he has sufficient cause for not appearing on the first day of hearing and the application is brought within one month's time from the time when the suit has been dismissed.

2) Where a case is disposed ex-parte as per Article 43(3) the defendant may in writing request the court of rendition to set aside the judgment and try the case afresh. The court, if it is satisfied that the defendant's failure to appear on the first day of the hearing was due to sufficient cause, shall set a side the judgement and cause the defendant to file his statement of defence. However, a petition to set aside an ex-parte judgement shall not be considered unless it is brought within one month's time from the time when the defendant has become aware of such judgement.

3) Sufficient cause under Article 44(1) and 44(2) includes serious illness of the defendant, wedding of his own or of a close relative, death of a close relative, and a force majeure that hinders movement from place to place or any other similar factor.

4) A close relative under Article 44(3) shall mean those persons referred to under Article 11(1) (c) of this Proclamation.

Article 45. Withdrawal of Cases.

The plaintiff, in writing and at any stage before judgment, may withdraw his case. However, the case withdrawn in this manner may not be a subject of suit for a second time.

keewwata 46. Dhimma aangoo ala ta'e Manni Murtii Hawaasummaa Gandaa himanni dhiyaateef aangoo isaatii ala ta'uu akka hubateen galmee cufuu qaba.

Keewwata 47. Himata Dhagahuu

1) Himanni dhiyaate kan yakka danbii darbuu yoo ta'e himataaan yookiin bakka bu'aan isaa fi himatamaan dhiyaachuusaani manni murtichaa mirkaneessuu qaba.

2) Haariiroo haawaasaa yoo ta'e himataa fi himatamaan yookiin bakka bu'oonni isaanii dhiyaachuusaanii manni murtichaa mirkaneessuu qaba.

3) Himata dhiyaate himatamaan yookiin bakka bu'aan isaa yoo amane bu'uura amaneen murtiin ni keennama. Himatamaan yoo haale dursee ragaan himataa ni dhagayama.

4) Ragaan himataa bu'uura himannaatiin yoo hin ragne himatamaan bilisaan gaggeeffama. Himatamaa irratti yoo rage, garuu ragaan ittisaa himatamaa ni dhagayama.

Keewwata 48. Murtii

1) Dhimmichi murtiidhaa kan dh-aqqabe yoo ta'e yeroo gabaa-baa keessatti murtiin kennamu qaba.

2) Murtiin kan kennamu sagalee guutuudhaan yookiin sagalee caalamaatiin ta'a. Sagalee caalamaatiin kan murtaa'e yoo ta'e abbaan seeraa yaadaan adda baye yaada isaa dhuma murtii irratti ni galmeessa.

3) Murticha keessatti qabxiiwan falmiidhaan ka'anii fi ragaan dhagahame gabaabbinaan ibsamani, ijoon falmichaas akkamitti akka murtaa'e, sabbani isaa fii keewwanni seeraa jalatti murtaa'e kaayamuu qaban,

4) Gareen barbaade garagalcha murtichaa argachuuf mirga qaba.

፱፮. ከሥልጣን ውጪ የሆነ ጉዳይ የቀበሌ ማኅበራዊ ፍርድ ቤት የቀረበለት ከስ ከሥልጣኑ ውጪ መሆኑን እንደተረዳው መዝገቡን መዝጋት አለበት ።

፱፯. ከስ ስለ መስማት

፩. የቀረበው ከስ የደንብ መተላለፍ ወንጀልን የሚመለከት ከሆነ ፍርድ ቤቱ ከሣሹ ወይም ወኪሉ እና ተከሣሹ መቅረባቸውን ማረጋገጥ አለበት ።

፪. ፍትሐብሔር ከሆነ ከሣሹና ተከሣሹ ወይም ወኪሎቻቸው መቅረባቸውን ፍርድ ቤቱ ማረጋገጥ አለበት ።

፫. የቀረበውን ከስ ተከሣሹ ወይም ወኪሉ ካመነ በእምነቱ መሠረት ውሳኔ ይሠጣል ። ተከሣሹ ከካደግን በቅድሚያ የከሣሹ ማስረጃ ይሰማል ።

፬. የከሣሹ ማስረጃ በክሱ መሠረት ካልመሰከረ ወይም ካላረጋገጠ ተከሣሹ በነፃ ይሠናበታል ። በተከሣሹ ላይ የተመሠከረ ከሆነ ግን የተከሣሹ የመከላከያ ማስረጃ ይሠማል ።

፱፰. ውሳኔ

፩. ጉዳዩ ለውሳኔ የደረሰ ከሆነ በአጭር ጊዜ ውስጥ ውሳኔ መስጠት አለበት።

፪. ውሳኔ የሚሰጠው በሙሉ ድምፅ ወይም በድምፅ ብልጫ ይሆናል። ውሳኔው የተሰጠው በድምፅ ብልጫ ከሆነ በሃሳብ የተለየው ዳኛ ሃሳቡን በውሳኔው መጨረሻ ላይ ያሠፍራል ።

፫. በውሳኔው ውስጥ አጠር ባለ መልኩ የፍሬ ክርክሩን እና የተሰማውን ማስረጃ በመግለጽ የክርክሩ ጭብጥ እንዴት እንደተወሰነ ምክንያቱና ውሳኔው መሠረት ያደረገው የሕግ ድንጋጌ መግለጽ አለበቸው ።

፬. የፈለገ ተከራካሪ ወገን የውሳኔውን ግልባጭ የማግኘት መብት አለው ።

Article 46. Cases Falling Beyond Jurisdiction.

The social court shall dismiss the case at any stage where it becomes aware that it has no jurisdiction over the subject matter of the dispute.

Article 47. Hearing of Cases.

1) The court shall confirm the appearance of the plaintiff or his representative, and the defendant before the opening of the hearing of a petty offence.

2) The court shall confirm the appearance of the plaintiff and the defendant or their respective representative at the hearing of a civil suit.

3) If the defendant or his representative admits the claim or if the defendant pleads guilty, judgement shall be entered accordingly. If the defendant, however, denies the allegation, the court shall first hear the evidence of the plaintiff.

4) The court shall acquit the defendant or dismiss the suit if the evidence on the part of the plaintiff fails to establish his case. If the evidence establishes the case, however, the defence evidence shall be heard.

Article 48. Judgment

1. Judgement shall forthwith be entered if the case has repen decision.

2) Decision shall be given unanimously or by a majority vote. If decision is made by majority vote, a judge who does not agree with the decision of the majority may record his dissenting opinion.

3) The judgement shall briefly specify the issues, the evidences, how the issues are disposed, the reasoning of the court and the legal provisions under which the issues are disposed of.

4) Both parties have the right to take copies of the judgment.

Keewwata 49. Ol'iyyannaa

- 1) Murtii Manni Murtii Hawaasummaa Gandaa kenne irratti ol'yyannaan gaafa murtiin kenname irraa kaasee guyyaa afurtama (40) keessatti mana murtii aanaatti dhiyaata Mani murtii aanaa murtii Mana Murtii Hawaasummaa yoo mirkaaneesse isa dhumaa ta'a. Murticha yoo jijjiire yookiin fooyyeesse garuu ol'yyanni lammaffaan mana murtii ol'aanaatiif dhiyaata. Murtiin Manni Murtii ol'aanaa kennu isa dhumaa ta'a. Garuu murtii isa dhumaa manni murtii aanaa ykn ol'aanaa kennerratti iyyannaan ijibbaataa Mana Murtii Waliigaala Oromiyaatiif dhiyaachuu ni danda'a.
- 2) Gareen murtii Mana Murtii Hawaasummaa irratti komii qabu gaafa murtichi kennamee kaasee guyyaa kudhan keessatti galmeen garagalfaamee akka kennamuuf barreeffamaan gaafatuu qaba. Galmeen inni gaafatee guyyaa kudha shan keessatti garagalfaamee kennamuufii qaba. Ol'yyataan galmeen garagalfaamee gaafa kennameef irraa kaasee guyyaa kudha shan keessatti ol'iyyata isaa dhiyeeffachuu qaba.
- 3) Yeroon ol'yyannaa keewwata 49.1 jalatti ibsame kan darbe sababa yeroon garagalchi galmeetti gaafatamu (guyyaan 10) fi erga galmeen garagalfaamee kennameef booda guyyaan 15 waan darbeef yoo ta'e ol'yyanni hin ilaalamu.
- 4) Garuu yeroo ol'yyannaa sababa gahaadhaan kan darbe yoo ta'e iyyannaa heeyyamsiisaatiin manni murtii aanaa akka dhiyaatu heeyyamuu ni danda'a. Yeroon kan darbe sababa galmeen yeroodhaan garagalfamuu dhabeen yoo ta'e garuu iyyanni heeyyamsiisaa osoo hin barbaachisiin ol'iyyanni ilaalamuu qaba.
- 5) Sababa gahaa jechuun keewwata 44.3 jalatti kan ibsaman keessaa isa tokkodha.

፵፱. ይግባኝ

- ፩. በቀበሌ ማኅበራዊ ፍርድ ቤት በተሰጠው ውሳኔ ቅር የተሰጠ ወገን ውሳኔው ከተሰጠበት ቀን ጀምሮ በ፵ ቀን ውስጥ ይግባኙን ለወረዳ ፍርድ ቤት ሊያቀርብ ይችላል ። የወረዳው ፍርድ ቤት የማህበራዊ ፍርድ ቤቱን ውሳኔ ካፀና ውሳኔው የመጨረሻ ይሆናል ። ውሳኔውን ከለወጠ ወይም ካሻሻለ ግን ሁለተኛ ይግባኝ ለከፍተኛ ፍርድ ቤት ሊቀርብ ይችላል ። የከፍተኛው ፍርድ ቤት የሚሰጠው ውሳኔ የመጨረሻው ይሆናል ። ይሁን እንጂ የወረዳው ፍርድ ቤት ወይም የከፍተኛው ፍርድ ቤት በሰጠው የመጨረሻ ውሳኔ ላይ የሰበር አቤቱታ ለአሮሚያ ጠቅላይ ፍርድ ቤት ሊቀርብ ይችላል ።
- ፪. በማኅበራዊ ፍርድ ቤት በተሰጠው ውሳኔ ላይ ቅሬታ ያለው ወገን ውሳኔው ከተሰጠበት ቀን ጀምሮ በ፲ ቀን ውስጥ መዝገቡ ተገልጦ እንዲሰጠው በጽሁፍ መጠየቅ አለበት ። የጠየቀው መዝገብም በ፲፮ ቀን ውስጥ ተገልጦ ሊሰጠው ይገባል ። ይግባኝ ባዩም መዝገቡ ተገልጦ ከተሰጠበት ቀን ጀምሮ በ፲፮ ቀን ውስጥ ይግባኙን ማቅረብ አለበት ።
- ፫. በአንቀጽ ፵፱/፩/ ሥር የተገለፀው የይግባኝ ጊዜ ያለፈው መዝገብ ተገልጦ እንዲሰጥ የሚጠየቅበት ጊዜና ተገልጦ ከተሰጠ በኋላ ያለው የ፲፮ ቀን ጊዜ በማለፉ ከሆነ ይግባኙ አይታይም ።
- ፬. ይሁን እንጂ የይግባኙ ጊዜ ያለፈው በበቂ ምክንያት ከሆነ በማስፈቀጃ አቤቱታ የወረዳው ፍርድ ቤት ይግባኙ እንዲቀርብ ሊፈቅድ ይችላል ። ጊዜው ያለፈው መዝገቡ በወቅቱ ተገልጦ ባለመሰጠቱ ከሆነ የማስፈቀጃ አቤቱታ ማቅረብ ሳያስፈልግ ይግባኙ ሊታይ ይችላል ።
- ፭. በቂ ምክንያት ማለት በአንቀጽ ፵፱/፫/ ሥር ከተገለጹት ውስጥ አንዱ ሊሆን ይችላል ።

Article 49. Appeal.

- 1) Appeal may lie from the decision of social courts to the District Courts within forty (40) days from the time of judgement. Decision of the District court confirming the judgement of the social courts shall be final. However, a second appeal may lie to the High Court from the decision of the District court varying or reversing the judgment of the social courts. And decision of the High court shall be final. But a petition of cassation may be brought to the Supreme Court of Oromia from the final judgements of both District and High Courts.
- 2) A party aggrieved by the decision of the social court shall in writing request a copy of the text of the file within ten days from the date of judgement. The text of the file shall be given to him in fifteen days from the time when he requests. And the appellant shall file his appeal in fifteen days time from the date when the text is made available to him.
- 3) No appeal shall lie if the time fixed for appeal under Article 49(1) expires due to failure of the appellant to request the copy of the text of the file (10 days) and/or due to his failure to lodge his appeal (15 days) after he has obtained the text.
- 4) However, the District Court upon petition for leave may allow appeal out of time if it is satisfied that the time for appeal lapsed due to good cause. A petition of leave for appeal out of time is not necessary and appeal shall lie where the time for appeal lapsed due to delay on the part of the social court itself to reproduce the text of the file.
- 5) Good cause shall mean any of one of those conditions mentioned under Article 44(3) of this proclamation.

Keewwata 50. Raawwii

- 1) Murtiin Manni Murtii Hawaasummaa Gandaa kenne mana murtii ol'iyyata dhaggeeffat-uun yoo dhorkame malee ni raawwatama.
- 2) Manni Murtii Hawaasummaa murtii kenne ofi isaatiin ni raawwachiisa. Barbaachisaa ta'ee yoo arges Manni murtii Hawaasummaa Gandaa kan biraa akka rawwachiisu bakka buusuu ni daanda'a
- 3) Adabbiin maallaqaa mana mur-tichaatiin murtaa'e Mootum-maa Naannootiif galii ta'a.
- 4) Himatamaan adabbii maalla-qaa irratti murtaa'e sababa hu-mnaa ol ta'een kanfaluu yoo dadhabe gama hojii humnaa keewwata 39(b) jalatti ibsame-tti ni jijjiiramaaf.
- 5) Namni dhimma hariiroo hawa-asaatiin maallaqa akka kafalu itti murtaa'e raawwachuuf fed-hii yoo dhabe qabeenyi isaa idaa isatti murtaa'e waliin wal-gitu caalbaasiidhaan gurgur-ame niraawwatama. Haa ta'u malee qabeenyi jireenya abbaa idaa fi maatii isaa hanga baatii tokko barbaachisaa ta'e, akkasumas, meeshaaleen hojii jireenya isaatiif barbaachisaa ta'an caalbaasiidhaan hin gur-guramani.
- 6) Namni caalbaasicha irratti gufuu ta'u kamiyyuu hanga caalbaasichi ximuramutti mana hidhaa akka turu gochuun ni danda'ama. Hidhaan ajajamu guyyaa 15 caaluu hin qabu.
- 7) Murtiwwan hariiroo hawa-saa bifa biraatiin kennaman abbaan irratti murtaa'e raaw-wachuu utuu danda'uu sababa gahaa hin taaneen raawwac-huu yoo dide hanga guyyaa 30tti mana hidhaa akka turu ajajuun ni danda'ama.
- 8) Abbaan idaa dhimma raawwii hariiroo hawaasaatiin hidh-ame murticha raawwachuuf heeyyamamaa yoo ta'e battal-umatti hiikamu qaba.
- 9) Haa ta'u malee hidhaa itti murtaa'e xumuruun isaa idaa irratti murtaa'e hin hambis-uuf.
- 10) Manni Murtii Hawaasum-maa murtii isaa raawwachiis-uuf hidhattoota gandaa yook-iin poolisii akka barbaachi-saa ta'etti ajajuu ni danda'a.

ሃ. አፈፃፀም

- ፩. በቀበሌ ማኅበራዊ ፍርድ ቤት የተሰጠ ውሳኔ በይግባኝ ሰሚ ፍርድ ቤት የታገደ ካልሆነ በቀር ይፈፀማል ።
- ፪. ውሳኔውን የሰጠው ማኅበራዊ ፍርድ ቤት እራሱ ውሳኔውን ያስፈጽማል ። አስፈላጊ ሆኖ ካገኘውም ሌላ ማኅበራዊ ፍርድ ቤት ውሳኔውን እንዲያስፈጽም ሊወከል ይችላል ።
- ፫. በፍርድ ቤቱ የተወሰነ የገንዘብ ቅጣት ለክልሉ መንግሥት ገቢ ይሆናል ።
- ፬. ተከላኝ ከአቅም በላይ በሆነ ምክንያት የተወሰነበትን የገንዘብ ቅጣት መክፈል ካልቻለ ቅጣቱ በአንቀጽ ፴፱/ለ/ ሥር ወደ ተገለጸው የጉልበት ሥራ ይቀየራል ።
- ፭. በፍትሐብሔር ጉዳይ ገንዘብ እንዲከፈል የተፈረደበት ሰው እንደ ፍርዱ ለመፈፀም ፍቃደኛ ካልሆነ ከዕዳው ጋር የሚመጣጠን ንብረቱ በሃራጅ ተሸጦ እንደ ውሳኔው ይፈፀማል ። ይሁን እንጂ ለፍርድ ካለዕዳውና ለቤተሰቦቹ ኑሮ እስከ አንድ ወር ርስ የሚያስፈልገውን ንብረት እንዲሁም ለመኖሪያ ሥራው አስፈላጊ የሆኑ ቁሳቁሶች በሃራጅ አይሸጡም ።
- ፮. በሃራጁ ላይ እንቅፋት የሚሆን ማንኛውንም ሰው ሃራጁ እስኪጠናቀቅ ድረስ በማረሚያ ቤት እንዲቆይ ማድረግ ይቻላል ። የሚታዘዘው የእስር ጊዜ ከ፲፭ ቀን ሊበልጥ አይችልም ።
- ፯. የፍትሐብሔር ውሳኔው ከገንዘብ ክፍያ ውጪ በሆነ ሁኔታ መፈፀም ያለበት በሆነ ጊዜ የፍርድ ባለዕዳው መፈፀም እየቻለ ያለ በቂ ምክንያት አልፎ ጽምም ካለ እስከ ፴ ቀን ድረስ ማረፊያ ቤት እንዲቆይ ለማዘዝ ይቻላል ።
- ፰. በፍትሐብሔር አፈፃፀም ጉዳይ የታሰረ የፍርድ ባለዕዳ እንደ ፍርዱ ለመፈፀም ፍቃደኛ ከሆነ ወዲያውኑ ከእስር መለቀቅ አለበት ።
- ፱. ይሁን እንጂ የተወሰነበትን እስር መጨረሱ የተወሰነበትን ዕዳ አያስቀርም ።
- ፲. የማኅበራዊ ፍርድ ቤት የሰጠውን ውሳኔ ለማስፈፀም እንደ አስፈላጊነቱ የቀበሌ ታጣቂዎችን ወይም ፖሊስን ሊያዝ ይችላል ።

Article 50. Execution

- 1) Unless the appellate court orders stay of execution, decision rendered by the social court shall be executed.
- 2) The social court shall itself cause the execution of its own decision or may, if it thinks necessary, authorize another social court for this purpose.
- 3) The fine imposed by social courts shall be paid to the treasury of the Oromia Regional State.
- 4) Where a defendant fined by the social court cannot pay the amount, the punishment shall be changed to the one specified under Article 39(b) of this Proclamation.
- 5) Where a judgment-debtor in a civil suit is not willing to pay his debt, his property which is equivalent to the debt shall be sold by auction and the debt shall be paid from the proceeds thereof. Provided, however, that the property of the judgement-debtor which is necessary to maintain him and his family for one month and the equipment which is necessary for his daily life shall not be sold by auction.
- 6) Any person who obstructs the auction shall remain in custody until the completion of the sale. However, the duration of this custody cannot exceed fifteen days.
- 7) The social courts can order that judgement debtor be in custody up to thirty days where he fails without good cause to execute a judgment other than money debt.
- 8) A judgement debtor who has become willing after custody to execute the judgment shall be discharged automatically.
- 9) A judgment debtor who has served his terms will not be relieved from his debt.
- 10) The social court with a view to causing the execution of its judgement can order the local militia or the police, as it thinks, necessary.

Kutaa 4  
TUMAALÉE ADDA ADDAA

Keewwata 51. Dhaddacha Jeequu fi Ajaja Kabajuu Dhabuu

- 1) Namni kamiyyuu bakka hojii mana murtichaatti abbootii seeraa yookiin mana mu rtichaa yo arrabse, itti qoose itti dhaadate, yookiin hojii dhaddachaa irratti haala gufuu ta'uun jeequmsa kan uume yoo ta'e manni murtichaa galmeedhuma dhaddacha gubbaatti hojjetaa jiru kaminiyyuu sababaa fi haala badii raawwatame erga ibsee booda namicha badii raawwate qarshii tokkoo kaasee hanga qarshii shantamaa yookiin hidhaa hanga guyyaa shanitiin adabuu ni danda'a.
- 2) Ajaja Mana Murtii Hawaasummaa Gandaa irraa kennamu namni yookiin qaamni kamiyyuu hojiirraa oolchuuf dirqama qaba.

Keewwata 52. Mirga Wabii

Nama kamiyyuu tumaalee keewwattoota 15-38 jalatti ibsaman darbuudhaan badii dandbii darbuu raawwateera jedhamee himatamuudhaan murtiidhaan dura qabamee jiru manni murtii wabii qarshii kudhanii kaasee hanga shantamaaf gahaa ta'e dhiyeessisuudhaan yookiin wabummaa mataa isaatiin erga mallatteessiseen booda gadhiisuu qaba.

Keewwata 53. Kasaaraa

Falmii dhimma hariiroo hawaasaa irratti gareen mo'ame kasaaraa qarshii 50 (shantama) hin caalle garee mo'ateef akka kafalu itti murtaa'uu ni danda'a.

Keewwata 54. Darbiinsa Yeroo

- 1) Dhimmoonni haariiroo haawwaasaa keewwata 13.1 fi 13.5 jalatti tumaman gaafa himannaa dhiyeessuun danda'amu irraa kaasee, dhimmoonni badii danbii darbuu martuu gaafa badiin raawwatame irraa kaasee waggaa tokkoo booda himanni dhiyaatu fudhatama hin qabu.
- 2) Falmiin abbaa qabiyyummaa lafa baadiyyaa waliin wal qabatee bu'uura labsii lak. 50/94 tiin manneen murtii Hawaasummaa gandaatiin ilaalamu, himatni isaa gaafa himannaa dhiyeessuun danda'amu irraa kaasee waggaa lama booda yoo dhiyaate fudhatama hin qabu.
- 3) Bu'uura keewwata 54.1 fi 54.2 tiin himanni tokko fudhatama kan dhabu himatamaan falmii isaa keessatti yeroon himannaa dhiyeessuun itti danda'amu kan darbe ta'uu ibsuudhaan mormii yoo kaase qofaadha.

ክፍል ፬  
የተለያዩ ድንጋጌዎች

፶፩. ችሎት መድረርና ትዕዛዝ አለማከበር

፩. ማንኛውም ሰው በፍርድ ቤቱ የሥራ ቦታ ዳኛውን ወይም ፍርድ ቤቱን ከሰደበ፣ ካፈዘበት፣ ከዛተበት ወይም በችሎቱ ሥራ ላይ እንቅፋት ሊሆን በሚችል መልኩ ሁከት ከፈጠረ ፍርድ ቤቱ በያዘው መዝገብ ላይ ጥፋቱ የተፈፀመበትን ምክንያትና ሁኔታ ከገለጸ በኋላ ይኸን ጥፋት የሠራውን ሰው ከአንድ ብር እስከ ሀምሳ ብር ሊደርስ በሚችል የገንዘብ ቅጣት ወይም እስከ አምስት ቀን ሊደርስ በሚችል እስራት ሊቀጣው ይችላል ።

፪. በማኅበራዊ ፍርድ ቤት የተሰጠን ትዕዛዝ ማንኛውም ሰው ወይም አካል ተግባራዊ የማድረግ ግዴታ አለበት ።

፶፪. የዋስ መብት

ማንኛውም ሰው ከአንቀጽ ፲፮-፴፰ ባሉት ድንጋጌዎች መሠረት የደንብ መተላለፍ ጥፋት ፈጽሟል ተብሎ በመከሰስ ከውሳኔ በፊት የተያዘ ከሆነ ፍ/ቤቱ ከአስር ብር እስከ ሃምሳ ብር ሊደርስ የሚችል ዋስትና እንዲያቀርብ በማድረግ ወይም በራሱ ዋስትና ፍርድ ከአስር እንዲለቀቅ ማድረግ አለበት ።

፶፫. ኪሣራ

በፍትሐብሔር ጉዳይ ክርክር የተረታው ወገን ለረጅሙ ሃምሳ ብር የማይበልጥ ኪሣራ እንዲከፍል ሊወስንበት ይችላል ።

፶፬. ይርጋ

፩. በአንቀጽ ፲፫/፩/ እና ፲፫/፮ ሥር የተገለጹት የፍትሐብሔር ጉዳዮች ክሱን ለማቅረብ ከሚቻልበት ቀን አንስቶ፣ የደንብ መተላለፍ ጥፋት ጉዳዮች በሙሉ ጥፋቱ ከተፈፀመበት ቀን አንስቶ ከአንድ ዓመት በኋላ የሚቀርብ ከስ ተቀባይነት የለውም ።

፪. ከገጠር መሬት ባለ ይዞታነት ጋር ተያይዞ የሚነሳው እና በአዋጅ ቁጥር ፶/፶፬ መሠረት በቀበሌ ማኅበራዊ ፍርድ ቤት የሚታየው ክርክር ክሱን ለማቅረብ ከሚቻልበት ቀን አንስቶ ከሁለት ዓመት በኋላ ከቀረበ ተቀባይነት የለውም ።

፫. በአንቀጽ ፶፬/፩/ እና ፶፬/፪/ መሠረት ክሱ ተቀባይነት የሚያጣው ተከላሹ በክርክሩ ውስጥ ከስ ሊቀርብ የሚችልበት ጊዜ ማለፉን በመግለጽ የተቃወመ እንደሆነ ብቻ ነው ።

PART FOUR  
miscellaneous provisions

Article 51. Court Contempt.

- 1) Whosoever in a court yard insults, mocks at, threatens the judges or the court or becomes impediment to the proper functioning of the bench is punishable with a fine of one Birr up to fifty Birr or with simple imprisonment up to five days. The court imposes such punishment summarily by recording the reasons.
- 2) Any person or organ is bound to execute the order of the social court.

Article 52. The Right to Bail.

Whosoever is in custody before judgement for allegedly committing petty offences under Articles 15-38 of this Proclamation has the right to be discharged on bail by posting a security for Birr ten to fifty, or on his own surety.

Article 53. Taxation of Litigation Cost.

The losing party in a civil case may be forced by the court to pay the other party a litigation cost of not exceeding Birr 50(fifty).

Article 54. Period of Limitation.

- 1) Civil matters under Art. 13(1) and 13(5), and all petty offences under this proclamation shall be barred by limitation if not brought within one year from the date upon which the right can be exercised and of the commission of the act respectively.
- 2) Possessory actions in relation to rural land which may be brought before social courts in accordance with Proclamation No. 50/2002 shall be barred by limitation unless instituted within two years from the date upon which the right can be exercised.
- 3) The Social Courts shall not have regard to period of limitation under Article 54(1) & (2) of this proclamation unless pleaded.

Keewwata 55. Gabaasa Dhiheessuu Manni Murtii Hawaasummaa Gandaa gabaasa hojii isaa ji'a afuriin Mana Marii Gandaa fi Mana Murtii Aanaatiif ni dhiheessa.

Keewwata 56. Dirqama Mana Marii Bulchiinsa Gandaa.

Manni Marii Bulchiinsa Gnadaa, Mana Murtii Hawaasummaa Gandaa gurmee-ssuu, gargaaruu fi meeshaalee hojiidhaaf barbaachisan guutuuf dirqama qaba.

Keewwata 57. Gargaarsa Manni Murtii Waliigalaa fi Biirron Dhimma Seeraa Oromiyaa Godhan

Manni Murtii Waliigala Oromiyaa fi Biirron Dhimma Seeraa Oromiyaa hojiiin Manneen Murtii Hawaasummaa Gandaa si'aayina akka qabaatu gochuuf barruulee fi ibsoota barbaachisaa ta'an qopheessanii ni tamsaasan, leenji-iwwan yookiin seeminaarotas ni kennani.

Keewwata 58. Seerota Diigaman

- 4) Labsiin aangoo Manneen Murtii Hawaasummaa Gandaa Mootummaa Naannoo Oromiyaa murteessuuf bahe lakk. 13/89 labsii kanaan diigameera.
- 5. Akkasumas seerri yookiin qajee-Ifamni biraa fi haalli hojii labsii kanaan walfaallessu kamiyyuu dhimmoota labsii kana keessatti ibsaman irratti raawwannaa hin qabani.

Keewwata 59. Tuma Ce'umsaa

Dhimmoonni Labsii kanaan dura jalqabamanii Mana Murtii Hawaasummaatti dhihaatanii ilaalamaa jiran haaluma kanaan duratti ilaalamaa turaniin kan raawwatan ta'a.

Keewwata 60. Yeroo Labsin kun Hojirra Oolu

Labsiin kun gaafa 30/6/95 irraa kaasee hojiirra kan oolu ta'a.

Finfinnee gurraandhala guyyaa 30 bara 1995

Juneydii Saaddoo Prezidaantii Bulchiinsa Mootummaa Naannoo Oromiyaa kee/oromo

፶፮. ሪፖርት ማቅረብ

የቀበሌ ማኅበራዊ ፍርድ ቤት የሥራ ሪፖርቱን በየአራት ወሩ ለቀበሌ ምክር ቤት እና ለወረዳ ፍርድ ቤት ያቀርባል።

፶፯. የቀበሌ መስተዳድር ምክር ቤት ግዴታ

የቀበሌው መስተዳድር ምክር ቤት የቀበሌ ማኅበራዊ ፍርድ ቤትን የማይራጀት፣ የመርዳትና ለሥራው አስፈላጊ የሆኑትን ቁጣቶች የማሟላት ግዴታ አለበት።

፶፰. የኦሮሚያ ጠቅላይ ፍርድ ቤትና

የኦሮሚያ ፍትሕ ጉዳይ ቢሮ የሚያደርጉት ድጋፍ

የኦሮሚያ ጠቅላይ ፍርድ ቤትና የኦሮሚያ ፍትሕ ጉዳይ ቢሮ የቀበሌ ማኅበራዊ ፍርድ ቤቶች የተፋጠነ ፍትሕ መስጠት እንዲችሉ አስፈላጊ የሆኑ ፅሁፎችና መግለጫዎች አዘጋጅተው ያሠራሉ።

፶፱. የተሻሩ ሕጎች

፩. የቀበሌ ማኅበራዊ ፍርድ ቤቶችን ሥልጣን ለመወሰን የወጣው አዋጅ ቁጥር ፲፫/፳፱ በዚህ አዋጅ ተሸሯል።

፪. እንዲሁም ከዚህ አዋጅ ጋር የሚቃረን ማንኛውም ሕግ ወይም መመሪያና አሠራር በዚህ አዋጅ ውስጥ በተገለጹት ጉዳዮች ላይ ተፈጻሚነት አይኖረውም።

፷፬. የመሸጋገሪያ ድንጋጌ

ይህ አዋጅ ተፈጻሚ ከመሆኑ በፊት ተጀምረው በማህበራዊ ፍርድ ቤት በመታየት ላይ ያሉ ጉዳዮች ቀደም ሲል ሲታዩ በነበረው ሁኔታ ታይተው የሚፈፀሙ ይሆናሉ።

፷፮. አዋጁ የሚፀናበት ጊዜ

ይህ አዋጅ ከየካቲት ፱ ቀን ፲፱፻፺፮ ዓ.ም ጀምሮ ተፈጻሚ ይሆናል።

አዲስ አበባ የካቲት ፱ ቀን ፲፱፻፺፮ ዓ.ም

ጁኔይዲ ሳዶ

የኦሮሚያ ክልላዊ መንግሥት መስተዳድር ፕሬዚዳንት

Article 55. Duty to Report.

The social courts shall, every four months, report their activities to the Kebele Council and the District Court.

Article 56. Duty of the Kebele Administration Council.

The Kebele Administration Council shall have the duty to organize and assist the social courts, and provide them with materials necessary for their function.

Article 57. Assistance on the part of the Supreme Court and the Justice Bureau of Oromia.

The Supreme Court and the Justice Bureau of Oromia shall prepare and distribute bulletin and give statements, organize training and seminars so as to make social courts efficient.

Article 58. Repealed Laws.

- 1) The proclamation to provide for the jurisdiction of the Social Courts of Oromia No. 13/1997 is hereby repealed.
- 2) Any law, directive or practice which is inconsistent with this proclamation shall be of no effect on matters provided for in this Proclamation.

Article 59. Pending Cases.

Cases pending before the social courts prior to the coming into force of this Proclamation shall continue to be adjudicated under the repealed law.

Article 60. Effective Date.

This Proclamation shall come into force on March the day of 9, 2003.

Done at Finfinnee the 9th day of March 2003

Juneydi Sado President of the Regional State of Oromia

ብርሃንና ሰላም ማተሚያ ድርጅት