



Waggaa 10^{ffaa} Lak. 4
10^{ff} 9^{aa} ተጥር 4
10th year No. 4

Adaamaa, Onkoloolessa 18/1994
አዳማ ጥቅምት 18 ቀን 1994
Adama, October 28th 2001

MAGALATA OROMIYAA

መገለጽ ኦሮሚያ

MEGELETA OROMIA

Gatiin Tokkoo 5-10

የንዱ ዋጋ
Unit Price.

Too'annaa Caffee Mootummaa
Naannoo Oromiyaatiin Kan Bahe
በኦሮሚያ ክልላዊ መንግሥት ም/ቤት
ጠባቂነት የወጣ

Lakk. S. Poostaa 101769

የፖ.ሣ.ቱጥር
P.O.Box

fuula 1

LABSII LAKK. 54/1994
LABSII GUMII BULCHIINSA
ABBOOTII SEERAA
OROMIYAA CIMSUF
FOOYYA'EE BAHE

Heera Mootummaa Oromiyaa isa fooyya'eetiin manni murtii caalm-ayaatti bilisa ta'ee waan dhaabat-eef, akkasumas, Gumii Bulchiinsa Abbootii seeraa Oromiyaa hundeessuuf bahee kan ture Labsiin Lakk. 37/93 bilisummaa abbootii seeraa mirkaneessuuf, Gumii bulchiinsa abbootii seeraas bilisa taasisuuf gahaa ta'ee waan hin argamneef, Bilisummaa abbaa seerummaa Heerichaan mirkanaaye hojii irra oolchuuf bulchiinsi abbootii seeraa dhiibbaa qaama mootummaa yookiin abbaa taayitaa kamiyyuu irraa haala bilisa ta'een akka gaggeeffamu taasisuun yaada bu'uuraa isa tokko waan ta'eef, Bulchiinsa abbaa seerummaa keessatti gahee ol'aanaa kan qabu Gumii Bulchiinsa Abbootii Seeraa cimsuun, aangoo fi hojii isaas murteessuun waan barbaachiseef;

..... 18 ፩

አዋጅ ቁጥር 98/፲፱፻፺፬
የኦሮሚያ ዳኞች አስተዳደር ጉባዔን ለማጠናከር የወጣ አዋጅ

በተሻሻለው የኦሮሚያ ክልል ሕገመንግሥት ከቀድሞው ደበልጥ ነጻ የሆነ የዳኝነት አካል የተቋቋመ በመሆኑና ቀደም ሲል የወጣው የኦሮሚያ ዳኞች አስተዳደር ጉባዔ ማቋቋሚያ አዋጅ ቁጥር ፴፯/፲፱፻፺፫ የዳኞች ነጻነት ለማረጋገጥና የዳኞች አስተዳደር ጉባዔን ነጻ ለማድረግ ብቁ እና ምቹ ሆኖ ባለመገኘቱ፤

በሕገ መንግሥቱ የተረጋገጠውን የዳኝነት ነጻነት ለመተግበር ከሚያስፈልጉ መሠረታዊ ጉዳዮች አንዱና ዋነኛው የዳኞች አስተዳደርን ከማናቸውም የመንግሥት አካል ወይም ባለሥልጣን ተጽእኖ ነጻ በሆነ ሁኔታ እንዲመራ ማድረግ በመሆኑ፤

በዳኝነት ሥራ አስተዳደር ከፍተኛ ድርሻ ያለውን የዳኞች አስተዳደር ጉባዔን ማጠናከርና ሥልጣንና ተግባሩን መደንገግ ተገቢ ሆኖ በመገኘቱ፤

Page 1

Proclamation No. 54/2002

A PROCLAMATION TO PROVIDE FOR THE CONSOLIDATION OF THE JUDICIAL ADMINISTRATION COMMISSION OF THE REGIONAL STATE OF OROMIA

WHEREAS, a more independent judiciary is established under the amended constitution of the regional state of Oromia;

WHEREAS, Proclamation No. 37/2001 which provides for the Establishment of the Judicial Administration Commission of the Regional State of Oromia is found to be inadequate to secure the independence of judges and make the Judicial Administration Commission independent;

WHEREAS, One of the fundamental factors that helps to realize the constitutionally guaranteed judicial independence is to have a judicial administration directed in a way free from the influence of government organs and officials;

WHEREAS, it has become necessary to strengthen, and define the Powers and duties of the judicial administration commission that plays great role in the administration of judicial business;

Haala Heera Mootummaa Oromiyaa isa fooyya'ee bahe keewwata-49(3)(a)tti, kan kanatti aanu labsameera.

Kutaa 1^{ffaa}

Tumaalee Waliigalaa

1. **Mata Duree Gabaabaa**
Labsiin kun "Labsii Gumii Bulchiinsa Abbootii Seeraa Oromiyaa cimsuuf bahe lakk.54/1994" jedhamee waamamuu ni dandaya.
2. **Hiika:**
Akkaataan jechichaa hiika biraa kan kennisiisuuf yoo ta'e malee, Labsii kana keessatti.
 - 1) "Caffee" jechuun qaama seera baastuu Mootummaa Naannoo Oromiyaa ti;
 - 2) "Gumii" jechuun sadarkaa Mana Murtii Waliigalaa Oromiyaafi Manneetii Murtii Ol'aanaatti kan hundeeffaman Gumii Bulchiinsa Abbootii Seeraa Naannoo fi Godinaati;
 - 3) "Abbaa Seeraa" jechuun akkaataa seeraatti Gumii Bulchiinsa Abbootii Seeraa naannootiin filatamee Caffeedhaan kan mudameedha.
 - 4) "Kaadhimamaa Abbaa Seeraa" jechuun gumii bulchiinsa Abbootii Seeraatiin filatamee hanga Caffeedhaan muudamutti ogummaa seeraa irratti ramadamee kan hojjetuu dha;
 - 5) "Muudamtoota biroo" jechuun ittigaafatamtoota qajeelchotaa, rejistraarota, abukaatota ittisaa, Ekspartoota seeraa, ogeessota seeraa fi Inispeektaroota Gumii Bulchiinsa Abbootii Seeraa Naannootiin kan ramadaman yookiin muudamaniidha.
 - 6) "Inspeekshin" jechuun mana murtii waliigalaatti kan hundeeffame Qajeelcha To'annoofi Inspeekshinii yoo ta'u, akka barbaachisummaa isaatti, Kutaa To'annoofi Inspeekshinii sadarkaa Mana Murtii Ol'aanaatti kanneen hundeeffamanis ni dabalata.
3. **Hundeeffama**
Gumiin Bulchiinsa Abbootii Seeraa (kanaan booda "Gumii" jedhamee kan waamamu) haala haaraatiin Labsii kanaan hundeeffameera.

በተሻሻለው የኦሮሚያ ሕገ መንግሥት አንቀጽ ፶፬/፫/ሀ/ መሠረት ከዚህ የሚከተለው ታውጇል።

ክፍል አንድ ጠቅላላ ድንጋጌዎች

- ፩. **አዋጅ ርዕስ**
ይህ አዋጅ «የኦሮሚያ የዳኞች አስተዳደር ጉባዔን ለማጠናከር የወጣ አዋጅ ቁጥር ፶፬ /፲፱፻፺፬ ተብሎ ሊጠቀስ ይችላል።
- ፪. **ትርጓሜ**
የቃሉ አገባብ ሌላ ትርጉም የሚያሰጠው ካልሆነ በስተቀር በዚህ አዋጅ ውስጥ፡-
 - ፩. «ጨፌ» ማለት የኦሮሚያ ክልላዊ መንግሥት የሕግ አውጭ አካል ነው።
 - ፪. «ጉባዔ» ማለት በኦሮሚያ ጠቅላይ ፍ/ቤት እና በከፍተኛ ፍ/ቤቶች ደረጃ የተቋቋመ የዳኞች አስተዳደር ጉባዔ ማለት ነው።
 - ፫. «ዳኛ» ማለት በሕግ አግባብ በክልሉ የዳኞች የአስተዳደር ጉባዔ ተመርጦ በጨፌ የተሾመ ነው።
 - ፬. «ዕጩ ዳኛ» ማለት በዳኞች አስተዳደር ጉባዔ ተመርጦ በጨፌ እስኪሾም ድረስ በሕግ መያላይ ተመድቦ የሚሠራ ባለሙያ ነው።
 - ፭. «ሌሎች ተሟላቾች» ማለት በክልሉ የዳኞች አስተዳደር ጉባዔ የሚመደቡ ወይም የሚሾሙ ፊደላት ሰራተኞች፣ ተከላካይ ጠበቆች፣ የሕግ ኤክስፐርቶች፣ ኢንሰፔክተሮችና የመምሪያ ኃላፊዎች ማለት ነው።
 - ፮. «ኢንሰፔክሽን» ማለት በጠቅላይ ፍ/ቤት ሥር የተቋቋመ የኢንሰፔክሽንና የቁጥጥር መምሪያ ማለት ሲሆን፣ እንደ አስፈላጊነቱ በከፍተኛ ፍ/ቤቶች ደረጃ የሚቋቋሙትን የኢንሰፔክሽንና የቁጥጥር ክፍልንም ይጨምራል።
- ፫. **መቋቋም**
የኦሮሚያ ዳኞች አስተዳደር ጉባዔ (ከዚህ በኋላ «ጉባዔ» እየተባለ የሚጠራ) በዚህ አዋጅ ተቋቋሟል።

NOW, THEREFORE, by virtue of Article 49(3)(a) of the amended constitution of the Regional State of Oromia, it is hereby proclaimed as follows:

PART ONE

General Provisions

1. **Short Title**
This proclamation may be cited as the "Proclamation to Provide for the Consolidation of the Judicial Administration Commission of the Regional State of Oromia Proclamation No. 54/2002."
2. **Definitions**
In this proclamation unless the context demands otherwise:
 - 1) "Council" means the Organ of the Regional State of Oromia that issues law.
 - 2) "Commission" means the Judicial Administration Commissions established at the Supreme Court of Oromia and High Courts Level.
 - 3) "Judge" means a person who, in accordance with the law, has been nominated by the Judicial Administration Commission and appointed by the Council
 - 4) A "candidate-judge" means a professional person nominated for judgeship by the Judicial Administration commission, but who has been assigned to a certain duty as a legal expert until he is appointed by the Council.
 - 5) "Other appointees" means registrars, public defenders, legal experts, and department heads who are to be assigned or appointed as such by the Regim's judicial Administration Commission.
 - 6) "Inspection" means the Department of Inspection and Supervision established under the authority of the Supreme Court of Oromia. This may also include the Departments of Inspection and Supervision to be established at High Courts level when it is deemed necessary.
3. **Establishment**
The Judicial Administration Commission of the Regional State of Oromia (herein after referred to as the Commission) is hereby established.

Kutaa 2^{da}**Gurmaawina, Aangoo fi Hojii Gumichaa****4. gurmaawina****Gumiin:**

- 1) Sadarkaa Mana Murtii Waliigalaatti kan hundeeffamu Gumii Naannoo,
- 2) Sadarkaa Manneetii Murtii Ol'aanaatti kan hundeeffaman gumii Godinaa ni qabaata

5. Miseensota Gumii Naannoo

- 1) Gumiin Naannoo miseensota armaan gaditti ibsaman ni qabaata:

(a) Prezedantiin Mana Murtii Waliigalaa -walitti qabaa

(b) Itti Aanaan Prezedantii mana murtii waliigala oromiyaa -miseensa.

(c) Miseensota Caffee keessaa Af-Yaa'ii Caffee Naannootiin kan bakka buufaman namoota sadii .. miseensota.

(d) Prezedantii Mana Murtii Waliigalaatiin kan filataman, abbootii seeraa Mana Murtii Waliigalaa fi Aanaa irraa nama tokko-tokko ol'aanaa irraa nama lama-miseensota

- 2) walitti qabaan Gumii yer oo hin jirre Itti Aanaan Prezedantii mana murtii waliigala Oromiyaa walitti qabaa ta'eeni hojjeta.

- 3) Itti gaafatamaan Qajeelcha Bulchiinsa Abbootii Seeraa kan sagalee hin qabne barreessaa Gumii Naannoo ta'ee ni hojjeta.

6. Miseensota Gumii Godinaa

- 1) Gumiin Godinaa miseensota armaan gaditti jiran ni qabaata.

(a) Prezedantiin Mana Murtii Ol'aanaa-walitti qabaa.

(b) Miseensota Caffee Naannoo kan Godinicha irraa filataman keessaa Af-yaa'ii Caffee Naannootiin kan bakka buufaman namoota lama-miseensota.

(c) Presedantii Mana Murtii Ol'aanaatiin kan filataman mana murtii ol'aanaa fi Aanaa irraa abbootii seeraa lama lama-miseensota.

(d) Gumichi miseensota isaa keessaa barreessaa ni filata.

ክፍል ሁለት**የጉባኤው አደረጃጀት፣ ሥልጣንና ተግባር****፩. አደረጃጀት****ጉባኤው፡**

፩. በጠቅላይ ፍ/ቤት ደረጃ የሚቋቋም የክልል ጉባኤ፤

፪. በከፍተኛ ፍርድ ቤቶች ደረጃ የሚቋቋሙ የዞን ጉባኤዎች ይኖረዋል።

፩. የክልል ጉባኤ አባላት

፩. የክልል ጉባኤ የሚከተሉት አባላት ይኖሩታል፤

ሀ) የጠቅላይ ፍ/ቤቱ ፕሬዚዳንት - - - - - ሰብሳቢ

ለ) የጠቅላይ ፍ/ቤቱ ምክትል ፕሬዚዳንት - - - - - አባል

ሐ) በክልሉ ጨፌ አፋ-ጉባኤ የሚወከሉ ሦስት የጨፌ አባላት - - - - - አባል

መ) በጠቅላይ ፍ/ቤት ፕሬዚዳንት የሚመረጡ ከጠቅላይ እና ከወረዳ ፍ/ቤቶች አንድ አንድ እንዲሁም ከከፍተኛ ፍ/ቤቶች ሁለት ዳኞች - - - - - አባል፤

፪) ሰብሳቢው በማይኖርበት ጊዜ የጠቅላይ ፍ/ቤት ምክትል ፕሬዚዳንት ሰብሳቢውን ተክቶ ይሠራል።

፫) የዳኞች አስተዳደር መምሪያ ጋላፊ ድምጽ ላይኖረው የጉባኤው ፀሐፊ ሆኖ ይሠራል።

፪. የዞን ጉባኤ አባላት

፩ የዞን ጉባኤ የሚከተሉት አባላት ይኖሩታል፤

ሀ) የከፍተኛ ፍ/ቤት ፕሬዝዳንት - - - - - ሰብሳቢ

ለ) ከዞኑ ከተመረጡ የክልሉ ጨፌ አባላት መካከል በክልሉ አፈ ጉባኤ የሚመረጡ ሁለት የጨፌ አባላት - - - - - አባል

ሐ) በከፍተኛ ፍ/ቤት ፕሬዚዳንት የሚመረጡ ከዞኑ ከፍተኛና ከወረዳ ፍ/ቤቶች ሁለት ዳኞች - - - - - አባል

መ) ጉባኤው የራሱን ፀሐፊ ከአባላቱ መካከል ይመርጣል፤

PART TWO**Organization, Powers and Duties of the Commission****4. Organization of the Commission**

The Commission Shall have :

1) a Regional Commission to be established at the Supreme Court level; and

2) zonal Commissions to be established at High Court levels

5. Members of the Regional Commission

1) The Regional Commission shall have the following members:

(a) President of the Supreme Court as its chairman;

(b) Vice president of the Supreme Court;

(c) Three members of the Council designated by the speaker of the Council

(d) Two judges, each from the Supreme Court and Woreda court, and two other judge from High courts whom the president of the Supreme Court shall select.

2) The Vice-president of the Supreme Court shall serve in the chairman's stead while he is absent.

3) Head of the Department of Judicial Administration shall serve as the secretary of the Commission without having vote.

6. Members of the Zonal Commission

1. The Zonal Commission shall have the following members:

(a) President of the Zonal High Court as its chairman,

(b) Two members of the Council designated by the speaker of the Council who are elected from that particular zone;

(c) Judges, two each from the High Court and Woreda Courts, whom the president of the High court shall select,

(d) The Commission shall select its own-secretary from among its members.

- 2) Walitti qabaan Gumii yeroo hin jirre, Abbootii Seeraa mana murtii ol'aanaa miseensa Gumichaa ta'an keessaa muudamaan dursa kan qabu waliitti qabaa ta'ee ni hojjeta.
7. Aangoofi hojii Gumii Naanoon Gumiin:
 - 1) Walitti qabaa Gumiitiin kaadhimamtoota dhiyaatan keessaa, bu'uura labsii kanaa keewwata 13 tiin namoota abbaa seeraa ta'uuf gahumsa qaban ni fila;
 - 2) Abbootii Seeraa kanneen muudamni isaanii Caffee Naannootiin mirkanaaye ni ramada;
 - 3) Hanga caffeehaan muudamanitti, kaadhimamaa abbaa seeraa ta'anii, ogeessota filataman hojii seeraa irratti ramadee ni hojjechiisa;
 - 4) Muudamtoota biroo fi itti gaafatamtoota qajeelchaa ni muuda; haala dambiitiin hojii irraa ni gaggeessa;
 - 5) Ramaddii hojii, mindaa, durgoo, yaala, sadarkaa guddinaa, leenjii, jijjiirraa, gaggeeffama, akkaataa raawwii hojii fi naamusa abbootii seeraafi muudamtoota biroo ilaalchisee dambii ni baasa; raawwannaa isaas ni hordofa;
 - 6) Akkaataa dambiitiin hojii ariifachiisaaf yookiin iddoon hojii banaa yoo uumamu abbaa seeraa tokko sadarkaa hojii walgitu yookiin ol'aanaa irratti yeroof yookiin dhaabbatumm-aadhaan ni ramada;
 - 7) Abbaa Seeraa sadarkaa Mana Murtii Aanaa irratti hojjetu, Mana Murtii Ol'aanaatti guddisuun yeroo barbaachisu garuu, Heera Mootummaa Federaalaa keewwata 81(4) jalaatti akkaataa tumameen yaada Gumii Bulchiinsa abbootii seeraa Federaalaa dursee gaafachuu qaba;
 - 8) Hir'ina raawwii hojii yookiin naamusaa ilaalchisee komii yookiin iyyata dhiyaate qoratee yookin akka barbaachisummaa isaatti inspeektaraan qorachii see ni murteessa;

- ፩. የዞን ጉባኤ ሰብሳቢ በማይኖር በት ጊዜ ከከፍተኛ ፍ/ቤት ዳኞች መካከል በሹመት ቅድሚያ ያለው ዳኛ ተከቶ ይሠራል።
- ፪. የክልል ጉባኤ ሥልጣንና ተግባር ጉባኤው
 - ፩. በጉባኤው ሰብሳቢ ከተጠቀሙት ዕጩዎች መካከል በዚህ አዋጅ አንቀጽ ፲፫ መሠረት ብቁ የሆኑትን ዕጩ ሰዎች ይመርጣል፤
 - ፪. ሹመታቸው በጨፌ የፀደቀውን ዳኞች ይመድባል፤
 - ፫. በጨፌ... እስከሚሾሙ ድረስ ዕጩ ዳኛ ሆነው የተመረጡትን ባለሙያዎች በሕግ ሙያ ላይ መድብ ያሠራል።
 - ፬. ሌሎች ተሟላቾችን እና የመምሪያ ኃላፊዎችን ይሾማል፤ በደንቡ መሠረት ከሠራቸው ያሰናብታል፤
 - ፭. የዳኞችን እና የሌሎች ተሟላቾችን የሥራ ምደባ፣ ደመወዝ፣ አበል፣ ሕክምና፣ የደረጃ ዕድገት፣ ሥልጠና፣ ዝውውር፣ ስንብት፣ የዳኝነት ሥራ አፈፃፀምና የሥነ ምግባር ሁኔታዎችን በሚመለከት ዝርዝር መተዳደሪያ ደንብ ያወጣል፤ አፈፃፀሙንም ይከታተላል፤
 - ፮. በደንቡ መሠረት የሥራ ክፍተቶች ወይም አጣዳፊ ጉዳዮች ሲያጋጥሙ አንድን ዳኛ ከፍባለ የሥራ ደረጃ ላይ በጊዜያዊነት ወይም በቋሚነት ይመድባል፤
 - ፯. በወረዳ ፍርድ ቤት ደረጃ የሚሠራ ዳኛን ወደ ከፍተኛ ፍ/ቤት ለማሳደግ ሲያስፈልግ ግን የፌዴራሉ ሕገ መንግሥት አንቀጽ ፹፩(፩) በሚደነግገው መሠረት የፌዴራሉ ዳኞች አስተዳደር ጉባኤን አስተያየት አስቀድሞ መጠየቅ አለበት፤
 - ፰. የሥራ አፈፃፀምንና የሥነ ምግባር ጉድለቶችን በሚመለከት የሚቀርበውን አቤቱታ ወይም ቅሬታ መርምሮ ወይም እንደ አስፈላጊነቱ በእንስፔክተር አስመርምሮ ውሳኔ ይሰጣል።

- 2) The most senior judge, by appointment, of the High court who is the member of the commission shall serve in the chairman's stead while he is absent.
7. Powers and Duties of the Regional Commission
The Commission shall have the powers and duties to:
 - 1) select those who qualify for judgeship in accordance with Article 13 of this Proclamation from among candidates nominated by the chairman of the Commission;
 - 2) place judges whose appointment is approved by the Regional Council;
 - 3) assign candidate-judges on a job of legal profession pending their appointment by the Council;
 - 4) appoint other appointees and Department Heads, and terminate their tenure in accordance with the regulations;
 - 5) Issue regulations and see implementation of same on matters pertaining to the placement, salary, allowance, medicinal benefit, promotion, training, transfer, termination, performance of duty and conduct of judges and other appointees;
 - 6) assign, in accordance with the regulations, a judge temporarily or permanently to a duty which is equivalent to or of higher degree than his own when there is urgency or vacancy;
 - 7) if promoting a judge from Woreda Court to High Court is deemed necessary, the Commission shall first solicit and obtain the views of the Federal Judicial Administration Commission pursuant to Article 81(4) of the Federal Constitution;
 - 8) decide on proceedings instituted on matters pertaining to problems in performing duties and misconduct having the case investigated for itself or causing the investigation by the inspector, as the case may be;

- 9) *Sagantaa leenjii abbootii seeraa fi muudamtoota biroo ni karoorsa; ni raawwachiisa;*
 - 10) *Dhimma jijjiirraa abbootii seeraa ni murteessa;*
 - 11) *Gurmaawina Mana Murtii akka seeraatti qoratee ni murteessa;*
 - 12) *Hir'ina raawwanna hojii fi naamusa abbaa seerummaa ilaalchisee murtii Gumii Godinaatiin kennaman irratti ol'iyyatnaa dhiyaatu ni ilaala;*
 - 13) *Bu'uura Labsii Kanaa keewwata 14tiin dhimmoota dhiyaatanii qoratee yookiin inspeektaraan qorachiisee akka Heera Mootummaa Naannichaa keewwata 63(4)tiin ni murteessa; murtiin isaa hanga Caffeedhaan mirkanaayutti Abbaa Seerichaa hojii irraa dhorkuu ni dandaya.*
8. *Aangoo fi Hojii Walitti Qabaa Gumii Naannoo*
Walitti Qabaan Gumii Naannoo:
- 1) Waajjira Gumichaa ni qajeelchaa; ni towata;
 - 2) Walgahii Gumichaa ni wama; ni gaggeessa;
 - 3) Ibsa seenaa gabaabaa kaa-dhimamtoota abbootii seeraa bu'uura labsii kanaa keewwata 7(1)tiin dhiyaatanii filataman qopheesse Caffee fi dhiyeessa;
 - 4) Keewwata kana keewwata xiqqaa (3)tiin kan tumame akka eegametti ta'ee, muudamtoota biroo Gumii dhiyeessee ni muuchisa.
 - 5) Hir'ina raawwannaa hojii fi naamusa Abbootii Seeraa fi muudamtoota biroo inspeektaraan qorachiise barbaachisaa ta'ee yoo arge Gumii fi dhiyeessa;
 - 6) Caasaa manneetii murtii qoratee yaada murtii Gumichaaf ni dhiyeessa; akka murtaayeen raawwii isaa ni hordofa;
 - 7) Dhimmootni ariifachiisaa yoo uumaman hanga Gumii walitti qabamutti abbootii seeraatiif muudamtoota biroo yeroof sadarkaa walgitu yookiin Ol'aa naa irratti ni ramada; yoo kana raawwatu dhimma isaa walgahii Gumii itti aanuuf dhiyeessee murteessisu qaba;

፱) የዳኞችን እና የሌሎች ተሟላጾችን የሥልጠና ፕሮግራሞች ያቅዳል፤ ያስፈጽማል፤

፲) የዳኞችን የዝውውር ጉዳዮች ይወስናል፤

፲፩) አግባብ ባለው ሕግ መሠረት የፍርድ ቤቱን አደረጃጀት መርምሮ ይወስናል፤

፲፪. የዳኝነት ሥራ አፈፃፀምና የሥነ-ምግባር ጉድለቶችን በሚመለከት በዞን ጉባኤ በሚሰጡ ውሳኔዎች ላይ የሚቀርቡትን ይግባኞች ያያል፤

፲፫. በዚህ አዋጅ አንቀጽ ፲፬ መሠረት የሚቀርቡ ጉዳዮችን መርምሮ ወይም በኢንሰፔክተር አስመርምሮ በክልሉ ሕገመንግሥት አንቀጽ ፳፫(፬) መሠረት ይወስናል፤ ውሳኔው በጨፌ እስኪፀድቅ ድረስ ዳኛውን ከሥራ ለማገድ ይችላል።

፳. የክልል ጉባኤ ስብሰቢ ሥልጣንና ተግባር

ስብሰቢው፦

፩. የጉባኤውን ጽሕፈት ቤት ይመራል፤ ይቆጣጠራል፤

፪. የጉባኤውን ስብሰባ ይጠራል፤ ስብሰባውንም ይመራል፤

፫. በዚህ አዋጅ አንቀጽ ፯(፩) መሠረት ቀርበው በጉባኤው የተመረጡትን ዕጩ ዳኞች አጭር የሕይወት ታሪክ መግለጫ አዘጋጅቶ ለጨፌ ያቀርባል፤

፬. በዚህ አንቀጽ ንዑስ አንቀጽ (፫) የተደነገገው እንደተጠበቀ ሆኖ ሌሎች ተሟላጾችን ለጉባኤው አቅርቦ ያሾማል፤

፭. የዳኞችና የሌሎች ተሟላጾችን የሥራ አፈፃፀምና የሥነ-ምግባር ጉድለት በኢንሰፔክተር አስመርምሮ አስፈላጊ ሆኖ ሲያገኘው ለጉባኤው ያቀርባል፤

፮. የፍ/ቤቶችን መዋቅር አጥንቶ ለጉባኤው የውሳኔ ሀሳብ ያቀርባል፤ ሲወሰንም፤ አፈፃፀሙን ይከታተላል፤

፯. አጣጣሪ ጉዳዮች ሲያጋጥሙ ጉባኤው እስኪሰበሰብ ድረስ አንድን ዳኛ አቻ በሆነ ወይም ከፍ ባለ የሥልጣን ደረጃ ላይ በጊዜያዊነት ይመድባል፤ ጉዳዩን በሚቀጥለው የጉባኤ ስብሰባ አቅርቦ ማስወሰን አለበት፤

9) plan training programmes for judges and other appointees, and cause the plan implemented;

10) decide on matters pertaining to transfer of judges;

11) study and determine, in accordance with relevant laws, the organization of courts;

12) hear appeal taken from decision of the Zonal Judicial Administration Commissioner on cases involving problems of performance in judicial business and misconduct alleged to have shown by a judge;

13) investigate or cause them to be investigated by the inspector and decide, in accordance with article 63(4) of the Region's Constitution, matters brought before it as per Article 14 of this proclamation. It may suspend a judge from duty until the decision is approved by the Council.

8. *Powers and Duties of the Chairman of the Regional Commission*
The chairman has the powers and duties to:

1) direct and supervise the Secretariat of the Commission;

2) convene and preside over the meetings of the Commission;

3) prepare and present to the council the profile of candidate-judges nominated pursuant to Article 7(1) of this proclamation;

4) without prejudice to sub-article 3 of this provision, present other appointees to the Commission for appointment;

5) cause investigation by the inspector into cases of breach of duty and misconduct alleged to have shown by judges and other appointees, and present the matter to the Commission if he deems it necessary;

6) study the structure of the courts and present his findings with recommendation to the Commission, and see into it that the decision, if any, of the Commission is implemented;

7) assign a judge or other appointee temporarily, without convening the meeting of the Commission, to a duty which is equivalent to or higher in degree than his own when urgent matters encounter; but he shall bring the matter on the next meeting of the Commission and have it decided;

- (f) *Ogummaa abbaa seer-ummaatiin hojjechuuf fedhii kan qabu,*
 (g) *Umuriin isaa waggaa 21 gadi kan hin taane,*
 (h) *Dhibee sammuu kan hin qabne.*
- 2) Namni kamiyyuu hojii abbaa seerummaa wajjin qaama seera baafuu yookiin qaama raawwachiistuu keessatti hojjechuuyookiin missensa dhaaba siyaasaa kamiyyuu ta'uu hin dandayu.
- 3) Tumaaleen keewwata kanaa akka eegamanitti ta'ee, gumiin muudamtoota biroo filachuuf dambii baasuu ni danda'a.
- 14 *Akkaataa Abbootiin Seeraa fi muudamtootni biroo hojiir-
 raa itti gaggeessaman*
 Abbaan Seeraa Yookiin mud-amaan biraa:
 Umuriin isaa waggaa 60 (ja'atama) yoo guute yookiin;
 2) Sababa dhibeetiin hojii isaa haala gaariin raaww-achuu hin danda'u jedhee Gumiin yoo murteessu yookiin;
 3) Akka dambii raawwann-naa hojii fi naamuusa abb-ootii seeraa fi muudamto-ota birootiin dandeettii fi cimina hojii hin qabu jedh-amee yammuu murtaa'u yookiin
 4) Dambii raawwannaa hojii fi naamusa abbootii see-
 raa fi muudamtoota biroo irra darbee yoo argame.
- 15 *Fedhii Ofitiin Hojii Gadhii-
 suu*
 1) Abbaan seeraa yookiin muudamtootni biroon ho-
 jii isaanii fedhii ofitiin ga-
 dhiiisuuf mirga ni qabu.
 2) Haala armaan olitti caqas-
 ameen yoo hojii gadhiisanu,
 kanuma ibsanii beeksisa ba-
 rreeffamaa baatii lamaan
 dura waajjira Pirezidaantii
 mana murtii walu gala-
 atiif beeksisuuf dirqama
 qabu.
- 16 *Mirga Addaa*
 Abbaan Seeraa kamiyyuu ya-
 kka ennaa hojjatu harkaa
 harkatti yoo qabame malee,
 hayyama Gumii Bulchiinsa
 Abbootii Seeraa Naannichaatiin
 ala hin qabamu; hin hidh-
 amu.
- Kutaa 3^{ffaa}*
Tumaalee Adda Addaa
- 17 *Mirga Iyyata Dhiyeefachuu*
 Namni kamiyyuu adeemsa ho-
 jii abbaa seerummaa keess-
 atti yammuu miidhaan irratti
 raawwatamu gumii dhimmi-
 chi ilaalutti mirga iyyata dhiy-
 eeffachuu ni qaba.

- (ረ) በዳኝነት ሙያ ለመስራት ፈቃደኛ የሆነ፤
 (ሰ) አድራጊው ከ፳፩ ዓመት ያላ ነሰ
 (ሸ) የአዕምሮ በሽተኛ ያል ሆነ፤
- ፪. ማንኛውም ሰው በመንግሥት ሕግ አውጪ ወይም አስፈጻሚ ውስጥ ወይም በማንኛውም የፖለቲካ ድርጅት በአባልነት በሚያገለግልበት ጊዜ አጣምሮ የዳኝነት ሥራ ሊሠራ አይችልም።
- ፫. የዚህ አንቀጽ ሌሎች ድንጋጌዎች እንደተጠበቁ ሁኔታ ጉባኤው ሌሎች ተሟላዎችን ለመምረጥ ደንብ ሊያወጣ ይችላል።
- ፲፬. የክልሉ ጉባኤ ዳኞችና ሌሎች ተሟላዎችን ከሥራ የሚያሰናብትበት ሁኔታ ዳኛው ወይም ተሟላው፡-
- ፩. ዕድሜው ፳ /አልላ/ ዓመት ሲሞላው ወይም፤
 ፪. በሕመም ምክንያት ተግባሩን በተገቢው ሁኔታ ማከናወን አይችልም ተብሎ በጉባኤው ሲወሰን ወይም
 ፫. በዳኞች እና በሌሎች ተሟላዎች ሥነ-ምግባር ደንብ መሠረት ጉልህ የሆነ የሥራ ችሎታና ቅልጥፍና አንሰታል ተብሎ በጉባኤው ሲወሰን፤
 ፬. የዳኞች እና የሌሎች ተሟላዎችን የሥራ አፈጻጸም እና የሥነ ምግባር ደንብ ተላልፎ ሲገኝ፤
- ፲፭. በገዛ ፈቃድ ስራ ስለመልቀቅ
 ፩. ዳኛ ወይም ሌሎች ተሟላዎች በገዛ ፈቃዳቸው ስራ የመልቀቅ መብት አላቸው።
 ፪. ከላይ በተጠቀሰው ሁኔታ ስራ ሲለቁ ይህንን በመግለጽ ከሁለት ወር አስቀድመው ለጠቅላይ ፍርድ ቤቱ ፕሬዚዳንት በጽሑፍ የማስታወቅ ግዴታ አለባቸው።
- ፲፮. ልዩ መብት
 ማንኛውም ዳኛ ወንጀል ሲፈጽም እጅ ከፍንጅ ካልተያዘ በቀር የክልሉ ዳኞች አስተዳደር ጉባኤ ሳይፈቅድ አይያዝም፤ አይታሰርም።
- ከፍል ሦስት
ልዩ ልዩ ድንጋጌዎች
- ፲፯. አቤቱታ የማቅረብ መብት
 ማንኛውም ሰው በዳኝነት ሥራ አካሄድ በደል ከተፈፀመበት ለሚመለከተው ጉባኤ አቤቱታ የማቅረብ መብት አለው።

- (f) consent to assuming judgeship;
 (g) not be under 21 years of age;
 (h) not be mentally unsound.
- 2) No person may simultaneously assume judgeship while serving in the legislative or executive branch of government or while a member of any political organization.
- 3) without prejudice to other provisions of this Article, the Commission may issue regulations for the selection of other appointees.
14. *Termination of Tenure*
 The tenure of any judge or other appointee may be terminated:
- 1) where he has attained the age of 60 (sixty) ; or
 2) where it is decided by the Commission that he is incapable of properly discharging his duties due to illness; or
 3) where it is decided, in accordance with the Disciplinary and Code of Conduct Rules for judges and other appointees, that he manifests incompetence and inefficiency; or
 4) where he has transgressed the Disciplinary and Code of Conduct Rules for judges and other appointees.
15. *Resignation*
 1) a judge or any other appointee has the right to resign from his post.
 2) however, he is bound to give a written prior notice of two months to the Office of the president of the Supreme Court.
16. *Immunity*
 No judge may be arrested or prosecuted without the permission of the Regional Commission for the Judicial Administration unless he is caught in *flagrante de- licto* for an offence.

PART THREE

Miscellaneous Provisions

17. *Lodging of Complaints*
 Any person who is aggrieved in the process of the performance of judicial business has the right to lodge complaint to the Commission empowered to hear the case.

18 *Mirga Ol'iiyannoo*

- 1) Dhimma Gumii Godinaa-tti dhiyaatee murtee argate irratti, gareen komii qabu kamiyyuu murtichi isa gahee guyyaa 30 keessatti Gumii Naannootti ol'iiyyata dhiyeeffachuu ni danda'a.
- 2) Murtiin Gumiin Naannoo jalqabaan yookiin ol-iiyyataan ilaalee kennu isa dhu-maa ta'a.

19 *Kakuu*

Abbootiin seeraa hojii jalqabuun dura kakuu itti aanee jiru ni raawwatu.

"Ani _____ guyyaa har'aa _____ Abbaa Seeraa Mana Murtii ta'uudhaan muudamee hojii koo yeroon eegalu, itti gaafatamummaa ol'aanaa naa kenname amanamumma-anii fi haala seeraan raawwachuuf waadaa ni seena."

20 *Seerota Raawwatiinsa Hin Qabne*

- 1) Labsiin Gumii bulchiinsa abbootii seeraa Naannoo Oromiyaa Dhaabuuf bahe lak. 37/93 labsii kanaan bakka buufameera.
- 2) Seerri, qajeelfamni fi murtiin labsii kanaan wal faalllessu kamiyyuu dhimmoota labsii kanaan hama-taman irratti raawwatamummaa hin qabu.

21 *Yeroo Labsiin Kun Itti Ragga'u*

Labsiin kun bitootessa 24/1994 irraa eegalee kan ragga'e ta'a.

Finfinnee Bitootessa 24
Bara 1994

Juneeyidii Saaddoo
Prezedantii Bulchiinsa
Mootummaa
Naannoo Oromiyaa

፲፰. የይግባኝ መብት

- ፩. ለዞን ጉባኤ ቀርቦ ውሳኔ በተሰጠበት ጉዳይ ላይ ቅሬታ ያለው ማናቸውም ወገን ውሳኔው በደረሰው በ፴ ቀን ውስጥ ለክልል የዳኞች አስተዳደር ጉባኤ ይግባኝ ማቅረብ ይችላል።
- ፪. የክልል ጉባኤ በመጀመሪያ ደረጃ ወይም በይግባኝ አይቶ የሚሰጠው ውሳኔ የመጨረሻ ይሆናል።

፲፱. ቃለ መሐላ

ዳኞች ሥራቸውን ከመጀመራቸው በፊት በሚከተለው መሠረት ቃለ መሐላ ይፈጽማሉ፤

“እኔ — በዛሬው ዕለት — ፍርድ ቤት ዳኛ በመሆን ተሹሜ ሥራዬን ለጀምር የተጣለብኝን ከፍተኛ ኃላፊነት በሕግ መሠረት በታማኝነት ለመፈጸም ቃል እገባለሁ።”

፳. የተሻሩ ሕጎች

- ፩. የኦሮሚያ ዳኞች አስተዳደር ጉባኤን ለማቋቋም የወጣው አዋጅ ቁጥር ፴፯/፲፫ በዚህ አዋጅ ተተክቷል።

- ፪. ከዚህ አዋጅ ጋር የሚቃረን ማናቸውም ሌላ ሕግ፣ መመሪያ ወይም ውሳኔ በዚህ አዋጅ ውስጥ በተመለከተ ጉዳዮች ላይ ተፈጻሚነት አይኖረውም።

፳፩. አዋጁ የሚጸናበት ጊዜ

ይህ አዋጅ ከመጋቢት ፳፬ ቀን ፲፱፻፺፬ ዓ.ም. ጀምሮ የጸና ይሆናል።

ፊንፊኔ መጋቢት ፳፬ ቀን ፲፱፻፺፬ ዓ.ም.
ጁኔይዲ ሳዶ

የኦሮሚያ ክልላዊ መንግሥት መስተዳድር
ፕሬዚዳንት

18. *Right to Appeal*

- 1) A party may take appeal from the decision of the Zone Commission to the Regional Commission within 30 days from the date when he received the decision.
- 2) Decision of the Regional Commission rendered in its first instance or appellate jurisdiction is final.

19. *Oath*

Judges shall take the following oath—prior to assuming the duties:

I, _____, upon my appointment and assumption of duty as judge of _____ court, this day, pledge to discharge with dedication and in accordance with the law the heavy responsibility entrusted to me.

20. *Repealed laws*

- 1) Proclamation No. 37/2001 which provides for the establishment of the Judicial Administration Commission of the Regional State of Oromia is hereby repealed and replaced by this proclamation.
- 2) Any law, directive or decision which is inconsistent with the provision of this proclamation shall not apply on matters provided for in this proclamation.

21. *Effective Date*

This proclamation shall enter into force as of the 2nd day of April

2002.
Done at Finfinee this 2nd day
2002.

Juneeyi Saddo

President of the Regional
Government of Oromia