



በኢትዮጵያ ፌዴራላዊ ዴሞክራሲያዊ ሪፑብሊክ
የአማራ ብሔራዊ ክልል ምክር ቤት

ዝክረ ሕግ

ZIKRE HIG

**Of the Council of the Amhara National Regional State
In the Federal Democratic Republic of Ethiopia**

በአማራ ብሔራዊ ክልላዊ መንግስት
ምክር ቤት ጠባቂነት የወጣ

Issued under the auspices of the
Council of the Amhara National
Regional State

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አዋጅ ቁጥር 209/ 2006 ዓ/ም

**የአማራ ብሔራዊ ክልላዊ መንግስት ዳኞች
አስተዳደር ጉባኤ ማቋቋሚያ አዋጅን
እንደገና ለማሻሻል የወጣ አዋጅ**

Content

Proclamation No. 209/2014

**A proclamation Issued to provide for the Re-
amendment of the Amhara National Regional
State Judicial Administration Commission
Establishment Proclamation**

አዋጅ ቁጥር 209/2006 ዓ/ም

**የአማራ ብሔራዊ ክልላዊ መንግስት ዳኞች
አስተዳደር ጉባኤ እንደገና ማሻሻያ አዋጅ**

በአማራ ብሔራዊ ክልል ሕገ-መንግስት ነፃ የዳኝነት
አካል የተቋቋመ በመሆኑ፤ ይህንኑ በህገ መንግስቱ
የተረጋገጠውን የዳኝነት ነፃነት መርህ በተሟላ
መንገድ እውን ለማድረግ ከሚያስችሉት መሠረታዊ
ጉዳዮች አንዱና ዋነኛው የዳኞች አስተዳደርን
ከማናቸውም አካል ተጽዕኖ ገለልተኛ ሆኖ እንዲደራጅ
ማድረግና ሥራውንም በአግባቡ ማከናወኑን
ማረጋገጥ አስፈላጊ ሆኖ በመገኘቱ፤

በዚህም ምክንያት የየደረጃውን ዳኞች ምልመላ፤
ሹመት፤ የደረጃ እድገት፤ ዝውውር፤ ስንብትና
ዲስፕሊን አስመልክቶ በተለይ መደንገግ በማስፈለጉ፤

Proclamation No.209/2014

**The Amhara National Regional State Judicial
Administration Commission Establishment
Proclamation Re-amendment Proclamation**

WHEREAS, one ,and the major, of the fundamental
factors that help to realize the constitutionall guaranteed
independence of the judiciary is to have aneural judical
administration which is organized in amanner free from
the influence of government organas or officialdom so
that it would properly discharge its duies;

WHEREAS, it has therefore become necessary to enact
special legal provisions concerning the recruitment of
judges at all levels, as well as promotion, appointment,
transfer, discharge and discipline of judges;

የዳኞች አስተዳደር ጉባዔ የክልሉን ፍ/ቤቶች የዳኝነት ነፃነት እና ተጠያቂነትን ሚዛናዊ በሆነ መልኩ መምራት እንዲችል ሥልጣን እና አደረጃጀቱን ከሥራን መልሶ ማደራጀት ጥናት እና ካደጉ ሃሳቦች ጋር አገናዝቦ እንደገና መከለስና ማጠናከር አስፈላጊ ሆኖ በመገኘቱ፤

የሥነ-ምግባር ጉዳይ አስተዳደር ሂደትን ቀልጣፋ፣ ተደራሽ እና ውጤታማ እንዲሆን ማድረግ ተገቢ ሆኖ በመገኘቱ፤

በተለያዩ ጊዜያት የወጡትን የማሻሻያ አዋጆች መከለስና በአንድነት ማጠቃለል በማስፈለጉ

የአማራ ብሔራዊ ክልል ምክር ቤት በተሻሻለው የብሔራዊ ክልላዊ ህገ-መንግስት አንቀጽ 49 ንዑስ አንቀጽ 3/1/ ሥር በተሰጠው ሥልጣን መሠረት የሚከተለውን አውጇል፡፡

ክፍል አንድ

ጠቅላላ ድንጋጌዎች

1. አጭር ርዕስ

ይህ አዋጅ “የአማራ ብሔራዊ ክልላዊ መንግስት ዳኞች አስተዳደር ጉባዔ ማቋቋሚያ አዋጅ እንደገና ማሻሻያ አዋጅ ቁጥር 209 /2006 ዓ/ም” ተብሎ ሊጠቀስ ይችላል፡፡

2. ትርጓሜ

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

1. “ሕገ መንግስት” ማለት በ1994 ዓ/ም ተሻሽሎ የወጣው የአማራ ብሔራዊ ክልል ሕገ-መንግስት ነው፡፡
2. “ምክር ቤት” ማለት የአማራ ብሔራዊ ክልል ም/ቤት ነው፡፡
3. “ክልል ጉባዔ” ማለት በዚህ አዋጅ መሠረት በክልል ደረጃ የተቋቋመው የዳኞች አስተዳደር አብይ ጉባዔ ነው፡፡

WHEREAS, it has been found necessary to revise again and strengthen the judicial administration commission, of powers and its prganization, by recognizing the business process preengineering study and the promoted ideas, that same be able to direct or lead the region’s courts’ judicial independence and accountablility with a balance system;

WHEREAS, it has been found necessary to make the ethical issue’s administration process shall be quick, accessible and effective;

WHEREAS, it has been found necessary to revise and collect together the revised proclamations issued in different times;

Pursuant to Article 149/Sub-article 3/1/of the revised National Regional constitution, vested with its power this proclamation.

PART ONE

General Provisions

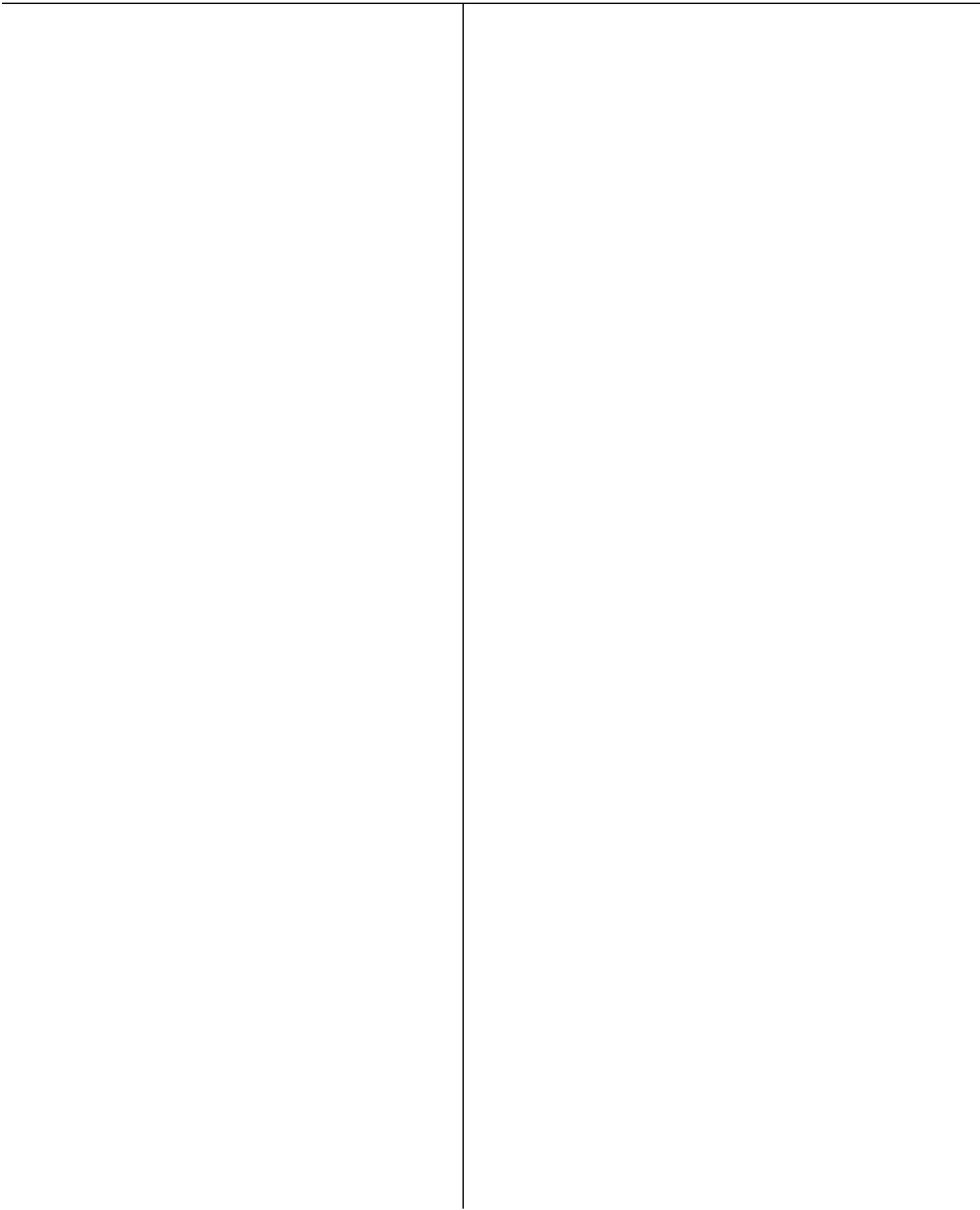
1. Short Title

This proclamation may be cited as “the Amhara National Regional State Judicial Administration commission Establishment Proclamation Re-amendment proclamation No. 209/2014.”

2. Definitions

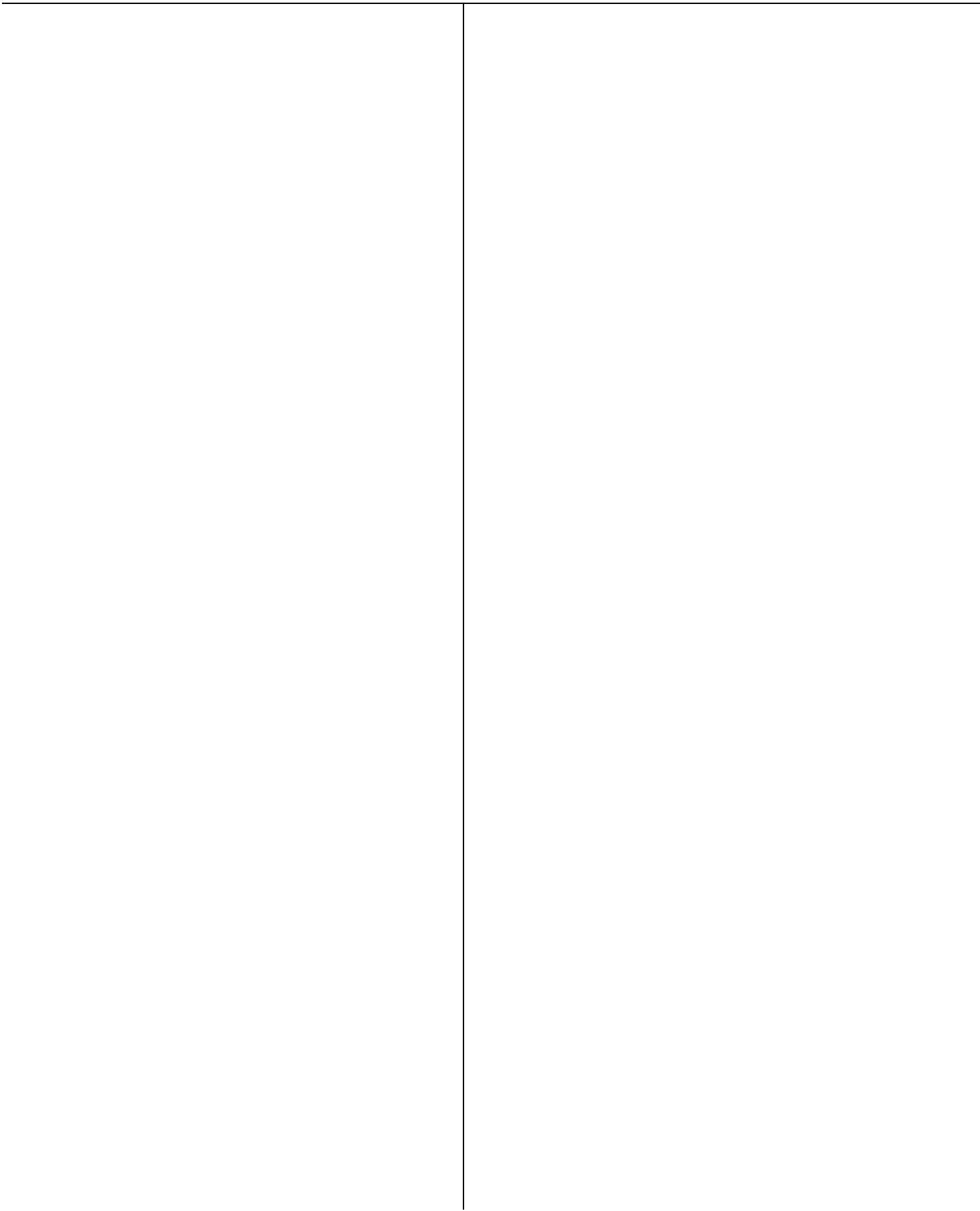
Unless the context otherwise requires, in this proclamation:

1. “Constitution” Means the revised Constitution of Amhara National Regional State of 2001.
2. “Council” means the Amhara National Regional State Council.
3. “Zonal Commission” means the sub-judicial Administration Commission established at Regional level by this proclamation.



4. “የዞን ጉባዔ” ማለት በዚህ አዋጅ መሠረት በብሔረሰብ ወይም በዞን አስተዳደር ደረጃ የሚቋቋም የዳኞች አስተዳደር ንዑስ ጉባዔ ነው።
5. “ፍርድ ቤት” ማለት በሕገ-መንግስቱ አንቀጽ 67 ንዑስ አንቀጽ /1/ ድንጋጌ መሠረት በክልሉ ውስጥ በየደረጃው የተዋቀሩትን የክልል፣ የከፍተኛና የወረዳ ፍ/ቤቶችን ያጠቃልላል።
6. “ዳኛ” ማለት በሕገ-መንግስቱ አንቀጽ 68 ድንጋጌ መሠረት በየደረጃው በተዋቀሩ የክልሉ ፍርድ ቤቶች ውስጥ የዳኝነት ተግባራትን እንዲያከናውን በም/ቤት የሚሾም የተፈጥሮ ሰው።
7. “ሬጂስትራር” ማለት በክልሉ ፍ/ቤቶች ውስጥ አስተዳደራዊና ችሎት ነክ ተግባራትን እንዲያከናውን በክልሉ ጉባዔ የሚሾም የተፈጥሮ ሰው ነው።
8. “ተከላካይ ጠበቃ” ማለት በክልሉ ፍርድ ቤቶች በከባድ ወንጀል የተከሰሱና ጠበቃ አቁመው መከራከር የማይችሉ ሰዎችን ወይም በወንጀል ጉዳይ ፍትህ ይጓደላል ተብሎ ሲታሰብ በጠበቃነት ወክሎ እንዲከራከር በክልሉ ጉባዔ የሚሾም ባለሙያ ነው።
9. “የጉባዔ ተሟላጾች” ማለት የጉባዔ ጽ/ቤት ኃላፊ፣ የሥራ ሂደት መሪ፣ ተከላካይ ጠበቃ፣ ሬጂስትራር፣ ቃዲ እና ሌሎችንም በጉባዔው የሚሾሙና የሚመደቡትን ይጨምራል።

4. “Zonal commission” means the sub-judicial Administration Commission to be established at Regional level by this proclamation.
5. “Court” means the courts established at various hierarchies including Regional, High and Woreda Courts Pursuant to Article 67(1) of the constitution.
6. “Judge” means a nautral person appointed by the Council, to carry out judicial duties in all courts established at various hierarchies in accordance with article 68 of the constitution.
7. “Registrat” means a natural person appointed by the Regional Commission to carry and administrative and court related duties in the courts of the Region.
8. “Defense Lawyer” means a legal professional appointed b the commission to act as lawyer for those charged with heave criminal offences by courts of theRegion and who can not afford to hire their own lawyers.
9. “Appointees of the commission” means including the head of commission office, proces owner, defense lawyer, registrar,kadis and others, who shall be appointed and nominated.



10. “የጉባዔ ጽ/ቤት” ማለት በዚህ አዋጅ አንቀጽ 4 ንዑስ አንቀጽ /3/ መሰረት የሚደራጀው የዳኞች አስተዳደር ጉባዔ ጽ/ቤት ነው።

11. «ጉልህ የሆነ የስራ ችሎታና ቅልጥፍና ማነስ» ማለት በክልሉ የዳኞች የስራ አፈጻጸም መመዘኛ ከተመለከተው የምዘና ወጤት በታች ማግኘት ነው።

3. የጾታ አገላለጽ

በዚህ አዋጅ በወንድ ጾታ የተገለጸው የ ሴትን ምያ ካትታል፡፡

ክፍል ሁለት

ስለዳኞች አስተዳደር ጉባዔ እንደገና መቋቋም፣ ተዋጽኦ፣ ኃላፊነትና የስብሰባ ሥነ-ሥርዓት

4. ስለ ክልል ጉባዔ መቋቋም

1. የክልሉ ዳኞች አስተዳደር ጉባዔ ከዚህ በኋላ “ጉባዔ” እየተባለ የሚጠራ በዚህ አዋጅ እንደገና ተቋቁሟል።
2. ጉባዔው የራሱ ጽሕፈት ቤት ይኖረዋል። የጽ/ቤቱ ተጠሪነት ለጉባዔው ይሆናል።
3. ጽሕፈት ቤቱ በዚህ አዋጅ መሰረት በክልሉ መንግስት የሚመደብ በጀት ኖሮት፣ ተግባሩን በሙሉ ነጻነት የሚያከናውን የጠቅላይ ፍርድ ቤት አካል ሆኖ ይደራጃል።

10. “Office of the commission” means an office of the judicial administration commission that shall be organized, pursuant to sub –article /3/ of Article 4 of this proclamation.

11. “Infficiency of fundamental work ability and quickness” means shall get aresult below the specified regional judges’ evaluation of job performance.

3. Gender Issue

In this proclamation, the specified issue for masculine gender shall also include the feminine gender.

PART TWO

Re-Establishment of Judicial Administration Commission, commpostition, Responsiblity and Meeting procedure

4. Establishment of the Regional Commission

1. The regional judicial administration commission hereafter called “commission” has been re-established by this proclamation.
2. The commission shall have its own office the office shall be accountable to the commission.
3. Pursuant to this proclamation the office shall have budgetm allocated by the regional government; shall be organized as an entity of the Supreme Court, performs its activities with full freedom.

5. ስለ ጉባዔው አባላት ተዋጽኦና ጥንቅር

1. የክልል ጉባዔ አባላት በዚህ አዋጅ መሠረት የሚከተሉት ይሆናሉ፡፡

ሀ/ የጠቅላይ ፍ/ቤት ፕሬዚዳንት ----- ሰብሳቢ

ለ/ የጠቅላይ ፍ/ቤት ም/ፕሬዚዳንት-- አባል

ሐ/ የም/ቤቱ ሁለት ተወካዮች ----- አባላት

መ/ አንድ የጠቅላይ ፍ/ቤት ዳኛ ----- አባል

ሠ/ ሁለተኛ የከፍ/ፍ/ቤቶች ዳኞች ----- አባላት

ረ/ ሶስት የወረዳ ፍ/ቤቶች ዳኞች ----- አባላት

ሰ/ የክልሉ ፍትህ ቢሮ ኃላፊ ወይም ተወካይ-- አባል

ሸ/ የክልሉ ጠበቆች ማህበር ኃላፊ ወይም አንድ ተወካይ -----አባል

ቀ/ የክልሉ ሴቶች ማህበር ኃላፊ ወይም ኃላፊው በማይኖርበት ጊዜ ተወካይ-----አባል፤

በ/ በጉባዔው የሚሰየም አንድ ታዋቂ ግለሰብ--- አባል

2. ሰብሳቢው በማይኖርበት ጊዜ የጠቅላይ ፍርድ ቤት ምክትል ፕሬዝዳንት ሰብሳቢውን ተክቶ ይሰራል፡፡

5.. Composition of members of the Commission

1. The region's assembly members shall be the following, pursuant to this proclamation:

A/ President of the supreme court..... Chairperson

B/ Vice president of the supreme court..... members

C/ Two representatives of the council members

D/ A Judge of the supreme Court.....member

E/ Two judges of the high courts..... members

F/ Three judges of the woreda court..... members

G/ The head of justice Bureau or a representative members

H/ The head of the advocates or a representative of region's association member

I/ The head of the region's women association or the representative, where the head is not presented--- member

J/ One prominent person, who shall be nominated with the assembly member

2. Where the chairperson is not presente, the deputy president of the Supreme Court shall delegate and wort the chairperson.

6.ስለ ክልሉ ጉባዔ አባላት አመራረጥ

1. በዚህ አዋጅ አንቀጽ 5 ንዑስ አንቀጽ /1/ሐ ሥር የተመለከቱትና በክልል ጉባዔ አባላት የሚሳተፉት ሁለት የምክር ቤቱ ተወካዮች የክልሉ ሕግ አውጭ ምክር ቤት አመራርና የህግ አስፈጻሚው አካል አባላት አለመሆናቸው ተረጋግጦ በምክር ቤቱ ተመርጠው ይሰየማሉ፡፡
2. በዚህ አዋጅ አንቀጽ 5 ንዑስ አንቀጽ /መ/፣ /ሠ/ እና /ሰ/ ድንጋጌዎች ሥር የተመለከቱትና በክልል ጉባዔ አባልነት የሚሳተፉት ዳኞች በምርጫ የሚሰየሙ ሲሆን አመራረጡን በተመለከተ ጠቅላይ ፍርድ ቤቱ በሚያወጣው መመሪያ መሠረት የሚፈጸም ይሆናል፡፡

7. የክልል ጉባዔ ሥልጣንና ተግባር

1. የክልሉ ጉባዔ ለምክር ቤቱ ተጠሪ ሆኖ በዚህ አዋጅ መሠረት የሚከተሉት ሥልጣንና ተግባራት ይኖሩታል፡-

ሀ/ በየእርከኑ ለተቋቋሙ ፍ/ቤቶች በዳኝነት ለመሰማራት ካመለከቱት ግለሰቦች መካከል በዚህ አዋጅ አንቀጽ 22 መሰረት ለዳኝነት ብቁ የሆኑትን እጩ ዳኞች ይለያል፤ ይሾሙ ዘንድ ለክልሉ ም/ቤት ያቀርባል ፤ሲሾሙም ይመድባል፤ ከዳኝነት ሥራው ጋር የተያያዙ የጠቅላይ ፍርድ ቤቱን የሂደት መሪዎችና ሰብሳቢ ዳኞችን በጉባዔው ሰብሳቢ አቅራቢነት ሚጥ ይሰይማል፤

6. Selection of the Regional Commission Members

1. Two representatives of the council indicated in Article 5/1/C of this proclamation shall be selected by the council to partake in the Regional Commission following confirmation that they are not members of the Regional Council's Legislative and executive bodies.
2. Judges indicated in Article 5/D/,/E/ and /G/ of this proclamation who are to serve as members of the regional commission shall be elected by vote; the selection of these judges shall be carried out according to the directive to the issued by the president of the supreme court of the Region.

7. Powers and Duties of the Regional Commission

1. Being accountable to the council, the Regional commission in accordance with this proclamation, shall have the following powers and duties:

A/ To identify the candidate judges who are competent to judiciary activity; pursuant to Article 22 of this proclamation, among individuals who apply to be judges for courts, which are established in various levels; present them for appointment to the council; place them when they are appointed; select and nominate the process owners and the chairperson of the supreme court, who are related to the judiciary activities, presented with the commission;

ለ/ የከፍተኛ እና የወረዳ ፍርድ ቤቶች ዳኞችን ከዞን ዞን የሚደረግ የሥራ ቦታ ዝውውር፣ አበል፣ የደረጃ እድገት፣ ህክምናና የመሳሰሉትን ሌሎች ጥቅማጥቅሞች አስመልክቶ በሚነሱ ጥያቄዎች ላይ ይወስናል፤

ሐ/ ዳኞችን በተመለከተ የዲሲፒሊንና የሥነ-ምግባር ደንብ አዘጋጅቶ ለክልሉ ምክር ቤት ያቀርባል፤ ሲፀድቅ በሥራ ላይ ያውላል፤

መ/ ዳኞች የሚመሩበትን የዳኝነት አፈጻጸም መመዘኛ ሥርዓት ይዘረጋል፤ ተግባራዊነቱንም ይከታተላል፤ ክልላዊ የዝወወር መነሻ መመሪያ ያወጣል፤

ሠ/ በጠቅላይ ፍ/ቤት ዳኞችና በየዞኑ ከፍተኛ ፍ/ቤት ፕሬዚዳንቶች ላይ የሚቀርቡትን የዲስፕሊን ክሶች መርምሮ ይወስናል፤

ረ/ ከዞን ንዑሣን ጉባዔዎች በየጊዜው የሚተላለፉትን የወረዳ ፍርድ ቤት ዳኞች ዝውውር፣ ከሰብሳቢ ዳኞች ሹመትና ከኃላፊነት በሚነሱበት ጉዳይ ላይ የሚነሱ ቅሬታዎችን፣ እንዲሁም ዲስፕሊንና የመሳሰሉትን ጉዳዮች የሚመለከቱ የመጀመሪያ ደረጃ ውሳኔዎች መርምሮ ያፀድቃል፣ ያሻሽላል፣ ይሽራል፤

B/To decide on matters pertinent with transfer from zone to fone, allowance, promotion, medication and same other incentives of the high and woreda courts judges;

C/To prepare and present, to the council, the regulation on the conduct and discipline of judges, and execute same when approved;

D/ Taset up performance evaluation system of judiciary activeties that the judges shall be directed; follow up its implementatio; issue the initial regional transfer of directives;

E/ To examine and decide on disciplinary charges against judges of the supreme court and the presidents of the zonal high courts;

F/ To examine, approve, amend, and repeal the first stase decisions regularly passed by zonal sub-commissions, pertinent with transfer of the woreda judges, on the raised grievances of the appointment of **ሰብሳቢ ዳኞች** and on the issue of discharged from their (poisitions) , as well as, discipline and the like issues;

ለ/የጉባዔ ተሿሚዎችን በፕሬዝዳንቱ አቅራቢነት
ይሾማል፤ ይመድባል፤ ደመወዝ፤ የደረጃ
እድገት፤ ዝወወር፤ አበልና ሌሎች
ጥቅማጥቅሞቻቸውን እንዲሁም ከስራ
የሚነሱበትን ሁኔታ ይወስናል፤ እንደአስፈላጊነቱ
የአፈፃፀም መመሪያዎችንም ያወጣል፤
ሸ/የዳኞችንና የጉባዔ ተሿሚዎችን መተዳደሪያ
ደንብ ያወጣል፤ አፈጻጸሙን ይከታተላል፤

ቀ/ የጉባዔው ጽ/ቤት የሚመራበትን መመሪያ
ያወጣል፤ ተፈጻሚነቱንም ይከታተላል፤

በ/የጉባዔ አባላት በሚሰበሰቡበት ጊዜ ሊከፈላቸው
ስለሚገባው አበል መጠን ይወስናል፡፡

ተ/ በሥራ አፈፃፀም ምዘና ደንብ መሠረት ጉልህ
የሆነ የሥራ ችሎታና ቅልጥፍና ማነስ ያሳያትን፤
በሕመም ምክንያት ሥራቸውን ማከናወን
የማይችሉትን የጉባዔ ተሿሚዎችን ከሥራ
ያስናብታል፤ ወይም በሚመጥናቸው ሥራ
ይመድባል፤ ዳኞችን በተመለከተ የሥንበት
ወሳኔው እንዲጸድቅ ለክልሉ ምክር ቤት
ያስተላልፋል፤

ቸ/ከሥራ ባሕሪው ጋር ተያያዙ ሌሎች ሕጋዊያን
ተግባራትን ያከናውናል፡፡

2. በዚህ አንቀጽ ንዑስ አንቀጽ 1 ፊደል ተራ
ቁጥር /ፈ/ ስር ያሰፈረው ድንጋጌ እንደተጠበቀ
ሆኖ፤ በዚህ አዋጅ አንቀጽ 12 ንዑስ አንቀጽ /3/
መሠረት ቅሬታ ባይቀርብባቸውም የክልሉን ህዝብ
የፍትህ ስሜት እንደሚጉዳ የሚያምንባቸውንና
በስር ንዑስ ጉባኤዎች ውሳኔ የተሰጠባቸውን
የመጀመሪያ ደረጃ የዲሲፕሊን ጉዳዮች በራሱ
አነሳሽነት ከመመርመርና እንደገና ተጣርተው
እንዲታዩ ከማድረግ ወይም ራሱ አይቶ ከመወሰን
አይታገድም፡፡

G/ To appoint, assign salary, promotion, transfer
allowance and other incentives; as well as, decide on
dismissal of the commission appointees, presented with the
president; as deemed as neccary, issue derectives of the
performance;

H/ To issue regulation of the judges and the commission
appointees; follow up its implementation;

I/ To issue directives that the commission office is
governed;

J/To decide the amount of allowance to be paid, when the
commission members hold on meeting;

K/ Pursuant to the regulation of performance evaluation,
shall discharge appointees of the commission,who shows
insufficient tangible work's ability and less speed, those
who could not perform their activities due to illness; or
assign them to the relevant position; pass the discharge
decisions to be approved, to the council with regard to
judges;

L/ Perform other legal activities that are connected with
the task charasteristics.

2. Without prejudice to the provision state under alphabet
(F) of sub-article 1 of this Article; notwithstanding
submitted grievance, pursuant to sub-article/3/ of Article
12 of this proclamation; the commission shall not be
suspended, to decide the first stage discipline casess after
examined by its own initative, cause to be seen sorted
again or see itself; believing that the case which hurt the
region's public justice sense and on the cases that were

rendered by low sub commissions.

3.የክልሉ ጉባዔ በብሔረሰብ አስተዳደሮች

የሚገለግሉ እጩ ዳኞችን ለሹመት ለም/ቤቱ ከሚቀረቡ በፊት ከሚመለከታቸው የብሔረሰብ ምክር ቤቶች አስተያየት ማጥየቅ አለበት፤

4.በዚህ አንቀጽ ንዑስ አንቀጽ 2 የሠፈረው ድንጋጌ እንደተጠበቀ ሆኖ የክልሉ ጉባዔ የጠቅላይና የከፍተኛ ፍ/ቤቶች እጩ ዳኞችን ሹመት ለም/ቤቱ ከሚቀረቡ በፊት በሕገ መንግስቱ አንቀጽ 68 ንዑስ አንቀጽ 3 በተደነገገው መሠረት የፌዴራሉን ዳኞች አስተዳደር ጉባዔ አስተያየት ማጥየቅ አለበት፤

5.አንድ ዳኛ ከሥራ ሊያስነሣ የሚችል ከባድ የዲስፕሊን ጥፋት ወይም የሥነ-ምግባር ጉድለት ፈጽሟል ተብሎ ክስ ሲቀርብበት ጉዳዩን የክልሉ ጉባዔ መርምሮ እስኪወስን ድረስ ዳኛው በሥራው ላይ ቢቆይ በደል ያደርጋል ብሎ ካሚ ደመወዝ እየተከፈለው ጉባዔው ለጊዜ ከሥራ አግዶ ሊያቆየው ይችላል፡፡

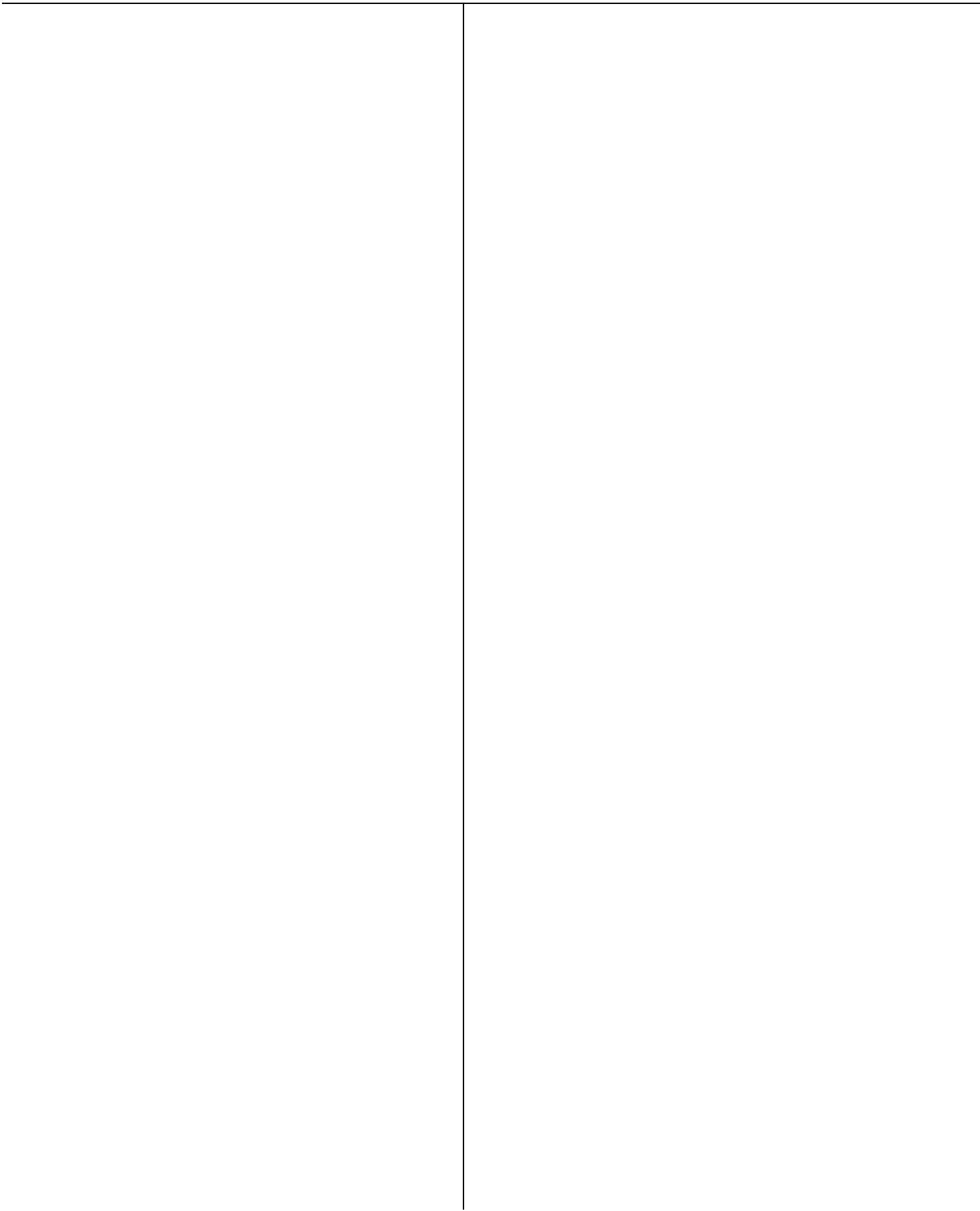
6.ጉባዔው ክሱን ከመረመረ በኋላ ጥፋተኛ ሆኖ ያገኘው እንደሆነ ለጊዜው ታግዶ የቆየውን ዳኛ በህገ-መንግስቱ አንቀጽ 66 ንዑስ አንቀጽ /4/ በተደነገገው መሠረት ከሥራ ኃላፊነቱ እንዲነሳ ለም/ቤቱ ያቀርባል፡፡

3. The regional commission shall request a comment from the pertinent nationality councils; prior to presenting the candidate judges for appoint who serve ment, to the council for the nationality administrations.

4. Without prejudice to the provision stated, at sub article 2 of this Article, the regional commission prior to presenting the council with candidate judges to be apponted as judges of the supreme and high courts, shall request the comment of the federal judicial administration commission as provided for, in article 68 (3) of the constitution.

5. Where a judge commits a serious disciplinary offence or charged with a breach of conduct, which causes the commission to believe that the contiued presence of the judge brings harm, the commission shall suspend the judge who is paid sadary, until the regional commission exzmins and decides upon the case.

6. Where the commission, following a consideration of the case, finds the suspended judge for the time being guilty of the offence, present to the council to be dismissed from his/her responsibility; pursuant to the provision stated, in sub article /4/ of Article 66 of the constitution.



8.ስለ ጉባዔው የስብሰባ ሥነ-ሥርዓት

1. የክልሉ ጉባዔ በየሁለት ወሩ አንድ ጊዜ መደበኛ ስብሰባ ያደርጋል፤ ሆኖም አስፈላጊ ሆኖ ሲያገኘው በማናቸውም ጊዜ ሊሰበሰብ ይችላል፤
2. ከጉባዔው አባላት መካከል ሁለት ሶስተኛው ከተገኙ ምልዓተ ጉባዔ ይሆናል፤
3. የጉባዔው ውሣኔዎች በድምጽ ብልጫ ያልፋሉ፤ ሆኖም ድምጹ እኩል በእኩል የተከፈለ እንደሆነ ሰብሳቢው ወሳኝ ድምጽ ይኖረዋል፤
4. የዲስፕሊን ክስ የቀረበበት ማናቸውም የጉባዔ አባል የሆነ ዳኛ እርሱን የሚመለከት ክስ ሲመረመር በስብሰባው ላይ አይገኝም፤
5. በዚህ አንቀጽ ከንዑስ አንቀጽ 1-4 የተመለከተው እንደተጠበቀ ሆኖ ጉባዔው እንደአስፈላጊነቱ የራሱን የስብሰባ ሥነ-ሥርዓት ደንብ ሊያወጣ ይችላል፡፡

9.ስለ ዞን ጉባዔ መቋቋም

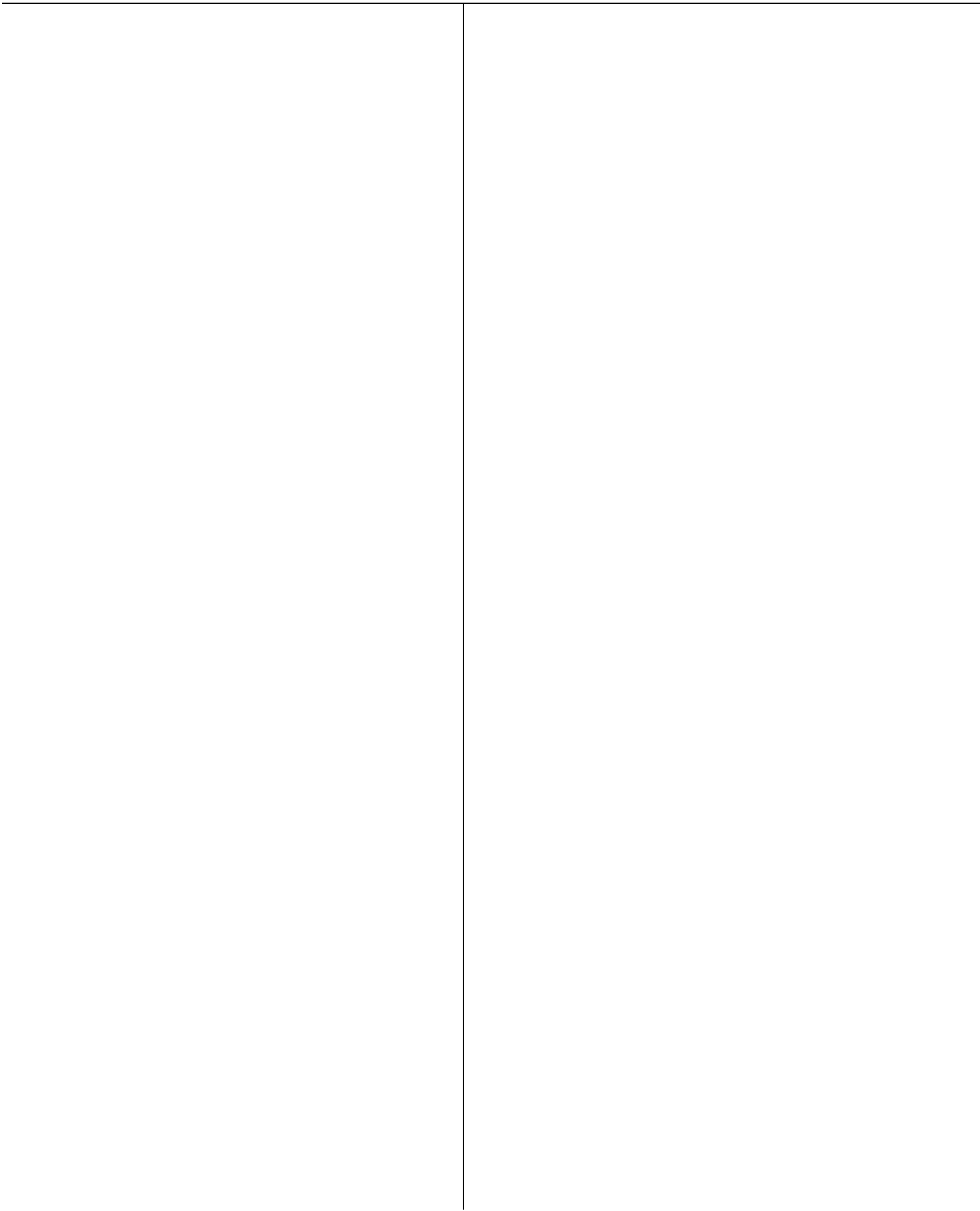
የዞን ዳኞች አስተዳደር ንዑስ ጉባዔ ከዚህ በላይ በአንቀጽ 2 ንዑስ አንቀጽ 4 ሥር በተተረጎመው መሠረት “የዞን ጉባዔ” እየተባለ የሚጠራ በዚህ አዋጅ እንደገና ተቋቁሟል፡፡

8.Meeting procedures of the Commission

1. The Regional commission shall hold a regular meeting once every two months; however, ti may meet at any time where found necessary.
2. There shall be a quorum where two- third of commission members are present.
3. Decisions of the Commission shall be passed by a majority vote; in case of a tie, wherever, the chair person shall have a casting vote.
4. A judge who is a member of the commission, and against whom disciplined proceedings are instituted, may not sit in meetings of the commission while his case is under investigation.
5. Without prejudice to the stipulated sub-article 1-4 of this Article, the commission may issue its own regulation of meeting procedure, as deemed as necessary.

9.Establishment of the Zonal Commission

Pursuant to Article 2(4) of this Article, the Zonal Judicial Administration Sub-Commission hereinafter referred to as “Zonal Commission”, is hereby established by this proclamation.



10.ስለ ዞን ጉባዔ አባላት ተዋጽኦ ጥንቅር

1.የዞን ጉባዔ በዚህ አዋጅ መሠረት የሚከተሉት አባላት ይኖሩታል፡-

ሀ/የዞን ከፍተኛ ፍ/ቤት ፕሬዚዳንት--- ሰብሣቢ
 ለ/ ሁለት የከፍተኛ ፍ/ቤት ጳጳሾች ----- አባላት
 ሐ/ ሶስት የወረዳ ፍ/ቤት ጳጳሾች ----- አባላት
 መ/የሚመለከተው ዞን ፍትህ መምሪያ ኃላፊ ወይም ተወካይ -----አባል
 ሠ/ክክልሉ ጠበቆች ማህበር የዞን ቅርንጫፍ ጽ/ቤት አንድ ተወካይ ----- አባል
 ረ/ በብሔረሰብ አስተዳደሮች ሁለት የብሔረሰብ ም/ቤት አባላት፣ ምክር ቤት በማይቋቋምባቸው የዞን አስተዳደሮች ደግሞ የክልል ጉባዔ አባላት ያልሆኑ ሁለት የክልል ም/ቤት ተወካዮች ----- አባላት

ሰ/የዞኑ ሴቶች ማህበር ኃላፊ ወይም ኃላፊው በማይኖርበት ጊዜ ተወካይ ----- አባል;

2.በዚህ አንቀጽ ንዑስ አንቀጽ 1 ከፊደል ተራ ቁጥር /ሀ/ እስከ ፊደል ተራ ቁጥር /ሐ/ በተደነገገው መሠረት በዞን ጉባዔ አባልነት እንዲያገለግሉ የተሰየሙ የከፍተኛና የወረዳ ፍርድ ቤት ጳጳሾች በዚህ አዋጅ አንቀጽ 5 ንዑስ አንቀጽ /1/ ፊደል ተራ /ሠ/ እና /ሰ/ ድንጋጌዎች መሠረት በክልል ጉባዔ አባልነት በተጨማሪ ሊመረጡ አይችሉም፡፡

10.Composition of Zonal commission members

1.Pursuant to this proclamation, the Zonal commission shall have the following members:

A/ Zonal high Court President..... Chair person
 B/Two high court Judges..... Members
 C/Three Woreda court Judges..... Members
 D/A representative of concerned Zonal Justice branch office..... Member
 E/A representative of the zonal advocates association branch office of the region..... Members
 F/ Two members of the nationality council in the nationality administrations or two regional council representatives who are not regional commission members in those zonal administrations where councils are not established..... members

G/ The head of regional women's association or a representative where the absence of the head....member

2.Pursuant to the provisions of sub-article 1 (A-C) of this Article, high Court and Woreda court Judges nominated to serve as members of the zonal commission shall not also serve as members of Regional Commission in recordance with the Regional Commission in accordance with the provisions of Article 4(5 and 6) of this proclamation

11. ስለዞን ጉባዔ አባላት አማራጭ

በዚህ አዋጅ አንቀጽ 10 ንዑስ አንቀጽ /1/ ፊደል ተራ ቁጥር ለ እና ፊደል ተራ ቁጥር ሐ ስር የተመለከቱትና በዞን ጉባዔ አባልነት የሚሳተፉት የከፍተኛ ፍ/ቤትና የወረዳ ፍ/ቤቶች ዳኞች በምርጫ የሚሰየሙ ሲሆን አመራረጡን በተመለከተ ጠቅላይ ፍርድ ቤቱ በሚያወጣው መመሪያ መሠረት የሚፈፀም ይሆናል፡

12. የዞን ጉባዔ ሥልጣንና ተግባር

የዞን ጉባዔ በዚህ አዋጅ መሠረት ተጠሪነቱ ለክልሉ ጉባዔ ሆኖ የሚከተሉት ዝርዝር ሥልጣንና ተግባራት ይኖሩታል፡-

1. ጥፋት ፈጽመው በተገኙ የዞን ከፍተኛና የወረዳ ፍ/ቤቶች ዳኞች፣ ፊጅስትራሮችና ተከላካይ ጠበቆች ላይ አስፈላጊውን የሥነ-ሥርዓት

እርምጃይወስዳል፡፡ ማናቸውንም እርምጃ በወሰደ በ15 ቀናት ጊዜ ውስጥ ለክልሉ ዳኞች አስተዳደር ጉባዔ ሰብሳቢ በጽሁፍ ያሳውቃል፡፡ ሆኖም የተፈጸመው ጥፋት ከሥራ የሚያስነሣው ሆኖ ሲገኝ ለጊዜው ከሥራ አግዶ ደመወዙን እየከፈለ ጉዳዩን ከተገቢው የውሣኔ ሀሣብ ጋር ለክልሉ ጉባዔ ያስተላልፋል፡፡

2. በዞን ውስጥ የሚገኙ የወረዳ ፍርድ ቤት ዳኞችን ዝውውር በሚመለከት ይወስናል፤

3. የይግባኝ ቅሬታ የሚቀርብባቸውን የመጀመሪያ ደረጃ ውሣኔዎች በወቅቱ ገልብጦ ከቅሬታ ማሰሚያ አቤቱታዎቹ ጋር ለክልሉ ጉባዔ ያስተላልፋል፤

11. Selection of Zonal Commission Members

Pursuant to Article 10 sub-article(1)(B) and (C) of this proclamation, the High Court and Woreda Court Judges to serve as members of Zonal Commission shall be nominated by election; the election process shall be executed by the directive to be issued by the president of the supreme Court of the Region.

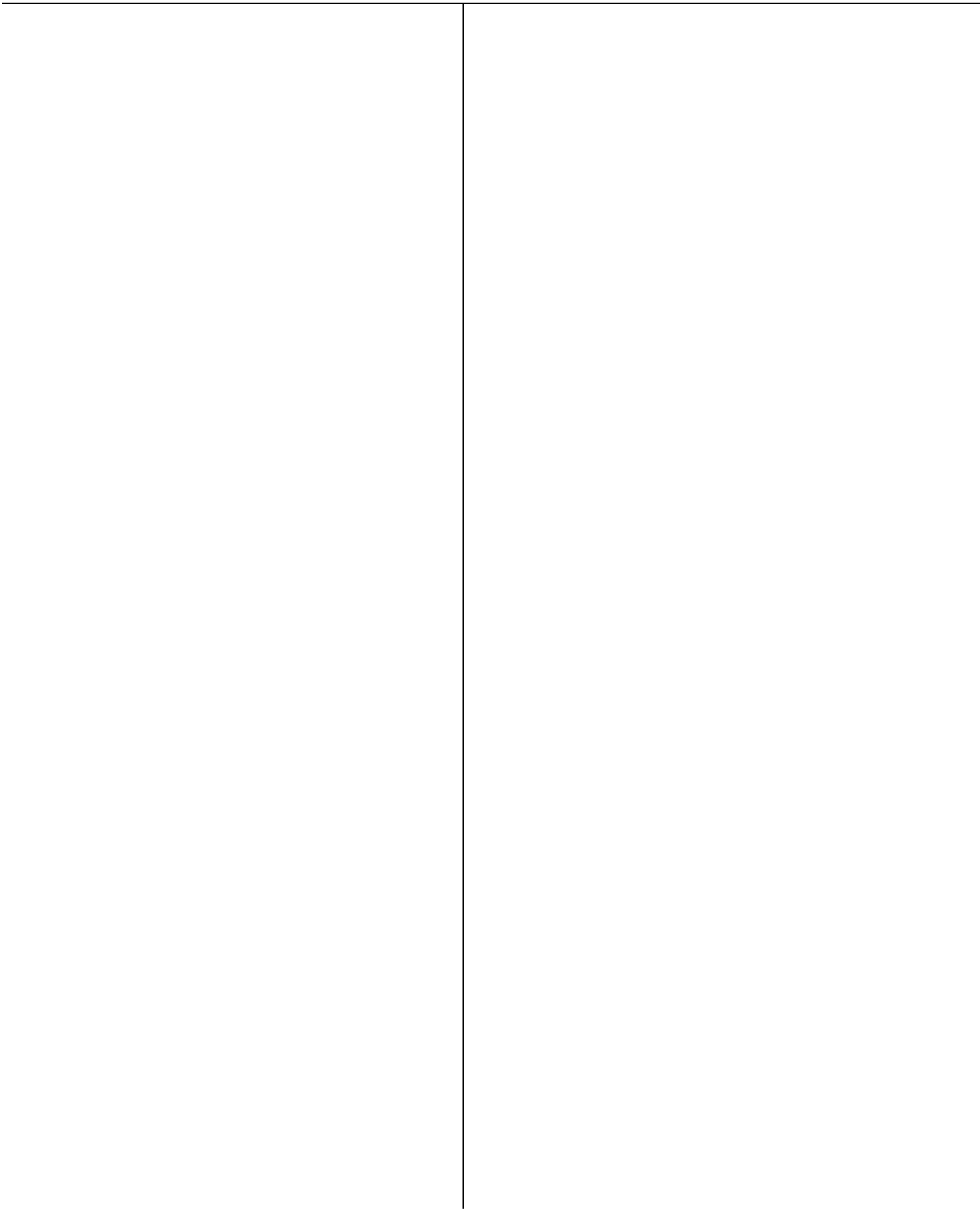
12. Power and Duties of the Zonal Commission

Being accountable to the Regional Commission, the Zonal commission shall have the following powers and duties:

1. To take the necessary disciplinary measures against Zonal High and Woreda Court Judges, registrars and defense lawyers, where they are found guilty of offence; it shall announce any case to the chairperson of regional judges commission within 15 days after taking its measures; however, where the committed offence is not of the kind that warrants firing, it may suspend the offenders while paying them salaries, and transmit the case together with appropriate suggestions to the Regional Commission for a final decision.

2. To decide the transfer of Woreda court's judges, found in the zone;

3. To promptly transmit to the Regional Commission the first stage decisions against which appeals have been lodged, along with the copy of the first stage decisions and the appeals of discontent.



4.በተቋቋመበት ዞን ውስጥ የወረዳ ፍ/ቤት ሰብሳቢዎችን መርጦ ይመድባል፤ ሥራቸውን ይከታተላል፤ ከአመራር ድክመት ጋር በተያያዘ ተገቢ ምክንያት ከሰብሳቢነት ያነሳል፤

5.በንዑስ ጉባዔው ሰብሳቢ አቅራቢነት የሂደት መሪዎችንና ሰብሳቢዎችን መርጦ ይመድባል፤ በዞን ደረጃ የሚሰሩ ተከላካይ ጠበቆችን መልምሎ ይሾሙ ዘንድ ለክልሉ ጉባዔ ይልካል፤

6.በብሔረሰብ አስተዳደር የሚገኝ የዞን ጉባዔ በብሔረሰብ አስተዳደር ውስጥ ስለሚሾሙት ዳኞች ለብሔረሰብ ምክር ቤት ዘገባ ያቀርባል፤

7.ከሥራ ባሕሪው ጋር በተያያዘ በክልሉ ጉባዔ የሚሰጡትን ሌሎች ተግባራት ያከናውናል፡፡

13.ስለዞን ጉባዔ የስብሰባ ሥነ-ሥርዓት

የዞን ጉባዔ መደበኛ ስብሰባውን በየወሩ አንድ ጊዜ የሚያከናውን ሲሆን አስፈላጊ ሆኖ ሲያገኘው ከዚህ ባነሰ ጊዜ አስቸኳይ ስብሰባዎችን ሊያደርግ ይችላል፡፡ ዝርዝሩን በሚመለከት በዚህ አዋጅ አንቀጽ 8 ሥር የክልሉን ጉባዔ የስብሰባ ሥነ-ሥርዓት አስመልክቶ የሰፈሩት ድንጋጌዎች እንዳስፈላጊነቱ በተመሳሳይ ተፈጻሚዎች ይሆናሉ፡፡

4.To select and place presiding judges of Woreda Courts of the concerned Zone, and to monitor their activities; shall discharge from **chair** due to proper case, related to weakness of management;

5. To select and assign the process owners and chair person of judges; persenting with the chair person of the sub-commission;

6. The zonal commission, in a Nationality Administration shall report to the Nationality, Council about the judges to be appointed to serve in the Nationality Adminstration.

7. To carry out other activities as are given by the Regional Commission, which are relevant to the work.

13.Meeting procedure of Zonal Commission

The Zonal Commission shall hold its regular meeting once every month; however it may meet for emergnecy sessions and time where found necessary. Concerning the particulars, provisions of meeting procedures of the Regional commission under Article 7 of these proclamations shall similarly by applicable as it may be necessary

ክፍል ሶስት**የጉባዔ ሰብሳቢዎች ሥልጣንና ተግባር****14. የክልል ጉባዔ ሰብሳቢ ሥልጣንና ተግባር**

የክልል ጉባዔ ሰብሳቢ በዚህ አዋጅ መሠረት የሚከተሉት ሥልጣንና ተግባራት ይኖሩታል፡-

1. የጉባዔውን ጽ/ቤት በበላይነት ይመራል፤ ይቆጣጠራል፤

2. የጉባዔውን ስብሰባ ይጠራል፤ ይመራል፤

3. በዳኝነትና ለጉባኤ ተሟላሽነት ብቁ የሚያደርጉ መመዘኛዎችን ያሟሉ እጩዎችን ስም ዝርዝር ከአጭር የሕይወት ታሪካቸው መግለጫ ጋር አዘጋጅቶ ለጉባዔው ያቀርባል፤

4. በጉባዔው ተቀባይነት ያገኙ እጩ ዳኞችን ለም/ቤቱ ለሹመት ያቀርባል፤

5. የሥራ ፍሰቱ የሚጠይቅ ሲሆንና በጤና ችግር ምክንያት ዳኞችን አዛውሮ ሊያሰራ ይችላል፤ እንዲህ በሆነ ጊዜ የተፈጸመውን ዝወወር ለጉባዔው ያሳውቃል፤

6. የጉባዔውን የሥራ እንቅስቃሴ በተመለከተ በዓመት ሁለት ጊዜ ለክልሉ ምክር ቤት ዘገባ ያቀርባል፤

7. ለጉባዔው የሚያስፈልገውን በጀት ለክልሉ ምክር ቤት ያቀርባል፤ ሲጸድቅም በጀቱን ያስተዳድራል፤

8. ጉባዔውን በሶስተኛ ወገኖች ዘንድ ይወክላል፡፡

PART THREE**Powers and Duties of Chairpersons of the Commission****14. Powers and Duties of Chairperson of the Regional Commission**

The Chairperson of the Regional Commission shall have the following powers and duties:

1. To preside over superiourly and supervise office of the commission;

2. To Convene and direct the meeting of the commission;

3. To submit those candidates who fulfill the criteria to be judge and appointees to the commision the Commission, by preparing their names and profiles of candidate judges, including with their biography;

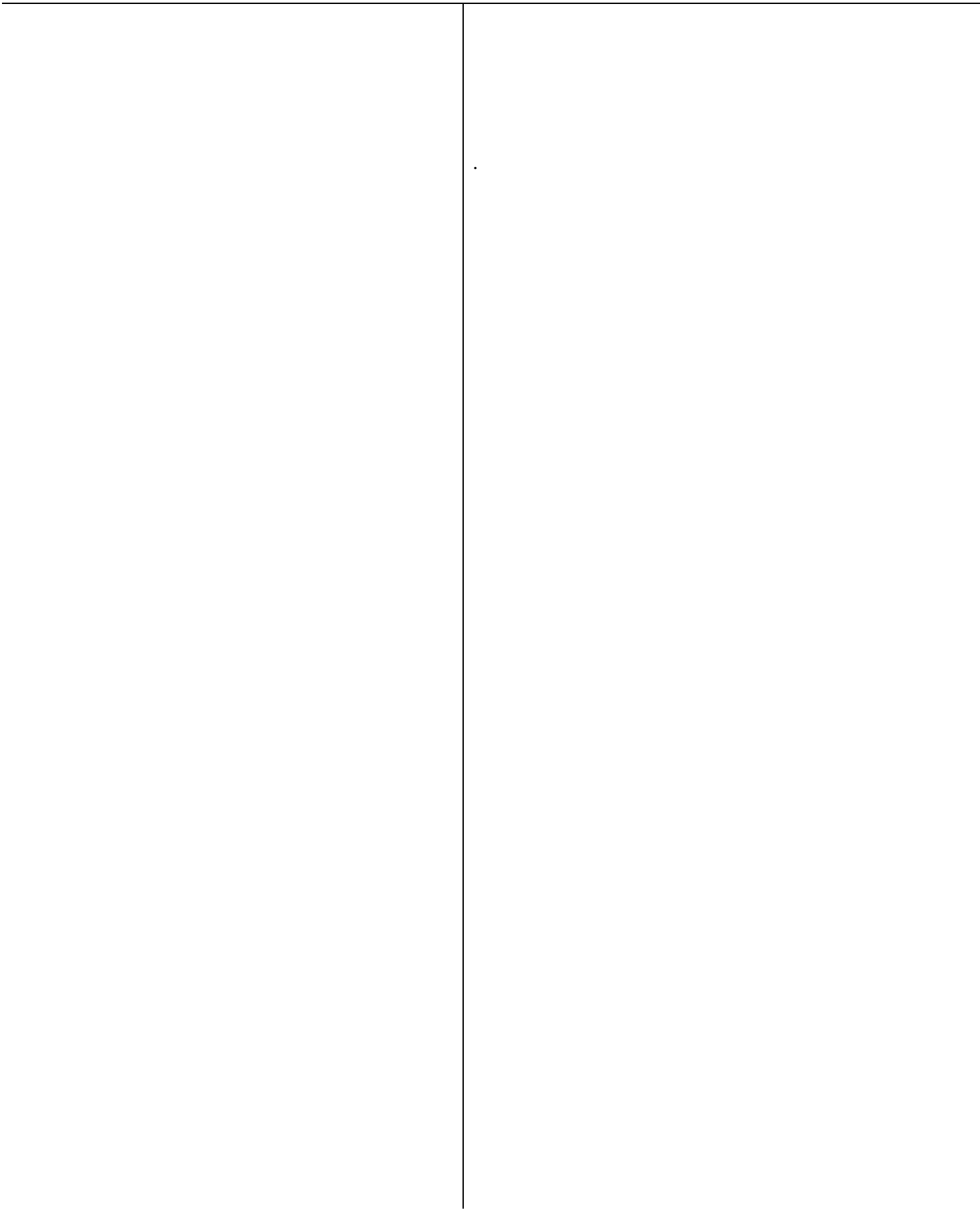
4. To present to the Council the Judges to be appointed following approval of the commission;

5. May cause to be able to work by trasfering judges; where the work flow requests and due to medical case notify, the executed transfer to the commission;

6. Submit a report to the Regional Council twice a year, with regart to the performance of the commission;

7. To submit to the council, with regard to budget necessary for the commission; administrer budget where aproved;

8. To represent the commission in all its contacts with third parties.



15. የዞን ጉባዔ ሰብሣቢ ሥልጣንና ተግባር

የዞን ጉባዔ ሰብሣቢ በዚህ አዋጅ መሠረት የሚከተሉት ሥልጣንና ተግባራት ይኖሩታል፡-

1. የጉባዔውን ስብሰባ ይጠራል፤ ይመራል፤
2. ጉባዔውን በሶስተኛ ወገኖች ዘንድ ይወክላል፤
3. የጉባዔውን የሥራ እንቅስቃሴ በተመለከተ በየጊዜው ለክልሉ ጉባዔ ሰብሣቢና የብሔረሰብ ምክር ቤት በተቋቋሙት አስተዳደር ደግሞ ለዚሁ ምክር ቤት ጭምር የሥራ ዘገባ ያቀርባል፡፡

16. የጽሕፈት ቤቱ ድርጅታዊ አቋም

1. ጽ/ቤቱ በዚህ አዋጅ መሰረት የሚከተሉት አካላት ይኖሩታል፤

ሀ/ በጠቅላይ ፍርድ ቤቱ ፕሬዝዳንት አቅራቢነት

በጉባዔው የሚሾም የጽሕፈት ቤት ኃላፊ፤

ለ/ የዳኝነት ሥራ አካሄድና የዲስፕሊን መከታተያ ክፍል፤

ሐ/ የዳኝነት አስተዳደር ስራዎች ማስፈጸሚያ ክፍል፤ እና

መ/ ለስራው የሚያስፈልጉ የፍርድ መርማሪዎች፤ ኤክስፐርቶችና ሌሎች ሰራተኞች፡፡

2. የጽ/ቤቱ ኃላፊ የጉባዔው ፀሐፊ ሆኖ ያገለግላል፤ ሆኖም ድምጽ የማይጠቅም መሆኑን አይኖረዉም፡፡

17. ስለ ጉባዔው ጽ/ቤት ሥልጣንና ተግባር

የጉባዔው ጽ/ቤት የሚከተሉት ሥልጣንና ተግባራት ይኖሩታል፤ የጉባዔውን ዓመታዊ የሥራ እቅድና በጀት ያዘጋጃል፤

1. የክልሉ ፍ/ቤቶች በሚሰጡት የዳኝነት አገልግሎት ላይ የሚቀርቡ አቤቱታዎችን ይቀበላል፤
2. የከፍተኛ ፍርድ ቤት ፕሬዝዳንቶችና የጠቅላይ ፍርድ ቤት ዳኞችን በተመለከተ በሚቀርብ አቤቱታ የሥነ-ምግባር ጉድለት መፈጸሙን የሚያሳይ ነገር መኖሩን ካመነ የጉባዔውን ሰብሳቢ በማሳወቅ ጉዳዩን አስመልክቶ ምርመራ እንዲካሄድና እንደአስፈላጊነቱ የዲስፕሊን ክስ

15. Powers and Duties of Chairperson of Zonal Commission

Pursuant to this proclamation, the chairperson of the Zonal Commission shall have the following powers and duties:

1. To convene and direct the meetings of the commission;
2. To represent the commission in all its contracts with third Parties
3. To make report to the chairperson of the Regional Commission and including to the Nationality Councils established in amdinstration, about the Commission's performance.

16. Organizational Structure of the Office

1. The office shall have the following organs, pursuant to this proclamation:

A/ Head of the office, who shall be appointed by the commission, presented by the president of the supreme court;

B/ Department of judiciary process and disciplinary follow up;

C/ Department, cause to implement judiciary administration activities;

D/ The examiners of decision, experts and other employees, necessary to judiciary activities.

2. The hdead of the office shale serve as a secretariate of the commission; not withstanding, he or she shall not have the right to vote.

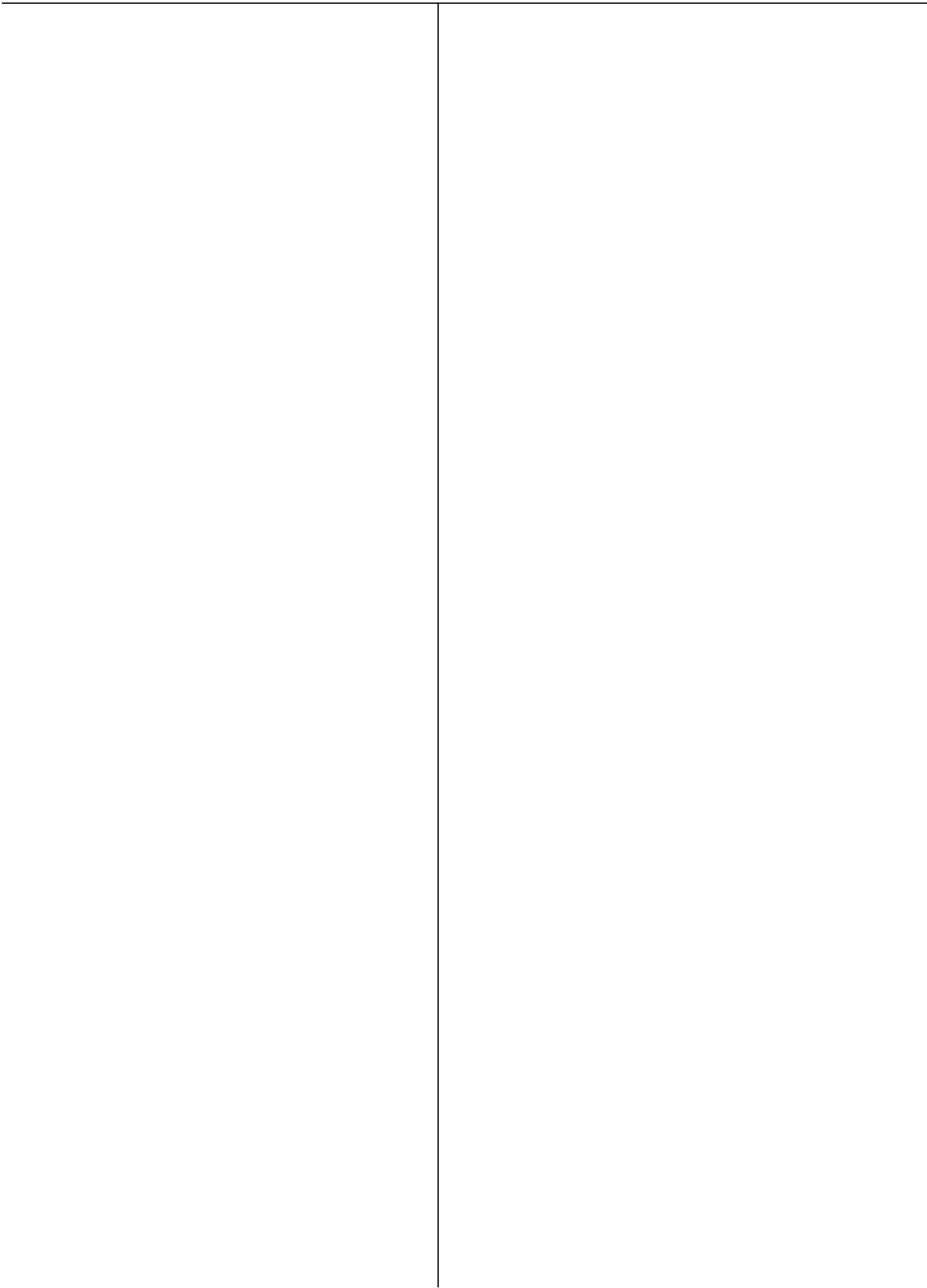
17. Powers and Duties of the Commission Office

The commission office, shall have the following powers and duties:

1. To prepare the annual work plan and budget of the commision;
2. To accept the presented complains, those arise from the rendered jrusdication service by the Regional courts;
3. Pursuant to the presented complaind raised on the presidents of high court and the judges of the superem court; if it believes, there appeared faults of code of conduct executed, by notifying the chairperson of the commission cause to charge the discipline case; as deemed as necessary, and to be examined pertinent to the case;

3. ጉባዔው በአቤቱታዎች ላይ የሚሰጣቸውን ወሳኔዎች ለሚመለከታቸው ሰዎችና አካላት በወቅቱ እንዲደርስ ያደርጋል፤
4. የዳኝነት የሰው ኃይል ልማትና የአቅም ግንባታ ፕሮግራሞችን በመዘርጋት በክልሉ ፍርድ ቤቶች ውስጥ ወጥነት ያለው የፍትህ ሥርዓት እንዲሰፍን ያደርጋል፤
5. በየደረጃው በሚገኙ ፍርድ ቤቶች የፍርድ ጥራት እንዲረጋገጥ የሚያስችል ጥናት ያካሂዳል፤ ሥርዓት ይዘረጋል፤
6. በዳኝነት ሥራዎችና ተያያዥ በሆኑ ተግባራት መደበኛ እና ድንገተኛ ምርመራ ያካሂዳል፤ እንደአስፈላጊነቱ ግብረ- መልስ ይሰጣል፤ ወሳኔ የሚያስፈልጋቸውን የአሰራር ግድፈቶች በተመለከተ እንዲታረሙ የወሳኔ አስተያየቶችን ለጉባዔው ያቀርባል፤
7. በዳኞች ለሚፈጸሙ የስነ-ምግባር ጉድለቶች መንስዔ ይሆናሉ ተበለዉ የሚታመንባቸውን ጉዳዮች በየጊዜው እያጠና ለጉባዔው የመፍትሄ አቅጣጫዎችን ያቀርባል
8. የክልሉን ፍ/ቤቶች አጠቃላይ የዳኝነት ሥራ አፈፃፀም በተመለከተ በየጊዜው የዳሰሳ ጥናት ያካሂዳል፤ ለክልሉ ጉባዔ የማሻሻያ ሃሳቦችን እያደራጀ ያቀርባል፤
10. የክልሉን ዳኞች የግል ማህደር ያደራጃል፤ የሥራ አፈጻጸም ምዘና ወጤቶችና ሌሎች አስፈላጊ መረጃዎች በማህደሮች መግባታቸውን ይከታተላል፤ የጉባዔ ተሿሚ የሆኑ የጽ/ቤቱን ሰራተኞች የሥራ አፈጻጸም ምዘና ያካሂዳል፤
11. የክልሉን ዳኞች አስተዳደራዊ ጉዳዮች አፈጻጸም ይከታተላል፤
12. የጉባዔውን የስብሰባ ቃለ-ጉባዔዎችና ሌሎች ሰነዶች በአግባቡ ይይዛል፤
13. ሌሎች በጉባዔው የሚሰጡትን ተግባራት ያከናውናል፡፡

- complaints by the commission to the pertinent persons and entities;
4. Cause to be established, justice system which has sustainability in the region;s courts, by established jurisidiction human resource development and capacity building programes;
5. To conduct a study that enables to be assured the judgement quality of courts found in different levels, establish system;
6. to conduct a regular and urgent investegation on jurisdiction activities and the related ones; render feedback, as deemed as, necessary, pursuant to, faults of procedure which needs a decision, present a recommendations to be corrected, to the commission;
7. Submit indicative resolutions to the commission studying always, cases which are belived to be reson for, faults of conduct executed by the judges;
8. conduct a survey always , pursuant to the implementation of jurisdiction activity of the regional courts, submit by arrang corrective suggestions to the regional commison;
9. Organize the profile of judges of the region, follow performance evaluation results and other necessary info. evaluation results and other necessary inrformatio inserted in their profiles; conduct performance evalua the workers of the office, who are appointed l commission;
- 11.to follow up the implementation of adminstrational issues of the judges of the region;
- 12.to maintain properly the minutes of meeting the commission and other docu
13. Perform other duties that are rendered by commision.



18.ስለ ጽ/ቤት ኃላፊ ሥልጣንና ተግባር

የጽ/ቤቱ ኃላፊ የሚከተሉት ሥልጣንና ተግባራት ይኖሩታል፤

1.በዚህ አዋጅ አንቀጽ 17 ድንጋጌ መሰረት

ለጽ/ቤቱ የተሰጡ ሥልጣንና ተግባራትን በበላይነት ያስፈጽማል፤

2.በዚህ አንቀጽ ንዑስ አንቀጽ /1/ የተጠቀሰው

አጠቃላይ ድንጋጌ እንደተጠበቀ ሆኖ፤

ሀ/ ጉባዔውን በፀሐፊነት ያገለግላል፤ ቃለ-ጉባዔ

ይይዛል፤ ቃለ-ጉባዔዎችና ሌሎች ተዛማጅ ሰነዶች

በጉባዔ አባላት መፈረማቸውን ይከታተላል፤

ለ/ ከጉባዔው ሰብሳቢ ጋር በመነጋገር የጉባዔውን

አጀንዳዎች ያደራጃል፤ ከጉባዔው ስብሰባ ቀን

አስቀድሞ ለአባላት ያስራጫል፤ መድረሱንም

ይከታተላል፤

ሐ/ የጉባዔውን ዓመታዊ የስራ እቅድና በጀት

አዘጋጅቶ ለጉባዔው ሰብሳቢ ያቀርባል፤

መ/ ስለ ጉባዔው እቅድ አፈጻጸም በተጠየቀ ጊዜ

ወቅታዊ ዘገባ ያቀርባል፤

ሠ/ ከጉባዔ ተሟላቾች ውጭ ያሉ የጽ/ቤቱን

ሠራተኞች በክልሉ የሲቪል ሰርቪስ ሕጎችና ደንቦች

መሰረት ያስተዳድራል፤

ረ/ ሌሎች በጉባዔው ሰብሳቢ የሚሰጡትን

ተግባራት ያከናውናል፡፡

19.የጽ/ቤት ስራዎች በዞን ንዑሳን ጉባዔዎች

ስለሚከናወንበት ሁኔታ

1.በክልሉ ዞኖችና የብሔረሰብ አስተዳደሮች በስራ

ላይ ያለው የዳኝነት ሥራዎች አስተዳደርና የቅሬታ

ማስተናገጃ ዋና የስራ ሂደት የንዑስ ጉባዔው

ጽ/ቤት ሆኖ ያገለግላል፡፡

2.የሥራ ሂደቱ አስተባባሪ የጽ/ ቤቱ ኃላፊ በመሆን

ይሰራል፡፡

3.የሥራ ሂደቱ ለስራው አስፈላጊ የሆኑ

ባለሙያዎችና ሰራተኞች ይኖሩታል፡፡

18. Powers and duties of the Head of the office

The Head of the office shall have the following powers and duties;

1. Cause to implement, powers and duties which are rendered by the office, pursuant to the provision of Article 17 of this proclamation;

2. With out prejudice, to the specified general provision of sub- article /1/ of this Article:

A. To serve as a secretariat for the commission maintain minutes; follow up minutes and other related documents, those are signed with members of the commission;

B. to arrange agendas of the commission discussing with the chairperson of the commission; distribute to members prior to the date of the commission's meeting; follow up its delivery;

C. To submit to the chair person of the commision, by preparing annual work plan of the commission and budget;

D. To submit timely report, where requested plan performance of the commission;

E. to administer workers of the office, except appointee of the commission, by laws and regulations of the civil service of the region;

F. to perform other activities rendered with the chairperson of the commission;

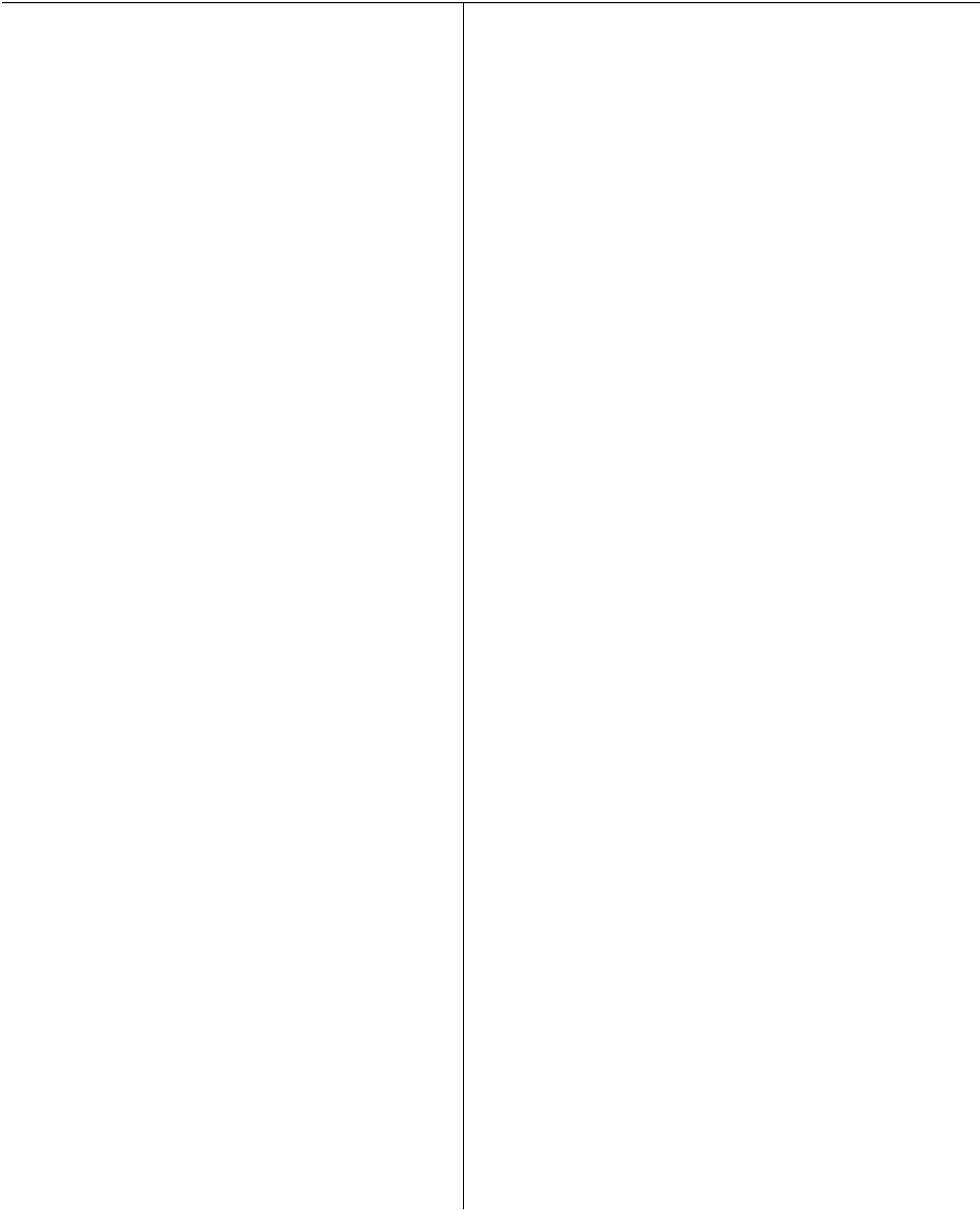
19. Conducting Situation of the Office

Activities by Sub-Commissions of the Zone.

1. The administration of jurisdiction activities which are in effect and the grievance hearing care process of the zones of the region and the nationality administrations, shall serve as an office of the sub-commission;

2. The coordinator of the process shall serve as the head of the office;

3. The process shall have professionals and workers those are necessary to the activities;



20. የዞን ንዑስ ጉባዔዎች ጽሕፈት ቤት ሥልጣንና ተግባር

1. የዞን ንዑስ ጉባዔ ጽ/ቤት በዚህ አዋጅ አንቀጽ 17 ሥር የክልሉን ዋና ጉባዔ ጽሕፈት ቤት ሥልጣንና ተግባር አስመልክቶ የሰፈሩትን ድንጋጌዎች እንደተገቢነታቸው በተመሳሳይ ተግባራዊ ሊያደርግ ይችላል።
2. በዚህ አንቀጽ ንዑስ አንቀጽ /1/ ስር የሰፈረው አጠቃላይ ድንጋጌ እንደተጠበቀ ሆኖ፤ የዞን ንዑስ ጉባኤ ጽሕፈት ቤት የሚከተሉት ዝርዝር ሥልጣን እና ተግባራት ይኖሩታል፡-
 - ሀ/ የንዑስ ጉባዔውን ውሣኔዎች ያስፈጽማል፤
 - ለ/ ለንዑስ ጉባዔው ምቹ የሥራ ሁኔታዎችን ይፈጥራል፤
 - ሐ/ መዛግብት እና ሰነዶችን ያደራጃል፤

21. የዞን ንዑስ ጉባዔ ጽ/ቤት ኃላፊ ሥልጣንና ተግባር

የንዑስ ጉባዔው ጽሕፈት ቤት ኃላፊ በዚህ አዋጅ አንቀጽ 18 መሰረት ለዋናው ጉባዔ ጽሕፈት ቤት ኃላፊ የተሰጡትን ሥልጣንና ተግባር በዞን ደረጃ እንደተገቢነቱ ያስፈጽማል።

20. Powers and Duties of the Office of the Sub-Commissions of the Zone

1. The zone sub-commission office may implement the stipulatal provisions as appropriate as similarly, pursuant to the region's main commission office powers and duties under Article 17 of this proclamation;
2. Without prejudice to the general provision stipulated under sub-article /1/ of this Article, the zone sub-commission office shall have the following particular powers and duties:
 - A. Cause to implement the sub-commission decisions,
 - B. Create conducive environments for the sub-commission, ‘
 - C. Arrange records and documents

21. Powers and Duties of the Head of zone sub-commission office

The Head of the sub-commission office, pursuant to Article 18 of this poclamation, shall cause to implement, as properly as, at the zone level, of the rendered powers and duties to the Head of main commission office.

ክፍል አራት**በዳኝነት ለመሾም ስለሚያበቁ መመዘኛዎች****22. ለዳኝነት የሚያበቁ መመዘኛዎች**

1. ከዚህ በታች የተመለከቱትን መመዘኛዎች አሟልቶ የተገኘ ማንኛውም ኢትዮጵያዊ በክልሉ ፍ/ቤቶች ዳኛ ሆኖ ሊሾም ይችላል፤

ሀ/ ለፌዴራሉና ለክልሉ ሕግጋተ-መንግስታት ታማኝ የሆነ፤

ለ. እዉቅና ካለዉ የከፍተኛ ትምህርት ተቋም በህግ ትምህርት የሰለጠነ ቢያንስ በመጀመሪያ ዲግሪ የተመረቀ ሆኖ፤ የመጨረሻና የመጠጥ ከሆነ የተቋማ ፈተና ያለፈ፤

ሐ/ በታታሪነ ቱና በሥነ-ምግባሩ መልካም ስም ያተረፈ፤

መ/ ዕድሜዉ ለወረዳ ፍርድ ቤት ከ23 ዓመት እንዲሁም ለጠቅላይ ፍርድ ቤት ከ30 ዓመት ያላነሰ፤

ሠ/ በጉባዔዉ ለሚወሰን ጊዜ የሚሰጠዉን የቅድመ እጩነት ሥልጠና በአግባቡ የሚያጠናቅቅ፤

ረ/ በዳኝነት ሙያ ለመስማራት ፈቃደኛ የሆነ፤

23. ስለ ከፍተኛ ፍ/ቤት ፕሬዚዳንቶችና እጩ ዳኞች አሟላጭ

1. በህገ መንግስቱ አንቀጽ 68 ንዑስ አንቀጽ /3/ ሥር የተመለከተው እንደተጠበቀ ሆኖ፤ የከፍተኛ ፍ/ቤት ፕሬዚዳንቶችና የየደረጃው ፍ/ቤቶች እጩ ዳኞች በክልሉ ጉባዔ አቅራቢነት በም/ቤቱ ይሾማሉ፤

2. በዚህ አንቀጽ ንዑስ አንቀጽ /1/ የተደነገገው ቢኖርም የብሔረሰብ ዞን ከፍተኛ ፍ/ቤት ፕሬዚዳንቶች፣ የከፍተኛና ወረዳ ፍ/ቤቶች ዳኞች ሹመት ለም/ቤቱ ቀርቦ ከመጽደቁ በፊት የክልሉ ጉባዔ የሚመለከታቸው ብሔረሰብ ም/ቤቶች በእጩ ተሟላጾች ላይ ያላቸዉን አስተያየት የመጠየቅና የማካተት ግዴታ

Criteria for the Appointment of Judges**22. Criteria for Judgeship**

1. any Ethiopian, who fulfill criteria which stipulated here in uner, may be appointed as judge in regional courts:

A. Is loyal to the Federal and Regional Constitutions;

B. Has legal training in the recognized higher educational institution and at least graduated with a bachelor degree; pass the institution's exam if rendered the exit exam,

C. Has a good reputation for his /her diligence, sense of justice and good cond

D. Whose age npt less than 23 years of age for the woreda court, as well as, not less than 30 years of age for the supreme lourt,

E. Who shall finish the tobe renedred pre-candidate training, for the determined time by the commission,

F. Consents to assuming judges.

23. Appointment of High Court Presidents and Candidate Judges

1. Without prejudice to the provisions of Article 68/3/ of the Constitution, the presidents of High Courts and Candidate judges of courts at all levels shall be appointed by the Regional commission

2. Notwithstanding the provision of sub-article /1/ this Article, the Regional Commission shall request and include the opinion of concerned Nationality Councils prior to the approval of the appointment of the presidents of High Courts of Nationality zones and the Judges of High Courts and Woreda Courts.

አለበት:

24.ስለ ዳኞች ከሥራ መሠናበት

1.የተሻሻለው የክልሉ ሕገ -መንግሥት አንቀጽ 66 ንዑስ አንቀጽ /4/ ድንጋጌዎች እንደተጠበቁ ሆኖ፤ በክልሉ ውስጥ በየትኛውም ደረጃ ተመድቦ የሚሠራ ማንኛውም ዳኛ ከዳኝነት ሥራው ሊሰናበት የሚችለው በሚከተሉት ምክንያቶች ብቻ ይሆናል፡ -

ሀ/ ምክር ቤቱ በሚያወጣው የዲስፕሊን ደንብ መሠረት ዳኛው ጥፋት ፈጽሞ በመገኘቱ ጉባዔው እንዲነሣ ሲወሰንና ይኸው ወሳኔ በምክር ቤት ቀርቦ ሲጸድቅ፤

ለ/ እድሜው 60 አመት ሲሞላ፤

ሐ/ ጉልህ የሆነ የሥራ ችሎታና ቅልጥፍና ማነስ ሲታይበት ወይም በህመም ምክንያት የዳኝነት ሥራውን ማከናወን ሲያግዛቸው፤

መ/ በወንጀል ተከሶ ጥፋተኝነቱ ሲረጋገጥና በጥፋቱ ከባድነት ምክንያትም ለዳኝነት ኃላፊነት ብቁ ሆኖ ያልተገኘ እንደሆነ፤

ሠ/ዳኛው ሥራውን ለመልቀቅ ሲፈልግና የ3 ወር ማስጠንቀቂያ አስቀድሞ ሲሰጥ፤

ረ/ዳኛው ለሌላ መንግስታዊ የሥራ ኃላፊነት ሲሾምና ሹመቱን ሲቀበል፡፡

2.በዚህ አንቀጽ ንዑስ አንቀጽ 1/ሠ/ የተደነገገው እንደተጠበቀ ሆኖ፤ ጉባዔው አስፈላጊ ሆኖ ሲያገኘው ስራውን ለመልቀቅ ማስታወቂያ የሰጠ ዳኛ ስራውን የሚለቅበትን የመጨረሻ ቀን የማስታወቂያው ጊዜ ካበቃበት ቀን ጀምሮ ከሶስት ወራት ለማይበልጥ ተጨማሪ ጊዜ ሊያራዝመው ይችላል፡፡

24.Discharging of the Judges

1.Without prejudice to the provisions of sub-article /4/ of Article 66 of the Revised Regional Constitution,the tenure of any judge at any level of responsibility in the Region may be relieved only on the following grounds:

A/Where he is found guilty of breach of disciplinary conduct set by the Council and where the Commission decides that he be removed:

B/ Where he has attained the age of 60.

C/Where it is decided that he is of manifest incompetence and inefficiency;

D.Where is charged with a criminal offence and found guilty of same and; where found inefficient for jurisdiction responsibility, due to guilty weith

E/Upon resignation, subject to a 3-month prior notice;

F/Where he consents to an appointment to serve in a position of another governmental responsibility.

2.Without prejudice to the provision stipulated on sub-article 1/E/ of this Article, where the commission found it necessary, the judge who render resignation, the last date to resign, commencing from the last date of notification, may prolong for additional time, not more than three months;

3.በዚህ አንቀጽ ንዑስ አንቀጽ /2/

በተደነገገው ማረጋገጫ ጊዜውን ለሚዘመን ከወሰነ ይህንኑ ወሰኔ ዳኛው የሰጠው የማስጠንቀቂያ ጊዜ ከማለቁ በፊት ለዳኛው በጽሁፍ ማስወቅ አለበት፡፡ ዳኛው የሰጠው የማስጠንቀቂያ ጊዜ ካለፈ በኋላ በጉባዔው የሚሰጥ የጊዜ ሚዛን ወሰኔ በዳኛው ላይ አስገዳጅነት አይኖረውም፡፡

4.በዚህ አንቀጽ ከንዑስ አንቀጽ /1/ እስከ ንዑስ አንቀጽ /3/ የሰፈሩት ድንጋጌዎች እንደተጠበቁ ሆኖ፤ በዲስፕሊን ጥፋት ምክንያት ከስራው የሚሰናበት ዳኛን በተመለከተ ከዳኝነት በስተቀር በሚኖረው ተሰማርቶ ማስራት ይችል ዘንድ ጉባዔው ዳኛው ጥፋተኛ እንደተሰኘበት ድርጊት ክብደት እየመዘነ ጥፋቱ ጸንቶ የሚቆይበትን የጊዜ ርዝመት ለምክር ቤቱ በሚጻክው የወሰኔ ሃሳብ ላይ ማስፈር ይገባዋል፡፡

25.ስለ ጉባዔ ተጀማሪዎች ከሥራ መሰናበት

በዚህ አዋጅ አንቀጽ 7 ንዑስ አንቀጽ 1/ሰ/ ስር የተደነገገው እንደተጠበቀ ሆኖ፤ ማንኛውም የጉባዔ ተጀሚ ከስራ ሊሰናበት የሚችለው በሚከተሉት ምክንያቶች ነው፤

1.በህግ የተደነገገ የጡረታ መውጫ እድሜው ሲደርስ፤

2.ተጀሚው ሥራውን ለመልቀቅ ሲፈልግና የ3 ወር ማስጠንቀቂያ አስቀድሞ ሲሰጥ፤

3.ጥፋት ፈጽሞ በመገኘቱ ከሥራ ኃላፊነት እንዲነሣ በጉባዔው ሲወሰንበት፤

4.በችሎታ ማነስ ምክንያት የተመደበበትን የሥራ ኃላፊነት መውጣት ሲያዳግተው፤

3. Pursuant to the provision stipulated on sub-article /2/ of this Article, where the commission decided to prolong the time, the judge who resign should notify the decision to the judge with writing prior to the rendered time by the judge; After the time rendered by judge passes, the decision of time prolonging rendered with the commission, shall not have obligation on judge;
4. without prejudice to the stipulated provisions, from sub-article/1/ upto sub-arti/2/ of this Article; pursuant to the judge who shall be resigned due to the executed discipline quilty; with the exception of Jurisdiction, be able to work with his/her proffession, the commission shall evaluation the weight of offence that the judge executed, shall put prolonging time in effect of quilty on the resolution, that shall send to the council.

25. Discharging of Appointees

Without prejudice to, the provision stipulated under sub-article 1/G/ of Article 7 of this proclamation, any appointee may be discharged with the following grounds:

1. where he has reached a retirement age,
2. upon resignation of appointee, subject to a 3 month prior notice;
3. Where the commission decides on his/her discharge on grounds that he/she committed an offence,
4. Where it is decided that he/she is of manifest incompetence or inefficiency,
5. Where the appointee is discharged with a criminal offence and found quilty of same and where is not found efficient for appointment on the grounds offence weight,
6. Where the appointee consents to an appointment to serve in a position of another governmental responsibility.

5.በወንጀል ተከሶ ጥፋተኝነቱ ሲረጋገጥና በጥፋቱ
ከባድነት ምክንያትም ለተሟላነት ብቁ ሆኖ
ያልተገኘ እንደሆነ፤

6.ተሟላው ለሌላ መንግስታዊ የሥራ ኃላፊነት
ሲሾምና ሹመቱን ሲቀበል፡፡

ክፍል አምስት**ልዩ ልዩ ድንጋጌዎች****26. የይግባኝ አቤቱታ**

1. በዞን ጉባዔ ውሣኔ ያልተስማማ ማናቸውም ሰው ውሣኔው በደረሰው በ30 ቀናት ውስጥ የይግባኝ አቤቱታውን ለክልሉ ጉባዔ ማቅረብ ይችላል፤

2. በዚህ አዋጅ አንቀጽ 7 ንዑስ አንቀጽ 6 የተመለከተው እንደተጠበቀ ሆኖ፤ የክልሉ ጉባዔ ከኃላፊነት ማሰናበት ወጭ በቀረቡ ጉዳዮች ላይ መርምሮ የሚሰጠው ውሣኔ የመጨረሻ ይሆናል፡፡

27. ቃለ መሐላ

1/ ዳኞች ሥራቸውን ከመጀመራቸው በፊት የሚከተለውን ቃለ መሐላ ይፈጽማሉ፤

“እኔ በዛሬው ዕለት የ ----- ፍ/ቤት

ዳኛ በመሆን ሥራዬን ስጀምር የተጣለብኝን

ኃላፊነት፣ በከፍተኛ ሥነ ምግባር፣ በታማኝነት እና

በሕግ መሠረት ለመወጣት ቃል እገባለሁ”

2. የዚህ አንቀጽ ንዑስ አንቀጽ /1/ ድንጋጌ እንደተጠበቀ ሆኖ፤

ሀ/ የጠቅላይ ፍርድ ቤት ዳኞች፣ የከፍተኛ ፍርድ

ቤት ፕሬዝዳንቶችና ዳኞች በክልል ምክር ቤት፤

ለ/ የወረዳ ፍርድ ቤት ዳኞች በየተመደቡበት ወረዳ

ምክር ቤት፤ እንዲሁም

ሐ/ በብሔረሰብ አስተዳደር በሚገኙ ፍርድ ቤቶች

የተመደቡ ዳኞች በብሔረሰብ ምክር ቤቱ ፊት

በመቅረብ ቃለ- መሃላ እንዲፈጽሙ ይደረጋል፡፡

PART FIVE**Miscellaneous provisions****26. Lodging of Appeals**

1. Any person who does not agree with the decision of the zone commission, any submit his/her own lodging of appeals to the commission of the Region, within 30 days after the decision is reached to him/her;

2. Without prejudice to the stipulated sub-article 6 of Article 7 of this proclamation, the rendered decision the commission of the Region, with the exception of discharging from the responsibility, shall be the ending decision by investigating on the presented issues.

27. An Oath

1/Judges shall conduct the following Oath before commencing other jobs;

“I....., when on this day commenced as the court Judge; promised to discharge my responsibility, pursuant to high conduct, loyalty and law.”

2. without prejudice to the provision of sub-article(1) of this Article:

A/The judges of supreme court, presidents and judges of the high court by the Regional Council,

B/The judges of Woreda by the assigned Woreda council; as well as,

C/The judges, assigned in courts; found by the nationality administration region shall perform on Oath before the nationality council.

28.ደንብና መመሪያ የማውጣት ሥልጣን

ጉባዔው ይህንን አዋጅ ለማስፈጸም የሚያስፈልጉትን አስተዳደር ነክ ደንቦችና መመሪያዎች ሊያወጣ ይችላል።

29.የተሻሻሉና ተፈጻሚነት የማይኖራቸው ሕጎች

1/ የሚከተሉት አዋጆች ተሽረው በዚህ አዋጅ ተተክተዋል፤

ሀ/የተሻሻለው የአሙራ ብሔራዊ ክልላዊ መንግስት ዳኞች አስተዳደር ጉባዔ ማቋቋሚያ አዋጅ ቁጥር 69/1994 ዓ/ም፤

ለ/ የተሻሻለው የአማራ ብሔራዊ ክልላዊ መንግስት የዳኞች አስተዳደር ጉባዔ ማቋቋሚያ አዋጅን ለማሻሻል የወጣ አዋጅ ቁጥር 111/1997 ዓ.ም፤

ሐ/የአሙራ ብሔራዊ ክልላዊ መንግስት የዳኞች አስተዳደር ጉባዔ ማቋቋሚያ አዋጅን ለማሻሻል የወጣውን አዋጅ እንደገና ለማሻሻል የወጣ አዋጅ ቁጥር 154/2000ዓ.ም፡

2.ከዚህ አዋጅ ጋር የሚቃረን ማንኛውም ህግ፣ ደንብ፣ መመሪያ ወይም የተለመደ አሠራር በዚህ አዋጅ ውስጥ በተሸፈኑ ጉዳዮች ላይ ተፈጻሚነት አይኖረውም።

30.በእንጥልጥል ላይ ስላሉ ጉዳዮች

ይህ አዋጅ ከመጽደቁ በፊት የተጀመሩ ጉዳዮች በቀድሞው ህግ መሠረት ታይተው እልባት ያገኛሉ።

31.አዋጁ የማይኖርበት ጊዜ

ይህ አዋጅ በዝክረ ሕግ ጋዜጣ ታትሞ ከወጣበት ቀን ጀምሮ የፀና ይሆናል።

ባሕር ዳር

መጋቢት 1 ቀን 2006 ዓ.ም

ገዱ አንዳርጋቸው

የአማራ ብሔራዊ ክልል

28. Power to Issue Regulations and Directives

The commission any issue administrative regulations and directives that cause to implement this proclamation.

29. Repealed and Inapplicable Laws

1/ The following proclamations are replaced and is replaced with this proclamation:

A/The Revised Amhara National Regional State judicial Administration Establishment proclamation No69/2002,

B/The proclamation Issued to provide for the Amendment of the Revised Amhara National Regional state Judicial Administration Commission Establishment proclamation No 111/2004,

C/ A proclamation Issued to provide for the re-amendment of the Revised Amhara National Regional State Judicial Administration commission Establishment proclamation No. 154/2008.

2. Any law, regulation, directives or customary practices, which are contrary to this proclamation, shall not be applicable on issues specified here.

30. Pending Issues

The commenced issues prior to the approval of this proclamation shall get their own decision seen pursuant to the prior law.

31. Effective Date

This proclamation shall come into force, as of the date of publication in the Regional Zikre Hig Gazzettee.

Done at Bahir Dar,

This 8th day of march, 2014

Gedu Andargachew

President of Amhara National Region

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