

Hojii barreessitoota dhimma seeraa seera-qabeessa taasisuuf, akkaataa kenniinsa hayyamaa, bulchiinsaafi dhimmoota biroo kanaan walqabatan murteessuun barbaachisaa ta'ee waan argameef;

Akkaataa Heera Mootummaa Naannoo Oromiyaa Fooyya'ee Bahe, Labsii Lak. 46/1994 Keewwata 49(3) (a)tiin kan kanatti aanu labsameera.

KUTAA TOKKO

Tumaalee Waliigalaa

1. Mata Duree Gabaabaa

Labsiin kun “Labsii Kenniinsa Hayyamaafi Bulchiinsa Abukaatoofi Barreessitoota Dhimma Seeraa Lak. 182/2005” jedhamee waamamuu ni danda'a.

2. Hiika

Akkaataan jechichaa hiika biroo kan kenniisuuf yoo ta'e malee, Labsii kana keessatti:

- 1) **“Abbaa Alangaa”** jechuun nama Biiroo Haqaa Oromiyaatiin yookiin manneen hojii mootummaa birootiin ogummaa abbaa alangummaatiin qaxaramee hojjatu jechuudha.
- 2) **“Abukaatoo”** jechuun tajaajila ogummaa abukaatummaa kennuudhaaf nama hayyamni abukaatummaa kennameef jechuudha.
- 3) **“Barreessaa Dhimma Seeraa”** jechuun iyyannoo yookiin waliigaltee adda addaa qopheessuun kalfaltiin maamilaaf tajaajila kan kennuufi akkaataa Labsii kanaatiin nama galmaa'ee hayyama argate jechuudha.
- 4) **“Biiroo”** jechuun Biiroo Haqaa Mootummaa Naannoo Oromiyaati.
- 5) **“Dhaabbata Tajaajila Ogummaa Abukaatummaa”** jechuun abukaatotaa hayyamni abukaatummaa muummee kennameef lamaafi isaa ol ta'aniin tajaajila ogummaa abukaatummaa kennuuf waliigaltee gamtaatiin dhaabbata hundeeffame jechuudha.
- 6) **“Gargaaraa Abukaatoo”** jechuun himata yookiin iyyata abukaatoon qophaa'ee mana murtiitti dhiyeessuun galmee kan bansiisu, waamichaafi ajaja mana murtii, akkasumas garagalcha murtii namoota dhimmi ilaaluuf kan dhaqqabsiisuufi akkaataa Labsii kanaatiin nama galmaa'ee jechuudha.

የህግ ጉዳይ ፀሐፊዎችን ህጋዊ ለማድረግ የፈቃድ አሰጣጥ አስተዳደርና ሌሎች ተያያዥ ጉዳዮችን በህግ መወሰን አስፈላጊ ሆኖ በመገኘቱ፤

ተሻሻሎ በወጣው የኦሮሚያ ብሔራዊ ክልላዊ መንግሥት ህገ-መንግሥት አዋጅ ቁጥር ፵፮/፲፱፻፹፬ አንቀጽ ፵፱ (፫)(ሀ) መሰረት የሚከተለው ታውጧል።

**ክፍል አንድ
ጠቅላላ ድንጋጌዎች**

፩. አጭር ርዕስ

ይህ አዋጅ “የጠበቆችና የህግ ጉዳይ ፀሐፊዎች ፈቃድ አሰጣጥና አስተዳደር አዋጅ ቁጥር ፩፻፹፪/፪ሺ.፭” ተብሎ ሊጠቀስ ይችላል።

፪. ትርጓሜ

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

- ፩) **“ፀቃቤ-ህግ”** ማለት በፀቃቤ ህግ ሙያ በኦሮሚያ ፍትህ ቢሮ ወይም በሌላ የመንግስት መስሪያ ቤቶች ተቀጥሮ የሚሰራ ማለት ነው።
- ፪) **“ጠበቃ”** ማለት የጥብቅና ሙያ አገልግሎት ለመስጠት የጥብቅና ፈቃድ የተሰጠው ሰው ነው።
- ፫) **“የህግ ጉዳይ ፀሐፊ”** ማለት ማመልከቻ ወይም የተለያዩ ውሎችን በማዘጋጀት ለደምበኞች በክፍያ አገልግሎት የሚሰጥና በዚህ አዋጅ መሰረት ተመዘግቦ ፈቃድ ያገኘ ሰው ማለት ነው።
- ፬) **“ቢሮ ማለት”** የኦሮሚያ ክልላዊ መንግስት ፍትህ ቢሮ ማለት ነው።
- ፭) **“የጥብቅና ሙያ አገልግሎት ድርጅት”** ማለት ዋና የጥብቅና ፈቃድ የተሰጣቸው ሁለትና ከዚያ በላይ ጠበቆች በመሆን የጥብቅና ሙያ አገልግሎት ለመስጠት በሽርክና ማህበር ስምምነት የሚቋቋም ድርጅት ነው።
- ፮) **“የጠበቃ ረዳት”** ማለት በጠበቃ የተዘጋጀውን ክስ ወይም ማመልከቻ ለፍርድ ቤት አቅርቦ ፋይል የሚያስከፍት፣ የፍርድ ቤት መጥሪያና ትዕዛዝ እንዲሁም የውጣኔ ግልባጭ ለሚመለከታቸው ሰዎች የሚያደርስና በዚህ አዋጅ መሠረት የተመዘገበ ሰው ማለት ነው።

WHEREAS, it has become necessary to make legal the work of paralegal to determine conditions of granting license, administration and other related matters;

NOW, THEREFORE, in accordance with Article 49(3) (a) of the Revised Constitution of the National Regional State of Oromia Proclamation No. 46/2001, it is hereby proclaimed as follows:

Part One

General Provisions

1. Short Title

This Proclamation may be cited as “Proclamation Licensing and Administration of Advocates and Paralegals Proclamation No. 182/2013.”

2. Definitions

Unless the contexts require otherwise in this proclamation:

- 1) **“Public Prosecutor”** means a person who employed by Oromia Justice Bureau or other governmental offices working with prosecutor profession in this institutions.
- 2) **“Advocate”** means a person who is granted an advocacy license to render advocacy service.
- 3) **“Paralegal”** means a person who is registered and granted license in accordance with this proclamation and rendering services to client by preparing application or various contracts with consideration.
- 4) **“Bureau”** means Oromia Justice Bureau.
- 5) **“Law Firm”** means a firm established by partnership agreements of two or more advocates who are granted with principal license to render advocacy service.
- 6) **“Law Clerk”** means a person who is registered in accordance with this proclamation and submits suits or applications prepared by advocate before the court, open files and serve summon, order of court and copy of court decision for concerned bodies.

- 7) **“Hayyama”** jechuun abukaatoon yookiin dhaabbanni tajaajila ogummaa abukaatummaa kennu tajaajila abukaatummaa kennuuf yookiin barreessaan dhimma seeraa, tajaajila barruu dhimma seeraa kennuuf waraqaa ragaa kenname jechuudha.
- 8) **“Maamila”** jechuun tajaajila abukaatummaa yookiin barreessaa dhimma seeraa kamiyyuu argachuudhaaf waa’ee dhimma ofii yookiin nama biroo ilaalchisee abukaatoo, dhaabbata tajaajila ogummaa abukaatummaa yookiin barreessaa dhimma seeraa waliin kan waliigaltee seene yookiin firii dubbii dhimmichaa kan ibsate jechuudha.
- 9) **“Mana Murtii”** jechuun Manneen Murtii Naannoo Oromiyaa yookiin qaama aangoon abbaa seerummaa kennameef jechuudha.
- 10) **“Miseensa”** jechuun abukaatoo dhaabbata tajaajila ogummaa abukaatummaa kennu keessaa qooda akisiyoonaa qabu jechuudha.
- 11) **“Nama”** jechuun nama uumamaa yookiin seeraan qaama seerummaa argate jechuudha.
- 12) **“Tajaajila Ogummaa Abukaatummaa”** jechuun kaffaltii argachuuf yookiin argachuun yookiin kaffaltii malee maamila bakka bu’uudhaan mana murtii dhiyaachuun falmuufi tajaajila gorsa seeraa kamiyyuu kennuudha; akkasumas waliigalteewwan yookiin sanadoota adda addaa mana murtii dhiyaachuu danda’u kamiyyuu yookiin barreeffama dhaabbata tokko hundeessuu, fooyyessuu yookiin diguu danda’u qopheessuus ni dabalata.
- 13) **“Tajaajila Ogummaa Seeraa”** jechuun kolleejjii yookiin yunivarsiitii beekamtii seeraa qabu irraa gosa barnoota seeraatiin eebbifamee ogummaa seeraatiin tajaajila kennuu jechuudha.

3. Ibsa Koorniyaa

Labsii kana keessatti jechi koorniyaa dhiiraan ibsame dubartiis ni dabalata.

4. Daangaa Raawwatiinsaa

Labsiin kun Abukaatoo, Dhaabbata Tajaajila Ogummaa Abukaatummaa fi Barreessitoota Dhimma Seeraa Naannicha irraa hayyama fudhatan irratti raawwatiinsa ni qabaata.

፯) **“ፈቃድ”** ማለት አንድ ጠበቃ ወይም የጥብቅና ሙያ አገልግሎት የሚሰጥ ድርጅት የጥብቅና ሙያ አገልግሎት ለመስጠት ወይም የህግ ጉዳይ ፀሐፊ የህግ ጉዳይ ዕሉፍ አገልግሎት ለመስጠት የተሰጠ የምስክር ወረቀት ማለት ነው።

፰) **“ደምበኛ”** ማለት የጥብቅና ወይም የህግ ጉዳይ ዕሉፍ አገልግሎት ለማግኘት ስለራሱ ወይም ሌላ ሰው ጉዳይ አስመልክቶ ከጠበቃ፣ ከጥብቅና ሙያ አገልግሎት ድርጅት ወይም ከህግ ጉዳይ ፀሐፊ ጋር ውል የገባ ወይም የጉዳዩን ፍሬ ነገር የገለፀ ማለት ነው።

፱) **“ፍርድ ቤት”** ማለት የኦሮሚያ ክልል ፍርድ ቤቶች ወይም በህግ የዳኝነት ስልጣን የተሰጠው አካል ማለት ነው።

፲) **“አባል”** ማለት የጥብቅና ሙያ አገልግሎት የሚሰጥ ድርጅት ውስጥ የአክሲዮን ድርሻ ያለው ጠበቃ ማለት ነው።

፲፩) **“ሰው”** ማለት የተፈጥሮ ወይም ህጋዊ ሰውነት የተሰጠው አካል ማለት ነው።

፲፪) **“የጥብቅና ሙያ አገልግሎት”** ማለት ክፍያ ለማግኘት ወይም በማግኘት ወይም ያለክፍያ ደምበኛን በመወከል ፍርድ ቤት ቀርቦ መከራከርና ማንኛውንም የህግ ምክር አገልግሎት መስጠት፣ እንዲሁም ውሎችን ወይም ፍርድ ቤት ሊቀርቡ የሚችሉ የተለያዩ ሰነዶችን ወይም አንድን ድርጅት የሚያቋቁም የመመስረቻ፣ የማሻሻያ ወይም የማፍረሻ ዕሉፍ ማዘጋጀትን ይጨምራል።

፲፫) **“የህግ ሙያ አገልግሎት”** ማለት ህጋዊ እውቅና ካለው ኮሌጅ ወይም ዩኒቨርሲቲ በህግ ተመርቆ በህግ ሙያ ማገልገል ማለት ነው።

፫. የጾታ አገላለፅ

በዚህ አዋጅ ውስጥ በወንድ ጾታ የተገለፀው ሴትንም ያጠቃልላል።

፬. የተፈጻሚነት ወሰን

ይህ አዋጅ ከክልሉ ፈቃድ በወሰደ ጠበቃ፣ የጥብቅና ሙያ አገልግሎት ድርጅትና የህግ ጉዳይ ፀሐፊ ላይ ተፈጻሚነት ይኖረዋል።

7) **“License”** means a certificate issued for advocates or law firms to render advocacy service or paralegals to render writing service related to law.

8) **“Client”** means a person who enters in to contracts with advocate or paralegal or law firm to obtain services for himself or for third party or who has told facts of the case.

9) **“Court”** means the Oromia National Regional State Courts or the quasi-judicial organ authorized by law.

10) **“Member”** means a person who is a share holder of law Firm.

11) **“Person”** means any physical or judicial person.

12) **“Advocacy Service”** means pleading courts, rendering legal consultancy service or preparation of contracts or any documents to be adduced before the court, or memorandum of association, document of establishment or amendment or dissolution of an organization with or without or direct or indirect future consideration.

13) **“Legal Profession Service”** means graduate with law from legally recognized college or University and giving legal service.

3. Gender Reference

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

4. Scope of Application

This Proclamation shall be applicable on an advocate, a law firm and paralegal licensed from the Region.

KUTAA LAMA

Kennaafi Galmeessaa Hayyama Abukaatummaa

5. Tajaajila Abukaatummaa Kennuu

- 1) Namni tajaajila abukaatummaa naanicha keessatti kennuu barbaadu kamiyyuu lammii Itiyooophiyaa kan ta'eefi hayyama abukaatummaa Naannicha irraa kennameef kan qabu ta'uu qaba.
- 2) Kan Keewwata kana Keewwata Xiqqaa 1 jalatti tumame akkuma eegametti ta'ee, kanneen armaan gadii hayyama abukaatummaa osoo hinqabaatin tajaajila abukaatummaa kennuu ni danda'u:
 - (a) Dhimma ofiif nama falmatu;
 - (b) Kaffaltii malee haadha manaa yookiin abbaa manaa ofiif, abbaa, haadha, ijoollee, obbooleewwan ofiif, akkawoofi akaakayyuu, akkasumas nama nama guddisuuf yookiin bulchuuf falmu;
 - (c) Abbaa Alangaa dhimma hojii isaa wajjin wal qabate irratti falmu;
 - (d) Ittigaafatamaa yookiin abbaa aksiyoonaa dhaabbata yookiin kubbaaniyyaa dhuunfaa mana murtiitti falmuuf seeraan yookiin bakka bu'iinsaan aangoon kennameefii dhimmoota dhaabbatichaa yookiin kubbaaniyyicha ilaallatan irratti falmu yookiin hogganaa dhaabbatichaa yookiin kubbaaniyyichaa aangoon kennameefiin hojjetaa bakka bu'e;
 - (e) Dubbii fixaa yookiin ittigaafatamaa manneen hojii yookiin dhaabbilee misoomaa mootummaa yookiin waldaalee hawaasaa dhimma ilaallaturratti falmu;
 - (f) Dura Ta'aa waldaa hojjetaa yookiin hojjechiisaa yookiin miseensa waldichaa keessaa nama waldichaan bakka bu'e.

6. Hayyama Argachuuf Iyyata Dhiyaatu Waliin Ragaalee Dhiyaachuu Qaban

- 1) Hayyama abukaatummaa argachuuf iyyanni dhiyaatu unkaa dhimma kanaaf Biiirichaan qophaa'e irratti guutamee ragaa barbaachisaa waliin wal qabatee dhiyaachuu qaba.
- 2) Akkaataa Keewwata kana Keewwata Xiqqaa Itiin iyyanni dhiyaatu ragaawwan armaan gadii waliin dhiyaachuu qabu.
 - (a) Barnoota seeraatiin dhaabbata seeraan beekamtii qabu irraa ragaa barnootaa kennameef;

ክፍል ሁለት

የጥብቅና ፍቃድ መስጠትና መመዘገብ

፩. የጥብቅና አገልግሎት መስጠት

- ፩) በክልሉ ውስጥ የጥብቅና አገልግሎት ለመስጠት የሚፈልግ ማንኛውም ሰው የኢትዮጵያ ዜጋ ሆኖ ከክልሉ የተሰጠው የጥብቅና ፈቃድ ያለው መሆን አለበት።
- ፪) በዚህ አንቀፅ ንዑስ አንቀፅ ፩ የተደነገገው እንደተጠበቀ ሆኖ ከዚህ በታች የተዘረዘሩት የጥብቅና ፈቃድ ሳይኖራቸው የጥብቅና አገልግሎት ሊሰጡ ይችላሉ።
 - (ሀ) ለራሱ ጉዳይ የሚከራከር፤
 - (ለ) ያለክፍያ ለትዳር አጋሩ ወይም አጋሪ፣ ለአባቱ፣ ለእናቱ፣ ለልጆቹ፣ ለወንድሞቹና ለእህቶቹ፣ ለእያቶቹ እንዲሁም ለሚያሳድገው ሰው ወይም ለሚያስተዳድራቸው የሚከራከር ሰው፤
 - (ሐ) ከስራው ጋር በተያያዘ ጉዳይ የሚከራከር አቃቤ ህግ፤
 - (መ) የድርጅት ኃላፊ ወይም የድርጅት ባለአክሲዮን ወይም በህግ ወይም በውክልና በፍርድ ቤት ለመከራከር ሥልጣን ተሰጥቶት ድርጅቱን ወይም ከባንያውን በሚመለከቱ ጉዳዮች ላይ የሚከራከር ወይም ስልጣን በተሰጠው የድርጅት ወይም በከባንያ ኃላፊ ስልጣን ተሰጥቶት የተወከለ ሠራተኛ፤
 - (ሠ) በሚመለከተው ጉዳይ ላይ የሚከራከር ጉዳይ አስፈጻሚ፣ ወይም የመስሪያ ቤቶች ኃላፊ ወይም የመንግስት የልማት ድርጅቶች ወይም ሕዝባዊ ማህበራት ኃላፊ፤
 - (ረ) የሠራተኛ ወይም የአሰሪ ማህበር ሊቀመንበር ወይም ከማህበሩ አባላቶች ውስጥ በማህበሩ የተወከለ ሰው፤

፮. ፈቃድ ለማግኘት ከሚቀርብ ማመልከቻ ጋር መቅረብ ያለባቸው ማስረጃዎች

- ፩) የጥብቅና ፈቃድ ለማግኘት የሚቀርብ ማመልከቻ ለዚህ ጉዳይ በቢሮው በተዘጋጀ ቅፅ ላይ ተሞልቶ ከአስፈላጊው ማስረጃ ጋር ተያይዞ መቅረብ አለበት።
- ፪) በዚህ አንቀፅ ንዑስ አንቀፅ ፩ መሠረት ከሚቀርብ ማመልከቻ ጋር የሚከተሉት ማስረጃዎች መቅረብ አለባቸው፡-
 - (ሀ) በህግ ትምህት እውቅና ካለው ተቋም የተሰጠው የትምህርት ማስረጃ፤

Part Two

Licensing and Registration of Advocates

5. Rendering of Advocacy Service

- 1) Any person who wants to render advocacy service in the Region shall be an Ethiopian and must have license granted to him from the Region.
- 2) Without prejudice to sub article(1) of this Article, the following may render advocacy service without advocacy license:
 - (a) A person who plead his own case;
 - (b) A person who without payment plead the case of his spouse, parents, children, grandparents, sisters, brothers or person to whom his tutor or guardian;
 - (c) A prosecutor pleading in his official capacity;
 - (d) A head, a partner, or an agent represented by the head of an organization or company who pleads the case of the organization or company holding a power of attorney to represent such organization or company in court;
 - (e) An attorney , an official of public body or public enterprise who pleads the actions of such public body or public enterprise;
 - (f) Chairperson of employee's or employer's trade union or a person represented from among the members of the union.

6. Documents Submitted With License Application

- 1) An application for advocacy license shall be duly completed in a form prepared by the Bureau and attached with the necessary documents.
- 2) The following documents shall be attached with the application submitted in compliance with Sub-Article 1 of this Article:
 - (a) Credential in law bestowed on him from legally recognized educational institution;

- (b) Tajaajila ogummaa seeraatiin hojjachuu isaa kan agarsiisu ragaa muuxannoo hojii;
 - (c) Waggoottan afran darban keessatti yakkaan himatamee kan hin adabamin ta'uu isaa ragaa kennameef;
 - (d) Akka barbaachisummaa isaatti hayyama argachuuf qormaata ogummaa darbuu isaa ragaa mirkaneessu;
 - (e) Manneen hojii waggoottan afran dhumaa keessatti hojjachaa ture irraa ragaa waa'ee naamusaa fi raawwannaa hojii isaa ibsu;
 - (f) Teessoo idilee jireenyaafi hojii;
 - (g) Waraqa qulqullummaafi hojii gadlakkisuu isaa ragaa agarsiisuufi
 - (h) Ragaalee biroo Dambii yookiin Qajeelfama bahuun tumaman.
- 3) Akkaataa Keewwata kana Keewwata Xiqqaa 2(d) jalatti ibsameen ragaan dhiyaatu fudhatama kan qabaatu qormaata darbuun isaa guyyaa beekame irraa eegalee ji'a sadi keessatti yoo dhiyaate qofaadha.

7. Hayyama Kennuu

- 1) Biiron iyyannoon hayyama abukaatummaa akkaataa Labsii kana Keewwata 6 jalatti ibsameen guutuu ta'ee yoo dhiyaateef, guyyaa qormaata kenne irraa eegalee guyyoota 10 keessatti hayyama kennuu qaba.
- 2) Kan Keewwata kana Keewwata Xiqqaa 1 jalatti ibsame akkuma eegametti ta'ee, akkaataa Labsii kana Keewwata 15 Keewwata Xiqqaa 2 jalatti ibsameen qormaanni kan hin kennamne yoo ta'e, guyyaa iyyannoo isaa guutuu taasisee Biroof dhiyeessee irraa eegalee guyyoota 5 keessatti Biiron hayyama kennuu qaba.
- 3) Iyyannoon hayyama abukaatummaa fudhatama kan hin arganne yoo ta'e, Biiron sababa iyyannichi kufaa ta'eef iyyataadhaaf beeksisuu qaba.
- 4) Hayyamni abukaatummaa kennamu kanneen armaan gadii of keessatti qabaachuu qaba:
 - (a) Maqaa guutuu, umriifi lammummaa abukaatichaa;
 - (b) Teessoo idilee jireenyaafi hojii;
 - (c) Akaakuu hayyamichaafi yeroo tajaajila isaa;
 - (d) Maqaafi mallattoo nama hayyama kenne.

- (ለ) በሀገሩ ውስጥ አገልግሎት መስጫ የሚያሳይ የስራ ልምድ ማስረጃ፤
 - (ሐ) ባለፉት አራት አመታት ውስጥ በወንጀል ተከሶ ያለመቀጣጠን የሚያሳይ የተሰጠው ማስረጃ፤
 - (መ) እንደ አስፈላጊነቱ ፈቃድ ለማግኘት የሙያ ፈተና ማለፉን የሚያረጋግጥ ማስረጃ፤
 - (ሠ) ላለፉት አራት አመታት ሲሰራበት ከነበረበት መሥሪያ ቤት ስለ ስነ-ምግባርና ሥራ አፈፃፀም የሚገልፅ ማስረጃ፤
 - (ረ) መደበኛ የመኖሪያና የስራ አድራሻ፤
 - (ሰ) ስራውን መልቀቁን የሚያሳይ ወረቀትና ማስረጃና
 - (ሸ) ሌሎች በሚወጣው ደምብ ወይም መመሪያ የሚጠየቁ ማስረጃዎች፤
- ፫) በዚህ አንቀጽ ንዑስ አንቀጽ ፪ (መ) ስር በተገለፀው መሰረት የሚቀርበው ማስረጃ ተቀባይነት የሚኖረው ፈተና ማለፉን ካወቀበት ቀን ጀምሮ በሶስት ወር ጊዜ ውስጥ ከቀረበ ብቻ ነው።

፮. ፈቃድ መሥጠት

- ፩) ቢሮው የጥብቅና ፈቃድ ማመልከቻ በዚህ አዋጅ አንቀጽ ፮ ስር በተገለፀው መሰረት ተሟልቶ ከቀረበለት ፈተና ከሰጠበት ቀን ጀምሮ በ፲ ቀናት ውስጥ ፈቃድ መሥጠት አለበት።
- ፪) በዚህ አንቀጽ ንዑስ አንቀጽ ፩ የተገለፀው እንደተጠበቀ ሆኖ በዚህ አዋጅ አንቀጽ ፲፭ ንዑስ አንቀጽ ፪ ስር በተጠቀሰው መሰረት ፈተና የማይሰጥ ከሆነ ማመልከቻውን አሟልቶ ለቢሮው ካቀረበበት ቀን ጀምሮ በ፭ ቀናት ውስጥ ቢሮው ፈቃድ መስጠት አለበት።
- ፫) የጥብቅና ፈቃድ ማመልከቻ ተቀባይነት ካላገኘ ቢሮው ማመልከቻው ወድቅ የሆነበትን ምክንያት ለአመልካቹ ማሳወቅ አለበት።
- ፬) የሚሠጠው የጥብቅና ፈቃድ የሚከተሉትን መያዝ አለበት፡-
 - (ሀ) የጠበቃውን ሙሉ ስም፣ እድሜና ዜግነት፤
 - (ለ) መደበኛ የመኖሪያና የስራ አድራሻ፤
 - (ሐ) የፈቃዱ አይነትና የሚያገለግልበት ጊዜ፤
 - (መ) ፈቃዱን የሠጠው ሰው ስምና ፊርማ።

- (b) Job experience showing that the applicant has been working in law profession;
 - (c) Evidence from the concerned body showing that the applicant is free from criminal records for the last four years;
 - (d) Evidence showing that he had taken the examination as necessary to get a license and passed;
 - (e) Evidence from his former employer in the last 4 years regarding his conduct and performance;
 - (f) Permanent residence and place of business;
 - (g) Clearance and evidence of release from his job; and
 - (h) Other documents provided in regulation or directives that will be issued.
- 3) Document lodged in accordance with Sub-Article 2 (d) of this Article shall be accepted only where it is lodged within three months starting from day when his passing the examination is known.

7. Granting of License

- 1) Where the application is submitted with the attached documents in accordance with Article 6 of this Proclamation, the Bureau shall issue license for the applicant within 10 days starting from the time when the Examination is given.
- 2) Without prejudice to Sub-Article 1 of this Article, where the examination is not given in accordance with this Proclamation Article 15 Sub-Article 2 the Bureau shall issue a license from the day when the applicant submits his application with full attached document within 5 days.
- 3) Where the application has been rejected, the Bureau shall notify the reason for the applicant.
- 4) The advocacy license shall contain the following:
 - (a) The name, age and nationality of the advocate;
 - (b) Address of the advocate's residence and place of business;
 - (c) Type of license and its validity date;
 - (d) Name and signature of the issuing officer.

8. Akaakuu Hayyamaa

Akaakuun hayyama abukaatummaa, hayyama abukaatummaa muummeefi addaa kan jedhamaniidha.

9. Hayyama Abukaatummaa Muummee

Hayyamani abukaatummaa muummeen Biiroodhaan kennamu hayyama abukaatummaa sadarkaa lammaffaafi tokkoffaa ni qabaata.

10. Hayyama Abukaatummaa Sadarkaa Kamiyyuu Argachuuf Ulaagaalee Barbaachisan

- 1) Hayyama Abukaatummaa sadarkaa lammaffaa yookiin tokkoffaa kennuuf ulaagaawwan armaan gaditti tarreeffaman guuttamuu qabu.
 - (a) Afaan hojii Naannichaatiin hojjachuu kan danda'u;
 - (b) Heeraafi seera biyyattiifi Naannichaa kan kabajuufi kabachiisu;
 - (c) Qormaata ogummaa abukaatummaa kennamu kan darbe;
 - (d) Adeemsa sirna haqaatiif naamusa gaarii kan qabu;
 - (e) Tajaajila ogummaa abukaatummaa kennuuf seeraan yookiin murtiidhaan kan hin dhoorkamne;
 - (f) Naamusa dhabummaa wajjiin wal-qabatee yakka raawwaateen himatamee waggootan afran darban keessaatti kan hin adabambne;
 - (g) Balleessaa naamusaa cimaadhaan himatamee waggootan lamaan darban keessatti kan hin adabamin yoo ta'eefi
 - (h) Hojii gadi-lakkisee ji'a jaha yookiin sanaa ol kan ture yoo ta'e.
- 2) Kan Keewwata kana Keewwata Xiqqaa 1 jalatti tumame akkuma jirutti ta'ee hayyama abukaatummaa sadarkaa lammaffaa fudhachuuf ulaagaawwan armaan gadii dabalataan guuttamuu qabu.
 - (a) Dhaabbata barnoota seeraan beekamtii argate irraa barumsa seeraatiin digiriin eebbifamee tajaajila ogummaa seeraatiin waggaa afur; yookiin,
 - (b) Dhaabbata barnoota seeraan beekamtii argate irraa barumsa seeraatiin dippiloomaan eebbifamee tajaajila ogummaa seeraatiin waggaa jahaafi isaa ol kan tajaajile yoo ta'e;

፩. የፈቃድ አይነት

የጥብቅና ፈቃድ አይነቶች ዋናና ልዩ የጥብቅና ፈቃድ ይባላሉ።

፪. ዋና የጥብቅና ፈቃድ

በቢሮ የሚሰጠው ዋና የጥብቅና ፈቃድ ሁለተኛ እና አንደኛ ደረጃ ይኖራታል።

፫. ማንኛውንም የጥብቅና ፈቃድ ለማግኘት የሚያስፈልጉ መስፈርቶች

- ፩) የሁለተኛ ወይም የአንደኛ ደረጃ የጥብቅና ፈቃድ ለመስጠት ከዚህ ቀጥሎ የተዘረዘሩት መስፈርቶች መሟላት አለባቸው፡-
 - (ሀ) በክልሉ የሥራ ቋንቋ መሥራት የሚችል፤
 - (ለ) የሀገሪቱንና የክልሉን ህገ-መንግስትና ህጎች የሚያከብርና የሚያስከብር፤
 - (ሐ) የሚሰጠውን የጥብቅና ሙያ ፈተና ያለፈ፤
 - (መ) ለፍትህ ስርአት አሰራር ጥሩ ሥነ-ምግባር ያለው፤
 - (ሠ) የጥብቅና ሙያ አገልግሎት ለመስጠት በህግ ወይም በውጤት ያልተከለከለ፤
 - (ረ) ባለፉት አራት አመታት ውስጥ በዲ.ሲ.ፕ.ሲ.ን ጉድለት ተከሶ ያልተቀጣ ከሆነ፤
 - (ሰ) በከባድ የዲ.ሲ.ፕ.ሲ.ን ጥፋት ተከሶ ባለፉት ሁለት አመታት ውስጥ ያልተቀጣ ከሆነ፤
 - (ሸ) ስራውን ለቆ ስድስት ወር ወይም ከዚያ በላይ የቆየ ከሆነ፤
- ፪) በዚህ አንቀፅ ንዑስ አንቀጽ ፩ ስር የተደነገገው እንደተጠበቀ ሆኖ የሁለተኛ ደረጃ የጥብቅና ፈቃድ ለመውሰድ የሚከተሉት ተጨማሪ መስፈርቶች መሟላት አለባቸው፡-
 - (ሀ) በህግ እውቅና ካለው ተቋም በህግ ትምህርት በዲ.ግሪ ተመርቆ በህግ ሙያ አገልግሎት አራት አመት ወይም፤
 - (ለ) በህግ እውቅና ካለው ተቋም በህግ ትምህርት በዲ.ፕሎማ ተመርቆ በህግ ሙያ አገልግሎት ስድስት አመትና ከዚያ በላይ ያገለገለ ከሆነ።

8. Types of License

The type of advocacy license shall be principal and special.

9. Principal Advocacy License

Principal advocacy license granted by the Bureau shall have 1st and 2nd level.

10. Criteria to be Fulfilled In order to Get Any Level of Advocacy License

- 1) 1st or 2nd level of advocacy license shall fulfill the following criteria:
 - (a) Who can work with the working language of the Region;
 - (b) Who observes the constitution and laws of the country and the region, cause its observance;
 - (c) Who passes the advocacy profession examination;
 - (d) Having proper conduct for justice system;
 - (e) Who is not legally or judicially interdicted from rendering advocacy service;
 - (f) Not being accused and penalized with disciplinary breach in the last four years;
 - (g) Not being penalized with severe disciplinary breach in the last two years; and
 - (h) Where he is six months or more after he left his job.
- 2) Without prejudice to Sub-Article 1 of this Article, the following criteria shall be additionally fulfilled in order to get 2nd level advocacy license:
 - (a) Graduating with a degree in law from a legally recognized institution and four years experience in law profession; or,
 - (b) Graduating with a diploma in law from a legally recognized law institution and an experience of six years or more in law profession.

3) Kan Keewwata kana Keewwata Xiqqaa 1 jalatti tumame akkuma jirutti ta'ee, hayyama abukaatummaa sadarkaa tokkoffaa fudhachuuf ulaagaawwan armaan gadii dabalataan guuttamuu qabu.

(a) Dhaabbata barnootaa seeraan beekamtii argate irraa barumsa seeraatiin digiriin eebbifamee tajaajila ogummaa seeraatiin waggaa jahaafi isaa ol kan tajaajile; yookiin,

(b) Dhaabbata barnootaa seeraan beekamtii argate irraa barumsa seeraatiin dippiloomaan eebbifamee tajaajila ogummaa seeraatiin waggaa saddeetiifi isaa ol kan tajaajile yoo ta'e. Raawwiin Keewwata kanaa Dambii bahuun kan murtaa'u ta'a.

11. Daangaa Aangoo Abukaatummaa

1) Abukaatoon hayyama abukaatummaa sadarkaa lammaffaa qabu, dhimmoota aangoo manneen murtii aanaa irratti ilaalamaniif abukaatoo ta'ee tajaajila ogummaa abukaatummaa kennuu ni danda'a.

2) Abukaatoon hayyama abukaatummaa sadarkaa tokkoffaa qabu dhimmoota aangoo manneen murtii Naannichaa sadarkaa hundaa irratti ilaalmaniif tajaajila ogummaa abukaatummaa kennuu ni danda'a.

3) Kan Keewwata kana Keewwata Xiqqaa 1 jalatti tumame akkuma eegametti ta'ee abukaatoon hayyama sadarkaa lammaffaa qabu dhimma mana murtii aanaatti jalqabe irratti hanga mana murtii ol-iyyaata ilaaluutti duuka bu'ee falmuu ni danda'a.

12. Hayyama Abukaatummaa Addaa

1) Labsii kana Keewwata 10 jalatti ulaagaalee tarreeffaman nama guutuuf, mirgaafi faayidaa ummataafi namoota dhuunfaa kabachiisuuf kan falmuufi tajaajila kenneef kaffaltii kamiyyuu kan hin fudhanneef hayyamni abukaatummaa addaa ni kennamaaf.

2) Labsii kana Keewwattoota 9 fi 11 jalatti kan tumaman hayyama abukaatummaa addaatiifis raawwatiinsa ni qabaatu.

፫) በዚህ አንቀፅ ንዑስ አንቀፅ ፩ ስር የተደነገገው እንደተጠበቀ ሆኖ የአንደኛ ደረጃ የጥብቅና ፈቃድ ለመውሰድ የሚከተሉት መስፈርቶች በተጨማሪ መሟላት አለባቸው፡-

(ሀ) በህግ እውቅና ካለው ተቋም በህግ ትምህርት በዲግሪ ተመርቆ በህግ ሙያ አገልግሎት ስድስት አመትና ከዚያ በላይ ያገለገለ ወይም፣

(ለ) በህግ እውቅና ካለው ተቋም በህግ ትምህርት በዲፕሎማ ተመርቆ በህግ ሙያ አገልግሎት ስምንት አመትና ከዚያ በላይ ያገለገለ ከሆነ፣ የዚህ አንቀፅ አፈፃፀም በሚወጣ ደምብ የሚወሰን ይሆናል፡፡

፲፩. የጥብቅና ሥልጣን ወሰን

፩) የሁለተኛ ደረጃ የጥብቅና ፈቃድ ያለው ጠበቃ በወረዳ ፍርድ ቤቶች ስልጣን የሚታዩ ጉዳዮችን ጠበቃ ሆኖ የጥብቅና ሙያ አገልግሎት መስጠት ይችላል፡፡

፪) የአንደኛ ደረጃ የጥብቅና ፈቃድ ያለው ጠበቃ በሁሉም የክልሉ ፍርድ ቤቶች ሥልጣን የሚታዩ ጉዳዮች ላይ ጠበቃ ሆኖ የጥብቅና ሙያ አገልግሎት መስጠት ይችላል፡፡

፫) በዚህ አንቀፅ ንዑስ አንቀፅ ፩ ስር የተደነገገው እንደተጠበቀ ሆኖ የሁለተኛ ደረጃ የጥብቅና ፈቃድ ያለው ጠበቃ በወረዳ ፍርድ ቤት የጀመረውን ጉዳይ በይግባኝ እስከሚያየው ፍርድ ቤት ተከታትሎ መከራከር ይችላል፡፡

፲፪. ልዩ የጥብቅና ፈቃድ

፩) በዚህ አዋጅ አንቀፅ ፲ ስር የተደነገጉትን መስፈርቶች ለሚያሟላ፣ የህዝብና የግለሰብ መብትና ጥቅም ለማስከበር የሚከራከርና ለሚሰጠው አገልግሎት ማንኛውንም ክፍያ ለማይቀበል ልዩ የጥብቅና ፈቃድ ይሰጠዋል፡፡

፪) በዚህ አዋጅ አንቀፅ ፱ እና ፲፩ ስር የተደነገጉት ለልዩ የጥብቅና ፈቃድም ተፈፃሚነት ይኖራቸዋል፡፡

3) Without prejudice to Sub-Article 1 of this Article, the following criteria shall be additionally fulfilled in order to get 1st level advocacy license:

(a) Graduating with a degree in law from a legally recognized institution and six years experience in law profession; or,

(b) Graduating with a diploma in law from a legally recognized law institution and an experience of eight years or more in law profession. The implementation of this Article shall be decided by the Regulation to be issued.

11. Limitation of Power in Advocacy Service

1) An advocate who has 2nd level license may render advocacy service for cases that fall under the jurisdiction of Wereda court.

2) An advocate who has 1st level license may render advocacy service for cases that fall under the jurisdiction of all Regional courts.

3) Without prejudice to Sub-Article 1 of this Article, any advocate with a 2nd level license who started a case on Wereda court may follow up it at any level of appellate courts.

12. Special Advocacy License

1) A person who has fulfilled requirements under Article 10 of this Proclamation, who plead for the rights and interest of public and private person to be respected without any kind of payment shall be granted a special license.

2) Provisions provided under Article 9 and 11 of this Proclamation shall be applicable on special advocacy license.

13. Sadarkaa Hayyama Abukaatummaa Fooyeffachuu

Abukaatoon hayyama sadarkaa lammaaf-faa qabu muuxannoon hojii yookiin sadarkaan barumsaa kan hayyama sadarkaa tokkoffaa kennisiisuuf irra yoo gahe sadarkaan hayyama isaa akka fooyyahuuf Biirootti iyyaachuu ni danda'a.

14. Qormaata Ogummaa Abukaatummaa Biiron:

- 1) Hayyama abukaatummaa kennuuf iyyattootaaf qormaata qopheessee ni kenaa; yookiin akka kennamu ni taasisa.
- 2) Qormaata kenname ni sorora; qabxii ittiin darbamu ni murteessa; bu'aa qormaatichaas ni beeksisa.

15. Qormaataaf Dhiyaachuu

- 1) Labsii kana Keewwata 6 jalatti ulaagaalee hayyama abukaatummaa argachuuf tarreeffaman namni guutu kaffaltii galme qormaataa raawwachuun qormaata ogummaa abukaatummaa fudhachuu qaba.
- 2) Kan Keewwata kana Keewwata Xiqqaa 1 jalatti tumame akkuma eegametti ta'ee, namoota abbaa alangummaan yookiin abbaa seerummaan yookiin hojii barsiisummaa seeraatiin kolleejjii yookiin yunivarsiiti beekamtii argatan irraa muuxannoo hojii waggaa jahaafi isaa olii qabaniif qormaata kennuun barbaachisaa miti.

16. Kakuu

Abukaatoon hayyama argatu kamiyyuu, hojii jalqabuun dura Hogganaa Biirrootiin yookiin nama inni bakka buuseen kakuu armaan gadii jiru ni raawwata: "Ani _____ Biirrooti irraa hayyama abukaatummaa yammuu fudhadhu, Heeraafi seerota biyyattiifi naannichaa kabajuufi kabachiisuuf, kaayyoo sirna haqaa galmaan ga'uuf, naamusa gaariidhaan ogummaa kootiin amanamummaafi haqummaadhaan malaammaltummaa irraa bilisa ta'ee hojjachuun fedhiifi faayidaa maamiloota kiyyaa akkaataa seerri hayyamuun kabachiisuudhaaf, namoota naan falmaniifi ogeessota ogummaa akka kiyyaa qaban waliin wal kabajuu fi wal danda'uudhaan hojjachuudhaa fi olaantummaa seeraa mirkaneessuu keessatti dirqama narraa eegamu baahuuf waadaa nan seena."

፲፫. የጥብቅና ፈቃድ ደረጃ ማሻሻል

የሁለተኛ ደረጃ የጥብቅና ፈቃድ ያለው ጠበቃ የሥራ ልምዱ ወይም የትምህርት ደረጃው የአንደኛ ደረጃ ፈቃድ የሚያሰጠው ላይ ከደረሰ የፈቃድ ደረጃው እንዲሻሻልለት ለቢሮው ማመልከት ይችላል።

፲፬. የጥብቅና ሙያ ፈተና

ቢሮው፡

- ፩) የጥብቅና ፈቃድ ለመስጠት ለአመልካቾች ፈተና አዘጋጅቶ ይሰጣል ወይም እንዲሰጥ ያደርጋል።
- ፪) የተሰጠውን ፈተና ያርማል፣ የማለፍያ ነጥብ ይወስናል፣ የፈተናውን ውጤት ያስታውቃል።

፲፭. ለፈተና መቅረብ

- ፩) በዚህ አዋጅ አንቀጽ ፮ ስር የጥብቅና ፈቃድ ለማግኘት ያስፈልጋሉ ተብለው የተዘረዘሩትን መስፈርቶች የሚያሟላ ሰው የመመዘኛውን ክፍያ በመፈፀም የጥብቅና ሙያ ፈተና መውሰድ አለበት።
- ፪) በዚህ አንቀጽ ንዑስ አንቀጽ ፩ ስር የተደነገገው እንደተጠበቀ ሆኖ በአቃቤ ህግነት ወይም በዳኝነት ወይም በህግ መምህርነት እውቅና ባለው ኮሌጅ ወይም ዩኒቨርሲቲ የ፮ ዓመት ወይም ከዚያ በላይ የሥራ ልምድ ላላቸው ሰዎች ፈተና መስጠት አስፈላጊ አይደለም።

፲፮. ቃለ መሳላ

ማንኛውም የጥብቅና ፈቃድ የሚያገኝ ጠበቃ ስራ ከመጀመሩ በፊት በቢሮው ኃላፊ ወይም እሱ በሚወክለው ሰው የሚከተለውን ቃለ መሳላ ይፈፅማል፡

እኔ ----- ከቢሮው የጥብቅና ፈቃድ ሰውስድ፣ የሃገሪቱንና የክልሉን ህገ-መንግስትና ህጎች ለማክበርና ለማስከበር፣ የፍትህ ሥርአቱን አላማ ከግብ ለማድረስ፣ በጥሩ ስነ-ምግባር ሙያዬን በታማኝነትና በፍትሃዊነት ከሙስና ነፃ ሆኜ በመስራት ህገ-መሥሪቅደው መሠረት የደምበኞቼን ፍላጎትና ጥቅም ለማስከበር፣ ከኔ ጋር የሚከራከሩ ሰዎችና ከኔ ጋር ተመሳሳይ ሙያ ያላቸው ባለሙያዎች ጋር በመከባበርና በመቻቻል ለመስራትና የህግ የባላይነትን በማረጋገጥ ወስጥ የሚጠበቅብኝን ግዴታ ለመወጣት ቃል እገባለሁ።

13. Revising Level of Advocacy License

Advocate who has a 2nd level license where his job experience or his academic level permits him 1st level advocacy license may request the Bureau to revise his license.

14. Advocacy License Examination

The Bureau shall:

- 1) Prepare and give an examination or cause to be given to applicants for an issuance of a license.
- 2) Mark examination paper, determine the pass mark and publicize the result.

15. Sitting for an Examination

- 1) Any person who fulfills the requirements listed under Article 6 of this Proclamation up on paying the registration fee shall take the advocacy license examination.
- 2) Without prejudice to Sub-Article 1 of this Article, it is not necessary to give an examination for persons who has an experience of six years or more rendering service as a judge, or prosecutor or a teacher of law in legally recognized colleges or university.

16. An Oath

Any advocate who is granted with a license, before starting his work shall take the following oath by the Bureau head or by his representative:

I _____ when taking this advocacy license from the Bureau, promise that I will give due respect and cause to be respected the constitution and laws of the country and the Region, is committed to achieve the mission of the justice system, by working with a proper ethical conduct, honest and free from corruption, honesty and cause the interest and benefit of my clients in accordance with the law, work with understanding and respect with my opponents and persons who has law profession like me, and to under way my obligation in ensuring rule of law.

KUTAA SADII

Dhaabbata Tajaajila Ogummaa Abukaatummaa

17. Dhaabbata Tajaajila Ogummaa Abukaatummaa Hundeessuu

- 1) Abukaatonni hayyama muummee sadarkaan isaanii wal gitu qaban lama yookiin isaa ol ta'an dhaabbata tajaajila ogummaa abukaatummaa waliigaltee gamtaatiin hundeessuu ni danda'u.
- 2) Akkaataa Keewwata kana Keewwata Xiqqaa 1 tiin dhaabbatni tajaajila ogummaa abukaatummaa hunde-effamu, dhaabbata gamtaa idilee ta'ee, maqaa kennamuufitti aansee "dhaabbata gamtaa idilee" kan jedhu qabaachuu qaba.
- 3) Akkaataa Keewwata kana Keewwata Xiqqaa 1 tiin kan dhaabbate dhaabbanni tajaajila ogummaa abukaatummaa kaayyoon isaa tajaajila ogummaa abukaatummaa kennuuf qofa ta'a.

18. Hayyama Argachuuf Iyyaata Dhiyaatu

- 1) Hayyama argachuuf iyyanni dhaabbata tajaajila ogummaa abukaatummaatiin dhiyaatu dhimma kanaaf unkaa Biirtoon qopheesse irratti guutamuun ragaalee barbaachisaa waliin qabsiisuun kan dhiyaatu ta'a.
- 2) Iyyannoon akkaataa Keewwata kana Keewwata Xiqqaa 1 tiin dhiyaatu, ragaalee armaan gadii sirrummaan isaanii mirkanaa'e waliin wal qabatee dhiyaachuu qaba.
 - (a) Barreeffama hundeeffama dhaabbata tajaajila ogummaa abukaatummaa;
 - (b) Dambii ittiin bulmaata dhaabbata tajaajila ogummaa abukaatummaa;
 - (c) Footo koppii hayyama abukaatummaa ittigaafatamaafi miseensota dhaabbata tajaajila ogummaa abukaatummaa.

19. Hayyama Kennuu

- 1) Iyyanni dhaabbata tajaajila ogummaa abukaatummaatiin akkaataa Labsii kana Keewwata 18n guutuu ta'ee yoo dhiyaate, guyyaa iyyanni dhiyaate irraa eegalee guyyaa 5 keesatti Biirtoon hayyama kennuu qaba.
- 2) Iyyannoon hayyama abukaatummaa fudhatama kan hin arganne yoo ta'e, Biirtoon sababa iyyannichi kufaa ta'ef iyyataa beeksisuu qaba.

ክፍል ሶስት

የጥብቅና ሙያ አገልግሎት ድርጅት

፲፮. የጥብቅና ሙያ አገልግሎት ድርጅት ማቋቋም

- ፩) ደረጃቸው ተመጣጣኝ የሆነ ዋና የጥብቅና ሙያ ፈቃድ ያላቸው ሁለት ወይም ከዚያ በላይ የሆኑ ጠበቆች የጥብቅና ሙያ አገልግሎት ድርጅት በሽርክና ማህበር ስምምነት ማቋቋም ይችላሉ።
- ፪) በዚህ አንቀፅ ንዑስ አንቀፅ ፩ መሠረት የሚቋቋም የጥብቅና ሙያ አገልግሎት ድርጅት ተራ የሽርክና ማህበር ሆኖ ከሚሰጠው ስም ቀጥሎ ተራ የሽርክና ማህበር የሚል ሊኖረው ይገባል።
- ፫) በዚህ አንቀፅ ንዑስ አንቀፅ ፩ መሰረት የተቋቋመ የጥብቅና ሙያ አገልግሎት ድርጅት አላማው የጥብቅና ሙያ አገልግሎት ለመስጠት ብቻ ይሆናል።

፲፰. ፈቃድ ለማግኘት የሚቀርብ ማመልከቻ

- ፩) ፈቃድ ለማግኘት በጥብቅና ሙያ አገልግሎት ድርጅት የሚቀርብ ማመልከቻ ለዚሁ ጉዳይ ቢሮው ባዘጋጀው ቅፅ ተሞልቶ አስፈላጊ ከሆኑ ማስረጃዎች ጋር ተያይዞ የሚቀርብ ይሆናል።
- ፪) በዚህ አንቀፅ ንዑስ አንቀፅ ፩ መሰረት የሚቀርበው ማመልከቻ ትክክለኛነታቸው ከተረጋገጡ ከዚህ በታች ከተዘረዘሩት ማስረጃዎች ጋር ተያይዞ መቅረብ አለበት፡-
 - (ሀ) የጥብቅና ሙያ አገልግሎት ድርጅት መመስረቻ ዕሑፍ፤
 - (ለ) የጥብቅና ሙያ አገልግሎት ድርጅት መተዳደሪያ ደምብ፤
 - (ሐ) ለጥብቅና ሙያ አገልግሎት ድርጅት ኃላፊና አባላት የተሰጡ የጥብቅና ፈቃዶች ፎቶ ኮፒ።

፲፱. ፈቃድ መስጠት

- ፩) የጥብቅና ሙያ አገልግሎት ድርጅት ማመልከቻ በዚህ አዋጅ አንቀፅ ፲፰ መሰረት ተሟልቶ ሲቀርብ ማመልከቻው ከቀረበበት ቀን ጀምሮ በ፭ ቀናት ውስጥ ቢሮው ፈቃድ መስጠት አለበት።
- ፪) የጥብቅና ፍቃድ ማመልከቻው ተቀባይነት ያላገኘ እንደሆነ ቢሮው ማመልከቻው ውድቅ የሆነበትን ምክንያት ለአመልካቹ ማሳወቅ አለበት።

Part Three

Law Firm

17. Establishment of a Law Firm

- 1) Two or more advocates who have the principal advocacy license with similar status may establish professional law firm by partnership agreement.
- 2) A professional law firm which is established in accordance with Sub-Article 1 of this Article shall be a limited liability ordinary partnership and shall bear the phrase "limited liability ordinary partnership" next to its name
- 3) The professional law firm established in accordance with Sub-Article 1 of this Article shall be established to render only advocacy service.

18. Application for License

- 1) Application for law firm license shall be filled in a form prepared by the Bureau and shall be submitted with the relevant documents.
- 2) The application submitted in accordance with Sub-Article 1 of this Article shall be presented with the following authenticated document:
 - (a) Memorandum of Association of law firm;
 - (b) Bylaw of a law firm;
 - (c) Copies of advocacy license given to the head and members of the firm.

19. Issuance of License

- 1) Where application is submitted with full compliance in accordance with Article 18 of this Proclamation by the law firm, the Bureau shall issue a license within 5 days starting from the date of application.
- 2) Where the application for law firm license has been rejected, the Bureau shall notify the applicant the ground thereon.

- 3) Hayyamni dhaabbata tajaajila ogummaa abukaatummaatiif kennamu kanneen armaan gadii of keessatti qabaachuu qaba:
 - (a) Maqaa dhaabbatichaa;
 - (b) Teesoo hojii idilee dhaabbatichaa;
 - (c) Lakkoofsa waraqaa hayyamichaa;
 - (d) Guyyaafi bara hayyamni kennameefi
 - (e) Maqaafi mallattoo nama hayyama kennee.
- 4) Dhaabbanni tajaajila ogummaa abukaatummaa Biiroo irraa hayyama osoo hin argatin tajaajila ogummaa abukaatummaa kennuu hin danda'u.
- 5) Dhaabbanni tajaajila ogummaa abukaatummaa guyyaa hayyama argate irraa eegalee qaama seerummaa ni argata.

20. Nama Miseensa Dhaabbatichaa Ta'uu Danda'u

Namni miseensa dhaabbata tajaajila ogummaa abukaatummaa ta'uu danda'u akkaataa Labsii kanaatiin nama hayyama abukaatummaa muummee qabu ofaadha.

21. Dirqama Miseensotaa

- 1) Namni miseensa dhaabbata tajaajila ogummaa abukaatummaa kennu dhuunfaa isaatiin tajaajila abukaatummaa kennuus ta'e miseensa dhaabbata tajaajila ogummaa abukaatummaa biraa ta'uu hin danda'u.
- 2) Kan Keewwata kana Keewwata Xiqqaa 1 jalatti tumame jiraatuyyuu abukaatoon miseensa dhaabbata ogummaa abukaatummaa osoo hin ta'in dura dhimmoota qabate raawwachu yookiin akkaataa Labsii kana Keewwata 5 Keewwata Xiqqaa 2 (a) fi (b)tiin falmuu ni danda'a.
- 3) Abukaatoon miseensa dhaabbata tajaajila ogummaa abukaatummaa ta'e tokko haala kamiinuu dhaabbata tajaajila ogummaa abukaatoo keessaa yoo bahu miseensa dhaabbatichaa ta'uu isaatiin icciti dhimmoota beekuu eeguu qaba.
- 4) Nama dhaabbaticha waliin falmii qabuuf tajaajila ogummaa abukaatummaa kennuu hin qabu.

22. Barreeffama Hundeeffamaa Fooyyessuu
Barreeffamni hundeeffama dhaabbata tajaajila abukaatummaa kennuu yoo fooyya'e barreeffamni fooyya'e Biiroof dhiyaatee Biiroodhaan mirkanaa'uu qaba.

- ፫) ለጥብቅና ሙያ አገልግሎት ድርጅት የሚሰጥ ፈቃድ የሚከተሉትን የያዘ መሆን አለበት፡-
 - (ሀ) የድርጅቱን ስም፤
 - (ለ) የድርጅቱን መደበኛ የስራ አድራሻ፤
 - (ሐ) የፈቃድ ወረቀት ቁጥር፤
 - (መ) ፈቃዱ የተሰጠበትን ቀንና አመተ ምህረትና
 - (ሠ) ፈቃዱን የሰጠው ሰው ስምና ፊርማ፡፡
- ፬) የጥብቅና ሙያ አገልግሎት ድርጅት ከቢሮ ፈቃድ ሳይገኝ የጥብቅና ሙያ አገልግሎት መስጠት አይችልም፡፡
- ፭) የጥብቅና ሙያ አገልግሎት ድርጅት ፈቃድ ካገኘበት ቀን ጀምሮ ህጋዊ ሰውነት ይኖረዋል፡፡

፳. የድርጅቱ አባል መሆን የሚችል ሰው

አንድ ሰው የጥብቅና ሙያ አገልግሎት ድርጅት አባል መሆን የሚችለው በዚህ አዋጅ መሰረት ዋና የጥብቅና ሙያ ፈቃድ ሲኖረው ብቻ ነው፡፡

፳፩. የአባላቶቹ ግዴታ

- ፩) የአንድ የጥብቅና ሙያ አገልግሎት ድርጅት አባል የሆነ ሰው በግሉ የጥብቅና ሙያ አገልግሎት መስጠትም ሆነ የሌላ የጥብቅና ሙያ አገልግሎት ድርጅት አባል መሆን አይችልም፡፡
- ፪) በዚህ አንቀፅ ንዑስ አንቀፅ ፩ ስር የተደነገገው ቢኖርም የጥብቅና ሙያ አገልግሎት ድርጅት አባል ከመሆኑ በፊት የያዛቸውን ጉዳዮች ለመፈፀም ወይም በዚህ አዋጅ አንቀፅ ፭ ንዑስ አንቀፅ ፪ (ሀ) እና (ለ) መሰረት መከራከር ይችላል፡፡
- ፫) የጥብቅና ሙያ አገልግሎት ድርጅት አባል የሆነ ሰው በማንኛውም ሁኔታ ከጥብቅና ሙያ አገልግሎት ድርጅት ቢወጣ የድርጅቱ አባል በመሆኑ ያወቃቸውን ምስጢሮች መጠበቅ አለበት፡፡
- ፬) ከድርጅቱ ጋር ክርክር ላለው ግለሰብ የጥብቅና ሙያ አገልግሎት መስጠት የለበትም፡፡

፳፪. የመመስረቻ ፅሁፍ ማሻሻል

የጥብቅና ሙያ አገልግሎት ድርጅት የመመስረቻ ጽሁፍ የሚሻሻል ከሆነ የተሻሻለው ጽሁፍ ለቢሮ ቀርቦ በቢሮ መጽደቅ አለበት፡፡

- 3) The license issued for the law firm shall include the followings:
 - (a) Name of the law firm,
 - (b) The regular working address,
 - (c) License certificate number,
 - (d) Issuance date and year of the law firm; and
 - (e) Name and signature of the person who issued the license.
- 4) Unless the law firm is granted a license from the Bureau, it can not render advocacy service.
- 5) A law firm shall have a legal Personality as of the day of its license issuance.

20. Members to Law Firm

Membership to a law firm is allowed only for advocates with principal advocacy license according to this Proclamation.

21. Member's Obligation

- 1) Any person who is a member of one law firm shall not render advocacy service in his private capacity and be a member of another law firm.
- 2) Notwithstanding to Sub-Article 1 of this Article, an advocate may finish cases he has started before being a member of a law firm or pleads cases in accordance with Article 5 Sub-Article 2 (a) and (b) of this Proclamation.
- 3) Any advocate, who is a member of a law firm and release a law firm shall keep the secrets he knew because of his membership.
- 4) Shall not render professional advocacy service for any person who has pleading with law firm he has been a member.

22. Revision of Memorandum of Association

Where a Memorandum of Association of law firm is revised, shall be lodged to the Bureau and ratified.

23. Dirqama Ogummaan Tajaajiluu

Abukaatoon miseensa dhaabbata tajaajila ogummaa abukaatummaa dhukkubaan, hayyamaan yookiin sababa humnaa ol ta'een tajaajila irraa eegamu kennuu kan hin dandeenye yoo ta'e malee tajaajila ogummaa abukaatummaa irraa eegamu karaa dhaabbatachaatiin osoo addaan hin kutiin kennuu qaba.

24. Walitti Makamiinsaafi Adda Bahuu

- 1) Dhaabbanni tajaajila ogummaa abukaatummaa kennan lamaafi isaa ol akkaataa seera ilaallatuuniifi dambii ittiin bulmaata isaaniitiin walitti makamuu ni danda'u; walitti makamiinsi yeroo raawwatamu mirgaafi dirqamni dhaabbata tajaajila ogummaa abukaatummaa kennu duraanii gara dhaabbata walitti makameetti ni darba.
- 2) Dambiin ittiin bulmaata dhaabbatichaafi seerota biroottiin kan hayyamamu yoo ta'e, dhaabbatichi akkaataa seeraatiin adda qoodamuu ni danda'a; dhaabbanni adda qoodame mirgaafi dirqama dhaabbanni duraa-nii qabuuf ittigaafatamummaa walqixaa ni qabaata.
- 3) Dhaabbanni walitti makameefi dhaabbileen adda qoodaman akkaataa Labsii kanaatiin galmaa'uu qabu.

25. Raawwatiinsa Tumaalee Seera Daldalaa

Tumaaleen seera daldalaa dhaabbata gamtaa idilee irratti raawwatiinsa qabaatan akkaataa barbaachisummaa isaaniitti dhaabbata tajaajila ogummaa abukaatummaa irrattis raawwatiinsa ni qabaatu.

26. Itti Gaafatamummaa

- 1) Ittigaafatamaan dhaabbata tajaajila ogummaa abukaatummaa abukaatonni dhaabbaticha keessatti hojjetaniifi hojjettoonni biroos dambii naamusa ogummaa kabajuun hojjechuu isaanii ni mirkaneessa.
- 2) Dhaabbanni tajaajila abukaatummaa tajaajila kennuun wal qabatee miidhaa maamiltoota isaa irra gahuuf akkaataa Seera Hariiroo Hawaasaatiin beenyaa kafaluuf ittigaafatamummaa ni qabaata.
- 3) Miseensa dhaabbata tajaajila ogummaa abukaatummaa ta'uun tajaajila abukaatummaa kennuudhaan walitti dhufeenya seera qabeessa abukaatoofi maamila gidduutti jiraachuu qabuufi ittigaafatamummaa naamusa ogummaa abukaatummaa hin hambisu.

፳፫. በሙያ የማገልገል ግዴታ

የጥብቅና ሙያ አገልግሎት ድርጅት አባል የሆነ ጠበቃ በህመም፣ በፈቃድ ወይም ከአቅም በላይ በሆነ ምክንያት የሚጠበቅበትን የሙያ አገልግሎት ለመስጠት የማይችል ካልሆነ በቀር የሚጠበቅበትን የጥብቅና ሙያ አገልግሎት በድርጅቱ አማካኝነት ሳያቋርጥ መስጠት አለበት።

፳፬. መዋሐድና ስለመከፋፈል

- ፩) ሁለት ወይም ከዚያ በላይ የሆኑ የጥብቅና ሙያ አገልግሎት የሚሰጡ ድርጅቶች ጉዳይ በሚመለከተው ህግና በመተዳደሪያ ደምባቸው መሰረት መዋሐድ ይችላሉ፤ ውህደቱ ሲፈፀም የነበረው የጥብቅና አገልግሎት ድርጅት መብትና ግዴታ ወደ ተዋሐደው የጥብቅና አገልግሎት ድርጅት ይተላለፋል።
- ፪) የድርጅቱ መተዳደሪያ ደምብና አግባብነት ያለው ህግ ከፈቀደ ድርጅቱ በህግ መሠረት ሊከፋፈል ይችላል፤ የተከፋፈለው ድርጅት ቀድሞ የነበረው ድርጅት ላለበት መብትና ግዴታ እኩል ተጠያቂነት አለበት።
- ፫) የተዋሐዱና የተከፋፈሉ ድርጅቶች በዚህ አዋጅ መሠረት መመዘገብ አለባቸው።

፳፭. የንግድ ህግ ድንጋጌዎች ተፈጻሚነት

በተራ የሽርክና ማህበር ላይ ተፈጻሚነት ያላቸው የንግድ ህግ ድንጋጌዎች እንደ አስፈላጊነታቸው በጥብቅና ሙያ አገልግሎት ድርጅትም ላይ ተፈጻሚነት ይኖራቸዋል።

፳፮. ተጠያቂነት

- ፩) የጥብቅና ሙያ አገልግሎት ድርጅት ጋላፊ በድርጅቱ ውስጥ የሚሰሩ ጠበቆችና ሌሎች ሰራተኞችም የሙያ ሥነ-ምግባር ደንብ አክብረው እየሰሩ መሆናቸውን ያረጋግጣል።
- ፪) የጥብቅና አገልግሎት ድርጅት ከሚሰጠው አገልግሎት ጋር በተያያዘ በደንበኞቹ ላይ ለሚደርሰው ጉዳት በፍትህ-ብሔር ህግ መሠረት ካሳ የመክፈል ግዴታ አለበት።
- ፫) የጥብቅና ሙያ አገልግሎት ድርጅት አባል ሆኖ የጥብቅና ሙያ አገልግሎት መስጠት በደንበኛውና በጠበቃው መካከል ሊኖር የሚገባውን ህጋዊ ግንኙነትና የሙያ ሥነ-ምግባር ተጠያቂነትን አያስቀርም።

23. Obligation to Serve Professionally

An advocate who is a member of a law firm shall render advocacy service without interruption unless otherwise he is sick, on leave or in force majeure.

24. Merging and Division of Law Firm

- 1) Two or more law firms may merge in accordance with the law and its memorandum of association; rights and obligations of the merged firms shall be transferred to the newly formed one's.
- 2) A firm may be divided in accordance with the law and its memorandum of association; rights and obligations of the divided firm shall be transferred equally to the newly formed firms.
- 3) The merged and divided firm shall be registered in accordance with this Proclamation.

25. Applicable of Provisions of Commercial Code

The provisions of Commercial Code which are applicable on ordinary partnership shall also be applicable on law firm as may be necessary.

26. Accountability

- 1) The head of a law firm shall ensure whether advocates and other workers working in the firm respect professional ethics.
- 2) Any law firm which render advocacy service shall be liable to correct any injury sustained by its client in accordance with civil law.
- 3) Being a member of a law firm and rendering advocacy service shall not disregard the lawful relationship between an advocate and a client, and the accountability for professional ethics.

27. Haala Hayyamni Itti Haqamu

- 1) Hayyamni dhaabbata tajaajila ogummaa abukaatummaa kennuu sababoota armaan gadiitiin ni haqama:
 - (a) Dhaabbatichi hojiisaa yoo dhaabe;
 - (b) Dhaabbatichi hayyama isaaf kennameefi kaayyoo ittiin hundeeffameen ala hojjatee yoo argame;
 - (c) Dhaabbatichi akkaataa seeraatiin akka diigamu yoo murtaa'e;
 - (d) Baay'inni miseensota dhaabbatichaa lamaa gadi yoo ta'e; yookiin,
 - (e) Dhaabbatichi sochii seeraan alaa yoo taasise yookiin gibira kan hin kaffalle yoo ta'e.
- 2) Biiron akkaataa Keewwata kana Keewwata Xiqqaa ltiin murtii kennuun dura bakka bu'aan dhaabbatichaa yaada akka kennu ni taasisa; bakka bu'ichi teessoo galmeessiseen kan hin argamne yoo ta'e ragaa jiruun murtiin barbaachisaa ta'e ni kennama.
- 3) Dhaabbanni hayyamni jalaa haqame akkaataa Dambii Labsii kana raawwachiisuuf bahuun kaffaltii murtaa'u kaffaluun ragaa haqamuu hayyamaa ibsu fudhachuu ni danda'a.
- 4) Biiron akkaataa Labsii kanaatiin murtiin hayyama haquu dabarse kan ragga'u murtiin haqamuu hayyamaa guyyaa gaazexaa irratti maxxanfame irraa eegalee ta'a.

KUTAAAFUR

Tumaalee Waliinii

28. Kaffaltii Tajaajilaa

- 1) Abukaatoon yookiin Dhaabbanni tajaajila ogummaa abukaatummaa tajaajila argatuuf kaffaltii tajaajilaa kaffaluu qaba.
- 2) Gostii kaffaltii tajaajilaafi haalli raawwii isaa Dambii bahuun kan murtaa'u ta'a.
- 3) Abukaatoon yookiin dhaabbanni tajaajila ogummaa abukaatummaa tajaajila maamilaaf kennuuf kaffaltii tajaajila kenneen walmadaalu kaffalchiisuu ni danda'a. Kaffaltii kaffalchiiseef nagahee kennuu qaba; hammi kaffaltii Dambii bahuun kan murtaa'u ta'a.

29. Galmee Gurmeessuu

Akkaataa Labsii kanaatiin Biiron ragaa abukaatotaaifi dhaabbata tajaajila ogummaa abukaatummaa kan qabuufi ummataaf banaa kan taasifamu galmee ni gurmeessa.

፳፯. ፈቃድ የሚሰረዘበት ሁኔታ

- ፩) የጥብቅና ሙያ አገልግሎት ሰጪ ድርጅት ፈቃድ በሚከተሉት ምክንያቶች ይሰረዛል፡፡
 - (ሀ) ድርጅቱ ስራውን ካቆመ፤
 - (ለ) ድርጅቱ ከተሰጠው ፈቃድና ከተቋቋመበት አላማ ውጪ ሲሰራ ከተገኘ፤
 - (ሐ) ድርጅቱ በህግ መሰረት እንዲፈርስ ከተወሰነ፤
 - (መ) የድርጅቱ አባላቶች ከሁለት በታች ከሆኑ፤ ወይም
 - (ሠ) ድርጅቱ ህገ ወጥ እንቅስቃሴ ካደረገ፤ ወይም ግብር የማይከፍል ከሆነ፡፡
- ፪) ቢሮው በዚህ አንቀጽ ገፅ-ስ አንቀጽ ፩ መሰረት ውሳኔ ከመሥጠቱ በፊት የድርጅቱን ኃላፊ ሃሳብ እንዲሰጥ ያደርጋል፤ ኃላፊው ባስመዘገበው አድራሻ የማይገኝ ከሆነ ባለው ማስረጃ አስፈላጊውን ውሳኔ ይሠጣል፡፡
- ፫) ፈቃዱ የተሰረዘበት ድርጅት ይህን አዋጅ ለማስፈጸም በሚወጣው ደምብ መሰረት የሚወሰን ክፍያ በመክፈል የፈቃዱን መሰረዝ የሚገልፀውን ማስረጃ መውሰድ ይችላል፡፡
- ፬) ቢሮው በዚህ አዋጅ መሰረት ፈቃድ እንዲሰረዝ የወሰነው ውሳኔ የሚፀድቀው የመሰረዙ ውሳኔ በጋዜጣ ታትሞ ከወጣበት ቀን ጀምሮ ይሆናል፡፡

ክፍል አራት

የወል ድንጋጌዎች

፳፰. ክፍያ

- ፩) ጠበቃ ወይም የህግ ሙያ አገልግሎት ድርጅት ላገኘው አገልግሎት የአገልግሎት ክፍያ መክፈል አለበት፡፡
- ፪) የአገልግሎት ክፍያ አይነትና አፈፃፀሙ ይህን አዋጅ ለማስፈጸም በሚወጣው ደምብ የሚወሰን ይሆናል፡፡
- ፫) ጠበቃ ወይም የህግ ሙያ አገልግሎት ድርጅት ለደምበኛው ለሚሰጠው አገልግሎት ከሰጠው አገልግሎት ጋር የሚመጣጠን ክፍያ ማስከፈል ይችላል፡፡ ላስከፈለው ክፍያ ደረሰኝ መስጠት አለበት፤ የክፍያው መጠን በሚወጣው ደምብ የሚወሰን ይሆናል፡፡

፳፱. መዝገብ ማደራጀት

በዚህ አዋጅ መሰረት ቢሮው የጠበቆችንና የጥብቅና ሙያ አገልግሎት ድርጅቶችን መረጃ የሚይዝና ለህዝብ ክፍት የሚሆን መዝገብ ያደራጃል፡፡

27. Revocation of License

- 1) A law Firm License shall be revoked due to the following reasons:
 - (a) Where the firm phases out;
 - (b) Where the firm is found practicing contrary to the license issued and its objective;
 - (c) Where the dissolution of the firm is decided in accordance with the law;
 - (d) Where it is found that the members of the firm are below two, or
 - (e) Where it is found performing unlawful act or does not pay tax.
- 2) The Bureau before making a decision in accordance with Sub-Article 1 of this Article, allows the firm's agent to forward his opinion, where the agent is not found at his registered address it shall give necessary decision depending on the available evidence.
- 3) A law firm whose license has been revoked shall pay some amount of money stated in the Regulation to be issued for the implementation of this Proclamation up on the receipt of the document of the revoked license.
- 4) The decision of revoked of license passed by the Bureau in accordance with this Proclamation shall come in to effect up on the notice issuance on the Newspaper.

PART FOUR

Common Provisions

28. Service Fee

- 1) Advocates or law firm shall pay service fee for service given to it.
- 2) The type of service and its execution shall be decided by the Regulation to be issued.
- 3) Advocates or law firm may request a reasonable service fee for service he renders to his client, shall give a receipt upon receiving the service fee; the amount of the service fee shall be decided by the Regulation to be issued.

29. Organizing Files

The Bureau, in accordance with this Proclamation shall organize a register in which particulars of the advocates and the law firm are registered and shall be open to the public.

30. Qacaruufi Galmeessisuu

- 1) Abukaatoon yookiin dhaabbanni tajaajila ogummaa abukaatummaa gargaaraa abukaatoofi hojjettoota biroo hojichaaf barbaachisan qacaruu ni danda'a.
- 2) Keewwata kana Keewwata Xiqqaa 1 jalatti kan tumame jiraatuyyuu abukaatoon yookiin dhaabbanni tajaajila ogummaa abukaatummaa kanneen armaan gadii gargaaraa abukaatummaatiin qacaruu hin danda'u.
 - (a) Hayyamni abukaatummaa isaa kan haqame yookiin kan dhooorkame;
 - (b) Mana hojii hojjetu keessaa badii naamusaatiin hojii irraa kan gaggeeffame;
 - (c) Yakkaan himatamee kan adabamee fi deebi'ee kan hin mogga-famne; yookiin
 - (d) Hojii dhaabbii mootummaa kan qabu.
- 3) Abukaatoon yookiin dhaabbanni tajaajila ogummaa abukaatummaa kennu gargaaraa abukaatoofi hojjettoota biroo qaxare maqaa isaaniifi gahee hojii isaanii guyyaa qacarrii raawwate irraa eegalee guyyoota 15 keessatti barreeffamaan Biiroo beeksisuu fi galmeessisuu qaba.
- 4) Kan Keewwata kana Keewwata Xiqqaa 2 (a) fi (b) jalatti tumame jiratuuyyuu yeroon rikardii adabbii namusaa Labsii kanaan yookiin seera hojjettoota mootummaatiin tumame kan darbe yoo ta'e abukaatoon hayyamni isaa dhooorkame yookiin haqame yookiin hojjetaa namusaan hojii irraa gaggeeffame gargaaraa abukaatoon ta'ee akka qaxaramu gochuun ni danda'ama.

31. Jijjiirama Beeksisuu

Akkaataa Labsii kanaatiin abukaatoon yookiin dhaabbanni tajaajila ogummaa abukaatummaa hayyamni kennameef jijjiirama yookiin fooyya'iinsa kamiyyuu taasise guyyaa kudha shan keessatti Biirroof barreeffamaan beeksisuu qaba.

32. Hayyama Waraqaa Ragaa Bakka Buusuu

Abukaatoon yookiin dhaabbanni tajaajila ogummaa abukaatummaa warqaan ragaa hayyama abukaatummaa yoo jalaa bade yookiin tajaajilaan ala ta'e, Biirrooti barreeffamaan iyyachuun kaffaltii barbaachisu raawwatee warqaan ragaa hayyamaa akka bakka buufamuuf gaafachuu ni danda'a.

፴. መቅጠርና መመዝገብ

- ፩) ጠበቃ ወይም የጥብቅና ሙያ አገልግሎት ድርጅት የጠበቃ ረዳትና ሌሎች አስፈላጊ ሰራተኞችን መቅጠር ይችላል።
- ፪) በዚህ አንቀፅ ንዑስ አንቀፅ ፩ ስር የተደነገገው ቢኖርም ጠበቃ ወይም የጥብቅና ሙያ አገልግሎት ድርጅት ከዚህ በታች የተዘረዘሩትን በጠበቃ ረዳትነት መቅጠር አይችልም፡-
 - (ሀ) የጥብቅና ፈቃዱ የተሰረዘበት ወይም የታገደበት፤
 - (ለ) ከሚሰራበት መስሪያ ቤት በስነምግባር ጉድለት ከስራ የተሰናበተ፤
 - (ሐ) በወንጀል ተከሶ የተቀጣና ተመልሶ ያልተሰየመ፤ ወይም
 - (መ) ቋሚ የመንግስት ስራ ያለው፤
- ፫) ጠበቃ ወይም የጥብቅና ሙያ አገልግሎት ሰጪ ድርጅት የቀጠረውን የጠበቃ ረዳትና የሌሎች ሰራተኞችን ሥምና የሥራ ድርሻቸውን ቅጥር ከፈፀመበት ቀን ጀምሮ በ፲፭ ቀናት ውስጥ በጽሑፍ ለቢሮ ማሳወቅና ማስመዝገብ አለበት።
- ፬) በዚህ አንቀፅ ንዑስ አንቀፅ ፪ (ሀ) እና (ለ) ሥር የተደነገገው ቢኖርም የሥነ-ምግባር ቅጣት ሪከርድ በዚህ አዋጅ ወይም በመንግስት ሠራተኛ ህግ የተደነገገው ጊዜ ያለፈ ከሆነ የጥብቅና ፈቃዱ የታገደ ወይም የተሰረዘ ወይም በስነ-ምግባር ጥፋት ከስራ የተሰናበተን ሠራተኛ የጠበቃ ረዳት አድርጎ መቅጠር ይቻላል።

፴፩. ለውጥን ማሳወቅ

በዚህ አዋጅ መሰረት ፈቃድ የተሰጠው ጠበቃ ወይም የጥብቅና ሙያ አገልግሎት ድርጅት ማናቸውንም ለውጥ ወይም ማሻሻያ ሲያደርግ በ፲፭ ቀናት ውስጥ ለቢሮ በጽሑፍ ማሳወቅ አለበት።

፴፪. የፈቃድ ምስክር ወረቀት መተካት

የጥብቅና ፈቃድ የምስክር ወረቀት የጠፋበት ወይም ከጥቅም ወጪ የሆነበት ጠበቃ ወይም የጥብቅና ሙያ አገልግሎት ድርጅት ለቢሮ በጽሑፍ በማመልከት አስፈላጊውን ክፍያ ፈጽሞ የጥብቅና ፈቃድ የምስክር ወረቀቱ እንዲተካለት መጠየቅ ይችላል።

30. Employment and Registration

- 1) An advocate or law firm may employ assistance advocates and other employees needed for the work.
- 2) Notwithstanding the provision of Sub-Article 1 of this Article, an advocate or a law firm may not employ the following person as assistance of advocates:
 - (a) A person whose advocacy license is revoked or suspended;
 - (b) A person dismissed from office due to disciplinary infringement;
 - (c) A person charged for and convicted in an office and not reinstated;
 - (d) A permanent public servant.
- 3) Any advocate or law firm shall notice and caused to be registered law clerk and other employees employed with their name and job description to the Bureau within 15 days starting from the day when employment has taken place.
- 4) Notwithstanding to Sub-Article 2 (a) and (b) of this Article an advocate or law firm may employ as law clerk a person whose advocacy license is revoked or suspended or a person dismissed from office due to disciplinary infringement where time limit for his reinstatement is over or passed by this Proclamation or civil service law.

31. Notification of Change

Advocate or law firm who obtained advocacy license in accordance with this Proclamation shall notify in writing any change or improvement to the Bureau within fifteen days from the day the change is made.

32. Replacing a License

A lost or damaged license of an advocate or a law firm shall be replaced up on submitting of a written application to the Bureau and payment thereof.

33. Haaromsa Hayyamaa

- 1) Hayyamni abukaatummaa yookiin dhaabbata tajaajila ogummaa abukaatummaa waggaa waggaan kan haaromfamu ta'ee, ji'a Adoolessa 1 hanga 30 ta'uu qaba.
- 2) Yeroo Keewwata kana Keewwata Xiqqaa 1 jalatti tumame keessatti abukaatoon yookiin dhaabbanni tajaajila ogummaa abukaatummaa hayyama isaa hin haaromsine adabbii qarshii dabalataa kaffaluun hanga Fulbaana 30tti haaromsachuu ni danda'a.
- 3) Bu'uura Keewwata kana Keewwata Xiqqaa 2 tiin abukaatoon yookiin dhaabbanni tajaajila ogummaa abukaatummaa sababa humnaa ol ta'een yeroo kaa'ame keessatti hayyama isaa hin haaromsiiifne akka ilaalamuuf Biirootti iyyachuu ni danda'a.
- 4) Gaaffiin haaromsa hayyama abukaato yookiin dhaabbata tajaajila ogummaa abukaatummaa dhiyaatu kanneen armaan gadii of keessatti gabaachuu qaba:
 - (a) Naga'ee gibira bara sanaa kan itti kaffalame;
 - (b) Namoota harka qalleeyyii ta'uun kaffaltii tajaajilaa kaffaluu hin dandeenyeef waggaatti sa'aa 50 fi sanaa oliif tajaajila bilisaa kennuu isaa ragaa ibsu;
 - (c) Leenjii Biiroodhaan bara sana kenname fudhachuu isaa ragaa agarsiisu.
- 5) Sirna tajaajila abukaatummaa bilisaa ittiin hordofamuufi gabaafamu Biiron Haqaa fi Manni Murtii Waliigalaa waliin ta'uun ni diriirsu.
- 6) Iyyataan bu'uura Labsii kanaatiin Dambii ba'u irratti kaffaltii haaromsaaf murtaa'u kaffaluu qaba.

34. Hayyama Deebisuu

- 1) Abuukaatoon yookiin dhaabbanni tajaajila ogummaa abukaatummaa kamiyyuu hojii ogummaa kanaan alaa irratti adda dureedhaan kan bobba'e yoo ta'e, yookiin sababa kamiinuu hojii tajaajila ogummaa abukaatummaa kennuu kan hin dandeenye yoo ta'e, akka haala isaatti hayyama isaa yeroo murtaa'eef yookiin dhaabbiidhaan Biiroof ni deebisa.

፴፫. የፈቃድ እድገት

- ፩) የጥብቅና ፈቃድ በየአመቱ የሚታደስ ሆኖ፣ የሚፈፀመው ከሐምሌ ፩ እስከ ፱ መሆን አለበት።
- ፪) በዚህ አንቀፅ ንዑስ አንቀፅ ፩ በተደነገገው ጊዜ ውስጥ ፈቃዱን ያላደሰ ጠበቃ ወይም የጥብቅና ሙያ አገልግሎት ድርጅት ተጨማሪ የቅጣት ገንዘብ በመክፈል እስከ መስከረም ሠላሳ ማሳደስ ይችላል።
- ፫) በዚህ አንቀጽ ንዑስ አንቀጽ ፪ መሰረት ከአቅም በላይ በሆነ ምክንያት በተፈቀደው ጊዜ ውስጥ ፈቃዱን ያላሳደሰ ጠበቃ ወይም የጥብቅና ሙያ አገልግሎት ድርጅት እንዲታይለት ለቢሮ ሊያመለክት ይችላል።
- ፬) የሚቀርበው ፈቃድ የማሳደስ ጥያቄ የሚከተሉትን መያዝ አለበት፣
 - (ሀ) የዚያን ዓመት ግብር የክፈለበት ደረሰኝ፣
 - (ለ) የጥብቅና አገልግሎት ክፍያን መክፈል ለማይችሉ ሰዎች በአመት ውስጥ አምሳ ሰዓትና ከዚያ በላይ የነፃ አገልግሎት መስጠቱን የሚያረጋግጥ ማስረጃ፣
 - (ሐ) በዚያ አመት በቢሮው የተሰጠውን ስልጠና መውሰዱን የሚያረጋግጥ ማስረጃ፣
- ፭) የነፃ የጥብቅና አገልግሎት አሠጣጥ የመከታተያ ሪፖርት ማድረጊያ ስርዓት የኦሮሚያ ፍትህ ቢሮና የኦሮሚያ ጠቅላይ ፍርድ ቤት አብሮ በመሆን ይዘረጋሉ።
- ፮) አመልካቹ በዚህ አዋጅ መሠረት በሚወጣ ደምብ ውስጥ የሚወሰን የእድሳት ክፍያ መክፈል አለበት።

፴፬. ፈቃድን ስለ መመለስ

- ፩) ማንኛውም ጠበቃ ወይም የጥብቅና ሙያ አገልግሎት ድርጅት ከሙያው ውጭ በሆነ ስራ በዋናነት የተሰማራ እንደሆነ ወይም በሌላ በማንኛውም ምክንያት ሙያዊ የጥብቅና አገልግሎት መስጠት ያልቻለ እንደሆነ ፈቃዱን እንደሁኔታው ለተወሰነ ጊዜ ወይም በቋሚነት ለቢሮው ይመልሳል።

33. Renewal of License

- 1) An advocacy or law firm license shall be renewed annually and it is executed from Hamle 1 up to 30 of Ethiopian calendar.
- 2) Advocate or law firm who may not renew his advocacy license with in time limit stated under Sub-Article 1 of this Article, may with additional fee renew up to Meskerem 30 of Ethiopian Calendar.
- 3) An advocate or law firm who failed to renew advocacy license within the time limit provided under Sub-Article 2 of this Article by force majeure may apply to the Bureau for the renewal.
- 4) Any request for renewal of advocate's or law firm's license shall include the following particulars:
 - (a) A document showing the tax-payment of that year;
 - (b) A document showing that he renders free advocacy service to persons who are unable to hire an advocate for 50 or more hours annually;
 - (c) Document showing that he has taken training given by the Bureau in that year.
- 5) System by which free advocacy service is followed up and reported shall be provided by the Bureau and Oromia Supreme Court.
- 6) An applicant shall pay renewal fee that will be stated in the Regulation issued in accordance with this Proclamation.

34. Returning a License

- 1) Any advocate or law firm shall return his license to the Bureau temporarily or permanently, as the case may be where mainly engaged, in any activity outside the profession or is not in a position to render professional services up on any other ground.

2) Bu'uura Keewwata kana Keewwata Xiqqaa 1 tiin sababni hayyama isaa akka deebisu isa dirqisiise akkuma xumurameen yookiin maqfaameen yeroo hayyama isaa deebise keessatti balleessaa seeraan adabiisuu kan hin raawwanne yoo ta'e, guyyaa hayyamicha deebise irraa eegalee yeroo waggaa tokkoo keessatti kaffaltii barbaachisu raawwachuun hayyama isaa deebisee fudhachuu ni danda'a. Ta'us haala kanaan yeroo tokkoo ol fudhachuu hin danda'u.

35. Leenjii Kennuu

- 1) Biiron kenniinsa tajaajila abukaatummaa fooyyessuuf kan gargaaru abukaatotaaf leenjii kennuu yookiin akka kennamu taasisuu ni danda'a.
- 2) Abukaatoon kamiyyuu rakkoon humnaa olii yoo isa qunname malee, leenjii Biiron kennu fudhachuuf dirqama qaba.

KUTAA SHAN

Balleessaawwaniifi Adabbiwwan

Naamusaa

36. Balleessaa Naamusaa Cima

Balleessaawwan armaan gadii balleessaa naamusaa cimaadha:

- 1) Abukaatichi dirqama falmii keesstti qabu bahuu dhabuu;
- 2) Odeeffannoo dhuunfaa yookiin dhaabbataa maamila isaa yookiin odeeffannoo tajaajila ogummaa isaatiin argate kamiyyuu icciturmaa isaa eeguu dhabuu;
- 3) Dhimma walitti bu'iinsa faayidaa qabu irratti tajaajila ogummaa abukaatummaa kennuu;
- 4) Qabeenyaafi sanada maammilaa eeguu dhabuu;
- 5) Hayyama hin haaromsamneen hojjatee yoo argame;
- 6) Waa'ee isaa yookiin dhaabbataa yookiin tajaajila abukatammaa kennu irratti ibsa sobaa yookiin ibsa nama dogoggorsu kennuu;
- 7) Dhimma maammila isaa ilaalchisee firii dubbii irrattis ta'e dhimma seeraa irratti qaama sadaffaaf odeeffannoo soba ta'e kennuu;
- 8) Gocha heeraafi sirna heerichaan faallaa ta'e raawwachu;
- 9) Balleessaa naamusa salphaatiin yeroo lamaafi isaa oliif himatamee kan adabame;

፪) በዚህ አንቀጽ ንዑስ አንቀጽ ፩ መሠረት ፈቃዱን እንዲመልስ ያስገደደው ምክንያት እንዳለቃ ወይም እንደተወገደ ከሥራው ተለይቶ በቆየበት ጊዜ በሕግ ሊያስቀጣው የሚችል ጥፋት ካልፈፀመ ፈቃዱን ከመለሰበት ቀን ጀምሮ እስከ አንድ ዓመት ጊዜ ውስጥ ሊወስድ ይችላል፤ ይሁን እንጂ በዚህ ሁኔታ ከአንድ ጊዜ በላይ ሊወሰድ አይችልም፡፡

፴፮. ስልጠና ስለመስጠት

- ፩) ቢሮው የጥበቅና አገልግሎት አሰጣጥን ለማሻሻል የሚረዳ ስልጠና ሊሰጥ ወይም እንዲሰጥ ሊያደርግ ይችላል፡፡
- ፪) ማንኛውም ጠበቃ ከአቅም በላይ ካልሆነ በስተቀር ቢሮው የሚሰጠውን ስልጠና የመውሰድ ግዴታ አለበት፡፡

ክፍል አምስት

ጥፋቶችና የዲ.ሲ.ፕ.ሲ.ን እርምጃዎች

፴፯. ከባድ የዲ.ሲ.ፕ.ሲ.ን ጥፋቶች

የሚከተሉት ጥፋቶች ከባድ የዲ.ሲ.ፕ.ሲ.ን ጥፋቶች ናቸው፡፡

- ፩) ጠበቃው በክርክር ወቅት ያሉበትን ግዴታዎች አለመወጣት፤
- ፪) የደንበኛውን ግላዊ ወይም ድርጅታዊ መረጃ ወይም በሙያ አገልግሎት ምክንያት የተገኘን ማናቸውንም መረጃ በምስጢር አለመጠበቅ፤
- ፫) የጥቅም ግጭት ባለበት ጉዳይ ላይ የጥበቅና ሙያ አገልግሎት መስጠት፤
- ፬) የደንበኛውን ንብረትና ሠነድ አለመጠበቅ፤
- ፭) ባልታደሰ ፈቃድ ሰርቶ ሲገኝ፤
- ፮) ስለራሱ ወይም ስለድርጅቱ ወይም ስለሚሰጠው አገልግሎት ሀሰተኛ የሆነ ወይም የሚያሳስት መግለጫ መስጠት፤
- ፯) የደንበኛውን ጉዳይ አስመልክቶ ለሦስተኛ ወገኖች በፍሬ ጉዳይም ሆነ በሕግ ረገድ ሐሰተኛ የሆነ መረጃ መስጠት፤
- ፰) ሕገ መንግሥቱንና ሕገ መንግስታዊ ሥርዓቱን የሚቃረን ድርጊት መፈፀም፤
- ፱) በቀላል የዲ.ሲ.ፕ.ሲ.ን ጥፋት ሁለት ጊዜና ከዚያ በላይ ተከሶ የተቀጣ፤

2) Any advocate or law firm who has returned his license in accordance with Sub-Article 1 of this Article may re-take same up on removal of the cause that compeled him to return his license ceases to exist or removed within one year with payment there on, if he has not committed any fault which would make him liable legally.

35. Giving of Training

- 1) Bureau may give or cause to be given training which assists to improve rendering of advocacy service.
- 2) Unless in force majeure, any advocates have a duty to take a training given by the Bureau.

PART FIVE

Disciplinary Breaches and Penalties

36. Severe Disciplinary Offences

The following shall be regarded as severe disciplinary offences:

- 1) Failing to achieve his obligation in pleading;
- 2) Failing to keep any personal or organizational secret or information of a customer obtained because of his profession;
- 3) Rendering advocacy service where there is conflict of interest;
- 4) Failing to keep client's property and document properly;
- 5) Rendering advocacy service without renewing a license;
- 6) Giving fraudulent or false explanation about himself or his organization or service he renders;
- 7) Giving false information for a 3rd party about his client's case regarding facts or legal issue;
- 8) Committing acts contrary to the constitution and constitutional order;
- 9) Being punished twice or more with simple disciplinary breach;

- 10) Hayyama abukaatummaa dhoorkameen tajaajila ogummaa abukaatummaa kennuu;
- 11) Ragaa sobaatiin yookiin ibsa sobaatiin yookiin dogogorsuudhaan hayyama abukaatummaa argachuu;
- 12) Yakka hanna, gowwoomsuu yookiin sanada sobaa fayyadamuu yookiin yakka itti yaadamee raawwatamu kan waggaa sadii ol nama adabsisuun balleessaadha jedhamuu;
- 13) Kan Labsii kana Keewwata 21 Keewwata Xiqqaa 1 jalatti tumame darbuun abukaatichi miseensa dhaabbata tajaajila ogummaa abukaatummaa ta'ee dhuunfaa isaatiin tajaajila abukaatummaa kennuu yookiin miseensa dhaabbata tajaajila ogummaa abukaatummaa lamaafi isaa ol keessatti miseensa ta'ee argamuu;
- 14) Abbaa Seeraa, Abbaa Alangaa yookiin Dubbii Fixaan yeroo hojjetaa turetti dhimma jaarsummaan ilaale yookiin dhimmaa mana hojii duraan keessa turetti qabatee ture irratti tajaajila abukaatummaa kennuu;
- 15) Dhimma tokko irratti garee wal-falman lamaaniif tajaajila abukaatummaa kennuu;
- 16) Tajaajila kenneef kaffaltii hayyamaameen ol gaafachuu yookiin kaffalchiisuu;
- 17) Daangaa sadarkaa hayyama abukaatummaa isaa darbee tajaajila abukaatummaa kennuu;
- 18) Firii dubbii maammilli ibsateen ala yookiin dhimma bu'uura seeraa hin qabne irratti himata qopheessuu yookiin falmii gaaggeessuu;
- 19) Guyyaa beellamaa sababa gahaa malee dhaddacha irraa hafuu;
- 20) Abukaatoon hayyama abukaatummaa addaa fudhachuun tajaajila abukaatummaa hojjetu tajaajila kenneef maammila isaa kaffalchiisuu;
- 21) Abukaatoon maallaqa yookiin qabeenya maamila isaa yookiin abbaa dhimmaa kan biroo irraa fuudhuun abbaa seeraa, abbaa alangaa yookiin hojjetoota qaamolee haqaa biraatiif kan kenne yookiin kennuuf yaaluu;
- 22) Dhimma maamila isaaf yookiin nama biroo raawwachiisuuf amaalaajummaa dhaquu;

- ፲) ቦታገደ የጥብቅና ፈቃድ የጥብቅና ሙያ አገልግሎት መስጠት፤
- ፲፩) በሐሰት ማስረጃ ወይም መግለጫ ወይም በማታለል የጥብቅና ፈቃድ ማግኘት፤
- ፲፪) በስርቆት፣ በማታለል ወይም በሐሰተኛ ሰነድ በመገልገል ወይም ሆን ተብሎ በሚፈፀም ክህስት ዓመት በላይ በሚያስቀጣ ወንጀል ጥፋተኛ መባል፤
- ፲፫) በዚህ አዋጅ በአንቀፅ ፳፩ በንዑስ አንቀፅ ፩ ስር የተደነገገውን በመተላለፍ ጠበቃው የጥብቅና ሙያ አገልግሎት ድርጅት ማህበርተኛ ሆኖ በግሉ የጥብቅና አገልግሎት መስጠት ወይም በሁለትና ከዚያ በላይ የጥብቅና ሙያ አገልግሎት ድርጅት ውስጥ አባል ሆኖ መገኘት፤
- ፲፬) በዳኝነት፣ በአቃቤ ህግነት ወይም በነገረፈጅነት በሚሰራበት ወቅት በሽምግልና ያየውን ጉዳይ ወይም በቀድሞ መስሪያ ቤት በሚሰራበት ጊዜ ይዞ በነበረው ጉዳይ ላይ የጥብቅና አገልግሎት መስጠት፤
- ፲፭) በአንድ ጉዳይ ላይ ለሁለቱም ተከራካሪ ወገኖች የጥብቅና አገልግሎት መስጠት፤
- ፲፮) ለሰጠው አገልግሎት ከተፈቀደው ክፍያ በላይ መጠየቅ ወይም ማስከፈል፤
- ፲፯) ከጥብቅና ፈቃዱ ደረጃ ወሰን አልፎ የጥብቅና አገልግሎት መስጠት፤
- ፲፰) ደንበኛው ካስያዘው ፍሬ ነገር ውጭ ወጥቶ ክስ መመስረትና ክርክር ማካሄድ፤
- ፲፱) በቀጠሮ ቀን ያለበቁ ምክንያት ከችሎት መቅረት፤
- ፳) አንድ ጠበቃ ልዩ የጥብቅና ፈቃድ በመውሰድ በሚሰጠው አገልግሎት ደንበኛውን ማስከፈል፤
- ፳፩) አንድ ጠበቃ ገንዘብ ወይም የደንበኛውን ወይም የሌላ ባለጉዳይን ንብረት ተቀብሎ ለዳኛ፣ ለአቃቤ ሕግ ወይም ለሌሎች የፍትህ አካላት ሠራተኞች መስጠት ወይም ለመስጠት መሞከር፤
- ፳፪) የደንበኛውን ወይም የሌላ ሰውን ጉዳይ ለማስፈፀም አማላጅነት መሄድ፤

- 10) Rendering advocacy service using a suspended license;
- 11) Getting an advocacy license with a fraudulent document or statement or through mischief;
- 12) Convicted of stealing, committing forgery or fraudulent act or being an offender of a crime intentionally committed entailing to more than three years imprisonment;
- 13) Found rendering advocacy service in his private statues while he is a member of a law firm or being a member in two or more law firms in violation of the provision of Article 21 Sub-Article 1 of this Proclamation;
- 14) Rendering advocacy service on cases he has been an arbitrator, a judge, prosecutor or cases he had pleaded when he was an agent of his previous office;
- 15) Rendering advocacy service on specific case for conflicting parties;
- 16) Asking or making a client pay more **than the permissible payment**;
- 17) Rendering advocacy service beyond the power limitation of his license;
- 18) Preparing statement of claim without facts told to him by a client and proceed pleading;
- 19) Being absent from trial without ample cause;
- 20) Making his client pay for advocacy service he render in statues of special advocacy license;
- 21) Giving or attempting to give money or property of his client or other customer to a judge, prosecutor or to other workers of the justice sector;
- 22) Begging another for his client or other person cases;

- 23) Dhuganii machaa'uu, baala sammuu nama hadoochutti yookiin araada nama qabsiisutti fayyadamuu yookiin iddoowwan kabaja ogummaa abukaatummaa salphisutti argamuu; yookiin,
- 24) Gocha ogummaa abukaatummaa tuffachiisu maamila isaa yookiin nama biroo irratti raawwachuu.

37. Balleessaa Naamusaa Salphaa

Kanneen armaan gadii balleessaawan naamusaa salphaadha.

- 1) Sababa gahaa malee hayyama abukaatoo haaromsuu dhiisuu;
- 2) Labsii kana Keewwata 30 Keewwata Xiqqaa 2 jalatti kan tumame irra darbuun gargaaraa abukaatoo qaxaruun hojjechiisuu;
- 3) Labsii kana Keewwata 30 Keewwata Xiqqaa 3 fi Keewwata 31 jalatti kan tumame irra darbuun gargaaraa abukaatoo yookiin hojjettoota biroo qaxare yookiin jijjiirama yookiin fooyya'iinsa kamiiyyuu taasise barreeffamaan Biiroo beeksisuu fi galmeessisuu yoo baate;
- 4) Yeroo himanni naamusaa isarratti ilaalamaa jiru yookiin tajaajila argachuuf dhufetti jeequmsa yoo kaase yookiin gocha kabaja namaa xiqqeessu yoo raawwate; yookiin,
- 5) Haala dhimmi irra jiru yeroo yeroon maamila isaatiif odeeffannoo sirrii ta'e yoo kennuu baate;

38. Kaayyoo, Gosaafi Ramaddii Adabbii Naamusaa

- 1) Kaayyoon adabbii naamusa abukaatoo, maamilaaf, hawaasaaf, sirna haqaatiifi ogummaa seeraaf haalaan dirqamaafi ittigaafatamummaa ogummaa isaanii abukaatota hin baane yookiin bahuu hin dandeenye irraa hawaasaafi bulchiinsa sirna haqaa eeguudha.
- 2) Abukaatoon yookiin dhaabbanni tajaajila ogummaa abukaatummaa balleessaa naamusaa yoo raawwate, akkaataa ulfina ballessichaatti adabbiiin naamusaa armaan gadii itti murtaa'uu ni danda'a.
 - (a) Akeekkachiisa barreeffamaa;
 - (b) Addabbii qarshii 1,000 hanga 10,000 ga'u,
 - (c) Adabbii qarshii 10,000 ol hanga 20,000 ga'u,
 - (d) Dhorkaa waggaa tokko hin caalle; yookiin,

- ፳፫) ጠጥቶ መስከር፣ በአደንዛዥ ዕዕ ወይም በሌላ ሱስ በሚያስዘነገር ማጠቃለያ ወይም የጥብቅና ሙያ ክብር በሚያዋርድ ቦታ መገኘት፣ ወይም፣
- ፳፬) የጥብቅና ሙያ የሚያስንቅ ተግባር በደንበኛው ወይም በሌላ ሰው ላይ መፈፀም፣

፴፮. ቀላል የዲ.ሲ.ፒ.ሲ.ን ጥፋት

የሚከተሉት ቀላል የዲ.ሲ.ፒ.ሲ.ን ጥፋቶች ናቸው፡፡

- ፩) ያለ በቂ ምክንያት የጥብቅና ፈቃድ ያለማሳደስ፣
- ፪) በዚህ አዋጅ አንቀፅ ፴ ንዑስ አንቀፅ ፪ የተደነገገውን በመተላለፍ የጠበቃ ረዳትን ቀጥሮ ማሠራት፣
- ፫) በዚህ አዋጅ አንቀፅ ፴ ንዑስ አንቀፅ ፫ እና በአንቀፅ ፴፩ የተደነገገውን በመተላለፍ የጠበቃ ረዳት ወይም ሌሎች ሰራተኞችን የቀጠረ ወይም ያደረገውን ማንኛውንም ለውጥ ወይም መሻሻል በጽሑፍ ለቢሮ ያለማሳወቅ እና ያለ ማስመዘገብ፣
- ፬) የዲ.ሲ.ፒ.ሲ.ን ክስ ቀርቦት ጉዳይ በመታየት ላይ ባለ ጊዜ ወይም አገልግሎት ለማግኘት በመጣበት ጊዜ ረብሻ ካነሳ ወይም የሰውን ክብር የሚነካ ተግባር ከፈፀመ ወይም፣
- ፭) በየጊዜው ጉዳይ ያለበትን ሁኔታ ለደንበኛው ትክክለኛ የሆነ መረጃ ያልሰጠ እንደሆነ፣

፴፰. የዲ.ሲ.ፒ.ሲ.ን እርምጃዎች አላማ ዓይነትና ምደባ

- ፩) የጠበቆች የዲ.ሲ.ፒ.ሲ.ን ሥነ-ስርዓት ዓላማ ሕዝብና የፍትህ ስርዓት አስተዳደሩ ለደንበኞች፣ ለህብረተሰቡ፣ ለፍትህ ስርዓትና ለሕግ ሙያ በአግባቡ ሙያዊ ግዴታቸውንና የሙያ ኃላፊነታቸውን ከማይወጡ ወይም ሊወጡ ከማይችሉ ጠበቆች መጠበቅ ነው፡፡
- ፪) የዲ.ሲ.ፒ.ሲ.ን ጥፋት የፈፀመ ጠበቃ ወይም የጥብቅና ሙያ አገልግሎት ድርጅት እንደ ጥፋቱ ክብደት የሚከተሉት ቅጣቶች ሊወሰንበት ይችላል፡፡
 - (ሀ) የጽሑፍ ማስጠንቀቂያ፣
 - (ለ) ከብር ፩ሺ እስከ ፲ሺ በሚደርስ ቅጣት፣
 - (ሐ) ከብር ፲ሺ በላይ እስከ ፳ሺ በሚደርስ መቀጮ፣
 - (መ) ከአንድ ዓመት ላልበለጠ ጊዜ ማገድ፣ ወይም

- 23) Drinking and intoxicated, using addictive leaves or found in a place which undermines the respect of advocacy profession; or
- 24) Performing activities which undermine advocacy profession on his client or on another person.

37. Simple Disciplinary Breach

The following shall be regarded as simple disciplinary breaches.

- 1) Failing to renew advocacy license without sufficient ground;
- 2) Employing a law clerk contrary to Article 30 Sub-Article 2 of this Proclamation;
- 3) Failing to notify and cause to be registered law clerk or other workers employed or any change or improvement by violating Article 30 Sub-Article 3 and Article 31 of this Proclamation;
- 4) Disturbing or committing acts that undermine human dignity where disciplinary cases lodged against him is proceeding or where he is getting service;
- 5) Failing to give correct information regarding the condition to his client on time.

38. Objective, Types and Categories of Disciplinary Measures

- 1) The objective of advocate disciplinary measure is to protect clients, society, the justice system and legal professions from advocates who does not fulfill or fail to perform their duties and responsibilities properly.
- 2) The following disciplinary measures may be imposed by considering severity of disciplinary breaches on advocate or law firm:
 - (a) Written warning;
 - (b) A fine from 1,000-10,000 Birr;
 - (c) A fine of more than 10,000 up to 20,000 Birr;
 - (d) Suspension license for not more than one year; or

- (e) Hayyama abukaatummaa haquu.
- 3) Kan Keewwata kana Keewwata Xiqqaa 2(a) jalatti tarreeffame adabbii naamusaa salphaa jedhamuun ramadama.
- 4) Kan Keewwata kana Keewwata Xiqqaa 2(b)-(e) tti tarreeffaman adabbii naamusaa cimaa jedhamuun ramadamu.

39. Akkaataa Murtii Adabbii Naamusaa

Gumiin, murtii adabbii naamusaa yoo murteessu balleessaa naamusaatiin miidhaa gahe yookiin gahuu danda’u tilmaama keessa galchuun akkaataa Labsii kana Keewwata 38tiin adabbii ibsaman keessaa tokkoo isaatiin yookiin isaa oliin murtii adabbii kennuu ni danda’a.

40. Hayyama Abukaatoo Dhoorkame yookiin Haqame Deebisuu

- 1) Abukaatoon yookiin dhaabbanni tajaajila ogummaa abukaatummaa hayyamni isaa dhoorkame yeroon dhoorkichaa yoo xumuramu hayyamni isaa ni deebi’aaf.
- 2) Abukaatoon yookiin dhaabbanni tajaajila ogummaa abukaatummaa kennu hayyamni jalaa haqame balleessaa yookiin hanqina haqamuu hayyamichaaf sababa ta’e sirreessuun seeraafi naamusa ogummaa kabajuun kan hojjetu ta’uu isaa hubachiisuudhaan hayyamni isaa akka deebi’uuf iyyannoo dhiyeessuu ni danda’a.
- 3) Biiron akkaataa Keewwata kana Keewwata Xiqqaa 2 tiin iyyannoo dhiyaate qoratee hayyamni abukaatummaa akka kennamuuf murteessuu ni danda’a.
- 4) Biiron akkaataa Keewwata kana Keewwata Xiqqaa 3tiin murtii kennuuf abukaatoon yookiin dhaabbanni tajaajila ogummaa abukaatummaa akkaataa Labsii kana keewwata 42 jalatti dirqama tumame bahuuf tarkaanfii fudhate tilmaama keessa galchuu qaba.

41. Dhoorka Yeroof Taasifamu

Gumiin, abukaatoon yookiin dhaabbanni tajaajila ogummaa abukaatummaa gocha yakkaa ittiin himatame yookiin balleessaa naamusaa cimaan raawwatame bulchiinsa sirna haqaa irratti dhiibbaa kan geessisu ta’ee yoo arge dhimmichi hanga murtii argatutti abukaaticha yookiin dhaabbaticha dhoorkee tursiisuu ni danda’a.

- (ሠ) የጥብቅና ፈቃድ መሰረዝ።
- ፫) በዚህ አንቀጽ ንዑስ አንቀጽ ፪ (ሀ) ስር የተጠቀሰው ቀላል የዲ.ሲ.ፕሊ.ን ቅጣት ተብሎ ይመደባል።
- ፬) በዚህ አንቀጽ ንዑስ አንቀጽ ፪ (ለ) - (ሠ) የተዘረዘሩት ከባድ የዲ.ሲ.ፕሊ.ን ቅጣቶች ተብለው ይመደባሉ።

፴፱. የዲ.ሲ.ፕሊ.ን ጥፋት አወሳሰን

ጉባኤው የዲ.ሲ.ፕሊ.ን ቅጣቶች ሲወስን በዲ.ሲ.ፕሊ.ን ጥፋት ምክንያት የደረሰውን ወይም ሊደርስ የሚችለውን ጉዳት ከግምት ውስጥ በማስገባት በዚህ አዋጅ አንቀጽ ፴፰ ከተመለከቱት ቅጣቶች በአንዱ ወይም ከአንድ በላይ ያሉትን ሊወስን ይችላል።

፵. የታገደውን ወይም የተሠረዘን የጥብቅና ፈቃድ ስለመመለስ

- ፩) የጥብቅና ፈቃድ የታገደበት ጠበቃ ወይም የጥብቅና ሙያ አገልግሎት ድርጅት የዕገዳው ጊዜ እንዳበቃ ፈቃዱ ይመለስለታል።
- ፪) የጥብቅና ፈቃድ የተሰረዘበት ጠበቃ ወይም የጥብቅና ሙያ አገልግሎት ድርጅት ለስረዛው ምክንያት የሆነውን ጥፋት ወይም ጉድለት በማረም የሙያ ስነ-ምግባርን አክብሮ እንደሚሰራ በመግለፅ ፈቃዱ እንዲመለስለት ማመልከቻ ሊያቀርብ ይችላል።
- ፫) ቢሮው በዚህ አንቀጽ ንዑስ አንቀጽ ፪ የቀረበውን ማመልከቻ መርምሮ ፈቃዱ እንዲሰጠው ሊወስን ይችላል።
- ፬) ቢሮው በዚህ አንቀጽ ንዑስ አንቀጽ ፫ መሰረት ለሚሰጠው ውሳኔ ጠበቃው ወይም የጥብቅና ሙያ አገልግሎት ድርጅት በዚህ አዋጅ አንቀጽ ፴፪ የተመለከተውን ግዴታ ለመወጣት የወሰደውን እርምጃ ከግምት ማስገባት አለበት።

፵፩. ስለ ጊዜያዊ ዕገዳ

ጉባኤው ጠበቃው ወይም የጥብቅና ሙያ አገልግሎት ድርጅቱ የተከሰሰበት የወንጀል ድርጊት ወይም ከባድ የዲ.ሲ.ፕሊ.ን ጥፋት በፍትህ አስተዳደር ላይ ጎጂ ተፅዕኖ የሚያስከትል ሆኖ ካገኘው ጉዳይ ውሳኔ እስኪያገኝ ድረስ ጠበቃውን ወይም ድርጅቱን አግዶ ሊያቆይ ይችላል።

- (e) Cancellation of advocacy license.
- 3) Measure stated under Sub-Article 2 (a) of this Article is categorized as simple disciplinary measure.
- 4) Measure described under Sub-Article 2 (b) - (e) of this Article are categorized as severe disciplinary measures.

39. Decision of Disciplinary Measure

The Commission, by considering the damages occurred or would have occurred may decide one or more disciplinary measures described under Article 38 of this Proclamation.

40. Releasing Suspended or Revoked Advocacy License

- 1) The suspended advocacy license shall be released for an advocate or a law firm as soon as the suspension period is lapsed.
- 2) An advocate or a law firm whose advocacy license has been revoked may apply for the reinstatement of the license by stating the correction of faults or shortcomings that is a ground for revocation of license by respecting professional ethics.
- 3) The Bureau may decide the advocacy license to be given by examining the application submitted in accordance with Sub-Article 2 of this Article.
- 4) When passing a decision as per Sub-Article 3 of this Article, the Bureau, shall take in to consideration measures taken by the advocate or the law firm to implement obligations provided under Article 42 of this Proclamation.

41. Temporary Suspension

The Commission may suspend an advocate or a law firm where a crime of which he/it is accused or a severe disciplinary breach committed is found to have a negative impact on justice administration system.

42. Dirqama Abukaatoo yookiin Dhaab-bata Tajaajila Ogummaa Abukaatum-maa Hayyamni Isaa Dhoorkamee yookiin Haqamee

Abukaatoon yookiin dhaabbanni tajaajila ogummaa abukaatummaa hayyamni isaa dhoorkamee yookiin haqamee guyyaa hayyamni isaa dhoorkamee yookiin haqamee irraa eegalee guyyaa 10 keessatti kanuma barreeffamaan beeksisuun dhimmaafi ragaa harka isaatti argamu maamilaa yookiin abukaatoo yookiin dhaabbata tajaajila ogummaa abukaatummaa maamilichi filateef dabarsee kennuu qaba.

43. Eeruufi Himata

- 1) Balleessaa naamusaa abukaatoo yookiin dhaabbata tajaajila ogummaa abukaatummaa irratti eeruu yookiin himata namni dhiyeessuu barbaadu akaakuu balleessaa naamusaa raawwatamee, ragaa yookiin odeeffannoon iddoo itti argamu, balleessichi guyyaafi iddoo itti raawwatameefi dhimmoota biroo Biiroof yookiin waajjiraalee haqaa sadarkaa sadarkaan jiraniif qaamaan, bilbilaan, poostaadhaan yookiin haala mijaa'aa biraatiin ibsuu ni danda'a.
- 2) Biiron eeruu akkaataa Keewwata kana Keewwata Xiqqaa 1 tiin dhiyaateef Gumiif ni dhiyeessa.
- 3) Gumiin iyyaticha yookiin eericha qoratee ragaa gahaan jiraachuu isaa erga mirkaneessee booda abukaatichi yookiin dhaabbanni tajaajila abukaatummaa himata dhiyaateef yeroo himanni dhaqqabe irraa eegalee guyyaa 10 keessatti deebii isaa qabatee akka dhiyaatu waamicha erguu qaba. Waamichi himatamaa teessoo galmeessiseen akka isa dhaqqabu ni taasisa.
- 4) Himatamaan teessoo galmeessiseen yoo hin argamne gabatee beeksisaa Mana Murtiifi Waajjira Haqaa naannoo abukaatichi itti hojjetutti beeksisaa maxxanfamuun himatamaan himata irratti dhiyaateef deebii isaa qabatee akka dhiyaatuuf waamichi ni taasisfamaaf.

44. Himatamaan Dhiyaachuu Dhabuu

- 1) Akkaataa Labsii kana Keewwata 43 (3) fi (4)n himatamaan waamichi dhaqqabeen yookiin beeksisaan waamame yoo dhiyaachuu baate, Gumiin himatamaan bakka hin jirretti dhimmicha ni ilaala.

፵፪. ፈቃዱ የታገደበት ወይም የተሠረዘበት ጠበቃ ወይም የጥብቅና ሙያ አገልግሎት ድርጅት ግዴታ የጥብቅና ፈቃድ የታገደበት ወይም የተሠረዘበት ጠበቃ ወይም የጥብቅና ሙያ አገልግሎት ድርጅት ፈቃዱ ከታገደበት ወይም ከተሠረዘበት ዕለት ጀምሮ በ፲ ቀናት ውስጥ ይህንኑ በጽሑፍ በማሳወቅ በእጁ የሚገኘውን ጉዳይና ማስረጃ ለደንበኛው ወይም ደንበኛው ለመረጠው ጠበቃ ወይም ድርጅት ማስረከብ አለበት።

፵፫. ጥቆማና ክስ

- ፩) ጠበቃ ወይም የጥብቅና ሙያ አገልግሎት ድርጅት ስለፈፀመው የዲ.ሲ.ፕ.ሲ.ን ጥፋት ጥቆማ ወይም ክስ ለማቅረብ የሚፈልግ ሰው የተፈፀመውን የዲ.ሲ.ፕ.ሲ.ን ጥፋት ዓይነት፣ ማስረጃውን ወይም ማስረጃ የሚገኝበትን ስፍራ፣ ጥፋቱ የተፈፀመበት ቀንና ቦታ እና ሌሎች ጉዳዮችን ለቢሮው ወይም በየደረጃው ባሉ የፍትህ መ/ቤቶች በአካል፣ በስልክ፣ በፖስታ፣ ወይም በሌላ አመቺ ሁኔታ ሊገልጽ ይችላል።
- ፪) ቢሮው በዚህ አንቀጽ በንዑስ አንቀጽ ፩ መሠረት ጥቆማ ሲደርሰው ለጉባኤው ያቀርባል።
- ፫) ጉባኤው ጥቆማውን ወይም ክሱን መርምሮ በቂ ማስረጃ መኖሩን ካረጋገጠ ጠበቃው ወይም የጥብቅና ሙያ አገልግሎት ድርጅቱ ለቀረበበት ክስ ክሱ በደረሰው በ፲ ቀናት ውስጥ መልሱን ይዞ እንዲቀርብ መጥሪያ መላክ አለበት፤ መጥሪያው ተከላኸ ባስመዘገበው አድራሻ እንዲደርሰው ይደረጋል።
- ፬) ተከላኸ ባስመዘገበው አድራሻ ካልተገኘ በሚሰራበት አካባቢ በሚገኝ ፍርድ ቤት፣ የፍትህ ጽህፈት ቤት የማስታወቂያ ሰሌዳ ላይ በሚለጠፍ ማስታወቂያ ተከላኸ ለቀረበበት ክስ መልሱን ይዞ እንዲቀርብ ጥሪ ይደረግለታል።

፵፬. የተከላኸ አለመቅረብ

- ፩) በዚህ አዋጅ አንቀጽ ፵፫ ንዑስ አንቀጽ ፫ እና ፬ መሠረት መጥሪያ የደረሰው ወይም በማስታወቂያ የተጠራ ተከላኸ ካልቀረበ ጉባኤው ተከላኸ በሌለበት ጉዳዩን ያያል።

42. Obligation of an Advocate or Law Firm of Which His/Its Advocacy License is Suspended or Revoked

An advocate or law firm of which his/its advocacy license is suspended or revoked shall notifying the reason in writing transfer the case and evidence that is in his hand to the client or advocate or law firm that the client choses within 10 days starting from date of suspension or revocation.

43. Accusation and Charge

- 1) A person who wants to give information or put forward an accusation on an advocate or a law firm may explain the type of the disciplinary breache, the place where the evidence or the information is found, date and place where the breach occurred and other matters to the Bureau or Justice Offices found at different levels in person or through telephone, postal service, or any other suitable means.
- 2) The Bureau shall present the information given in accordance with Sub-Article 1 of this Article to the Commission.
- 3) Where the Commission, after examining the information and accusation ensures the existence of sufficient evidence shall send a summon to be served for an advocate or law firm by his/its registered address to present his/its statement in person within 10 days starting from the date the summon is served.
- 4) Where the accused is not found at the place where he has been registered, the notice shall be posted on notice board of the court or justice office found around the place where he is working.

44. Defendant Failing to Appear

- 1) Where the defendent did not appear after being served a summon or by a posted summon in accordance with Sub-Article 3 and 4 of Article 43 of this Proclamation, the Commission may look into the case in his absence.

2) Himatamaan guyyaa beellamaatti kan hin dhiyaanne sababa gahaan ta'uu ragaan deeggaree guyyaa murtiin kenname irraa eegalee guyyoota 90 keessatti iyyata yoo dhiyeesse, Gumiin dhimmichi irra deebi'amee bakka himatamaan jirutti akka dhaga'amu taasisuu ni danda'a.

45. Eeruu yookiin Himata Kaasuu

Namni eeruu yookiin himata dhiyeesse eeruu yookiin himata isaa kan kaase yoo ta'ellee, Gumiin dhimmicha ilaal-ee murtii akka hin kennine hin taasisu.

46. Garagalcha Ragaa Fudhachuu

Himata himatamaa irratti dhiyaate waliin ragaa qunnamtii qabu qaamni fudhachuu barbaadu baasii isaatiin garagalcha ragichaa fudhachuu ni danda'a.

47. Beellama Jijjiiruu

- 1) Gumiin barbaachisaa ta'ee yoo arge kaka'umsa mataa isaatiin yookiin gaaffii himatamaatiin dhimmichi beellama birootiin akka ilaalamu murteessuu ni danda'a.
- 2) Akkaataa Keewwata kan Keewwata Xiqqaa Itiin beellamni yoo jijjiirame Gumiin abbaa dhimmaa beeksisuu qaba.

48. Himata yookiin Deebii Fooyyessuu

- 1) Gumiin himanni himatamaa irratti dhiyaate fooyya'uu qaba jedhee yoo amane himaticha fooyyessuu ni danda'a.
- 2) Fooyya'iinsi himannichaa himatamaa kan miidhu ta'ee yoo argame himatamaan deebii isaa guutuu ta'e akka dhiyeeffatuuf Gumichi beellama biraa kennuu qaba.
- 3) Gumiin kaka'umsa ofitiin yookiin gaaffii himatamaan dhiyeeffate irraatti hundaa'uun himanni yookiin deebiin akka fooyya'u ajaja kennuu ni danda'a.

49. Himata Naamusaa Qorachuun Murtii Kennuu

- 1) Gumiin himataafi ragaa dhiyaateef qoratee himaticha haquu yookiin akkaataa Labsii kana Keewwata 39 jalatti tumameen murtii kennuu ni danda'a.
- 2) Dhimma dogoggora seeraa yoo ta'een alatti murtiin Gumiin kennu isa dhumaa ta'a.
- 3) Abukaatoon balleessaa naamusaatiin adabame yakkaan gaafatamuu irraa bilisa hin ta'u.

፪) ተከላሽ በቀጠሮው ቀን ያልቀረበው በበቂ ምክንያት መሆኑን ውሳኔ ከተሰጠበት ቀን አንስቶ በ፯ ቀናት ውስጥ በማስረጃ የተደገፈ አቤቱታ ካቀረበ ጉባኤው ጉዳዩ ተከላሽ ባለበት እንደገና እንዲሰማ ሊያደርግ ይችላል።

፵፭. ጥቆማ ወይም ክስን ስለ ማንሳት

ጥቆማ የሰጠ ወይም ክስ የመሰረተ ሰው ጥቆማውን ወይም ክሱን ማንሳት ጉባኤው ጉዳዩን አይቶ ከመወሰን አያግደውም።

፵፮. የማስረጃ ግልባጭ ስለመውሰድ

በተከላሹ ላይ ከቀረበው ክስ ጋር አግባብነት ያለውን ማስረጃ ለመውሰድ የሚፈልግ ወገን የማስረጃውን ግልባጭ በራሱ ወጪ ሊወስድ ይችላል።

፵፯. ተለዋጭ ቀጠሮ ስለመስጠት

- ፩) ጉባኤው አስፈላጊ ሆኖ ሲያገኘው በራሱ ተነሳሽነት ወይም በተከላሹ ጥያቄ ጉዳዩ በተለዋጭ ቀጠሮ እንዲታይ ሊወሰን ይችላል።
- ፪) በዚህ አንቀጽ ንዑስ አንቀጽ ፩ መሰረት ቀጠሮው ከተቀየረ ጉባኤው ባለጉዳዩን ማሳወቅ አለበት።

፵፰. ክስን ወይም መልስን ስለማሻሻል

- ፩) ጉባኤው በተከላሹ ላይ የቀረበው ክስ መሻሻል እንዳለበት ካመነ ክሱን ማሻሻል ይችላል።
- ፪) የክሱ መሻሻል ተከላሹን የሚጎዳው ሆኖ ከተገኘ ተከላሹ መልሱን አሟልቶ እንዲቀርብ ጉባኤው ተለዋጭ ቀጠሮ መስጠት አለበት።
- ፫) ጉባኤው በራሱ ተነሳሽነት ወይም ተከላሽ ባቀረበው ጥያቄ ላይ በመመስረት ክሱ ወይም መልሱ እንዲሻሻል ትእዛዝ ሊሰጥ ይችላል።

፵፱. የዲ.ሲ.ፕ.ኤን ክስችን መርምሮ ስለመወሰን

- ፩) ጉባኤው የቀረበውን ክስና ማስረጃ መርምሮ ክሱን የመሰረዘ ወይም በዚህ አዋጅ በአንቀጽ ፴፱ በተደነገገው መሰረት ውሳኔ ሊሰጥ ይችላል።
- ፪) በህግ ስህተት ጉዳይ ካልሆነ በስተቀር ጉባኤው የሚሰጠው ውሳኔ የመጨረሻ ይሆናል።
- ፫) የዲ.ሲ.ፕ.ኤን እርምጃ የተወሰደበት ጠበቃ በወንጀል ከመጠየቅ አይደንም።

2) Where the defendant submits a formal complaint supported by evidence showing that he had been absent with sufficient grounds within 90 days from the time when the decision is given, the Commission may order the case to be heard in the presence of the advocate.

45. Waiving Accusation or Charge

Withdrawal of the accuser or the charge of the case shall not prohibit the Commission from entertaining the case and passing a decision.

46. Obtaining the Copy of an Evidence

Any party who wants to obtain evidence regarding the charge of the defendant may take a copy of the document with his own expense.

47. Adjourning the Date of the Hearing

- 1) Where necessary, the commission may decide to hear the case in an alternate day on its own initiation or by the request of the defendant.
- 2) When adjourning the date in accordance with Sub-Article 1 of this Article the Commission shall notify the concerned person.

48. Amendment of Charge of Statement of Defense

- 1) Where the Commission believes that the charge against the defendant shall be amended, it may do so.
- 2) Where it is found that the amended charge might harm the defendant, the Commission shall adjourn the date to let the defendant submit a complete statement of defense.
- 3) The Commission on its own initiation or up on the request of the accused, may order the amendment of the charge or statement of defense.

49. Examining and Giving Decision of Disciplinary Accusation

- 1) The Commission up on examination of the lodged charge and evidence may revoke the charge or take disciplinary measures in accordance with Article 39 of this Proclamation.
- 2) The decision given by the Commission shall be final unless it has error of law.
- 3) An advocate penalized with disciplinary measure may not be free from criminal liability.

- 4) Abukaatoon balleessaa naamusaa raawwate irraa kan ka'een yakkaan adabamuun isaa adabbii naamusaa hin hambisu.

50. Murtii Irra Deebiiin Ilaaluu

- 1) Tarkaanfiin naamusaa abukaatoo yookiin dhaabbata tajaajila ogummaa abukaatummaa irratti fudhatame sanadaafi ragaa sobaatiin yookiin seeraan ala ta'uu isaa ragaan yoo dhiyaate, Gumiin dhimmicha irra deebiidhaan qoratee murtii barbaachisaa ta'e kennuu ni danda'a.
- 2) Akkaataa Keewwata kana Keewwata Xiqqaa Itiin Gumiin irra deebiiin qorannaa gaggeessuu kan danda'u qaamni murtichi irra deebiiin akka ilaalamuuf barbaadu dhimmichi jiraachuu isaa erga beeke ji'a tokko keessatti iyyannoo yoo dhiyeesseedha.

51. Ol'iyannoo

- 1) Murtii Gumiin kenne dogoggora seeraa qaba jedhee qaamni murtii irratti komii qabu erga murtiin kennamtee guyyaa 30 keessatti Mana Murtii Waliigala Oromiyaatti ol'iyachuu ni danda'a.
- 2) Manni Murtii gara ijoo dubbiitti osoo hin seenin dhimma dogoggora seeraa qofa irratti murtii kennuun dhimmicha gara Biirootti ni deebisa.
- 3) Gumiin murtii Mana Murtii bu'uura godhachuun dhimmichi irra deebi'ee ni ilaala.

52. Darbiinsa Yeroo

- 1) Balleessaan cimaan guyyaa raawwatamee irraa kaasee waggaa lama keessatti komiin kan hin dhiyaanne yoo ta'e, abukaatoo badicha raawwate irratti komii dhiyeeffachuun hin danda'amu.
- 2) Balleessaan salphaan guyyaa raawwatamee irraa kaasee waggaa tokko keessatti komiin kan hin dhiyaanne yoo ta'e, abukaatoo badicha raawwate irratti komii dhiyeeffachuun hin danda'amu.

53. Yeroo Turmaataa Rikardii Adabbii

- 1) Adabbiin balleessaa cimaa guyyaa adabbiin murtaa'e raawwatame irraa kaasee waggaa 2 booda akka rikardiitti abukaatoo adabame irratti hin qabamu.
- 2) Adabbiin balleessaa salphaa guyyaa adabbiin murtaa'e raawwatame irraa kaasee waggaa 1 booda akka rikardiitti abukaatoo irratti hin qabamu.

፴) ባጠፋው የዲ.ሲ.ፐ.ሲ.ን ጥፋት የተነሳ በወንጀል የተቀጣ ጠበቃ በዲ.ሲ.ፐ.ሲ.ን ከመቀጣት አይደንም።

፶. ውሳኔን ስለ መክለስ

- ፩) በጠበቃው ወይም በጥብቅና ሙያ አገልግሎት ድርጅት ላይ የተወሰደው የዲ.ሲ.ፐ.ሲ.ን አርምጃ በሐሰተኛ ሰነድና ምስክርነት ወይም ሕገ ወጥ መሆኑ ማስረጃ ከቀረበ ጉባኤው ጉዳዩን እንደገና በመመርመር አስፈላጊውን ውሳኔ ሊሰጥ ይችላል።
- ፪) ጉባኤው በዚህ አንቀጽ ንዑስ አንቀጽ ፩ መሰረት ድጋሚ ምርመራ ሊያደርግ የሚችለው ውሳኔው እንደገና እንዲታይለት የሚፈልገው ወገን ጉዳዩ መኖሩን ባወቀ በአንድ ወር ጊዜ ውስጥ አቤቱታውን ካቀረበ ነው።

፶፩. ይግባኝ

- ፩) ጉባኤው የወሰነው ውሳኔ የህግ ስህተት አለው በሚል ቅር የተሰኘ ወገን ውሳኔው በተሰጠ ፴ ቀናት ውስጥ ለአራሚያ ጠቅላይ ፍርድ ቤት ይግባኝ ማለት ይችላል።
- ፪) ፍርድ ቤቱ ወደ ፍሬ ነገር ሳይገባ በህግ ስህተት ላይ ብቻ ውሳኔ በመስጠት ጉዳዩን ወደ ቢሮ ይመልሳል።
- ፫) ጉባኤው የፍርድ ቤቱን ውሳኔ መሰረት በማድረግ ጉዳዩን እንደገና ያያል።

፶፪. ስለ ይርጋ ጊዜ

- ፩) ከባድ የዲ.ሲ.ፐ.ሲ.ን ጥፋት ከተፈፀመበት ቀን አንስቶ በሁለት አመታት ውስጥ ጥቆማ ወይም ክስ ያልቀረበበት እንደሆነ የዲ.ሲ.ፐ.ሲ.ን ጥፋት በፈፀመ ጠበቃ ላይ ቅሬታ ማቅረብ አይቻልም።
- ፪) ቀላል የዲ.ሲ.ፐ.ሲ.ን ጥፋት ከተፈፀመበት ቀን አንስቶ በአንድ አመት ጊዜ ውስጥ ቅሬታ ያልቀረበበት ከሆነ የዲ.ሲ.ፐ.ሲ.ን ጥፋት በፈፀመው ጠበቃ ላይ ቅሬታ ማቅረብ አይቻልም።

፶፫. የቅጣት ሪከርድ የሚቆይበት ጊዜ

- ፩) ከባድ የዲ.ሲ.ፐ.ሲ.ን ቅጣት የተወሰነበት ጠበቃ የተወሰነበት ቅጣት ተፈጻሚ ከሆነበት ቀን አንስቶ ከ፪ ዓመት በኋላ በተቀጣው ጠበቃ ላይ እንደ ሪከርድ አይያዝም።
- ፪) ቀላል የዲ.ሲ.ፐ.ሲ.ን ጥፋት ቅጣቱ ተወስኖ ከተፈፀመበት ቀን አንስቶ ከ፩ ዓመት በኋላ በጠበቃው ላይ እንደ ሪከርድ አይያዝም።

- 4) An advocate penalized with criminal liability measure may not be free from disciplinary measure.

50. Revision of Decision

- 1) Where the disciplinary measure taken on an advocate or law firm proved to be on false documents, testimony or illegally, the Commission may re-examine the case and pass appropriate decision.
- 2) Where the concerned party realizes the case and claims there on and submit an appeal for the case to be re-examined within one month, the Commission may do so in accordance with Sub-Article 1 of this Article.

51. Appeal

- 1) Any party who has a complaint that the decision of the Commission have error of law, may appeal to Oromia Supreme Court within 30 days after the decision.
- 2) The court shall give its decision based only on error of law without looking into the main issue and send it back to the Bureau.
- 3) The Commission shall reconsider the case on the bases of the decision of the court.

52. Period of Limitation

- 1) Accusation regarding sever disciplinary breach against an advocate shall be barred by period of limitation unless it is lodged within two years starting from the day it has been committed.
- 2) Accusation regarding simple disciplinary breach against an advocate shall be barred by period of limitation unless it is lodged within one year starting from the day it has been committed.

53. Retaining Time of Penalty Record

- 1) Penalty of sever disciplinary breach shall not be taken as a record against an advocate after a lapse of two years starting from the day when penalty decision has been passed.
- 2) Penalty of simple disciplinary breach shall not be taken as a record against an advocate after a lapse of one year starting from the day when the penalty decision has been passed.

KUTAA JAHA

Gumii Dhimma Naamusa Abukaatoo

54. Hundeeffama

- 1) Gumiin Dhimma Naamusa Abukaatootaa Naannoo Oromiyaa armaan booda “Gumii” jedhamee waamamu Labsii kanaan hundeeffamee jira.
- 2) Gumiin Dhimma Naamusa Abukaatootaa sadarkaa godinaatti hundeeffamuu ni danda’aa; haalli hundeeffamaa, aangoo fi hojii isaa Dambii bahuun kan murtaa’u ta’a.

55. Miseensota Gumii

- 1) Gumiin, miseensota armaan gadii ni qabaata:
 - (a) Hogganaa Biiroo ... Walitti Qabaa;
 - (b) Itti Aanaa Hogganaa Biiroo ... Itti Aanaa Walitti Qabaa;
 - (c) Hogganaa Biirootiin kan ramadaman Abbootii Alangaa lama ... miseensa;
 - (d) Mana Murtii Waliigalaa irraa Abbaa Seeraa tokko ... miseensa;
 - (e) Waldaa Abukaatotaatiin kan ramadaman bakka bu’oota lama ... miseensa.
- 2) Barri hojii miseensa tokkoo waggaa lamaaf ta’a.
- 3) Keewwata kana Keewwata Xiqqaa 2 jalatti kan tumame akkuma eegametti ta’ee, miseensi kamiyyuu irra deebiin filatamuu ni danda’a.

56. Aangoo fi Hojii Gumii:

- Gumiin aangoo fi hojii armaan gadii ni qabaata:
 - 1) abukaatoo yookiin dhaabbata tajaajila ogummaa abukaatumma irratti Labsii kana yookiin Dambii bu’uura Labsii kanaatiin bahu darbuun himanni yammuu dhiyaatu himaticha fudhatee calaluun murtii ni kenna.
 - 2) Bu’uura Keewwata kana Keewwata Xiqqaa 1 tiin murtiin kenname kamiyyuu galmee dhuunfaa abukaatichaa keessatti akka galmeeffamuu ni taasisa.
 - 3) Himata abukaatoo yookiin dhaabbata tajaajila ogummaa abukaatummaa irratti dhiyaate ilaaluu kan dandeessisu ragaan jiraachuu isaa yoo mirkaneeffate, abukaatichi yookiin dhaabbatichi deebii isaa guyyaa 15 keessatti akka dhiyeessu waraqa waamichaa irratti ibsuun himaticha abukaatichaaf yookiin dhaabbatichaaf ni erga.

ክፍል ስድስት

የጠበቆች የዲሲፕሊን ጉባኤ

፶፬. አመሰራረት

- ፩) የኦሮሚያ ክልል የጠበቆች የዲሲፕሊን ጉባኤ ጉባኤ ከዚህ በኋላ “ጉባኤ” እየተባለ የሚጠራ በዚህ አዋጅ ተመስርቷል።
- ፪) የጠበቆች የዲሲፕሊን ጉባኤ ጉባኤ እንደ አስፈላጊነቱ በዞን ደረጃ ሊመሰረት ይችላል፤ የአመሠራረቱ ሁኔታ፣ ስልጣንና ተግባሩ በሚወጣው ደምብ የሚወሰን ይሆናል።

፶፭. የጉባኤው አባላት

- ፩) ጉባኤው የሚከተሉትን አባላት ይኖሩታል።
 - (ሀ) የቢሮ ኃላፊ ... ሰብሳቢ፤
 - (ለ) ምክትል የቢሮ ኃላፊ ... ምክትል ሰብሳቢ፤
 - (ሐ) በቢሮ ኃላፊ የሚመደቡ ሁለት አቃቤ ያን ህግ ... አባል፤
 - (መ) ከጠቅላይ ፍርድ ቤት አንድ ዳኛ ... አባል፤
 - (ሠ) በጠበቆች ማህበር የሚመደቡ ሁለት ተወካዮች ... አባል፤
- ፪) የአንድ አባል የሥራ ዘመን ሁለት አመት ይሆናል።
- ፫) በዚህ አንቀጽ ንዑስ አንቀጽ ፪ ስር የተደነገገው እንደተጠበቀ ሆኖ ማንኛውም አባል በድጋሚ መመረጥ ይችላል።

፶፮. የጉባኤው ስልጣንና ተግባር

- ጉባኤው የሚከተሉት ስልጣንና ተግባር ይኖሩታል።
 - ፩) በጠበቃ ወይም የጥብቅና አገልግሎት በሚሰጥ ድርጅት ላይ ይህንን አዋጅ ወይም በአዋጅ መሠረት የሚወጣውን ደንብ በመተላለፍ ክስ ሲቀርብ ክስን ተቀብሎ በማጣራት ውሳኔ ይሰጣል።
 - ፪) በዚህ አንቀጽ ንዑስ አንቀጽ ፩ መሠረት የተሰጠ ማንኛውም ውሳኔ በጠበቃው የግል ማህደር ውስጥ እንዲመዘገብ ይደረጋል።
 - ፫) በጠበቃ ወይም በጥብቅና ሙያ ድርጅት ላይ የቀረበ ክስ ለማየት የሚያስችል ማስረጃ መኖሩን ካመነ ጠበቃው ወይም ድርጅቱ በ፲፭ ቀን ውስጥ መልስን እንዲያቀርብ በጥሪ ወረቀቱ ላይ በመግለጽ ለጠበቃው ወይም ለድርጅቱ መጥሪያ ወረቀት ይልክለታል።

PART SIX

Commission of Disciplinary Matters of Advocates

54. Establishment

- 1) Commission of Disciplinary Matter of Advocates of Oromia Region here after called “Commission” shall be established by this Proclamation
- 2) The Commission of Disciplinary Matters of Advocate may be established at Zonal level; the condition of establishment, powers and duties of this Commission shall be decided by the Regulation to be issued.

55. Members of the Commission

- 1) The Commission shall have the following members:
 - (a) Head of the Bureau ... chairperson,
 - (b) Vice head of the Bureau ... Deputy chairperson,
 - (c) Two prosecutors assigned by the head of the Bureau ... member,
 - (d) One judge from the Supreme Court ... member,
 - (e) Two advocates assigned by Advocate's Association ... member;
- 2) Term of office of a member shall be two years.
- 3) Without prejudice to Sub-Article 2 of this Article, any member may be elected again.

56. Powers and Duties of the Commission

- The Commission shall have the following powers and duties:
 - 1) Examine and give decision on an accusation lodged against an advocate or law firm for violating this Proclamation or Regulation issued in accordance with this Proclamation.
 - 2) Cause any decision given in accordance with Sub-Article 1 of this Article to be registered in private file of an advocate.
 - 3) Where it is ensured that the evidence is sufficient to entertain the charge against an advocate or law firm the charge is sent with a notice for him/it to submit a statement of defense within 15 days.

- 4) Himataafi ragaan abukaaticha yookiin dhaabbaticha irratti dhiyaate, akkasumas deebiifi ragaan abukaatichaan yookiin dhaabbatichaan kenname erga qoratamee booda:
 - (a) Himatichi yoo sirrii ta'uu baate ykn ragaa gahaadhaan yoo deeg-garamuu baate, himaticha haquun abukaatichi yookiin dhaabbatichi akka gaggeeffamu ni taasisa.
 - (b) Himatichi sirrii yoo ta'eefi ragaadhaan yoo deeggarama, akkuma ulfaatina balleessaa raawwatameetiin adabbiwwan Keewwata 38 Keewwata Xiqqaa 2 jalatti tumaman keessaa tokko irratti ni kenna.
- 5) Bu'uura Labsii kana Keewwata 34 Keewwata Xiqqaa 1 jalatti tumameen abukaatoon yookiin dhaabbata tajaajila ogummaa abukaatummaa hayyama isaa hin deebisu yoo jiraate dhimmicha qorachuun hayyamicha akka deebisu murteessuu ni danda'a.
- 6) Bu'uura Labsii kana Keewwata 41 jalatti tumameen abukaatoon yookiin dhaabbata tajaajila ogummaa abukaatummaa yeroof hayyama isaa dhoorkee tursiisuu ni danda'a.
- 7) Haala yookiin akkaataa murtiin itti raawwatamu irratti ajaja ni kenna; ni raawwachiisa.
- 8) Barreessaa Gumii ni ramada.
- 9) Hojimaata isaa ilaalchisee qajeelfama ni qopheessa.

57. Sirna Walga'ii Gumii

- 1) Gumiin ji'a ji'aan walgahii idilee kan qabaatu ta'ee, akkaataa barbaachisummaa isaatti walgahii ariifachiisaa waamuu ni danda'a.
- 2) Miseensota Gumii keessaa harki walakkaa ol yoo argaman walgahiin Gumii guutuu ta'a.
- 3) Murtiileen Gumii sagalee caalmaatiin kan darbu ta'ee, sagaleen walqixaa yoo ta'e yaadni walitti qabaan deeggarama murtii Gumii ni ta'a.

KUTAA TORBA

Barreessitoota Dhimma Seeraa

58. Kenniinsa Tajaajila Barreessaa Dhimma Seeraa

- 1) Barreessaan Dhimma Seeraa kamiyyuu gaaffii maamila isaa irratti hundaa'uudhaan bu'uura seeraatiin tajaajila iyyannoo seeraa barreessuu yookiin waliigaltee adda addaa qopheessuu qaba.

- ሀ) በጠበቃው ወይም በጥብቅና ሙያ ድርጅት ላይ የቀረበ ክስ ወይም ማስረጃ እንዲሁም በጠበቃው ወይም በድርጅቱ የቀረበው መልስና ማስረጃ ከተመረመረ በኋላ፡-
- (ሀ) ክሱ ትክክል ካልሆነ ወይም በበቂ ማስረጃ ካልተደገፈ ክሱ ተሰርዞ ጠበቃው ወይም ድርጅቱ እንዲሰናበት ያደርጋል።
- (ለ) ክሱ ትክክል ከሆነና በማስረጃ ከተደገፈ እንደተፈፀመው ጥፋት ክብደት በዚህ አዋጅ አንቀፅ ፵፰ ንዑስ አንቀፅ ፪ ስር ከተደነገጉት ቅጣቶች ውስጥ አንዱን ይወስንበታል።
- ፩) በዚህ አዋጅ አንቀጽ ፵፬ ንዑስ አንቀጽ ፩ ሥር በተደነገገው መሠረት ፈቃዱን ያልመለሰ ጠበቃ ወይም የጥብቅና ሙያ አገልግሎት ድርጅት ካለ ጉዳዩን በመመርመር ፈቃዱን እንዲመልስ ውሳኔ መወሰን ይችላል።
- ፪) በዚህ አዋጅ በአንቀጽ ፵፩ ስር በተደነገገው መሰረት የጠበቃውን ወይም የጥብቅና አገልግሎት ድርጅት ፍቃድ ለጊዜው አግዶ ማቆየት ይችላል።
- ፫) በውሳኔው አፈጻጸም ሁኔታ ላይ ትዕዛዝ ይሰጣል፤ ያስፈፅማል።
- ፬) የጉባኤውን ፀሐፊ ይመድባል።
- ፭) የአሠራር ሥርዓቱን በተመለከተ መመሪያ ያዘጋጃል።

፶፯. የጉባኤው የስብሰባ ሥርዓት

- ፩) ጉባኤው በየወሩ መደበኛ ስብሰባ የሚኖረው ሆኖ እንደ አስፈላጊነቱ አስቸኳይ ስብሰባ ሊጠራ ይችላል።
- ፪) ከጉባኤው አባላት ከግማሽ በላይ ከተገኙ ምልዐተ ጉባኤ ይሆናል።
- ፫) የጉባኤው ውሳኔ በአብላጫ ድምጽ የሚወሰን ሆኖ ድምጽ እኩል ከሆነ ስብሰባው የደገፈው ሀሳብ የጉባኤው ውሳኔ ይሆናል።

ክፍል ሰባት

የህግ ጉዳይ ፀሐፊዎች

፶፰. የህግ ጉዳይ ጽህፈት አገልግሎት አሰጣጥ

- ፩) ማንኛውም የህግ ጉዳይ ፀሐፊ በደንበኛው ላይ በመመሥረት በህግ መሰረት የህግ ማመልከቻ መጻፍ አገልግሎት መስጠት ወይም የተለያዩ ውሎች ማዘጋጀት አለበት።

- 4) After examining charges and evidence against an advocate or law firm as well as the statement of defense and the evidence to support it:
 - (a) Where the charge is not correct or is not supported by sufficient evidence, it cancels the charge and let an advocate or law firm free.
 - (b) Where the charge is correct and supported by sufficient evidence it evaluates the gravity of the breach committed and decide one of the penalties described under Article 38 Sub-Article 2 of this Proclamation.
- 5) Examine and give decision on an advocate or law firm where he did not return his license in accordance with Article 34 Sub-Article 1 of this Proclamation.
- 6) Based on Article 41 of this Proclamation suspend license of an advocate or law firm for temporarily.
- 7) Give order on the condition of the execution of the decision; cause it to be executed.
- 8) Assign the secretary of the Commission.
- 9) Prepare directives regarding its work procedure.

57. Meeting Procedure of the Commission

- 1) The Commission shall have regular meeting once in a month and it may call urgent meeting as may be necessary.
- 2) It shall be a quorum where more than fifty percent of the members of the Commission are present.
- 3) Decision shall be passed by majority vote, in case of a tie the decision supported by the chairperson shall be the decision of the Commission.

PART SEVEN

Paralegals

58. Rendering service of paralegal

- 1) Any paralegal shall prepare legal application or different contract in accordance with the law and the request of his client.

- 2)Iyyannoo seeraa barreesse irratti mallattoofi tiitarii maqaafi gahee hojii isaa ibsu kaa'uu qaba.
- 3)Tajaajilawwan Keewwata kana Keewwata Xiqqaa 1 jalatti tumamaniin alatti tajaajila biroo kamiyyuu kennuu hin danda'u.
- 4)Iddoo tajaajila itti kennutti teessoo dhaabbii qabaachuu qaba.
- 5)Taajaajilli kennamu abbaa hayyama fudhate qofaan ta'uu qaba.
- 6)Dambii yookiin Qajeelfama bahu irratti hundaa'uun tajaajila kana gurmaa'anii kennuun ni danda'ama.

59. Galmaa'uufi Hayyama Argachuu

- 1)Barreessaan dhimma Seeraa Godina keessatti hojjechuu barbaadu keessatti Waajjira Haqaa Godinaatti galmaa'ee hayyama argachuu qaba.
- 2)Barreessaan Dhimma Seeraa kamiyyuu osoo hin galmaa'inii fi hayyama hin argatin tajaajila Labsii kana Keewwata 58 jalatti tumaman kennuu hin danda'u.

60. Hayyama Argachuuf Ulaagalee Guutamuu Qaban

Hayyama argachuuf ulaagaaleen armaan gadii guutamuu qabu:

- 1)Afaan hojii Naannichaatiin hojjechuu kan danda'u;
- 2)Heeraafi seera biyyattiifi Naannichaa kan kabajuufi kabachiisu;
- 3)Leenjii dhimma seeraa wajjiin walqabate kan ji'a sadii gadi hin taane fudhachuu isaa, yookiin muuxannoo ogummaa tajaajila seeraa wajjiin wal qabatu kan waggaa tokko qabaachuu isaa, yookiin hojii barreessuu dhimma seeraa waggoota sadan walitti aananii jiraniifi hojjachaa jiraachuu isaa, yookiin barumsa seeraa qabaachuu isaa ragaa agarsiisu kan dhiyeeffate;
- 4)Sadarkaan barumsaa isaa kutaa 10 fi isaa ol ta'uu isaa ragaa agarsiisu;
- 5)Naamusa gaarii qabaachuu isaa ragaa agarsiisu;
- 6)Hayyama fudhachuuf kaffaltii murtaa'e kan kaffaluufi,

- ፪) በሃገራዊ የህግ ማመልከቻ ላይ ፊርማና የሥራ ድርሻውን የሚገልፅ የሥም ተተር ማስቀመጥ አለበት ።
- ፫) በዚህ አንቀጽ ንዑስ አንቀጽ ፩ ከተጠቀሱት አገልግሎቶች ውጪ ማንኛውንም ሌላ አገልግሎት መስጠት አይችልም።
- ፬) አገልግሎት በሚሰጥበት ቦታ ቋሚ አድራሻ ሊኖረው ይገባል።
- ፭) የሚሰጠው አገልግሎት ፍቃዱን በወሰደው ሰው ብቻ መሆን አለበት።
- ፮) ይህን አገልግሎት በሚወጣው ደምብ ወይም መመሪያ መሠረት በመደራጀት መስጠት ይቻላል።

፶፬. መመዘገብና ፈቃድ ማግኘት

- ፩) የህግ ጉዳይ ፀሐፊ መሥራት በሚፈልገው ዞን ውስጥ በፍትህ ጽ/ቤት ተመዘግቦ ፈቃድ ማግኘት አለበት።
- ፪) ማንኛውም የህግ ጉዳይ ፀሐፊ ላይ መዘገብና ፈቃድ ሳያገኝ በዚህ አዋጅ አንቀጽ ፶፭ ሥር የተዘረዘሩትን አገልግሎቶች መስጠት አይችልም።

፶፭. ፈቃድ ለማግኘት መሟላት የሚገባቸው መስፈርቶች

ፈቃድ ለማግኘት የሚከተሉት መስፈርቶች መሟላት አለባቸው፡-

- ፩) በክልሉ ቋንቋ መሰራት የሚችል፤
- ፪) የአገሪቱንና የክልሉን ሕገ መንግስትና ህግ የሚያከብርና የሚያስከብር፤
- ፫) ከህግ ጉዳይ ጋር የተያያዘ ክላሳት ወር ላላነሰ ጊዜ ሥልጠና መውሰዱን የሚያሳይ፤ ወይም ከህግ አገልግሎት ጋር የተያያዘ የአንድ አመት የሙያ ልምድ ያለው፤ ወይም በህግ ጉዳይ ፀሐፊነት ለሦስት ተከታታይ አመታት እየሠራ መሆኑን፤ ወይም የህግ ትምህርት ያለው መሆኑን የሚያሳይ ማስረጃ ያቀረበ፤
- ፬) የትምህርት ደረጃው ፲ኛ ክፍልና ከዚያ በላይ መሆኑን የሚያሳይ ማስረጃ የሚያቀርብ፤
- ፭) መልካም ስነ ምግባር ያለው መሆኑን የሚያሳይ ማስረጃ፤
- ፮) ፈቃድ ለመውሰድ የተወሰነውን ክፍያ የሚከፍልና፤

- 2) Put his signature and the name stamp describing his name and job on the application he wrote.
- 3) Any paralegal shall not give any service other than described under Sub-Article 1 of this Article.
- 4) Any paralegal shall have permanent address at a place where he gives service.
- 5) The service shall be given only by the paralegal who acquired a license.
- 6) Any paralegal may render a service by organizing in partnership based on a Regulation or Directive to be issued.

59. Registration and Grant of License

- 1) A paralegal shall register and acquired license from the Justice Office found in the Zone he wants to render service in.
- 2) Any paralegal shall not render service described under Article 58 of this Proclamation unless he is registered and granted a license.

60. Requirements to be Licensed

To acquire a license the following requirements shall be fulfilled:

- 1) Who can work with the region language;
- 2) Observe, cause the observance of the constitutions and laws of the country and the region;
- 3) Who submits documents showing that he has taken training related to law for not less than three months or have an experience related to law for one year or have been working as a paralegal for the last three consecutive years or that he has law education;
- 4) Present documents showing his educational status to be grade 10 or above;
- 5) Documents showing that he has good conduct;
- 6) Who pays the fee set to acquire a license;

7)Hojii mootummaa kan hin qabne ta'uu isaa ragaa agarsiisu kan qabu.

61. Kaffaltii Tajaajilaa

- 1)Barreessaan Dhimma Seeraa kamiyyuu tajaajila kenneef kaffaltii tajaajilaa madaalawaa ta'e kaffalchisuu ni danda'a.
- 2)Kaffaltii kaffalchiiseef nagahee kennuu qaba; hammi kaffaltii Dambii bahuun kan murtaa'u ta'a.
- 3)Qaamni barreeffameef irraa deebi'amee haabarreeffamu yoo jedhe, Barreessaan Dhimma Seeraa barreeffamicha qopheessee kaffaltii dabalataa malee sirreessee barreessuu qaba.
- 4)Galii argate irraa mootummaaf gibira kaffaluu qaba.

62. Hayyama Argachuuf Iyyannoo Dhiyaatu

Namni hayyama Barreessaa Dhimma Seeraa argachuuf barbaadu unkaa iyyannoo dhimma kanaaf qophaa'e guuttee dhiyeeffachuu qaba.

63. Hayyama Haaromsuu

- 1)Hayyamni Barreessaa Dhimma Seeraa waggaa waggaa kan haaromfamu ta'ee, yeroon haaromsaa ji'a Adoolessa 1 hanga 30 ta'a.
- 2)Yeroo Keewwata kana Keewwata Xiqqaa 1 jalatti tumame keessatti Barreessaan Dhimma Seeraa hayyama isaa hin haaromsine hanga Onkolollessa 30 tti adabbii qarshii dabalataa kaffaluun haaromsachuu ni danda'a.
- 3)Bu'uura Keewwata kana Keewwata Xiqqaa 2 tiin Barreessaan Dhimma Seeraa sababa humnaa ol ta'een yeroo kaa'ame keessatti hayyama isaa hin haaromsiiifne akka ilaalamuuf Godina hayyama itti argatetti iyyachuu ni danda'a.
- 4)Hayyamicha haaromsuuf gibira Mootummaa kaffaluu isaa ragaa agarsiisu dhiyeessuu qaba; akkasumas kaffaltii haaromsa hayyamaa kaffaluu qaba.

64. Barreessaa Dhimma Seeraa Hojjii Irra Jiru

Barreessaan Dhimma Seeraa Labsiin kun bahuun dura hojii irra jiru ulaa gaalee Labsii kana Keewwata 60 jalatti tumaman yoo guuta ta'e guyyaa Labsiin kun bahe irraa eegalee ji'a jaha keessatti galmaa'ee hayyama fudhachuu qaba.

፯) የመንግሥት ሥራ የሌለው መሆኑን የሚያሳይ ማስረጃ ያለው።

፳፩. የአገልግሎት ክፍያ

- ፩) ማንኛውም የህግ ጉዳይ ፀሐፊ ከሰጠው አገልግሎት የሚመጣጠን ክፍያ ማስከፈል ይችላል።
- ፪) ላስከፈለው ክፍያ ደረሰኝ መስጠት አለበት፤ የክፍያው መጠን በሚወጣው ደንብ የሚወሰን ይሆናል።
- ፫) የተፃፈለት ሰው በድጋሚ ይጻፍ ካለ ያዘጋጀው የህግ ጉዳይ ፀሐፊ ያለ ተጨማሪ ክፍያ አስተካክሎ መጻፍ አለበት።
- ፬) ከሚያገኘው ገቢ ለመንግስት ግብር መክፈል አለበት።

፳፪. ፈቃድ ለማግኘት የሚቀርብ ማመልከቻ

የህግ ጉዳይ ፀሐፊነት ፈቃድ ለማግኘት የሚፈልግ ሰው ለዚህ ጉዳይ በተዘጋጀ ፎርም ሞልቶ ማቅረብ አለበት።

፳፫. ፈቃድ ማሳደስ

- ፩) የህግ ጉዳይ ፀሐፊ ፈቃድ በየአመቱ የሚታደስ ሆኖ የማይሻ ጊዜው ከሐምሌ ፩ እስከ ፱ ይሆናል።
- ፪) በዚህ አንቀጽ ንዑስ አንቀጽ ፩ ስር በተደነገገው ጊዜ ውስጥ ፈቃዱን ያሳሳደስ የህግ ጉዳይ ፀሐፊ ተጨማሪ የገንዘብ ቅጣት በመክፈል እስከ ጥቅምት ፱ ሊያሳደስ ይችላል።
- ፫) በዚህ አንቀጽ ንዑስ አንቀጽ ፪ በተደነገገው መሰረት የህግ ጉዳይ ፀሐፊ ከአቅም በላይ በሆነ ምክንያት በተቀመጠው ጊዜ ውስጥ ፈቃዱን ካሳሳደስ እንዲታይለት ፈቃድ ለሰጠው የዞን ፍትህ ጽህፈት ቤት ሊያመለክት ይችላል።
- ፬) ፈቃዱን ለማሳደስ የመንግስት ግብር መክፈሉን የሚያሳይ ማስረጃ ማቅረብ አለበት፤ እንዲሁም የፈቃድ ማሳደሻ ክፍያ መክፈል አለበት።

፳፬. በሥራ ላይ ያለ የህግ ጉዳይ ፀሐፊ

ይህ አዋጅ ከመውጣቱ በፊት በሥራ ላይ ያለ የህግ ጉዳይ ፀሐፊ በዚህ አዋጅ አንቀጽ ፳ ስር የተደነገጉትን መሥሪቶች የሚያሟላ ከሆነ ይህ አዋጅ ከወጣበት ቀን ጀምሮ በስድስት ወር ጊዜ ውስጥ ተመዘግቦ ፈቃድ መውሰድ አለበት።

7) Who have documents showing that he is not a government employee.

61. Service Payment

- 1) Any paralegal may make the client to pay money equivalent to the service he renders.
- 2) He shall give a receipt for the payment of service given; the service fee shall be determined by the Regulation to be issued.
- 3) Where the body to whom the application has been written requests for it to be written again, a paralegal shall write the application correctly without additional payment.
- 4) The paralegal shall pay tax for income earned.

62. Application Submitted to Acquire License

A person who wants to acquire a license to render service of paralegal shall fill and submit the form prepared for such purpose.

63. Renewal of License

- 1) Renewal of license shall be one at a year and it is excited from Hamle 1 up to Hamle 30 in Ethiopian calendar.
- 2) A paralegal who fails to renew his license with in the time limit stated under Sub-Article 1 of this Article may renew by paying a penalty fee-until Tikmit 30.
- 3) A paralegal who fails to renew his license with in the time limit stated under Sub-Article 2 of this Article due to force majeure may submit an application to the Zonal Justice Office for the renewal of his license.
- 4) Shall submit a document showing that he had paid tax for the renewal of his license; he shall also pay renewal fee.

64. Paralegals Existing on Work

Where a person have been working as a paralegals before the coming in to force of this Proclamation and fulfills the requirements stated under Article 60 of this Proclamation shall register and take a license within six months starting from the coming in to force of this Proclamation.

65. Balleessaawwan Cimaafi Salphaa

- 1) Kanneen armaan gadiitti tarreeffaman balleessaawwan cimaadha:
 - (a) Gaaffiifi yaada maamilaatiin ala iyyannoo yookiin waliigaltee barreessuu;
 - (b) Dhimmoota unkaaleen tajaajila bilisaa ittiin kennaman bakka jiranitti iyyannoo seeraa kaffaltiidaan barreessuu;
 - (c) Hojii ammaalaa jummaa (waahe-lummaa) hojjachuu;
 - (d) Hayyama dhoorkameen tajaajila kennuu;
 - (e) Hayyama hin haaromsamneen hojjechuu;
 - (f) Abbaa dhimmaa irraa ragaalee yookiin sanadoota fuudhanii dhoksuu yookiin teessoo dhaabbii irraa dhabamuu;
 - (g) Iccitii maammilaa baasuu;
 - (h) Abukaatoo of fakkeessanii abbaa dhimmaatti dhiyaachuu;
 - (i) Waa'ee isaa yookiin tajaajila kennu irratti ibsa sobaa yookiin ibsa nama dogongorsu kennuu;
 - (j) Balleessaa naamusaa salphaatiin yeroo lamaafi isaa oliif himatamee kan adabame;
 - (k) Ragaa sobaa yookiin ibsa sobaa yookiin dogongorsuudhaan hayyama barreessaa dhimma seeraa argachuu;
 - (l) Garee wal falmitoota lamaaniif iyyannoo seeraa barreessuu.
- 2) Kanneen armaan gadiitti tarreeffaman balleessaawwan salphaadha:
 - (a) Hayyama osoo hin haaromsine hafuu;
 - (b) Iyyannoo seeraa keessatti jechoota kabaja namaa tuqanitti fayyadamuu;
 - (c) Kafaltii tajaajila kennamu waliin wal hin madaalle kaffalchiisuu.

66. Hayyama Dhoorkanii Tursiisuu

Barreessaan Dhimma Seeraa gochawwan Labsii kana Keewwata 65 jalatti tumaman raawwatee yoo argame dhimmichi hanga qulqullaa'utti hanga ji'a lamaatti Waajjirri Haqaa Godinaa hayyama isaa dhoorkee tursiisuu ni danda'a.

፳፭. ከዚህ በታች የተዘረዘሩት ጥፋቶች

- ፩) ከዚህ በታች የተዘረዘሩት ጥፋቶች ከባድ ጥፋቶች ናቸው፡፡
 - (ሀ) ከተገልጋዩ ጥያቄና ሐሳብ ውጪ ማመልከቻ ወይም ውል መጻፍ፤
 - (ለ) ነፃ አገልግሎት የሚሰጥባቸው ፎርምች ባሉበት ሁኔታ የህግ ማመልከቻ በክፍያ መጻፍ፤
 - (ሐ) የአማላጅነት ሥራ መስራት፤
 - (መ) በተገደ ፈቃድ አገልግሎት መስጠት፤
 - (ሠ) ባልታደሰ ፈቃድ መሥራት፤
 - (ረ) ከባለ ጉዳይ ላይ ማስረጃዎችን ወይም ሰነዶችን ወስዶ መደበኛ ወይም ከቋሚ አድራሻ መጥፋት፤
 - (ሰ) የደንበኛን ሚስጥር ማውጣት፤
 - (ሸ) እራስን ጠበቃ በማስመሰል ባለጉዳይ መቅረብ፤
 - (ቀ) ስለራሱ ወይም በሚሰጠው አገልግሎት ላይ የሀሰት መግለጫ ወይም ሰውን የሚያሳስት መግለጫ መስጠት፤
 - (በ) በቀላል የዲ.ፕ.ሲ.ን ጥፋት ሁለትና ከዚያ በላይ ተከሶ የተቀጣ፤
 - (ተ) በሐሰት ማስረጃ ወይም በሀሰት መግለጫ ወይም በማሳሳት የህግ ጉዳይ ፀሐፊ ፈቃድ ማግኘት፤
 - (ቸ) ለሁለት ተከራካሪ ወገኖች የህግ ማመልከቻ መጻፍ፤
- ፪) ከዚህ በታች የተዘረዘሩት ጥፋቶች ቀላል ጥፋቶች ናቸው፡፡
 - (ሀ) ፈቃድን ሳያሳድሱ መቅረት፤
 - (ለ) በህግ ማመልከቻ ውስጥ የሰውን ክብር የሚነኩ አባባሎችን መጠቀም፤
 - (ሐ) ከአገልግሎቱ ጋር የማይመጣጠን ክፍያ ማስከፈል፤

፳፮. ፈቃድን አግዶ ማቆየት

የህግ ጉዳይ ፀሐፊ በዚህ አዋጅ አንቀጽ ፳፭ ስር የተደነገጉትን ተግባራት ፈፅሞ የተገኘ እንደሆነ ጉዳዩ እስኪጣራ ድረስ የዞን ፍትህ ጽ/ቤት ለሁለት ወራት ፈቃዱን አግዶ ማቆየት ይችላል፡፡

65. Severe and Simple Breachs

- 1) The following shall be severe disciplinary breaches:
 - (a) Writing an application or a contract without the request and opinion of the client;
 - (b) Writing legal application with consideration where free service formats are available;
 - (c) Working with acquaintanceship;
 - (d) Rendering service with a suspended license;
 - (e) Working without a renewed license;
 - (f) Disappearing from his permanent address or hiding evidence and documents of a client;
 - (g) Disclosing client's secret;
 - (h) Masquerading and presenting oneself as an advocate;
 - (i) Giving false or fraudulent explanation regarding himself or the service he renders;
 - (j) Accused and convicted of simple disciplinary breaches two times or more;
 - (k) Acquiring paralegal license using false document or fraudulent explanation;
 - (l) Writing an application for two contending parties;
- 2) The Following shall be simple disciplinary breaches:
 - (a) Failing to renew a license;
 - (b) Using words that undermine human dignity in a legal application;
 - (c) Causing a client pay more than that what is compatible with the service he rendered.

66. Retaining The Suspension of License

Where a paralegal found violating the provisions of Article 65 of this Proclamation, the Zonal Justice Office may suspend his license for two months until the case is examined.

67. Haala Miidhamaan Iyyannoo Komii Itti Dhiyeffatu

- 1) Namni Barreessaa Dhimma Seeraatiin miidhaan irraa gahe iyyannoo isaa Waajjira Haqaa Godinaatti yookiin Aanaatti barreeffamaan yookiin afaaniin dhiyeffachuu ni danda'a.
- 2) Iyyannoon kan dhiyaatu ragaa waliin yookiin iddoo ragaan itti argamu eeruudhaan ta'uu qaba.
- 3) Waajjirri Haqaa Aanaa iyyannoo dhiyaate gara Waajjira Haqaa Godinaatti dabarsuu qaba.
- 4) Gumiin Dhimma Naamusa Barrees-sitoota Dhimma Seeraa iyyannoo dhiyaate qorachuudhaan hayyama haquu dabalatee tarkaanfii barbaachisaa ta'e ni fudhata.

68. Adabbii

- 1) Barreessaa Dhimma Seeraa badii raawwachuun isaa mirkanaa'e badii raawwate bu'uura godhachuun adabbiiwwan armaan gadiitti tarreeffaman keessaa tokko itti murtaa'uu ni danda'a:
 - (a) Akeekkachiisa afaanii;
 - (b) Akeekkachiisa barreeffamaa;
 - (c) Adabbii qarshii 200 hanga 1000 ga'u;
 - (d) Adabbii qarshii 1000 ol hanga 3000 ga'u;
 - (e) Ji'a sadii hanga waggaa tokkotti hayyama dhoorkanii tursiisuu; yookiin,
 - (f) Hayyama haquu.
- 2) Kan Keewwata kana Keewwata Xiqqaa 1(a) - (c) tti tarreeffaman adabbii naamusaa salphaa jedhamuun ramadamu.
- 3) Kan Keewwata kana Keewwata Xiqqaa 1(d) - (f) tti tarreeffaman adabbii naamusaa cimaa jedhamuun ramadamu.
- 4) Barreessaan Dhimma Seeraa balleessaa naamusaatiin adabame yakkaan gaafatamuu irraa bilisa hin ta'u.
- 5) Sirni adabbiin naamusaa itti murtaa'uu Dambii bahuun kan murtaa'uu ta'a.

69. Darbiinsa Yeroo

- 1) Balleessaa cimaan guyyaa raawwatame irraa kaasee waggaa lama keessatti komiin kan hin dhiyaanne yoo ta'e, Barreessaa Dhimma Seeraa badicha raawwate irratti komii dhiyeffachuun hin danda'amu.

፳፯. ተጎጂው የቅሬታ ማመልከቻ የሚያቀርብበት ሁኔታ

- ፩) በህግ ጉዳይ ፀሐፊ ጉዳት የደረሰበት ሰው ማመልከቻውን ለዞን ወይም ለወረዳ ፍትህ ጽህፈት ቤት በጽሑፍ ወይም በቃል ማቅረብ ይችላል።
- ፪) ማመልከቻው የሚቀርበው ከማስረጃ ጋር ወይም ማስረጃው የሚገኝበት ቦታን በመጠቀም መሆን አለበት።
- ፫) የወረዳው ፍትህ ጽ/ቤት የቀረበውን ማመልከቻ ወደ ዞን ፍትህ ጽ/ቤት ማስተላለፍ አለበት።
- ፬) የህግ ጉዳይ ፀሐፊዎች ጉባኤ የቀረበውን ማመልከቻ በመመርመር ፈቃድ መሠረዝን ጨምሮ አስፈላጊውን እርምጃ ይወስዳል።

፳፰. ቅጣት

- ፩) የህግ ጉዳይ ፀሐፊ ጥፋት መፈፀሙ ከተረጋገጠ ያጠፋውን ጥፋት መሰረት በማድረግ ከዚህ በታች ከተዘረዘሩት ቅጣቶች ውስጥ አንዱ ሊወሰንበት ይችላል፤
 - (ሀ) የቃል ማስጠንቀቂያ፤
 - (ለ) የጽሑፍ ማስጠንቀቂያ፤
 - (ሐ) ክብር ፪መቶ እስከ ፩ሺ የሚደርስ የገንዘብ ቅጣት፤
 - (መ) ክብር ፩ሺ በላይ እስከ ፫ሺ የሚደርስ የገንዘብ ቅጣት፤
 - (ሠ) ከሦስት ወር እስከ አንድ አመት ፈቃድ አግዶ ማቆየት፤ ወይም
 - (ረ) ፈቃድ መሰረዝ።
- ፪) በዚህ አንቀጽ ንዑስ አንቀጽ ፩(ሀ)-(ሐ) ድረስ የተዘረዘሩት ቀላል የዲ.ሲ.ፕ.ሊ.ን ቅጣት በመባል ይመደባሉ።
- ፫) በዚህ አንቀጽ ንዑስ አንቀጽ ፩ (መ)-(ረ) ድረስ የተዘረዘሩት ከባድ የዲ.ሲ.ፕ.ሊ.ን ቅጣት በመባል ይመደባሉ።
- ፬) በዲ.ሲ.ፕ.ሊ.ን ጥፋት የተቀጣ የህግ ጉዳይ ፀሐፊ በወንጀል ከመጠየቅ አይደሉም።
- ፭) የዲ.ሲ.ፕ.ሊ.ን ቅጣት የሚተላለፍበት ስርዓት በሚወጣው ደንብ የሚወሰን ይሆናል።

፳፱. የደርጋ ጊዜ

- ፩) ከባድ ጥፋት ከተፈፀመበት ቀን አንስቶ በሁለት አመት ውስጥ ቅሬታ ያልቀረበ ከሆነ ጥፋቱን በፈፀመው የህግ ጉዳይ ፀሐፊ ላይ ቅሬታ ማቅረብ አይቻልም።

67. Conditions in Which Client Lodged Accusation

- 1) A person who is harmed by paralegal may lodge his complaint in writting or orally to the Zonal or Woreda Justice Office.
- 2) The application lodged shall include the evidence or state the place where the evidence is found.
- 3) The Wereda Justice Office shall transfer the application to the Zonal Justice Office.
- 4) The Disciplinary Commission of Paralegal shall examine the complaint lodged and take necessary measures including revocation of a license.

68. Penalty

- 1) One of the following measures may be taken against a paralegal who has committed disciplinary breach:
 - (a) Oral warning;
 - (b) Written warning;
 - (c) a fine of 200 up to 1000 Birr;
 - (d) a fine of more than 1000 up to 3000 Birr;
 - (e) Suspension of license from three months up to one year; or
 - (f) Revocation of license.
- 2) The penalty described under Sub-Article 1 (a) - (c) of this Article shall be categorized as simple disciplinary measures.
- 3) The penalty described under Sub-Article 1(d) - (f) of this Article shall be categorized as severe disciplinary measures.
- 4) A paralegal who has been punished with disciplinary breach shall not be free from criminal liability.
- 5) A system in which disciplinary measure is taken shall be decided by Regulation to be issued.

69. Period of Limitation

- 1) Compliant regarding severe disciplinary breach against a paralegal shall be barred by period of limitation unless it is lodged within two years starting from the day it has been committed.

2) Balleessaa salphaan guyyaa raaw-watame irraa kaasee waggaa tokko keessatti komiin kan hin dhiyaanne yoo ta'e, Barreessaa Dhimma Seeraa badicha raawwate irratti komii dhiyeeffachuun hin danda'amu.

70. Yeroo Turmaata Rikardii Adabbii

- 1) Adabbiin balleessaa cimaa guyyaa adabbiin murtaa'e raawwatame irraa kaasee waggaa 2 booda akka rikardiitti Barreessaa Dhimma Seeraa irratti hin qabamu.
- 2) Adabbiin balleessaa salphaa guyyaa adabbiin murtaa'e raawwatame irraa kaasee waggaa 1 booda akka rikardiitti Barreessaa Dhimma Seeraa irratti hin qabamu.

71. Aangoofi Hojii Biiroo

- 1) Leenjii dandeettii Barreessitoota Dhimma Seeraa cimsu ni kenna; akka kennamu ni taasisa.
- 2) Hojii Barreessitoota Iyyannoo Dhimma Seeraa ni hordofa; ni to'ata.
- 3) Hojimaatawwan barbaachisaa ta'an ni diriirsa.
- 4) Komii ol'iyyannoo Barreessaan Dhimma Seeraa yookiin maamilli Barreessaa Dhimma Seeraatiin miidhame dhiyeeffatu laalee ni murteessa; murtiin kennamus kan dhumaa ta'a; haalli raawwii isaa Dambii bahuun kan murtaa'u ta'a.

KUTAA SADDEET

Gumii Dhimma Naamusa

Barreessitoota Dhimma Seeraa

72. Hundeeffama

Gumiin Dhimma Naamusa Barreessitoota Dhimma Seeraa armaan booda "Gumii" jedhamee waamamu Labsii kanaan sadarkaa Waajjira Haqaa Godinaatti hundeeffamee jira.

73. Miseensota Gumii

- 1) Gumiin miseensota armaan gadii ni qabaata:
 - (a) Itti Gaafatamaan Waajjira Haqaa Godinaa Walitti Qabaa;
 - (b) Adeemsa Hojii Galmeessaa Ragaaleefi Kennaa Hayyamaa Waajjira Haqaa Godinaa irraa Abbaa Alangaa tokko ... barreessaafi miseensa;
 - (c) Itti Gaafatamaa Waajjira Haqaa Godinaatiin kan ramadamu Abbaa Alangaa Godinaa tokko ... miseensa;

፩) ቀላል ጥፋት ከተፈፀመበት ቀን አንስቶ በአንድ አመት ውስጥ ቅሬታ ያልቀረበ ከሆነ ጥፋቱን በፈፀመው የህግ ጉዳይ ፀሐፊ ላይ ቅሬታ ማቅረብ አይችልም።

፩. የቅጣት ሪከርድ የሚቆይበት ጊዜ

- ፩) የከባድ ጥፋት ቅጣት ቅጣቱ ተወስኖ ተፈፃሚ ከሆነበት ቀን አንስቶ ከሁለት ዓመት በኋላ በህግ ጉዳይ ፀሐፊ ላይ እንደ ሪከርድ ሊያዝ አይችልም።
- ፪) የቀላል ጥፋት ቅጣት ቅጣቱ ተወስኖ ተፈፃሚ ከሆነበት ቀን አንስቶ ከአንድ አመት በኋላ እንደ ሪከርድ በህግ ጉዳይ ፀሐፊ ላይ ሊያዝ አይችልም።

፪. የቢሮ ስልጣንና ተግባር

- ፩) የህግ ጉዳይ ፀሐፊዎች ችሎታ ለማዳበር ስልጠና ይሰጣል፤ እንዲሰጥ ያደርጋል።
- ፪) የህግ ጉዳይ ማመልከቻ ፀሐፊዎችን ጉዳይ ይከታተላል፤ ይቆጣጠራል።
- ፫) አስፈላጊ የሆኑ አሰራሮችን ይዘረጋል።
- ፬) የህግ ጉዳይ ፀሐፊ ወይም የህግ ጉዳይ ፀሐፊ ደንበኛ የሚያቀርበውን የይግባኝ ቅሬታ አይቶ ይወስናል። የሚሰጠውም ውሳኔ የመጨረሻ ይሆናል፤ አፈጻጸሙ በሚወጣው ደምብ የሚወሰን ይሆናል።

ክፍል ስምንት

የህግ ጉዳይ ፀሐፊዎች የዲሲፕሊን ጉዳይ ጉባኤ

፩. አመሠራረት

የህግ ጉዳይ ፀሐፊዎች የዲሲፕሊን ጉዳይ ጉባኤ ከዚህ በኋላ “ጉባኤ” ተብሎ የሚጠራ በዚህ አዋጅ በዞን የፍትህ ጽህፈት ቤት ደረጃ ተቋቁሟል።

፪. የጉባኤው አባላት

- ፩) ጉባኤው የሚከተሉት አባላት ይኖሩታል፤
 - (ሀ) የዞን ፍትህ ጽህፈት ቤት ኃላፊ ... ሰብሳቢ፤
 - (ለ) የዞን ፍትህ ጽህፈት ቤት የማስረጃዎች ምዝገባ ፈቃድ አሰጣጥ የሥራ ሂደት ላይ አንድ አቃቤ ህግ ... አባልና ፀሐፊ፤
 - (ሐ) በዞን ፍትህ ጽህፈት ቤት ኃላፊ የሚመደብ አንድ የዞን ፍትህ ጽ/ቤት አቃቤ ህግ ... አባል፤

2) Compliant regarding simple disciplinary breach against a paralegal shall be barred by period of limitation unless it is lodged within one year starting from the day it has been committed.

70. Retaining Time of Penalty Record

- 1) Penalty of severe disciplinary breach shall not be taken as a record against paralegal after a lapse of two years starting from the day the decision has been passed.
- 2) Penalty of simple disciplinary breach shall not be taken as a record against paralegal after a lapse of one year starting from the day the penalty decision has been passed.

71. Powers and Duties of the Bureau

- 1) Give or cause to be given training that builds the capacity of paralegals.
- 2) Follow up and control activities of paralegals.
- 3) Provide the necessary work procedure.
- 4) Examine and decide an appeal lodged by a paralegal or by a client harmed by paralegal. The decision given shall be final. The details shall be determined by the Regulation to be issued.

PART EIGHT

Disciplinary Commission of Paralegals

72. Establishment

Disciplinary Commission of Paralegals here after called “Commission” shall be established at the level of Zonal Justice Office by this Proclamation.

73. Member of the Commission

- 1) The Commission shall have the following members:
 - (a) The head of Zonal Justice Office ... Chairperson;
 - (b) One prosecutor from Authentication and Licensing Work Process ... Secretary and member;
 - (c) One prosecutor assigned by the head of Zonal Justice Office ... Member;

- (d) Mana Murtii Ol'aanaa irraa Abbaa Seeraa tokko ... miseensa;
- (e) Barreessitoota Dhimma Seeraa Waajjira Haqaa Godinaatti galmaahaniin kan filatamu Barrees-saa Dhimma Seeraa tokko ... miseensa;
- 2) Barri hojii miseensa tokko waggaa lamaaf ta'a.
- 3) Keewwata kana Keewwata Xiqqaa 2 jalatti kan tumame akkuma eegametti ta'ee, miseensi kamiyyuu irra deebiin filatamuu ni danda'a.

74. Aangoo fi Hojii Gumii

Gumiin aangoo fi hojii armaan gadii ni qabaata:

- 1) Barreessitoota Dhimma Seeraa irratti Labsii kana yookiin Dambii bu'uura Labsii kanaatiin bahu darbuun himanni yammuu dhiyaatu himaticha fudhatee calaluun murtii ni kenna;
- 2) Bu'uura Keewwata kana Keewwata Xiqqaa Itiin murtiin kenname kamiyyuu galmee dhuunfaa Barrees-saa Dhimma Seerichaa keessatti akka galmeeffamu ni taasisa;
- 3) Barreessaan Dhimma Seeraa ballees-saa naamusaatiin adabame yakkaan gaafatamuu irraa bilisa hin ta'u.

75. Sirna Walga'ii Gumii

- 1) Gumiin akkuma barbaachisummaa isaatti yeroo yeroon walga'uun dhimmoota dhiyaataniif ilaalee ni murteessa.
- 2) Miseensoota Gumii keessaa harki walakkaa ol yoo argaman, walga'iin Gumii guutuu ta'a.
- 3) Murtiileen Gumii sagalee caalmaatiin kan darbu ta'ee, sagaleen walqixaa yoo ta'e yaadni walitti qabaan deeggarame murtii Gumii ni ta'a.

KUTAA SAGAL

Tumaalee Adda Addaa

76. Adabbii

Namni kamiyyuu:

- 1) Akkaataa Labsii kanaatiin hayyama abukaatummaa osoo hin baasin yookiin osoo hin haaromsin taajaajila ogummaa abukaatummaa yoo kenne yookiin kennuuf yoo yaalee adabbii maallaqaa qarshii 5,000 gadi hin taaneefi 20,000 hin caalleen yookiin hidhaa salphaa ji'aa jahaa gadi hin taaneefi waggaa lama hin caalleen ni adabama.

- (መ) ከከፍተኛ ፍርድ ቤት አንድ ዳኛ ... አባል፤
- (ሠ) በዞን ፍትህ ጽህፈት ቤት በተመዘገቡ የህግ ጉዳይ ፀሐፊዎች የተመረጠ አንድ የህግ ጉዳይ ፀሐፊ ... አባል፤
- ፪) የአንድ አባል የሥራ ዘመን ሁለት ዓመት ይሆናል።
- ፫) በዚህ አንቀጽ ንዑስ አንቀጽ ፪ ሥር የተደነገገው እንደተጠበቀ ሆኖ ማንኛውም አባል በድጋሚ ሊመረጥ ይችላል።

፸፬. የጉባኤው ሥልጣንና ተግባር

ጉባኤው የሚከተሉት ሥልጣንና ተግባራት ይኖሩታል።

- ፩) በህግ ጉዳይ ፀሐፊዎች ላይ ይህን አዋጅ ወይም በዚህ አዋጅ መሠረት የሚወጣውን ደምብ በመተላለፍ ክስ ሲቀርብ ክሱን ተቀብሎ በማጣራት ውሳኔ ይሰጣል፤
- ፪) በዚህ አንቀጽ ንዑስ አንቀጽ ፩ መሰረት የተሰጠ ማንኛውም ውሳኔ በህግ ጉዳይ ፀሐፊ የግል ማህደር ውስጥ እንዲመዘገብ ያደርጋል፤
- ፫) በስነ ምግባር ጥፋት የተቀጣ የህግ ጉዳይ ፀሐፊ በወንጀል ከመጠየቅ ነፃ አይሆንም።

፸፭. የጉባኤው የስብሰባ ሥነ ስርዓት

- ፩) ጉባኤው እንደ አስፈላጊነቱ በየጊዜው በመሰብሰብ የቀረቡለትን ጉዳዮች አይቶ ይወስናል።
- ፪) ከአባላቱ ውስጥ ከግማሽ በላይ ከተገኙ ምልዐተ ጉባኤ ይሆናል።
- ፫) የጉባኤው ውሳኔ በአብልጫ ደምጽ የሚወሰን ሆኖ ደምጽ እኩል ከሆነ ሰብሳቢው የደገፈው ሃሳብ የጉባኤው ውሳኔ ይሆናል።

ክፍል ዘጠኝ

ልዩ ልዩ ድንጋጌዎች

፸፮. ቅጣት

ማንኛውም ሰው፣

- ፩) ማንኛውም ሰው በዚህ አዋጅ መሠረት የጠበቃ ፈቃድ ሳያወጣ ወይም ሳያሳድስ የጥብቅና ሙያ አገልግሎት ከሰጠ ወይም ለመስጠት ከሞከረ ከብር ፭ሺ ባላነሰና ከብር ፳ሺ ባልበለጠ የገንዘብ መቀጮ ወይም ከስድስት ወር ባላነሰ እና ከሁለት አመት ባልበለጠ ቀላል እሥራት ይቀጣል።

- (d) One Judge from High court ... Member;
- (e) One paralegal elected from among those registered at Zonal Justice Office ... Member;
- 2) The term of office of a member shall be two years.
- 3) Without prejudice to Sub-Article 2 of this Article, any member may be elected again.

74. Powers and Duties of the Commission

The Commission shall have the following powers and duties:

- 1) Examine and decide on an accusation lodged against a paralegal for violating this Proclamation and the Regulation to be issued based on this Proclamation;
- 2) Shall put every decision given in accordance with Sub-Article 1 of this Article in the private file of the paralegal;
- 3) A paralegal who have been punished with disciplinary breach shall not be free from criminal liability.

75. Meeting Procedure

- 1) The Commission shall meet and decide on cases lodged to it as it found necessary.
- 2) It shall be a quorum where more than half of the members of the Commission are present.
- 3) Decision shall be passed by a majority vote; in case of a tie the decision supported by the chairperson shall be the decision of the Commission.

PART NINE

Miscellaneous Provisions

76. Penalty

Any person:

- 1) Who renders or attempt to render professional advocacy service without having or renewing his advocacy license shall be punished by a fine of not less than 5,000 Birr and not more than 20,000 Birr or simple imprisonment not less than 6 month and not move than 2 years.

2) Akkaataa Labsii kanaatiin hayyama barreessaa dhimma seeraa osoo hin baasin yookiin osoo hin haaromsin tajaajila yoo kenne yookiin kennuuf yoo yaale adabbii maallaqaa qarshii 2,000 gadi hin taaneefi 10,000 hin caalleen yookiin hidhaa salphaa ji'a sadii gadi hin taaneefi waggaa tokkoo hin caalleen ni adabama.

77. Hayyama Abukaatummaa Labsii Kana Dura Kennaman

- 1) Akkaataa Labsii Lak. 86/1996tiin hayyama sadarkaa tokkoffaa fi lam-maffaa abukaatoon fudhates ta'ee, abukaatoon Labsiin 86/1996 utuu hin bahin dura hayyamni fudhate Labsichaan raggaasifameef, Labsiin kun guyyaa itti ragga'u irraa eegalee waggaa tokko keessatti qormaata Biiron kennamu akka fudhatu taasifamuun qormaaticha yoo darbe akkaataa Labsii kanaatiin hayyamni abukaatummaa kan kennamuuf ta'a.
- 2) Kan Keewwata kana Keewwata Xiqqaa 1 jalatti tumame jiraatuyyuu akkaataa Labsii kanaatiin qormaata fudhachuuf kan dirqama hin qabnee fi kanneen Kanaan dura qormaata fudhachuun hayyama ogummaa abukaatummaa argatan hin ilaallatu.
- 3) Abukaatoon bu'uura Keewwata kana Keewwata Xiqqaa Itiin dhiyaatee qorumsa kan hin fudhanne yoo ta'e yookiin qormaaticha kan hin dabarre yoo ta'e, Biiron hayyama isaa ni haqa.
- 4) Kan Keewwata kana Keewwata Xiqqaa 3 jalatti tumame jiraatuyyuu abukaatoon sababa humnaa ol ta'een qormaaticha irraa hafe, sababichi guyyaa maqfame irraa kaasee ji'a jaha keessatti yoo iyyate, Biiron akka qormaaticha fudhatu murteessuu ni danda'a.
- 5) Abukaatoon qormaata fudhatee kan hin darbine yoo ta'e, akkaataa sagantaa Biiron baasuun irraa deebi'ee fudhachuu ni danda'a.

78. Aangoo Dambiifi Qajeelfama Baasuu

- 1) Manni Maree Bulchiinsa Mootummaa Naannoo Oromiyaa Labsii kana raawwachiisuuf kan gargaaru Dambii baasuu ni danda'a.

፪) በዚህ አዋጅ መሠረት የህግ ጉዳይ ፀሐፊ ፈቃድ ሳያወጣ ወይም ሳያሳድስ አገልግሎት ከሰጠ ወይም ለመስጠት ከሞከረ ከብር ፪ሺ ዓላነሰና ከብር ፲ሺ ዓልበለጠ የገንዘብ መቀጮ ወይም ከሦስት ወር ዓላነሰና ከአንድ አመት ዓልበለጠ ቀላል እሥራት ይቀጣል።

፸፯. ከዚህ አዋጅ በፊት የተሰጠ የጥብቅና ፈቃድ

- ፩) በአዋጅ ቁጥር ፹፮/፲፱፻፺፮ አንደኛና ሁለተኛ ደረጃ የጥብቅና ፈቃድ የወሰደም ሆነ፣ አዋጅ ቁጥር ፹፮/፲፱፻፺፮ ከመውጣቱ በፊት ፈቃድ በአዋጁ የፀደቀለት፣ ይህ አዋጅ ከሚጸድቅበት ቀን ጀምሮ በአንድ አመት ውስጥ በቢሮ የሚሰጠውን ፈተና እንዲወስድ ተደርጎ ፈተናውን ካለፈ በዚህ አዋጅ መሠረት የጥብቅና ፈቃድ የሚሰጠው ይሆናል።
- ፪) በዚህ አንቀፅ ንዑስ አንቀፅ ፩ የተደነገገው ቢኖርም በዚህ አዋጅ መሰረት ፈተና ለመውሰድ የማይገደድና ከዚህ በፊት ፈተና ወስደው የጥብቅና ፈቃድ ያገኙትን አይመለከትም።
- ፫) በዚህ አንቀፅ ንዑስ አንቀፅ ፪ መሰረት ቀርቦ ፈተና ካልወሰደ ወይም ፈተናውን ካላለፈ ቢሮው ፈቃዱን ይሰርዛል።
- ፬) በዚህ አንቀፅ ንዑስ አንቀፅ ፫ የተደነገገው ቢኖረም ከአቅም በላይ በሆነ ምክንያት ከፈተና የቀረ ጠበቃ፣ ምክንያቱ ከተወገደበት ቀን ጀምሮ በስድስት ወር ውስጥ ካመለከተ ቢሮው ፈተናውን እንዲወስድ ሊወስን ይችላል።
- ፭) ፈተናውን ያላለፈ ጠበቃ ቢሮው በሚያወጣው ፕሮግራም መሰረት በድጋሚ መውሰድ ይችላል።

፸፰. ደንብና መመሪያ የማውጣት ሥልጣን

- ፩) የኦሮሚያ ክልል መስተዳድር ምክር ቤት ይህንን አዋጅ ለማስፈፀም የሚረዳ ደምብ ማውጣት ይችላል።

2) Who renders service or attempts to render service without obtaining or renewing a paralegal license shall be punished with fine not less than 2, 000 Birr and not more than 10,000 Birr or an imprisonment of not less than three months or not more than one year.

77. Advocacy License Issued Before this Proclamation

- 1) An advocate who acquired 1st and 2nd level license in accordance with proclamation No. 86/2004, and that who have acquired a license before the coming into effect of Proclamation No. 86/2004 and his license had been approved in accordance with the same Proclamation shall be made to take competency examination prepared by the Bureau within one year starting from the coming into effect of this Proclamation, and an advocacy license shall be given for those who passed the examination in accordance with this Proclamation.
- 2) Notwithstanding Sub-Article 1 of this Article, it shall not include those who has no obligation to take an examination in accordance with this Proclamation and those granted advocates' license by taking an examination before.
- 3) Where an advocate fails to take the examination or has taken but failed in accordance with Sub-Article 1 of this Article, the Bureau shall cancel his license.
- 4) Notwithstanding Sub-Article 3 of this Article, where an advocate fails to take an examination due to force majeure requests, the Bureau may decide for him to take the examination with in six months starting from the date his problem has been resolved.
- 5) An advocate who failed the examination may take it again in accordance with the program of the Bureau.

78. Power to Issue Regulation and Directives

- 1) The Oromia Administrative Council may issue a Regulation for the implementation of this Proclamation.

2) Biiron Labsii kanaafi Dambii akaataa Labsii kanaatiin bahu raaw-wachiisuuf Qajeelfama baasuu ni danda'a.

79. Seerota Raawatiinsa Hin Qabaanne

- 1) Labsiin Hayyamaafi Naamusa Abu-kaatota Naannoo Oromiyaa Murteessuuf Bahe Lak. 86/1996 Labsii kanaan haqamee jira.
- 2) Seeronniifi barmaatileen hojii Labsii kanaan wal faallessan kamiyyuu dhimmoota Labsii kana keessatti ibsaman irratti raawatiinsa hin qabaatan.

80. Yeroo Labsiin Kun Hojiirra Itti Oolu

Labsiin kun guyyaa Magalata Oromiyaa irratti maxxanfame irraa eegalee kan hojiirra oolu ta'a.

Alamaayyoo Atoomsaa
Pirezidaantii Mootummaa Naannoo
Oromiyaa
Adoolessa 7 Bara 2005, Finfinnee

፪) ቢሮው ይህንን አዋጅ እና በዚህ አዋጅ መሰረት የሚወጣውን ደንብ ለማስፈፀም መመሪያ ማውጣት ይችላል።

፸፱. ተፈጻሚነት የሌላቸው ህጎች

- ፩) የኦሮሚያ ክልል የጠበቆች ፈቃድና ዲሲፕሊን ጉዳይ ለመወሰን የወጣው አዋጅ ቁጥር ፹፮/፲፱፻፺፮ በዚህ አዋጅ ተሸሯል።
- ፪) ከዚህ አዋጅ ጋር የሚቃረኑ ማናቸውም ህጎችና ልማዳዊ አሰራሮች በዚህ አዋጅ በተካተቱት ጉዳዮች ላይ ተፈጻሚነት አይኖራቸውም።

፹. አዋጁ ሥራ ላይ የሚውልበት ጊዜ

ይህ አዋጅ በመገለጥ ኦሮሚያ ላይ ከታተመበት ቀን ጀምሮ ሥራ ላይ የሚውል ይሆናል።

አለማየሁ አቶምሳ
የኦሮሚያ ብሔራዊ ክልላዊ መንግስት ፕሬዝዳንት
ፊንፊኔ፣ ሐምሌ ፯ ቀን ፪ሺ፭ ዓ.ም

2) The Bureau may issue Directives for the implementation of this Proclamation and the Regulation to be issued.

79. Inapplicable Laws

- 1) Proclamation to determine License and Discipline of Advocate of Oromia Regional State No. 86/2004 is repealed by this Proclamation.
- 2) Any laws and customary practice contrary to this Proclamation shall not be applicable on matters covered by this Proclamation.

80. Effective Date

This Proclamation shall come in to force as of its publication on Megeleta Oromia.

Alemayehu Atomsa
President of Oromia National Regional
State
Finfine, the 14th of July 2013

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