



የቤኒሻንጉል ጉሙዝ ክልላዊ መንግስት  
 ልሳነ-ሕግ ጋዜጣ  
 LISAN HIG GAZETA  
 OF THE BENISHANGUL — GUMUZ REGIONAL STATE

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የቤኒሻንጉል ጉሙዝ ክልል መንግስት  
 ም/ቤት ጠባቂነት የወጣ

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አዋጅ ቁጥር "38/1995ዓ/ም"

የቤኒሻንጉል ጉሙዝ ክልላዊ መንግሥት የዳኞች  
 አስተዳደር ጉባዔን ለማሻሻል የወጣ አዋጅ

መግቢያ

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 ባለመገኘቱ፤

በተሻሻለው የክልላችን ሕገ መንግሥት  
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 ተግባራቸው ተከፋፍሎ የተቋቋሙ በመሆናቸውና  
 የደኝነት አካሉን በአዲስ ማጠናከር አስፈላጊ ሆኖ  
 በመገኘቱ፤ የቀድሞ አዋጅ አዲሱን የፍትህና  
 የፍርድ ቤቶች ማሻሻያ ሥርዓቶች ያላከተተ  
 በመሆኑ፤

**PROCLAMATION NO. 38/2003**

**BENISHANGUL – GUMUZ REGIONAL  
 STATE. A PROCLAMATION ENACTED  
 TO AMEND THE JUDICIAL  
 ADMINISTRATION COMMISSION  
 PROCLAMATION**

**Preamble**

Whereas, a more independent judiciary is established by the Revised Constitution of the Benishangul Gumuz Regional State, and the Proclamation to Establish the Judicial Administration Commission, Proclamation No. 5/1989, is not capable and convenient to guarantee the independence of the Judiciary.

Whereas, the three organs of the government, with clear powers and differentiated functions, are established by the revised regional constitution, and that it is necessary to re-strengthen the judiciary, and that the proclamation in force has not incorporated the new justice and judicial reform programs.

በሕገ መንግሥቱ የተረጋገጠውን የዳኝነት ነፃነት ለማረጋገጥ ከሚያስችሉት መሠረታዊ ጉዳዮች አንዱና ዋናው የዳኞች አስተዳደርን ከማናቸውም የመንግሥት አካል ወይም ባለሥልጣን ተጽዕኖ ነፃ በሆነ ሁኔታ እንዲመራ ማድረግና ዳኞች በአብላጫ ያሉበት የዳኞች አስተዳደር ጉባኤ ማቋቋም በማስፈለጉ፤

በተሻሻለው የቤኒሻንጉል-ጉሙዝ ክልላዊ መንግሥት ህገ መንግሥት አንቀጽ 49/3/3/1/ መሠረት የሚከተለው ታውጧል፡፡

**አንቀጽ ፩**

**አጭር ርዕስ**

ይህ የቤኒሻንጉል ጉሙዝ ክልል የዳኞች አስተዳደር ጉባኤን ለማሻሻል የወጣ አዋጅ ቁጥር "38/1995" ተብሎ ሊጠቀስ ይችላል፡፡

**አንቀጽ ፪**

**ትርጓሜ**

በዚህ አዋጅ ውስጥ፤

1. "ምክር ቤት" ማለት የቤኒሻንጉል ጉሙዝ ክልላዊ መንግሥት የሕግ አውጪው አካል ነው፤
2. "ጉባኤ" ማለት በሕግ አግባብ፣ በክልሉ የዳኞች አስተዳደር ጉባኤ ተመርጦ በክልሉ ምክር ቤት የተሾመ ነው፡፡
3. "ዳኛ" ማለት በህግ አግባብ፣ በክልሉ የዳኞች አስተዳደር ጉባኤ ተመርጦ በክልሉ ምክር ቤት የተሾመ ነው፡፡

WHEREAS one and the major of the fundamental factor that help to realize the constitutionally guaranteed independence of the judiciary is to have the judicial administration directed in a way free from the influence of any government organ or official, and that it is necessary to establish the Judicial Administration Commission consisting of judges as majority;

Therefore, in accordance with Article 49(3) (1) of revised constitution of Benishangul Gumuz Regional State, it is hereby proclaimed as follows;

**Article 2**

**Short Title**

This Proclamation may be cited as "Proclamation Enacted to Amend the Judicial Administration Commission Proclamation Benishangul- Gumuz Region (Proclamation No.38/1995).

**Article 2**

**Definitions**

In this Proclamation,

- 1) "Council" means the legislative organ of the Benishangul Gumuz Regional State.
- 2) "Commission" means Judicial Administration Commission established hereby by this proclamation.
- 3) "Judge" means a person recruited, in accordance with the law, by the Region's Judicial Administration Commission and appointed by the Region's Council.

4. "ረዳት ዳኛ" ማለት በዳኞች የአስተዳደር ጉባኤ ተመርጦ በምክር ቤት እስኪሾም ድረስ በሕግ ሙያ ላይ በጉባኤ ተመድቦ የሚሠራ የሕግ ሙያተኛ ነው።
5. "የዲስፕሊን ጥፋት" ማለት በዲስፕሊንና በሥነ ምግባር ደንብ የተመለከተውን ጥፋት ሲሆን በወንጀል ተከሶ ጥፋተኝነቱ የተረጋገጠበትን፣ በጉባኤ በአማላጅ የሚሠራን በዘር በሃይማኖት፣ በጾታና በፖለቲካ አመለካከት አድልኦ የሚያደርግን ወይም ባለጉዳይ የሚያጉላላን ይጨምራል።
6. "ጉልህ የሆነ የሥራ ችሎታና ቅልጥፋና ማነስ" ማለት በዲስፕሊንና በሥነ ምግባር ደንብ የተመለከተው ሲሆን በዳኝነት ሥራው ላይ ሙያው ከሚጠይቀው የትምህርትና የልምድ ችሎታ በታች የሆነ የሕግና የፍሬ ነገር ስህተት የሚፈጽም ወይም ከሚገባው ጊዜ በላይ ክርክር የሚያራዝምን ይጨምራል።
7. "ሌሎች ተሟላዎች" ማለት በክልሉ የዳኞች አስተዳደር ጉባኤ የሚሾሙ ፊደስተራሮች እና ተከላካይ ጠበቆች ናቸው።

**አንቀጽ ፫**

**ማቋቋም**

የቤኒሻንጉል ጉሙዝ ክልል የዳኞች አስተዳደር ጉባኤ በዚህ አዋጅ ተቋቁሟል።

- 4) "Assistant Jude" means a lawyer who is recruited and assigned by the Judicial Administration Commission to serve in legal profession until he is appointed by the Council.
- 5) "Breach of Discipline" means a breach as specified in the Disciplinary and Code of Conduct Rule and includes a judge who is found guilty of an offense charges with, yields to bribes and go-betweens, practices favoritism on account of race, religion, sex and political attitude, or who frustrates parties to a case brought before him.
- 6) "Manifest Incompetence and Inefficiency" means what is specified in the Disciplinary and code of conduct rule, and includes a judge who commits and error of law unbecoming to the competence by training and experience which the profession requires or who unduly delays proceeding.
- 7) "Other appointees" means registrars and legal counsels appointed by the Judicial Administration Commission.

**Article 3**

**Establishment**

The Benishangul Gumuz Regional State Judicial Administration Commission is hereby established by this Proclamation.

**አንቀጽ ፬**

**የጉባኤ ባላት**

1. ጉባኤው የሚከተሉት አባላት ይኖሩታል።  
ሀ/ የክልሉ ጠቅላይ ፍ/ቤት ንግሥት -----  
ሰብሳቢ  
ለ/ የክልሉ ጠቅላይ ፍ/ቤት ም/ንግሥት  
ወይም በማይኖርበት ጊዜ በፕሬዚዳንቱ  
የሚወከል አንድ ዳኛ ----- አባል  
ሐ/ በም/ቤቱ አፈ ጉባኤ የሚወከሉ ሶስት  
የምክር ቤቱ አባላት ----- አባል  
መ/ ከጠቅላይ ፍ/ቤት አንድ ዳኛ ----- አባል  
ሠ/ ከዞን ከፍተኛ ፍ/ቤቶች ሶስት ዳኞች --  
----- አባል
2. ከጠቅላይ ፍርድ ቤት የሚወከለውን አንድ  
ዳኛ የጠቅላይ ፍርድ ቤቱ ዳኞች  
ይመርጣሉ።
3. ከከፍተኛ ፍርድ ቤቶች የሚወከሉትን ሶስት  
ዳኞች በተመለከተ በእያንዳንዱ የዞን ከፍተኛ  
ፍ/ቤት አንድ አንድ ዳኛ በፍ/ቤቶች  
አማካኝነት መርጠው ይልካሉ።
4. ንግሥት በማይኖርበት ጊዜ የሚወከለው  
አባል ፕሬዚዳንቱን ተክቶ ይሠራል።
5. ጉባኤው የራሱን ፀሐፊ ከአባላቱ መካከል  
ይመርጣል።
6. የጉባኤው አባላት የሥራ ዘን ከክልሉ  
ም/ቤት አባላት የሥራ ዘን ጋር አንድ  
ዓይነት ይሆናል።

**Article 4**

**Members of the Commission**

- 1) The Commission shall have the following members:
  - a. The President of the Supreme Court of the Region ----- Chairman.
  - b. The Vice President of the Supreme Court of the region or in his absence, a judge to be designated by the president ----- member.
  - c. Three members of the council to designated by the speaker of the council----- member.
  - d. One judge from the supreme court----- member
  - e. Three judges form the zonal high court ----- member.
- 2) A judge from the Supreme Court shall be selected by the judges of the Supreme Court.
- 3) Concerning the three judges from the Zonal High Courts, each Zonal high Court shall select one judge.
- 4) A member to be designated in the absence of the President shall act on behalf of the President.
- 5) The commission shall select its own secretary from among its members.
- 6) The term of office of the member of the Commission shall be the shall be the same as the term of office the member of the Council of the Region.

**አንቀጽ ፮**

**የጉባኤ ባላት**

ጉባኤው የሚከተሉት ሥልጣንና ተግባራት ይኖሩታል።

1. ጉባኤው በዳኝነት ለመሥራት ካመለከቱት አመልካቾች ለዳኝነት ብቁ የሆኑትን ይመርጣል።
2. በምክር ቤቱ እስኪሾሙ ድረስ የመጡትን ዕጩዎች ጉባኤው በረዳት ዳኝነት መደብ ሊያሠራ ይችላል።
3. ሹመታቸው በም/ቤቱ የፀደቁትን ዳኞች ይመድባል።
4. ሬጅስትራሮችና ተከላካይ ጠበቆችን ይሾማል፤ በደምቡ መሠረትም ከሥራ ያሰናብታል።
5. የዳኞችን፣ የሬጅስትራሮችንና የተከላካይ ጠበቆችን የሥራ ምደባ ደመወዝ፣ አበል፣ ሕክምና፣ የደረጃ ዕድገት፣ ሥልጠና፣ ዝውውር፣ ስንብት የዳኝነት የሥራ አፈጻጸም ሁኔታዎችን በሚመለከት ዝርዝር መተዳደሪያ ደንብ ያወጣል፤ አፈጻጸሙንም ይከታተላል።
6. በደንቡ መሠረት የሥራ ክፍተቶች ወይም አጣጣሪ ጉዳዮች ሲያጋጥሙ አንድ ዳኛ ከአቻ ወይም ከፍ ባለ የሥራ ደረጃ ላይ በጊዜያዊነት ወይም በቋሚነት ይመድባል።

**Article 5**

**Power and Function of the Commission**

The Commission shall have the following powers and functions.

- 1) The Commission shall select those who qualify for judgeship from among those who applied to serve in judgeship capacity.
- 2) It may assign those selected nominees to serve in assistant judgeship capacity until they are appointed by the council.
- 3) It shall give job placement to judges whose appointment is approved by the Council.
- 4) It shall appoint registrars legal counsels and shall remove them from their duty in accordance with the regulation.
- 5) It shall issue governing regulation and follow up its implementation on particulars of matters relating to job placement, salary, allowance, medical benefit, promotion, training, transfer, removal and performance of judgeship function of judges, registrars and legal counsels.
- 6) It shall give, in accordance with the regulation, temporary or permanent job placement to a judge in an equivalent or higher position, if job gaps or urgent affairs occur.

7. የወረዳ ፍርድ ቤት ደረጃ የሚሠራን ዳኛ ወደ ከፍተኛ ፍርድ ቤት ለማሳደግ ግን የፌዴራል ሕገ መንግሥት አንቀጽ ፹፩/፱/ በሚደነግገው መሠረት የፌዴራል ዳኞች አስተዳደር ጉባኤን አስተያየት አስቀድሞ መጠየቅ አለበት።

8. ዳኞች የሚመሩበትን የሥነ ምግባርና የዲ.ሲ.ኅሊን ደንብ ያወጣል።

9. የሥራ አፈፃፀምና የሥነ ምግባርና ጉድለቶችን በሚመለከት የሚቀርበውን አቤቱታ /ቅሬታ/ መርምሮ ወይም እንደአስፈላጊነቱ በደንቡ በሚቋቋሙት ኮሚቴዎች አስመርምሮ ውሳኔ ይሰጣል።

ዐ. ለዚህ አዋጅ አፈፃፀም አስፈላጊ ሆኖ ሲገኝ ጉባኤው ኮሚቴዎችን ያቋቁማል፤ ዝርዝር ሥልጣንና ተግባራቸውን ይወስናል።

፲፩. በዚህ አንቀጽ ንዑስ አንቀጽ /፱/ መሠረት የሚቀርቡትን ጉዳዮች መርምሮ ወይም በኮሚቴዎች አስመርምሮ በክልሉ ሕገ መንግሥት አንቀጽ ፳፯/፱/ሀ/ መሠረት ይወስናል፤ ውሳኔውም በምክር ቤቱ እስኪፀድቅ ድረስ ከሥራ ማገድ ይችላል።

፲፪. አግባብ ባለው ሕግ መሠረት የፍርድ ቤቶችን አደረጃጀት መርምሮ ይወስናል።

7) It shall request in advance, the suggestion of the Federal Judicial Administration Commission on the promotion of a judge serving in the Woreda Court to the High Court as provided under Article 8 (4) of the Federal Constitution.

8) It shall issue Code of Conduct and Disciplinary Rule governing judges.

9) It shall investigate or cause investigation by committees established, as may be necessary by the regulation, of complaints or grievances submitted to it on performance and breach of code of conduct matters and give decision.

10) It may establish committees, it is deemed necessary for the implementation of this Proclamation, and determine particulars of their powers and functions.

11) In accordance with sub article 9 of this proclamation, it shall investigate or cause investigation committees of matters submitted to it and give decision in accordance with Article 67(4) (a) of the constitution of the Region. It may suspend a judge from job until the decision is approved by the Council.

12) It shall examine and determine, in accordance with the relevant law, the organization of courts.

**አንቀጽ 6**

**የጉባኤው ሰብሳቢ ሥልጣንና ተግባር**

ሰብሳቢው የሚከተሉት ሥልጣንና ተግባራት ይኖሩታል።

1. የጉባኤውን ጽ/ቤት በበላይነት ይመራል፤ ይቆጣጠራል፤
2. የጉባኤውን ስብሰባ ይመራል፤
3. በዚህ አዋጅ አንቀጽ ፮/፩/ መሠረት ማመልከቻ ያቀረቡትን አመልካቾች አጭር የሕይወት ታሪክ መግለጫ አዘጋጅቶ ለጉባኤው ያቀርባል። በጉባኤው ለከፍተኛ ጠቅላይ ፍ/ቤቶች የተመረጡትን ዳኞችና የጉባኤውን ውሳኔ ለፌዴራል የዳኞች አስተዳደር ጉባኤ በመላክ አስተያየት ይቀበላል። ከጉባኤው ውሳኔ ጋርም በማያያዝ በክልሉ ምክር ቤት ያቀርባል።
4. ሬጅስትራርና የተከላካይ ጠበቆችን ለጉባኤው አስቀርቦ ያሾማል።
5. ዳኞችና የሌሎች ተጂሚዎች የሥራ አፈጻጸምና የሥነ ምግባር ጉድለት በኮሚቴ አስመርምሮ ይወስናል። አስፈላጊ ሆኖ ሲያገኘውም ለጉባኤው ያቀርባል።

**Article 6**

**Power and Function of the Chairman of the Commission.**

The Chairman shall have the following powers and function.

- 1) He shall direct, as the supreme authority, and supervise the office of the Commission.
- 2) He shall preside over the meeting of the Commission.
- 3) He shall prepare and present to the commission the profile of applicants who submitted application in accordance with Article 5(1) of this Proclamation. He shall send to the Federal Judicial Administration Commission the names of judges recruited for the High and Supreme Courts, together with its decision, and shall request its suggestion. He shall annex this with the decision of the commission and present it to the Council.
- 4) He shall present to the commission and cause the appointment of registrars and legal counsels.
- 5) He shall cause investigation of matters on performance and breach of code of conduct by committee, and decide whenever he deems it necessary, he may present it to the Commission.

6. የፍርድ ቤቶችን መዋቅር አጥንቶ ለጉባኤው የውሣኔ ሃሳብ ያቀርባል፤ ሲወሰንም አፈፃፀሙን ይከታተላል።

7. አጣጣሪ ጉዳዮች ሲያጋጥሙ ጉባኤው እስኪሰበሰብ ድረስ አንድን ዳኛ አቻ ወይም ከፍ ባለ የሥራ ደረጃ በጊዜያዊነት ይመድባል፤ ጉዳዩንም በሚቀጥለው የጉባኤ ስብሰባ አቅርቦ ማስወሰን አለበት።

8. ማመልከቻ ሲቀርብለት ወደፊት በዳኞች አስተዳደር ጉባኤ እስኪሰበሰብ ድረስ በተለማማጅ ወይም በረዳት ዳኝነት አመልካቹን በማንኛውም ደረጃ ፍርድ ቤት በጊዜያዊነት መደብ የማሰራት ሥልጣን አለው።

9. በጉባኤው የሚሰጡ ሌሎች ተግባራትን ያከናውናል።

**አንቀጽ 6**

**የጉባኤ ስብሰባ**

1. ጉባኤው በየሶስት ወሩ አንድ ጊዜ መደበኛ ስብሰባ ያደርጋል። ሆኖም አስፈላጊ ሆኖ ሲያገኘው በማንኛውም ጊዜ ስብሰባ ሊያደርግ ይችላል።

2. ከጉባኤው አባላት ከግማሽ በላይ ከተገኙ ምላተ ጉባኤ ይሆናል።

3. የጉባኤው ውሣኔዎች በድምጽ ብላጫ ይተላለፋሉ። ድምጽ እኩል በሆነበት ጊዜ ሰብሳቢው ወሳኝ ድምጽ ይኖረዋል።

6) He shall examine the structure of courts and present recommendation to the commission, and follow up it implementation upon decision.

7) He may give temporary job placement to a judge in an equivalent or higher position if urgent affairs occur, until the commission convenes and shall get the matter approved by the next meeting of the commission.

8) He shall have the power to give temporary job placement, if application is submitted to him, to a judge in a trained or assistant judgeship position at any level of court, until a decision is made by the Judicial Administration Commission.

9) He shall discharge other functions entrusted to him by the Commission.

**Article 7**

**Meeting of the Commission**

1) The commission shall hold a regular meeting once in each three months, however, when found necessary, it may hold a meeting at any time.

2) There shall be a quorum where more than half of the member of the commission is present.

3) The decision of the Commission shall be passed by a majority vote; when there is a tie, the chairman shall have a casting vote.



4. የሥራ አፈፃፀምና ዲሲፕሊን ጉድለት ክስ የቀረበበት ዳኛ ወይም ጉዳዩን ቀድሞ ያየው ወይም የወሰነው የጉባኤው አባል የሚታየው ጉዳይ ስለእርሱ በሆነ ጊዜ ከጉባኤው ስብሰባ ይነሳል።
5. የዚህ አንቀጽ ድንጋጌ እንደተጠበቀ ሆኖ ጉባኤው የራሱን የሥልጣን ሥነ ሥርዓት ደንብ ሊደነግግ ይችላል።

**አንቀጽ 8**

**በዳኝነት ለመመረጥ የሚያበቁ መመዘኛዎች**

1. የሚከተሉትን መመዘኛዎች የሚያሟሉ ኢትዮጵያዊ የክልሉ ዳኛ ሆኖ መመረጥ ይችላል።

ሀ/ ለፌዴራልና ለክልሉ ሕገ መንግሥት ታማኝ የሆነ፤

ለ/ በሕግ ትምህርት የሰለጠነና በቂ የሕግ ዕውቀት ያለው፤

ሐ/ በታታሪነቱ፣ በፍትሐዊነቱ፣ በሥነ ምግባሩ መልካም ስም ያተረፈ፤

መ/ በዳኝነት ሙያ ለመሠማራት ፈቃደኛ የሆነ እና፤

ሠ/ ዕድሜው ከ15 ያላነሰ፤

2. ማንኛውም ሰው በሕግ አውጭ ወይም በሕግ አስፈጻሚ ወይም በማናቸውም የፖለቲካ ድርጅት በአባልነት በሚያገለግልበት ጊዜ አጣምሮ የዳኝነቱን ሥራ ሊሰራ አይችልም።

**አንቀጽ 9**

**የዳኞች ከሥራ መሰናበት**

ማንኛውም ዳኛ ከሥራ የሚሰናበተው በሚከተሉት ምክንያቶች ነው።

- 4) A judge who is a member of the commission and against whom a case concerning performance or breach of discipline is institute or who has seen or decided such matter, shall be withdrawn from the meeting of the commission while the case under consideration related to him.
- 5) Without prejudice to the provision of this article, the commission may draw up its own rules of procedure on meeting.

**Article 8**

**Criteria of Appointment for Judgeship**

- 1) Any Ethiopian who fulfils the following criteria may be appointed as a judge of the Region.
  - a) If he is loyal to the constitution of the Federal and Region;
  - b) If he is trained in law and has adequate knowledge in law;
  - c) If he has good reputation for his diligence, fairness and good conduct;
  - d) If he consents to assuming judgeship function: and
  - e) If he is not under 25 years of age.

2) No person may simultaneously assume judgeship while serving in the legislative or executive branch of government or while serving as a member of any political party.

**Article 9**

**Termination of Judges**

Any judge may be terminated from job for one of the following reasons.

1. ሥራው ለመልቀቅ ሲፈልግ ሁለት ወር የጽሁፍ ማስጠንቀቂያ በመስጠት፤
2. ዕድሜው % ዓመት ሲሞላው።
3. በሕመም ምክንያት ተግባሩን በተገቢው ሁኔታ አያከናውንም ተብሎ ሲወሰን፤
4. ጉልህ የሆነ የሥራ ችሎታና ቅልጥፍና አንሶታል ተብሎ ሲወሰን ወይም፤
5. የዳኞችን የዲስፕሊን የሥነ-ምግባር ደንብ ተላልፎ ሲገኝ ነው።

**አንቀጽ ፬**

**የሬጅስትራሮችና የተከላካይ ጠበቶች ከሥራ መሰናበት**

ማንኛውም ሬጅስትራር ወይም ተከላካይ ጠበቃ ከሥራ ሲሰጠናበት የሚችለው፡-

1. ሥራውን በገዛ ፈቃዱ ለመዋቀቅ ከ1 ወር በፊት የጽሁፍ ማስጠንቀቂያ ሲያቀርብ፤
2. በሕመም ምክንያት ተግባሩን ማከናወን አይችልም ተብሎ ሲወሰን፤
3. የዲስፕሊን ጥፋት ፈጽሞ ሲገኝ፤
4. ጉልህ የሆነ የሥራ ችሎታና ቅልጥፍና አንሶታል ተብሎ ሲወሰን ወይም፤
5. ዕድሜው % ዓመት ሲሞላው።

**አንቀጽ 11**

**ልዩ መብት**

ማንኛውም ዳኛ ወንጀል ሲፈጽም እጅ ከፍንጅ ካልተያዘ በቀር የክልሉ የዳኞች አስተዳደር ጉባኤ ሳይፈቅድ አይያዝም፤ አይከሰስም።

**አንቀጽ 12**

**አቤቱታ ስለማቅረብ**

ማንኛውም ሰው በዳጅነት ሥራ አካሄድ በደል ከተፈጸመበት ለጉባኤው አቤቱታ ማቅረብ ይችላል።

- 1) If he is to resign, upon giving a two months prior written notice;
- 2) If he attained 60 years of age.
- 3) .If it is decided that he is incapable of discharging duty owing to illness.
- 4) If it is decided that he is manifestly incompetent or inefficient; or
- 5) If he is found to he violates the Disciplinary and code of conduct rules for judges.

**Article 10**

**Termination of Registrars and Legal Counsels**

Any registrar or legal counsel may be terminated:

- 1) If he presented a one months prior written notice to resign on his own motion.
- 2) It is decided that he is incapable of performing duty owing to illness;
- 3) If he is found to have committed breach of discipline;
- 4) If it is decided that he is manifestly incompetent or inefficient; or
- 5) If he attained 60 years of age.

**Article 11**

**Immunity**

Except when caught in flagrant delicto, no judge may be arrested or persecuted without the permission of the judicial administration commission.

**Article 12.**

**Lodging of Petition**

Any person against whom injustice is done in judicial proceedings may lodge petition to the commission.

**አንቀጽ 03**

**የጾታ አላለጽ**

በዚህ አዋጅ ውስጥ በወንድ ጾታ የተገለጸው ሁሉ የሴትንም ጾታ ያካትታል።

**አንቀጽ 04**

**ህጋዊ እውቅና ስላለው ቅጂ**

በዚህ አዋጅ የአማርኛና የእንግሊዝኛ ቋንቋ ቅጂዎች መካከል የሃሳብ ግጭት ሲኖር የአማርኛ ቅጂ ትርጉም ተፈጻሚነት ይኖረዋል።

**አንቀጽ 05**

**ቃለ መሳላ**

ዳኞች ተሹመው ሥራቸውን ከመጀመራቸው በፊት የሚከተለውን ቃለ መሳላ መፈጸም አለባቸው።

እኔ ----- በዛሬው ዕለት ----- የፍ/ቤት ዳኛ በመሆን ተሹሜ ሥራዬን ስጀምር የተጣለብኝን ክፍተኛ ኃላፊነት በታማኝነት ልፈጽም ቃል እገባለሁ።

**አንቀጽ 06.**

**የተሻሩ ሕጎች**

1. የቤኒሻንጉል ጉሙዝ ክልል የዳኞች አስተዳደር ጉባኤን ለማቋቋም የወጣ አዋጅ ቁጥር 5/፲፱፻፹፱ በዚህ አዋጅ ተሸሯል።
2. ከዚህ አዋጅ ጋር የሚቃረን ማንኛውም አዋጅ ወይም መመሪያ፣ ደንብ ወይም ውሳኔ፣ በዚህ አዋጅ ከተመለከቱት ጉዳዮች ላይ ተፈጻሚነት አይኖረውም።

**Article 13**

**Gender Reference**

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

**Article 14**

**Version with Authority**

If there is a contradiction between the Amharic and English versions the meaning of the Amharic version shall have application.

**Article 15.**

**Oath**

After appointment and prior to assumption of duties, judges shall take the following oath.

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

**Article 16**

**Repealed Laws**

1. A Proclamation to Establish the Judicial Administration Commission of Benishangul Gumuz Regional State, Proclamation No.5/1989, is hereby repealed by this Proclamation.
2. Any Proclamation, directive, regulation or decision inconsistent with this Proclamation shall not be applicable to matters specified in this Proclamation.

**አንቀጽ 07.**

**አዋጅ የሚናበት ቀን**

ይህ አዋጅ ከሐምሌ ፳ ቀን ፲፱፻፺፮ ዓ.ም.  
ጀምሮ የፀና ይሆናል።

አቶ ያረጋል አይሸሽም

የቤኒሻንጉል ጉሙዝ ክልላዊ መንግሥት

ንሬዝዳንት

ሐምሌ ፳ ቀን ፲፱፻፺፮ ዓ.ም.

አሶሳ

**Article 17**

**Effective Date**

This Proclamation shall be effective as of  
28<sup>th</sup> day of July 1995 E.C.

ATO YAREGAL AYSHESHIM

President or Benishangul- Gumuz

Regional State

28<sup>th</sup> Day of Hamle , 1995

Assosa