Waggaa 26 ffaa..... Lak. ....2/2010
፳፮ኛ ዓመት........ ቁጥር.....፪/፪ሺ፲
26th year ........... No. ....... 2/2017

Finfinnee,.......... Adoolessa 10 bara 2009
ፊንፊኔ፣...........................ሐምሌ ፲ ፪ሺ፱
Finfine,................................ July 17 , 2017

# MAGALATA OROMIYAA
L µ E p ‰ Z M¨ ¦
# MEGELETA OROMIA

| Gatiin Tokkoo ............. Qarshii 9.30<br>¦¿«þ ”¶ ......................... ብር 9.30<br>Unit Price ......................... Birr 9.30 | To'annoo Caffee Mootummaa Naannoo Oromiyaatiin Kan Bahe<br>l‰ZM¦ ብሔራዊ ŒGF”¦ L¿·Rr<br>በጨፌ ኦሮሚያ °mf}r £'» | Lak. S. Poostaa ......... 21383-1000<br>£Þ.Q.e¼Y ...............21383-1000<br>P.O.Box ....................... 21383-1000 |
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| QABIYYEE | ማውጫ | CONTENT |
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| Labsii Lak. 204/2009<br>Labsii Waldaalee Itti Fayyadamtoota Bishaan Jallisii Mootummaa Naannoo Oromiyaa Murteessuuf Bahe, Labsii Lak. 204/2009............................Fuula 1 | አዋጅ ቁጥር. ፪፻፬/፪ሺ፱<br>የኦሮሚያ ክልላዊ መንግሥት የመስኖ ውሃ ተጠቃሚዎች ማኅበራትን ስመወሰን የወጣ አዋጅ ቁጥር. ፪፻፬/፪ሺ፱ ......................... ገፅ ፩ | Proclamation No: 204/2017<br>A Proclamation to Determine Irrigation Water Users Associations of Oromia Regional State Proclamation No: 204/2017..........page 1 |

## Labsii Waldaalee Itti Fayyadamtoota Bishaan Jallisii Mootummaa Naannoo Oromiyaa Murteessuuf Bahe, Lak. 204/2009

Sirna qabeenyi bishaan Naannichaa misooma jallisiitiif ittiin oolu diriirsuun misooma diinagdee Naannichaa keessatti gahee isaa akka bahu taasisuun barbaachisaa ta'ee waan argameef;

Hojimaata hojiin misooma jallisii fi qoorsa lafaa sadarkaa qonnaan bulaa, horsiisee bulaa fi gamisa horsiisee bulaan ittiin gaggeeffamu diriirsuun waan barbaachiseef;

## የኦሮሚያ ክልላዊ መንግሥት የመስኖ ውሃ ተጠቃሚዎች ማኅበራትን ስመወሰን የወጣ አዋጅ ቁጥር ፪፻፬/፪ሺ፱

የክልሉ የውሃ ሀብት ለመስኖ ልማት የሚውልበትን ሥርዓት በመዘርጋት በክልሉ ኢኮኖሚ ልማት ውስጥ የበኩሉን ድርሻ እንዲወጣ ማድረግ አስፈላጊ ሆኖ በመገኘቱ፤

በአርሶ አደር፣ አርብቶ አደር እና ከፊል አርብቶ አደር ደረጃ የመስኖ ልማት እና የመሬት ማንጣፈፍ ሥራ የሚመራበት አሰራር መዘርጋት በማስፈለጉ፤

## A Proclamation to Determine Irrigation Water Users Associations of Oromia Regional State Proclamation No: 204/2017

WHEREAS, it is found necessary to establish a system whereby the water resources of the Region can be used for irrigation development so as to make it contribution its share in economic development of the Region;

WHEREAS, it is found necessary to establish a system where by irrigation development activity and land drainage be conducted at the farmers, pastoralists and semi-pastoralists levels;

Naannicha keessatti sirna waldaaleen of danda'uun faayidaa miseensotaatiif tajaajila jallisii fi qoorsa lafaa kennan ittiin gurmaa'an diriirsuun barbaachisaa ta'ee waan argameef;

Hojimaata bulchiinsa iskiimotaa, bu'uuraaleen misooma jallisii fi qoorsa lafaa mootummaa, miti-mootummaa yookiin ummataan ijaaraman gara Waldaalee Itti Fayyadamtoota Bishaan Jallisiitti ittiin darban diriirsuun, dhiyeessii tajaajilaa waldaalee fi tajaajila kennaa gidduutti taasifamu to'achuun bulchiinsa bishaan jallisii fooyya'aa ta'e diriirsuun 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 Waldaalee Itti Fayyadamtoota Bishaan Jallisii Mootummaa Naannoo Oromiyaa Murteessuuf Bahe, Lak. 204/2009" jedhamee waamamuu ni danda'a.

**2. Hiika**

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

1) **"Abbaa Taayitaa"** jechuun Abbaa Taayitaa Misooma Jallisii Mootummaa Naannoo Oromiyaa fi caasaa isaa sadarkaan jiru kan dabalatuudha.
2) **"Bu'uura Misooma Jallisii fi Qoorsa Lafa Aadaa"** jechuun qonnaan bultoonni, horsisee bultoonni yookiin gamisa horsiisee bultoonni beekumsa muuxannoon argataniin meeshaalee naannootti argaman fayyadamuun kan ijaaramu jechuudha.



**በክልሉ ውስጥ** ማኀበራት ራሳቸውን በመቻል ለአባላት ጥቅም የመስኖ ልማት እና መሬት ማንጣፈፍ ሥራ አገልግሎት የሚሰጡበትን አደረጃጀት መዘርጋት **አስፈላጊ ሆኖ በመገኘቱ፤**

**የእስኪሞች አሰራር አስተዳደር፤**የመስኖ ልማት አውታሮች እና መንግሥታዊ፣ መንግሥታዊ ያልሆኑ ***ወይም*** በህዝብ የሚገነቡ መሬት ማንጣፈፍ ወደ መስኖ ውሃ ተጠቃሚዎች ማኅበራት የሚተላለፉበትን አሰራር መዘርጋት፤የአገልግሎት አቅርቦትና አገልግሎት ሰጪ ማኅበራት መካከል የሚደረግውን የአገልግሎት በመቆጣጠር የተሻለ የ*መስኖ* ውሃ አስተዳደር ሥርዓት መዘርጋት አስፈላጊ**ሆ**ና በመ**ገኘ**ቱ፣

ተሻሽሎ በወጣው የኦሮሚያ ብሄራዊ ክልላዊ መንግሥት ሕገ-መንግሥት አዋጅ ቁጥር ፵፮/፲፱፻፺፬ አንቀጽ ፵፱ (፫) (ሀ) መሠረት የሚከተለው ታውጇል፡፡

## ክፍል አንድ
## ጠቅላላ ድንጋጌዎች

**፩. አጭር ርዕስ**

ይህ አዋጅ "የኦሮሚያ ክልላዊ መንግሥት የመስኖ ውሃ ተጠቃሚዎች ማኅበራትን ለመወሰን የወጣ አዋጅ ቁጥር ፪፻፬/፪ሺ፱'' ተብሎ ሊጠቀስ ይችላል፡፡

**፪. ትርጓሜ**

የቃሉ አገባብ ሌላ ትርጉም የሚያሰጠው **ካ**ልሆነ በስተቀር በዚህ አዋጅ ውስጥ፡-

፩) **"ባለሥልጣን'' ማለት** የኦሮሚያ ክልላዊ መንግሥት መስኖ ልማት ባለሥልጣን እና በየደረጃ ያሉትን መዋቅሮቹን የሚጨምር ነው፡፡
፪) "**መስኖ መሠረተ ልማት እና ባህላዊ የመሬት ማንጣፈፍ አውታር**'' ማለት አርሶ አደሮች፣ አርብቶ አደሮች ወይም ከፊል አርብቶ አደሮች በልምድ ባገኙት ዕውቀት በአ**ካ**ባ**ቢ** የሚገኙ **ማኅበራትን** በመጠቀም **የሚገነባ ማለት ነዉ፡፡**



WHEREAS, it is found necessary to establish system where by the associations be established for the purpose irrigation service and development and land drainage independently in the Region;

WHEREAS, it is found necessary to establish a system whereby controlling relationship to be made between service delivery and service provider to extend an advanced irrigation water administration; by extending whereby the schemes administration, irrigation developments and land drainage built by the Government, Non-governmental or the society to be transferred to irrigation water users associations;

NOWTHEREFORE, in accordance with the revised Oromia Regional State constitution No.46/2002 of Article 49 (3) (a), the following is hereby proclaimed.

## Part One
## General Provisions

**1. Short Title**

This Proclamation may be cited as "A Proclamation to Determine Irrigation Water Users Association of Oromia Regional State-Proc. No.204/2017".

**2. Definitions**

Unless the context requires otherwise, in this Proclamation:-

1. **"Authority"** means Oromia Regional State Irrigation Development Authority and its structures.
2. **"Traditional Irrigation Development and Land Drainage Bases"** means an irrigation and land drainage constructed by farmers, pastoralists and agro-pastoralists using their own indigenous knowledge by locally available materials.

3) **"Bu'uura Misooma Jallisii fi Qoorsa Lafa Ijoo"** jechuun bishaan misooma jallisii gara daangaa waldaa tokkootti yookiin tokkoo olitti geessuuf kan tajaajilu jechuudha.

4) "**Bu'uura Misooma Jallisii fi Qoorsa Lafaa**" jechuun ijaarsa misooma jallisii, bishaan misooma jallisii bakka argama bishaanii irraa fuudhee gara maasaatti geessu kan akka bo'oo yookiin ujummoo fi iskiimota yoo ta'u, kanneen waliin kan wal qabatan laga dabsuuf kan gargaaran hidha, kuusaa bishaanii yookiin haroo akkasumas balbala bishaanii misooma jallisii keessa darbu kamiyyuu kanneen akka paampii, lafa, gamoo, meeshaalee adda addaa, daandii akkasumas bu'uuraalee misooma jallisichaa hojiirra oolchuuf, haaromsuuf yookiin suphuuf kan gargaaran hunda kan dabalatu jechuu dha.

5) "**Bu'uura Misooma Jallisii fi Qoorsa Lafa Hammayyaa"** jechuun jallisii fi qoorsa lafaa qorannoo fi dizaayiniin isaa haala hammayyaatiin hojjatame yookiin hammayyaa'aa akka ta'u kan taasifame jechuudha.

6) **"Daangaa Tajaajilaa"** jechuun daangaa lafaa murtaa'aa waldaaleen itti fayyadamtoota bishaan jallisii itti fayyadaman jechuudha.

7) **"Federeeshinii"** jechuun waldaaleen itti fayyadamtoota bishaan jallisii lamaa fi isaa ol ta'an bakka tokko irraa dhiyeessa bishaaniitti fayyadamaanii fi bu'uuraalee misooma jallisii fi qoorsa lafaa bulchuu fi suphuuf akkaataa Labsii kanaatiin itti gaafatamummaa kan qabu jechuudha.

8) **"Galmee"** jechuun Abbaa Taayitichaatii fi caasaa isaa sadarkaan jiruun kan qabamu galmee ragaalee waliigalaa fi qaama seerummaa waldaa itti fayyadamtoota bishaan jallisii kan ibsu jechuudha.

፫) "**የመስኖ መሠረተ ልማት እና ዋና የመሬት ማንጣፈፍ አውታር''** ማለት የመስኖ ልማት ውሃን ወደ አንድ ወይም ከዚያ በላይ ወደሆነ የማኅበር ድንበር ለመዉሰድ የሚያገለግል ማለት ነው፡፡

፬) "**የመስኖ መሠረተ ልማት እና የመሬት ማንጣፈፍ አውታር''** ማለት የመስኖ ልማት ግንባታ፤ዉሃ ከሚገኝበት በመውሰድ ወደ ማሳ የሚወስድ እንደ ቦይ ወይም ቱቦዎች እና ስኪሞች ሲሆን ከነዘህ ጋር የተያያዙና ወንዝን ለጥለፍ የሚያገለግለል ግድብ፣ የውሃ ማጠራቀሚያ ወይም ኩሬ እንዲሁም ማንኛውም የመስኖ ልማት ውስጥ የሚያልፍ የውሃ በር እንደ ፓምፕ፤ መሬት፤ ሕንፃ፤ የተለያዩ መሳሪያዎች፤መንገድ እንዲሁም የመስኖ ልማቱን መሠረተ አውታሮች ተግባር ላይ ለማዋል፤ ለማደስ ወይም ለመጠገን የሚረዱትን ሁሉ የሚጨምር ማለት ነው፡፡

፭) "**የመስኖ ልማት አውታር እና ዘመናዊ የመሬት ማንጣፈፍ'' ማለት** ጥናቱ እና ዲዛይኑ በዘመና**ዊ ሁኔ**ታ የተሰራ ወይም ዘመናዊ እንዲሆን የተደረገ ማለት ነው፡፡

፮) "**የአገልግሎት ወሰን''** ማለት የመስኖ ዉሃ ተጠቃሚዎች ማኅበራት የሚገለገሉበት የተጠ ወሰነ የመሬት ወሰን ማለት ነው፡፡

፯) "**ፌዴሬሽን''** ማለት **ሁለትና ከዚያ በላይ የሆኑ** የመስኖ **ው**ሃ ተጠቃሚዎች ማኅበራት ከ**ሚጠቀሙበት ከአንድ ውሃ አቅርቦት** የመስኖ ልማት አውታሮች፤ የመሬት ማንጣፈፍ የማስተዳደር **እና ለ**መጠገን በዚህ አዋጅ መሠረት ኃላፊነት ያለበት **ማለት**ነው፡፡

፰) "**መዝገብ**" **ማ**ለት በባለሥልጣኑ እና **በየደረጃ ባለው መዋቅሮቹ የሚያዝ** የ**አጠቃላይ መዝገብ መረጃ** እና የመስኖ **ው**ሃ ተጠቃሚዎች ማኅበራት የህግ ሰውነት **የሚገልፅ ነው፡፡**

3. "**Major Irrigation Development and Land Drainage Basis"** means an irrigation and drainage system that can be used to transmit water to the service areas of one or more associations.

4. **"Irrigation Development Bases and Land Drainage"** means a canal or a system of canals or pipes that can be used to transmit water to a defined land area for irrigation including any associated weir, dam or diversion structure, storage reservoir or pond as well as any gates, pumps, land, buildings, equipment, access roads and structures which are necessary to operate, maintain and repair the system-together with any associated drainage canals.

5. "**Irrigation Development Bases and Modern Land Drainage"** means irrigation and land drainage constructed on the basis of a formal study and design or a modernized irrigation and land drainage system.

6. **"Service Area"** means the defined land area where the association operates;

7. "**Federation**" means an association formed by two or more irrigation water users association that can use irrigation water from the same source and which have responsibility to administer and maintain irrigation infrastructure and land drainage system have responsible according to this proclamation.

8. "**Registry**" means a book necessarily owned by Oromia irrigation development authority and its structures used to record general information and legality certificate of Irrigation water users association.

9) **"Koree Hojii Raawwachiiftuu"** jechuun qaama sochii hojii waldaa tokkoo akka hordofuu fi to'atuuf yaa'ii waliigalaa hundeessitoota waldichaatiin kan filatamaniidha.

10) **"Kutaa Lafaa"** jechuun daangaa waldaan tokko tajaajila kennu keessatti lafa argamu jechuudha.

11) "**Madda Dhiyeessii Bishaanii"** jechuun madda bishaan itti argamuu fi waldaan tokko misooma jallisiif itti gaafatamummaa fudhatee kan bulchu ta'ee, bu'uuraalee misooma jallisii fi qoorsa lafaa hammayyaa kan dabalatuudha.

12) "**Miseensa**" jechuun nama miseensa waldaa itti fayyadamtoota bishaan jallisii ta'e jechuudha.

13) "**Naannoo**" jechuun Naannoo Oromiyaa jechuudha.

14) "**Nama**" jechuun nama uumamaa yookiin seeraan qaama seerummaa argate jechuudha.

15) "**Qoorsa Lafaa**" jechuun bishaan biqiltuun barbaaduu ol ta'e ooyiruu keessaa baasuu jechuudha.

16) "**Tajaajila Kennaa**" jechuun federeeshiniin alatti dhaabbata mootummaa yookiin dhuunfaa bu'uuraalee misooma jallisii fi qoorsa lafaa gurguddoo, giddugaleessaa fi xixiqqaa kan bulchu, hojjetuu fi suphu jechuudha.

17) "**Waldaa**" jechuun akkaataa Labsii kanaatiin kan gurmaa'ee fi kan galmaa'e Waldaa Itti Fayyadamtoota Bishaan Jallisii jechuudha.

**3. Ibsa Koorniyaa**

Labsii kana keessatti jechi koorniyaa dhiiraatiin ibsame dubartiis ni dabalata.

**4. Daangaa Raawwatiinsaa**

Labsiin kun waldaalee akkaataa Labsii kanaatiin gurmaa'anii fi bu'uuraalee misoomaa fi qoorsa lafaa Naannicha keessatti argaman irratti raawwatiinsa ni qabaata.

፱) **"የሥራ አስፈጻሚ ኮሚቴ"** ማለት የአንድን ማኅበር የሥራ እንቅስቃሴ እንዲከታተል እና እንዲቆጣጠር በማኅበሩ መስራቾች ጠቅላላ ጉባዔ የሚመረጡ ናቸው፡፡

፲) "**አሀድ**" ማለት አንድ ማኅበር አገልግሎት የሚሰጥበት ወሰን ውስጥ የሚገኝ መሬት ማለት ነው፡፡

፲፩) "**የውሃ አቅርቦት ምንጭ" ማለት** ውሃ የሚገኝበት ምንጭ እና አንድ ማኅበር ለመስኖ ልማት ኃላፊነትን በመውሰድ የሚያስተዳድር ሆኖ፣ **ዘመናዊ** የመስኖ ልማት አውታር እና የመሬት ማንጣፈፍን የሚጨምር **ነዉ**፡፡

፲፪) "**አባል**" **ማለት የመስኖ ዉሃ ተጠቃሚዎች ማህበር አባል የሆነ ሰው ማለት ነው፡፡**

፲፫) **"ክልል"** ማለት የኦሮሚያ ክልል ነው፡፡

፲፬) "**ሰው**" ማለት የተፈጥሮ ወይም የሕግ ሰውነት የተሰጠው ማለት ነው፡፡

፲፭) "**የመሬት ማንጣፈፍ ማለት ለተክልት ከሚፈልገዉ በላይ የሆነውን ውሃ ከማሳ ውስጥ ማውጣት ማለት ነው፡፡**

፲፮) "**አገልግሎት ሰጪ**" ማለት ከፌዴሬሽን ዉጪ የሆነ ትላልቅ፣ መካከለኛ እና ትናንሽ የልማት አውታሮችንና የመሬት **ማንጣፈፍ** ሥራን የሚያስተዳድር፣ የሚሰራ እና የሚጠግንመንግሥታዊ ወይም የግል ድርጅት ማለት ነው፡

፲፯) "**ማኅበር**" ማለት በዚህ አዋጅ መሠረት **የተደራ**ጀና የተመዘገበ የመስኖ ውሃ ተጠቃሚዎች ማኅበር ማለት ነው፡፡

**፫. የፆታ አገላለፅ**

**በዚህ አዋጅ ውስጥ** በወንድ ጾታ የተገለጸው ሴትንም **ይጨምራል**፡፡

**፬. የተፈፃሚነት ወሰን**

**ይህ አዋጅ በዚህ አዋጅ** መሠረት **የተደራጁ ማህበራትና** የልማት አዉታሮች እና **በክልሉ ውስጥ በሚገኙ** የመሬት **ማንጣፈፍ** ላይ ተፈፃሚነት ይኖረዋል፡፡

9. **"Executive Committee"** means the body elected by the General Assembly to follow up and control the activities of an association.

10. "**Unit**" means a defined part of the service area of an association.

11. **"Source of Water Supply**" means a source at which an association takes responsibility to administer of water irrigation which includes irrigation development bases and land drainage.

12. "**Member**" means a person who is a member of irrigation water users association.

13. "**Region**" means Oromia Regional State.

14. "**Person**" means any natural or juridical person.

15. "**Land Drainage"** means to drain excess water from farm land which is beyond the necessity of crop.

16. "**Service Provider**" means any public or private enterprise, other than federation, which administer, operates and maintain of small, medium and large scale irrigation and land drainage.

17. "**Association**" means irrigation water users' association established and registered in accordance with this Proclamation.

**3. Gender Reference**

In this proclamation, any reference in masculine gender shall include feminine gender.

**4. Scope of Application**

This Proclamation shall be applicable on all irrigation Water users association and drainage system established in the Region based on this proclamation.

## KUTAA LAMA

## Kaayyoo fi Qajeeltoowwan Bu'uuraa Waldaan Itti Hundeeffamuu fi Gaggeeffamu

### 5. Kaayyoo Waldaa

Waldaan kaayyolee armaan gadii ni qabaata:

1) Bu'uuraalee misooma jallisii fi qoorsa lafaa daangaa tajaajila isaa keessatti argamu guutumaan guutuutti yookiin walakkaan hoogganuu fi bulchuu, suphuu, haaromsuu, fooyyeessuu, akka barbaachisummaa isaatti hojiiwwan ijaarsaa fi deebisanii ijaaruu gaggeessuu;
2) Sagantaa raabsaa bishaan jallisii bahu irratti hundaa'uun tajaajila dhiyeessa bishaanii haala haqa qabeessa ta'een miseensotaaf dhiyeessuu;
3) Eegumsaa fi kunuunsa naannoo cimsuun dhiqama biyyoo, sooqiddummaa fi faalama bishaanii hambisuuf qaama dhimmi ilaalu waliin hojjechuu;
4) Miseensota isaatiif waa'ee mala jallisii, qonna jallisii, haala qusannoo bishaanii fi teeknoloojiiwwan haaraa irratti leenjii kennuu;
5) Miseensota waldaaf oomisha irratti odeeffannoo gabaa kennuu fi qindoominaan qaama aangoon seeraan kennameef waliin waliigaltee uumuun oomisha isaa gabaaf dhiyeessuu.

### 6. Qajeeltoowwan Waldaaleen Ittiin Gaggeeffaman

Waldaan kamiyyuu qajeeltoowwan armaan gadii irratti hundaa'udhaan hojjechuu qaba:

1) Bishaan misooma jallisii haala haqa qabeessa ta'een misoonsota akka walgahu taasisuu;
2) Qisaasamaa fi faalama bishaanii, dhiqama biyyoo, soogiddummaa hambisuuf akkasumas eegumsaa fi kunuunsa naannoo cimsuu fi bu'uuraalee misooma jallisii daangaa tajaajila isaa keessatti argamu eeguu fi bulchuu;

## ክፍል ሁለት

## ማነበር የሚቋቋሙባቸውና የሚመሩባቸው መሠረታዊ ዓላማዎች እና መርሆዎች

### ፭. የማኅበሩ ዓላማ

ማንኛውም ማህበር የሚከተሉትን ዓላማዎች ይኖሩታል፡

፩) በራሱ የአገልግሎት ክልል ዉስጥ የሚገኘዉን የመስኖ ልማት እናየመሬት ማንጣፈፍ አውታሮች ሙሉ በሙሉ ወይም በከፊል መምራት እና ማስተዳደር፣ መጠገን፣ ማደስ፣ ማሻሻል፣ እንዳስፈላጊነቱም የግንባታና የመልሶ ግንባታ ሥራዎችን ማካሄድ፤
፪) የሚወጣ የመስኖ ዉሃ ስርጭት ፕሮግራም ላይ በመመስረት የውሃ አቅርቦት አገልግሎትን ፍትሀዊ በሆነ መልክ ለአባላት ማቅረብ፤
፫) የአካባቢ ጥበቃ እና እንክብካቤን በማጠናከር የአፈር መሸርሸር፣ ጨዋማነት እና የዉሃ ብክለትን ለማስቀረት ከሚመሳከተዉ አካል ጋር መስራት፤
፬) ለአባሎቹ ስለመስኖ ዘዴ፣ መስኖ እርሻ፣ ስለ ውሃ ቁጠባ ሁኔታ እና አዳዲስ ቴክኖሎጂዎች ላይ ሥልጠና መስጠት፤
፭) ለማህበሩ አባላት ምርትን በተመለከተ የገበያ መረጃ መስጠትእና በሕግ ሥልጣን ከተሰጠዉ አካል ጋር በቅንጅት ስምምነት በመፍጠር ምርቱን ለገበያ ማቅረብ፡፡

### ፮) ማኅበራት የሚመሩባቸዉ መርሆዎች

ማንኛዉም ማኅበር የሚከተሉት መርሆዎች ላይ በመመስረት መስራት አለበት፡ጠ

፩) የመስኖ ልማት ውሃ ፍትሀዊ በሆነ ሁኔታ ለአባላት እንድደርስ ማድረግ፣
፪) የውሃ ብክነት እና ብክለት፣ የአፈር መሸርሸር፣የአፈር ጨዋማነትን ለመከላከል እንዲሁም የአካባቢ ጥበቃና እንክብካቤን ለማጠናከርና በአገልግሎት ክልሉ ውስጥ የሚገነኙትን የመስኖ ልማት አውታሮች መጠበቅና ማስተዳደር፤

## Part Two

## Objective and Basic Principles for Establishment and Administration of Associations

### 5. Objective of the Association

An association shall have the following objectives:-

1) Manage and administer an irrigation and drainage system in its service area generally or partially and Maintain, rejuvenate and improve and shall undertake construction and reconstruction works as it deems necessary;
2) Providing irrigation water distribution supply program in fairly basis for members within the area;
3) By strengthen environmental protection activity measures to combat flooding, salinity; and pollution in coordination with responsible bodies;
4) Train its members in irrigation techniques, irrigation farming methods, water saving methods and new technologies of irrigation;
5) Provide market information for its members; make agreement and coordination with legally authorized body for the provision of market outlets of irrigation products.

### 6. Basic Principles of Association

Any association shall work in accordance with the following guiding principles:-

1) Making Fairness in allocation of irrigation water to members;
2) Preventing wastage and pollution of water, avoiding erosion and salinity; irrigation and land drainage within the operation area so as to protect the environment;

3) Murtii kennuu irratti hojimaata hirmaachisummaa, iftoominaa fi itti gaafatamummaa qabu hordofuu;
4) Hojimaata deebisa baasii fi haala qabeenya qusannaan itti fayyadaman hordofuu.

**7. Daangaa Tajaajilaa**

Waldaan kamiyyuu:
1) Daangaa tajaajilaa addaan bahee beekame keessatti hojjechuu qaba.
2) Daangaa tajaajilaa addaan bahee beekame keessatti bu'uuraalee misooma jallisii fi qoorsa lafaa of danda'ee fi misooma jallisii waldichi gaggeessuun kan wal qabate bakka dhiyeessa bishaanii tokko yookiin isaa ol irraa bishaan misooma jallisiif oolu fudhachuu ni danda'a.
3) Daangaan tajaajila waldaa tokkoo kan waldaa biroo waliin walirra bu'uu hin qabu.

**8. Haala Waliigalaa Hundeeffama Waldaa**

1) Namni daangaa bishaan jallisii dhaqqabu keessaa mirga qabiyyee lafaa qabu bu'uralee misooma jallisii hammayyaa, aadaa fi qoorsa lafaa kan akka bishaan, lafaa fi bu'uuraalee jallisiitti fayyadamuuf Waldaan gurmaa'uu qaba.
2) Waldaan gurmaa'u kamiyyuu Abbaa Taayitichaa irraa hayyama argachuu qaba.
3) Waldaan hundeeffamu kamiiyyuu barreeffama hundeeffamaa fi Dambii ittiin bulmaataa kan Abbaa Taayitichaatiin mirkanaa'u qabaachuu qaba.
4) Waldaan hundeeffamu kamiiyyuu:
   (a) Maqaa ittiin beekamu;
   (b) Qaama Waldicha hoogganu;
   (c) Kaayyoo waldichi ittiin hundeeffamu qabaachuu qaba.

፫) በሚሰጠው **ውሳኔ ላይ አሳታፊነት፣** ግልጽነትና **ተጠያቅነት** ያለውን አሠራር መከተል፣

፬) **ወጪን የመመለስ** አሠራር እና **ሀብትን በቁጠባ የሚጠቀሙበትን አሰራር መከተል፡፡**

**፯. የአገልግሎት ወሰን**

**ማንኛውም** ማኅበር፡-

፩) ተለይቶ በታወቀ የአገልግሎት ወሰን ውስጥ መስራት አለበት፤

፪) ተለይቶ በታወቀ የአገልግሎት ወሰን ውስጥ ራሱን የቻለ የመስኖ ልማት አውታሮች እና **የመሬት ማንጣፈፍ አውታር እና** ማኅበሩ በሚያካሂደው የመስኖ ልማት ጋር የተያያዘ ከአንድ ወይም ከዛ በላይ የውሃ አቅርቦት ቦታ ለመስኖ ልማት የምውል ውሃ **ሊ**ወስድ ይችላል፡፡

፫) የአንድ ማኅበር የአገልግሎት ወሰን ከሌላ ማኅበር የአገልግሎት ወሰን ጋር መደራረብ የለበትም፡፡

**፰. የማኅበር አመሠራረት ጠቅላላ ሁኔታ**

፩) *የመስኖ ልማት ውሃ ክልል ውስጥ የመሬት ባለይዞታ መብት ያለው ሰው ዘመናዊና ባህላዊ የመሰኖ ልማት* አውታሮች እና **የመሬት ማንጣፈፍ** እንደ **ውሃ፣መሬት**እና **የመስኖ መሰረተ ልማትን ለመጠቀም በማኅበር መደራጀት አለበት፤**

፪) **ማንኛውም የሚደራጅ** ማኅበር **ከባለሥልጣኑ** ፈቃድ ማግኘት **አለበት፤**

፫) **ማንኛውም** የሚመሠረት ማኅበር በባለስልጣኑ የሚፀድቅ የመመሥረቻ ጽሑፍ እና መተዳደርያ ደንብ ሲኖረው ይገባል፡፡

፬) ማንኛውም የሚመሠረት ማኅበር፡-
   (ሀ) **የሚታወቅበት ስም፣**
   (ለ)ማኅበሩን **የሚመራ አካል፣**
   (ሐ)ማኅበሩ **የሚመሠረትበት ዓላማ** ሲኖረው ይገባል፤

3) Applying participatory, transparency and accountability in decision making process,
4) Insuring cost recovery and efficient use of resources.

**7. Scope of service**

Every Association shall:-
1) Working within defined scope of service;
2) Within defined scope of service an association shall comprise a distinct irrigation and land drainage Unit with a defined area of land that is capable of receiving irrigation water through the Irrigation and drainage system operated by that association from one or more water Supply points;
3) Scope of service of associations shall not overlap with each other.

**8. General condition of establishment of an Association**

1) A Person possessing land located in the service area of an association who have access to irrigation water and drainage system or who shall be accessed to irrigation water and land drainage and who have land use right in order to equitably utilize the available resources such as land, water and irrigation and drainage infrastructure, irrigation water users mandatorily shall establish Irrigation Water Users' Association;
2) Any established association shall be obtain permit from the Authority;
3) Any established association shall have written document of establishment and regulation to be approved by Oromia the Authority;
4) Any established association shall have:-
   (a) Its own name;
   (b) Administrative body;
   (c) Objective for establishment of an association;

5) Waldaa hundeeffamu kamiyyuu maqaa iddoo hojii waliin walqabate yookiin kan biroon moggaafamuu ni danda'a.
6) Maqaa waldaa keessatti gaaleen “itti fayyadamtoota bishaan jallisii itti gaafatamummaan isaa murtaa'e” jedhu jiraachuu qaba.
7) Maqaa waldaan tokko ittiin galmaa'ee beekame waldaan biroo itti fayyadamuun dhorkaadha.
8) Maqaan waldaa ifatti barreeffamee waldichi bakka hojii isaa gaggeessu kamittuu maxxanfamuu qaba. Akkasumas beeksisa waldichaa, xalayootaa fi sanadoota maqaa waldichaatiin barreeffamu irratti maqichi ibsamuu qaba.

**9. Waldaan Abbaa Taayitichaatiin Kan Hundeeffamu Ta'uu Isaa**

1) Waldaan hundeeffamu kamiiyyuu beekamtii Abbaa Taayitichaatiin kan hundeeffamu ta'a.
2) Abbaan Taayitichaa waldaan akka hundeeffamu yammuu taasisu hojimaata armaan gadii hordofuu qaba:
   (a) Namoota miseensota waldaa ta'uu danda'anii fi qaama dhimmi ilaalu waliin mari'achuu;
   (b) Daangaa waldichi tajaajila kennu keessaa namoota miseensa ta'uu danda'an kan addaan baasu koree hundeessituu waldichaa ta'uu danda'an namoota 11 hin caalle filachiisuun koree hundeessuu;
   (c) Waldaan hundeeffamu hirmaachisaa akka ta'u miseensonni koree hundeessituu waldichaa akka ta'an filataman kutaa lafaa adda addaa irraa kan walitti dhufan ta'uu isaanii mirkaneeffachuu.

፭) ማንኛውም የሚመሠረት ማኅበር ከሥራ ቦታ ስም ጋር በተያያዘ ወይም በሌላ ልሰየም ይችላል፣
፮) በማኅበር ስም ውስጥ “ኃላፊነቱ የተወሰነ የመስኖ ውሃ ተጠቃሚዎች ማኅበር’’ የሚል ሀረግ መኖር አለበት፤
፯) አንድ ማኅበር ተመዝግቦበት የታወቀበትን ስም ሌላ ማኅበር መጠቀም የተከለከለ ነው፤
፰) የማኅበር ስም በግልጽ ተፅፎ ማኅበሩ ሥራውን በሚያካሄድበት በማንኛውም ቦታ መለጠፍ አለበት፤ እንዲሁም የማኅበሩ ማስታወቂያ፣ ደብዳቤዎች እና በማኅበሩ ስም በሚጻፍ ሰነዶች ላይ ስሙ መገለጽ አለበት፡፡

**፱. ማኅበር በባለሥልጣኑ የሚመሠረት ስለመሆኑ**

፩) ማንኛውም የሚመሠረት ማኅበር በባለሥልጣኑ እውቅና የሚመሠረት ይሆናል፡፡
፪) ባለሥልጣኑ ማኅበር እንድመሰረት ሲያደርግ የሚከተሉትን አሰራር መከተል አለበት፡
   (ሀ) የማኅበር አባል ሊሆኑ ከሚችሉት ሰዎች እና አግባብ ካላው አካል ጋር መወያየት፣
   (ለ) ማህበሩ አገልግሎት ከሚሰጥበት ክልል ውስጥ አባል ሊሆኑ የሚችሉትን ሰዎች የምለይ የማህበሩ መስራች ኮሚቴ ሊሆኑ የሚችሉ ከአስራ አንድ የማይበልጡ ሰዎችን በማስመረጥ ኮምቴን መመስረት፤
   (ሐ) የሚመሰረተው ማኅበር አሳታፊ እንዲሆን የማኅበሩ መስራች ኮሚቴ አባላት እንዲሆኑ የተመረጡት አባላት ከተለያዩ የመሬት ክፍሎች የተወጣጡ መሆናቸዉን ማረጋገጥ፡፡

5) Any established association shall have its own name related with its area of working or some other distinct name;
6) The phrase "Irrigation water users' association with limited responsibility" shall be included in the name of an association;
7) No association shall use registered name for another association;
8) The name of an association shall be written boldly and be placed where the association conducts its any activities; it shall also be written or stamped on every notice, letter, declarations or documents signed on behalf of the association.

**9. As an Association be Established by Irrigation Development Authority**

1) Any established association shall be recognized by the Authority;
2) An Authority shall be follow up the following procedure in establishment of an association:-
   (a) Consultation with members of an association and concerning bodies;
   (b) Organize founders committee to identify the service scope of the proposed association and also founders committee which may not exceed eleven potential members of the association;
   (c) The founders committee shall be composed of persons representing different unit of the proposed service scope so as to ensure fair representation of potential members of the proposed association;

3) Akkaataa Keewwata kana Keewwata Xiqqaa 2 (a-c) jalatti ibsameen yaadichi fudhatama kan argatu yoo ta'e, waldichi hundaa'uu akka danda'u Abbaan Taayitichaa kan beeksisu ta'a.

4) Waldaan hundeeffamu kamiyyuu yoo xiqqaate miseensota shanii fi isaa ol ta'uu qaba.

## 10. Aangoo fi Hojii Koree Hundeessituu

1) Koreen Hundeessituu aangoo fi hojii armaan gadii ni qabaata:
   (a) Moodeela Dambii Abbaan Taayitichaa qopheessu irratti hundaa'uun barreeffama hundeeffamaa fi Dambii ittiin bulmaata waldichaa ni qopheessa;
   (b) Kaartaa daangaa Waldaan tajaajila keessatti kennuu, kutaan lafaa bakka itti argamuu fi hanga isaa adda baasuu;
   (c) Iyyata Waldaa hundeessuuf barbaachisu qopheessuu;
   (d) Sanada maqaa, teessoo, mallattoo, ibsa qabiyyee lafaa, yoo danda'ame lakkoofsa waraqaa ragaa qabiyyee lafaa tokkoon tokkoon namoota miseensa ta'uu danda'anii fi wixinee karoora hojii fi baajata waldaa ijaaruuf yaadame qopheessuu qaba.

2) Korichi sanadoota akkaataa Keewwata kana Keewwata Xiqqaa 1 (a- d) tti qophaa'an irratti miseensonni waldaa yaada akka irratti kennan taasisuun waldicha hundeessuuf iyyata miseesonni dhiyeeffatan irratti akka mallatteessan taasisuun Abbaa Taayitaa Aanaatiif ni dhiyeessa.

፫) በዚህ አንቀጽ ንዑስ አንቀጽ ፪ (ሀ-ሐ) በተገለጸዉ መሠረት ሀሳቡ ተቀባይነት የሚያገኝ ከሆነ፣ ማኅበሩ ሊመሠረት እንደሚችል ባለሥልጣኑ የሚያሳውቅ ይሆናል፡፡

፬) ማንኛዉም የሚመሰረት ማኅበር ቢያንስ አምስት እና ከዚያ በላይ አባላት መሆን አለበት፡፡

## ፲. የመሥራች ኮሚቴ ስልጣን እና ተግባር

፩) መሥራች ኮሚቴ የሚከተሉት ስልጣንና ተግባር ይኖሩታል፡
   (ሀ) ባለሥልጣኑ የሚያዘጋጀዉ ሞደል ደንብ ላይ በመመሰረት የመመስረቻ ጽሁፍ እና የማኅበሩን መተዳደሪያ ደንብ ያዘጋጃል፣
   (ለ) ማኅበር አገልግሎት የሚሰጥበት የካርታ ክልል መስጠት፣የመሬት አሀድ የሚገኝበት ቦታ እና መጠኑን መለየት፣
   (ሐ) ማኅበርን ለመመስረት የሚያስጠ ፈልገዉን ማመልከቻ ማዘጋጀት፣
   (መ) አባል ለመሆን የሚችሉ ሰዎችን ስም፣አድራሻ፣ፊርማ፣ የመሬት ይዞታ መግለጫ ሰነድ፣ ከተቻለ የእያንዳንዱ አባል ለመሆን የሚችሉ ሰዎች የመሬት ይዞታ ምስክር ወረቀት ቁጥር እና ሊመሰረት የታሰበውን ማህበር የሥራ እና በጀት ረቂቅ ዕቅድ ማዘጋጀት አለበት፤

፪) ኮሚቴው በዚህ አንቀጽ ንዑስ አንቀጽ ፩ (ሀ -መ) መመሠረት በተዘጋጁት ሰነዶች ላይ የማህበሩ አባላት ሀሳብ እንዲሰጠበት በማድረግ ማህበሩን ለመመስረት አባላት ባቀረቡት ማመልከቻ ላይ እንድፈርሙ በማድረግ ለወረዳው ባለሥልጣን ያቀርባል፤

3) In accordance with sub-article 2 (a-c) of this article provided; if the idea recognized; the Authority announce about an association can be established;

4) Any established association shall be a minimum of five and above members.

## 10. Power and Duties of Founding committee

1) The founders committee shall have the following power and duties:-
   (a) Preparing written memorandum and regulation of an association based on model regulation prepared by the authority;
   (b) Identifying service scope map that shows the location and size of the units;
   (c) Preparing Application for the establishment of an association;
   (d) Preparing the lists of documents of members those proposed association, which shall include the name, address, signature and description of land holding and land certificate number of each member if possible; and draft of work and budget plan.

2) Notwithstanding the provision of sub-article 1 (a-d) of this Article; the founders committee shall give opportunity for the members of an association to comment on the documents and provide to district authority;

3) Koree hundeessituu akkaataa Keewwata kana Keewwata Xiqqaa 2tiin Abbaa Taayitaa Aanaatiif dhiyeessuudhaan dura namoota miseensa waldaa ta'uu danda'an keessaa yoo xiqqaate harki walakkaa ol iyyata waldicha hundeessuuf qophaa'e irratti mallatteessuu isaanii fi wixinee barreeffama hundeeffamaa fi Dambii ittiin bulmaataa, karoora hojii fi baajata waldichaa irratti yaada kennuu isaanii mirkaneessisuu qaba.
4) Miseensota koree hojii raawwachiiftuu, koree to'annoo fi koree waldhabiinsa hiiku filachiisuuf walga'ii hundeessitootaa akka waamamuu ni taasisa.
5) Miseensota waldaa keessaa harki walakkaa ol yoo argaman yaa'iin waliigala hundeessitootaa guutuu ta'a. Waldichi hundeeffamuun isaa kan mirkanaa'u barreeffamni hundeeffamaa fi Dambiin ittiin bulmataa waldichaa yaa'ii waliigalaa hundeessitoota waldaa walgahicha irratti argaman keessaa walakkaa oliin yoo deeggarameedha.
6) Akkaataa Keewwata kana Keewwata Xiqqaa 5tiin hundeeffamuun waldichaa sagalee caalmaan kan deeggaramu yoo ta'e, koreen hojii raawwachiiftuun waldichaa, walidichi akka galmaa'uu fi qaama seerummaa argatu iyyata isaa dhimmoota armaan gadii waliin walqabsiisuun Abbaa Taayitaa Godinaatiif ni dhiyeessa:
   (a) Qaboo yaa'ii waldichi ittiin hundaa'e;
   (b) Barreeffama hundeeffamaa fi Dambii ittiin bulmaata waldichaa kooppii sadi;
   (c) Daangaa tajaajila keessatti kennuuf yaadamee fi yoo jiraate kaartaa daangicha agarsiisu;
   (d) Waldaa hundeessuuf iyyata miseensonni barreeffamaan dhiyeeffatan;
   (e) Wixinee karoora hojii fi baajataa;

፫) የመስራች ኮሚቴዉ በዚህ አንቀጽ ንዑስ አንቀጽ ፪ መሠረት ወረዳ ባለሥልጣን ከማቅረቡ በፊት የማኅበር አባል ለመሆን ከሚችሉት ሰዎች ውስጥ ቢያንስ ከግማሽ በላይ የሚሆኑት ማኅበሩን ለማመስረት በተዘጋጀዉ ማመልከቻ ላይ መፈረማቸዉን እና የመመስረቻ ጽሁፍ እና መተዳደሪያ ደንብ፣ የስራ ዕቅድ እና የማኅበሩ በጀት ረቂቅ ላይ ሀሳብ መስጠታቸዉን ማረጋገጥ አለበት፤
፬) የሥራ አስፈጻሚኮሚቴ፣ ቁጥጥር ኮሚቴእና የአለመግባባት ፈቺ ኮሚቴ አባላትን ለማስመረጥ የመስራቾች ስብሰባ እንዲጠራ ያደርጋል፡፡
፭) ከማኅበሩ አባላት ከግማሽ በላይ ከተገኙ የመሥራቾች ጠቅላላ ጉባዔ ምልዓተ-ጉባዔ ይሆናል፡፡ የማኅበሩ መመሰረት የሚረጋገጠዉ የማህበሩ የመመስረቻ ጽሁፍ እና መተዳደሪያ ደንብ በስብሰባዉ ላይ ከተገኙት የማኅበሩ መሥራቾች ጠቅላላ ጉባዔ ዉስጥ በግማሽ በላይ በሚሆኑት ከተደገፈ ነዉ፡፡
፮) በዚህ አንቀጽ ንዑስ አንቀጽ ፭ መሠረት የማኅበሩ መመስረት በአብላጫ ድምጽ የሚደገፍ ከሆነ፣ የማኅበሩ ሥራ አስፈጻሚ ኮሚቴ ማኅበሩ እንዲመዘገብና የሕግ ሰውነት እንዲያገኝ ማመልከቻዉን የሚከተሉት ነጥቦች ጋር በማያያዝ ለዞን በለሥልጣን ያቀርባል፡
   (ሀ) ማኅበሩ የተመሰረተበት ቃለ ጉባዔ፣
   (ለ) የማኅበሩ መመስረቻ ጽሁፍ እና መተዳደሪያ ደንብ ሦስት ቅጂ፣
   (ሐ) የአገልግሎት ለመስጠት የታሰበው ክልል እና ካለም ክልሎን የሚያሳይ ካርታ፣
   (መ) ማኅበር ለመመስረት አባላት በጽሁፍ ያቀረቡት ማመልከቻ፣
   (ሠ) የሥራ እና በጀት ረቂቅ ዕቅድ ፣

3) In accordance with sub-article (2) of this article; the founders committee shall convene founders meeting, when half of the members of the proposed association have signed the application for the formation of the association and by taking into account comments on the establishment draft, budget and work-plan and provide to district Authority for approval of the document;
4) The founders committee shall conduct founders meeting to elect the management committee; control committee and dispute settlement committee of the association;
5) The meeting shall be a quorum where majority of members of the proposed association are present at a meeting; the establishment of an association and decision on the approval of the memorandum and article of association shall be passed by the majority vote of the members found at a meeting;
6) In accordance with sub-article (5) of this article; half of the members of the association have signed the application for the establishment of the association; the management committee shall submit an application for registration to the zone irrigation development Authority together with the following matters:-
   (a) The minutes of the founders meeting;
   (b) Three copies of memorandum and regulation of association;
   (c) Scope of the proposed service and the location of the units, if any;
   (d) Application of the members for the establishment of an association;
   (e) Draft of budget and work plan;

(f) Ragaa qabeenyaa qabanii fi qarshii waldicha hundeessuuf qaban kan ibsu;

(g) Galmeewwan adda addaa, sanadoota galii fi baasii;

(h) Maqaa, teessoo fi mallattoo miseensota koree hojii raawwachiiftuu, koree to'annoo fi koree waldhabiinsa hiikuu waldichaa;

(i) Labsii kana raawachiisuuf Dambii yookiin Qajeelfama bahu keessatti sanadoota tarreeffaman biroo.

7) Abbaan Taayitaa Godinaa iyyataa fi barreeffama hundeeffamaa fi Dambii ittiin bulmaataa waldichaa waliin walqabatanii dhiyaatan guyyoota hojii kudha shan keessatti qorachuun waldichi ulaagaa kan guute ta'uu isaa erga mirkaneeffatee booda galmee keessatti galmeessuun waldichaaf waraqaa ragaa qaama seerummaa ni kenna.

8) Abbaan Taayitaa Godinaa iyyata waldichi galmaa'uuf dhiyeeffate kufaa kan taasise yoo ta'e, sababa kufaa taasiseef barreeffamaan guyyoota hojii shan keessatti koree hojii raawwachiiftuuf barreeffamaan beeksisuu qaba.

9) Koreen hojii raawwachiiftuu murtii Abbaan Taayitaa Godinaa kenne irratti komii kan qabaatu yoo ta'e, guyyaa murtiin beeksifame irraa eegalee guyyaa hojii kudhan keessatti komii isaa Abbaa Taayitaa Naannichaatiif dhiyeessuu ni danda'a. Murtiin Abbaa Taayitaa Naannichaatiin kennamu isa dhumaa ta'a.

10) Keewwata kana Keewwata Xiqqaa 9 jalatti kan tumame jiraatuyyuu, qaamni sababa gahaa qabu komii isaa hanga guyyaa hojii kudhaniitti dhiyeeffachuu ni danda'a.

(ረ) ያላቸውን ሀብት እና ማኅበሩን ለመመስረት ያላቸዉን ገንዘብ የሚገልጽ ማስረጃ፣

(ሰ) የተለያዩ መዝገቦች፣ የገቢ እና ወጪ ሰነዶች፣

(ሸ) የማኅበሩ ሥራ አስፈጻሚ ኮሚቴ፣ ቁጥጥር ኮሚቴ እና የአለመግባባት ፈቺ ኮሚቴ ሰሜ አድራሻና ፊርማ፡፡

(ቀ. ይህን አዋጅ ለማስፈጸም በሚወጣ ደንብ ወይም መመሪያ ዉስጥ የተዘረዘሩ ሌሎች ሰነዶች፤

፯) የዞን ባለሥልጣን ከማኅበሩ ማመልከቻና መመስረቻ ጽሁፍ እና መተዳደሪያደንብ ጋር ተያይዘዉ የቀረቡትን በአስራ አምስት የሥራ ቀናት ውስጥ በመመርመር ማኅበሩ መስፈርቱን ያሚሳ መሆኑን ካረጋገጠ በሥሳ በመዝገብ ውስጥ በመመዝገብ ለማኅበሩ ሕጋዊ ሰዉነት ምሥክር ወረቀት ይሰጣል፤

፰) የዞን ባለሥልጣን ማኅበሩ ለመጠ መዝገብ ያቀረበውን ማመልከቻ ውድቅ ያደረገ ከሆነ፣ ውድቅ ያደረገበትን ምክንያት በአምስት የሥራ ቀናት ውስጥ ለሥራ አስፈጻሚ ኮሚቴ በፅሑፍ ማሳወቅ አለበት፤

፱) የሥራ አስፈጻሚ ኮሚቴ የዞን ባለሥልጣን በሰጠው ውሳኔ ላይ ቅሬታ ያለው ከሆነ፣ ውሳኔ ከተሰጠበት ቀን ጀምሮ በአሥር የሥራ ቀናት ውስጥ ቅሬታውን ለክልሉ ባለሥልጣን ማቅረብ ይችላል፤ በክልሉ ባለሥልጣን የሚሰጠው ውሳኔ የመጨረሻ ይሆናል፤

፲) በዚህ አንቀጽ ንዑስ አንቀጽ ፱ ሥር የተደነገገው ቢኖርም፣ በቂ ምክንያት ያለው አካል ቅሬታውን እስከ አስር የሥራ ቀናት ማቅረብ ይችላል፡፡

(f) Documents of signifying their properties and capital to establish the association;

(g) Various documents, income and expense voucher;

(h) Name, Address and signature of management committee; control and dispute settlement committee of an association;

(i) Other particulars that shall be specified in regulations or directives issued for the implementation of this Proclamation.

7) Zonal irrigation development Authority shall examine the application and regulation of an association within 15 working days and if it is fulfilled with the application and documents annexed thereto register an association and issue certificate of registration;

8) If zonal irrigation development Authority rejects the application for the registration of an association, it shall give a written explanation to the management committee within working 5 days;

9) If an association is not gratified with the decision of zonal irrigation development Authority, the association can have a right to apply their grievance to regional irrigation development Authority within 10 working days starting from the day decision is given. The decision given by the regional irrigation development Authority shall be the final decision.

10) Without prejudice to sub-article 9 of this article; an association having sufficient reasons have a right to apply grievance up to 10 working days.

**11. Miseensummaa**

Ulaangaan miseensummaa kanneen armaan gadii ta'a:

1) Mirga abbaa qabiyyummaa seera qabeessa nama lafa daangaa waldaa akkaataa Labsii kanaan hundaa'e keessaa kan qabu;
2) Mirga abbaa qabiyyummaa dhaaltummaan yookiin karaa seera qabeessa ta'een nama lafa daangaa waldaa keessaa qabu;
3) Akkaataa Labsii Bulchiinsaa fi Itti Fayyadama Lafa Baadiyyaa Naannichaatiin mirga itti fayyadama lafaa kiraan argate;
4) Akkaataa Keewwata kana Keewwata Xiqqaa 2 fi 3tiin namni miseensa waldichaa ta'e, lafa daangaa tajaajila waldaa keessa dhaaltummaadhaan, karaa seera qabeessa ta'e birootiin yookiin kiraan fayyadamuuf waliigale hanga waliigaltichi addaan citutti yookiin xumuramutti miseensa waldichaa akka ta'etti kan lakkaa'amuu fi mirgaa fi dirqama miseensi waldichaa qabu kan qabaatu ta'a;
5) Keewwata kana Keewwata Xiqqaa 4 jalatti kan tumame akkuma jirutti ta'ee, kireeffataan Dambii hundeeffamaa fi Dambii ittiin bulmaata waldichaa kabajuuf dirqama ni qabaata.

**12. Miseensummaa Addaan Kutuu**

1) Miseensi daangaa waldichi tajaajila kennu keessatti lafa argamu irratti mirga ittifayyadamuu kan addaan kute yoo ta'e, mirga itti fayyadamaa laficha irratti qabu addaan kutuu isaa barreeffamaan ibsuun miseensummaa keessaa bahuu ni danda'a.
2) Miseensi waldichaa hanga guyyaa miseensummaa waldaa keessaa haqamutti kaffaltii irra jiru kaffaluuf dirqama qaba.

**13. Qaama Hojii Raawwachiiftuu Waldichaa**

1) Qaamni hojii raawwachiiftuu waldaa kanneen armaan gadii ta'u:
   (a) Yaa'ii Waliigalaa;

**፲፩. አባልነት**

የአባልነት መስፈርቶች የሚከተሉት ይሆናሉ፡

፩) በዚህ አዋጅ መሠረት በተመሠረተ የማኅበር የአገልግሎት ክልል ውስጥ ሕጋዊ የመሬት ባለ ይዞታ መብት ያለዉ፣
፪) በውርስ ወይም ሕጋዊ በሆነ መንገድ ከማኅበሩ የመሬት ክልል ውስጥ የባለ ይዞታነት መብት ያለው ሰው፣
፫) በክልሉ የገጠር መሬት አስተዳደርና አጠቃቀም አዋጅ መሠረት በኪራይ መሬት የመጠቀም መብት ያገኘ፣
፬) በዚህ አንቀጽ ንዑስ አንቀጽ ፪ እና ፫ መሠረት የማህበሩ አባል የሆነ ሰው፣ ከማኅበር የአገልግሎት ክልል ውስጥ መሬትን በውርስ፣ በሌላ ሕጋዊ በሆነ መንገድ ወይም በኪራይ ለመጠቀም የተዋዋለ ውሉ እስከሚቋረጥበት ወይም እስከሚጠናቀቅበት ጊዜ ድረስ የማኅበሩ አባል እንደሆነ የሚቆጠር እና የማህባሩ አባል ያለውን መብትና ግዴታ የሚኖረው ይሆናል፤
፭) በዚህ አንቀጽ ንዑስ አንቀጽ ፬ ስር የተደነገገው እንደተጠበቀ ሆኖ፣ ተከራይ የማኅበሩን መመሥረቻ ፅሁፍ እና መተዳደርያ ደንብ ለማክበር ግዴታ ይኖረዋል፡፡

**፲፪. አባልነትን ማቋረጥ**

1) አባል ማኅበሩ አገልግሎት በሚሰጥ ክልል ውስጥ በሚገኝ መሬት ላይ የመጠቀምን መብት ያቋረጠ ከሆነ፣ በመብቱ ላይ ያለውን የመጠቀም መብት ማቋረጡን በጽሑፍ በመግለፅ ከአባልነት መውጣት ይችላል፤
2) የማኅበሩ አባል ከማኅበር አባልነት እስከሰረዝ ድረስ ያለበትን ክፍያ ለመክፈል ግዴታ አለበት፡፡

**፲፫. የማኅበሩ ሥራ አስፈጻሚ አካል**

፩) የማኅበር ሥራ አስፈጻሚ አካል የሚከተሉት ይሆናሉ፡
   (ሀ) ጠቅላላ ጉባኤ፣

**11. Membership**

Criteria of Membership shall be the followings:-

1) A person who is land owner which is located within the land scope of an association established in accordance with this Proclamation;
2) A person who acquired land which is located within the land scope of an association in succession or in any other legal way;
3) A person who uses right of the land on the basis of lease contract in accordance with Oromia Rural Land proclamation;
4) In accordance with sub-article 2 and 3 of this article; any person acquires use right of the land by succession or any other legal way and lease contract shall be considered as a member of the association until the agreement is terminated throughout the term of that lease and shall have the right to have right and responsibility of the members;
5) Without prejudice to sub-article 4 of this article; the lease taker has obligation to keep establishment memorandum and regulation of an association.

**12. Terminating Membership**

1) Any member who has ceases his use right over the land located within the service area of an association may terminate his membership, in written upon notifying to the association;
2) Any member shall be liable for the outstanding fees due to the association at the date on which his membership terminates.

**13. Executive Bodies of an Association**

1) The management bodies of an association shall be:-
   (a) The General Assembly;

(b) Koree Hojii Raawwachiiftuu;
(c) Koree To'annoo;
(d) Koree Waldhabiinsa Hiiku.

2) Keewwata kana Keewwata Xiqqaa 1 jalatti kan tumame akkuma jirutti ta'ee, waldaan miseenstoa 5-10 qofa qaban koree hojii raawwachiiftuu fi koree to'annoo qofaan gurmaa'uu ni danda'u.
3) Waldaan tokko Dambii ittiin bulmaata isaa keessatti akkaataa barbaachisummaa isaatti koreewwan biroo akka hundaa'an hayyamuu ni danda'a.
4) Aangoo fi gaheen hojii qaama hojii raawwachiiftuu waldaa akkaataa Labsii kanaa fi Dambii ittiin bulmaata waldichaatiin kan murtaa'u ta'a.
5) Waldaan hojjettoota waldichaaf barbaachisan qacarachuu ni danda'a; haalli raawwii isaa Dambii ittiin bulmaataa waldaa keessatti kan ibsamu ta'a.

### 14. Qaama Seerummaa fi Ittigaafatamummaa

1) Bu'uura Labsii kanaan waldaan galmaa'e, guyyaa galmaa'ee irraa eegalee qaama seerummaa ni qabaata.
2) Bu'uura Labsii kanaan waldaan hundeeffame ittigaaffatamummaan isaa murtaa'e qabeenya waliigalaa qabuu ol idaan gaafatamuu hin danda'u.

### 15. Barreeffama Hundeeffamaa fi Dambii Ittiin Bulmaataa

1) Waldaan itti fayyadamtoota bishaan jallisii kamiyyuu barreeffama hundeeffamaa fi Dambii ittiin bulmaataa kan qabaatu ta'a.
2) Barreeffamni hundeeffama waldaa yoo xiqqaate qabiyyee armaan gadii qabaachuu qaba:
   (a) Maqaa fi teessoo Waldichaa;
   (b) Kaayyoo Waldichaa;
   (c) Qaamolee Hooggansa Waldichaa;
   (d) Maqaa fi teessoo miseensota Waldichaa;
   (e) Haala dhiyeessa gabaasa raawwii hojii Waldichaa;
   (f) Madda galii.

(ለ) ሥራ አስፈጻሚ ኮሚቴ፣
(ሐ) ቁጥጥር ኮሚቴ፣
(መ) አስመግባባት ፈቺ ኮሚቴ፡፡

፪) በዚህ አንቀጽ ንዑስ አንቀጽ ፩ ስር የተደጠ ነገገው እንደተጠበቀ ሆኖ፣ ከ፭-፲ አባላት ብቻ ያላቸው ማኅበር በሥራ አስፈጻሚ ኮሚቴ እና ቁጥጥር ኮሚቴ ብቻ ሊደራጁ ይችላሉ፤
፫) አንድ ማኅበር በመተዳደሪያ ደንቡ ውስጥ እንዳስፈላጊነቱ ሌሎች ኮሚቴዎች እንዲቋቋሙ ሊፈቅድ ይችላል፤
፬) የማኅበር ሥራ አስፈጻሚ አካል ሥልጣንና የሥራ ድርሻ በዚህ አዋጅ እና በማኅበሩ መተዳደሪያ ደንብ መሠረት የሚወሰን ይሆናል፤
፭) ማኅበር ለማኅበሩ የሚያስፈልጉ ሠራተኞችን ሊቀጥር ይችላል፣ አፈጻጸሙ በማኅበር መተዳደሪያ ደንብ ውስጥ የሚገለጽ ይሆናል፡፡

### ፲፬. ሕጋዊ ሰውነት እና ተጠያቂነት

፩) በዚህ አዋጅ መሠረት የተመዘገበ ማኅበር፣ ከተመዘገበበት ቀን ጀምሮ ሕጋዊ ሰውነት ይኖረዋል፤
፪) በዚህ አዋጅ መሠረት የተመሠረተ ኃላፊነቱ የተወሰነ ማኅበር ካለው ጠቅላላ ሀብት በላይ በዕዳ ሊጠየቅ አይችልም፤

### ፲፭. የመመሥረቻ ጽሑፍ እና መተዳደሪያ ደንብ

፩) ማንኛውም የመስኖ ውሃ ተጠቃሚዎች ማኅበር የመመስረቻ ጽሑፍ እና መተዳደሪያ ደንብ የሚኖረው ይሆናል፤
፪) የማኅበር መመስረቻ ጽሑፍ ቢያንስ የሚከጠተሉትን ይዘቶች ሊኖረው ይገባል፡-
   (ሀ) የማኅበሩ ስምና አድራሻ፣
   (ለ) የማኅበሩ ዓላማ፣
   (ሐ) የማኅበሩ አመራር አካላት፣
   (መ) የማኅበሩ አባላት ስም እና አድራሻ፣
   (ሠ) የማኅበሩ ሥራ አፈጻጸም ሪፖርት አቀራረብ ሁኔታ፣
   (ረ) የገቢ ምንጭ፡፡

(b) The Management Committee;
(c) The Control Committee; and
(d) The Dispute Settlement Committee.

2) Without prejudice to sub-article (1) of this article; an association having 5-10 members can be established an association only by organizing management and control committee;
3) An association may permit such other committees to be established in its bylaw as it deems necessary;
4) The power and duties of the management bodies of an association shall be determined by this Proclamation and the associations regulation;
5) An association may employ staffs necessary for the association; its implementation shall be determined in the bylaw of the association.

### 14. Legal Personality and Responsibility

1) Any association registered in accordance with this Proclamation shall acquire legal personality as of the date of its registration;
2) Any association established in accordance with this Proclamation shall have limited liability and shall not be held liable beyond its total assets.

### 15. Memorandum of Establishment and Bylaw

1) Any irrigation water user association shall have the Memorandum for the establishment and regulation;
2) The Memorandum for establishment of an association shall have at least the following contents;
   (a) Name and address of the association;
   (b) Objective of the association;
   (c) Management organ of an association;
   (d) Name and address of the members of the association;
   (e) Presentation of report of the association;
   (f) Sources of income.

3) Dambiin ittiin bulmaata waldichaa qabiyyee armaan gadii ni qabaata:
   (a) Maqaa waldaa fi teessoo;
   (b) Kaayyoo waldichaa;
   (c) Kaartaa yookiin pilaanii bal'ina lafaa waldichi tajaajila keessatti kennu;
   (d) Miseensa waldichaa ta'uuf ulaagaalee barbaachisan;
   (e) Mirgaa fi dirqama miseensota waldichaa;
   (f) Aangoo fi gahee hojii qaama hooggansa waldichaa;
   (g) Sirna kaffaltiiwwan adda addaa ittiin raawwatamu;
   (h) Yeroo turmaata waldichaa;
   (i) Haala Dambiin ittiin bulmaata waldichaa ittiin fooyya'u;
   (j) Qabiyyeewwan kan biroo Abbaa Taayitichaatiin akka dabalaman taasifaman.

## KUTAA SADII
## Madda Galii Waldaalee fi Maallaqa Ofeeggannoo

### 16. Maddoota Galii

1) Maddi Galii waldaa:
   (a) Kaffaltii galmee miseensummaa;
   (b) Kaffaltii buusii miseensummaa;
   (c) Kaffaltii tajaajila bishaanii miseensa waldichaa irraa sassaabamu;
   (d) Kennaa yookiin gargaarsa;
   (e) Kuufama maallaqa baankii kaa'ame irraa dhala argamu;
   (f) Miseensota waldichaa irraa kaffaltii adabbii sassaabamu;
   (g) Tajaajila waldichi kennuuf kaffaltiwwan kaffalamanii; fi
   (h) Liqii adda addaa irraa maallaqa argamu ta'a.
2) Waldaan kamiyyuu suphaa, fooyyeessa yookiin haaromsa bu'uraalee misooma jallisii fi qoorsa lafaatiif kan oolu baasiiwwan barbaachisan uwwisuuf kan oolu maallaqa ofeegganoo ol kaawwaachuu qaba. Haalli raawwii isaa Dambii bahuun kan murtaa'u ta'a.

፫) የማኅበሩ መተዳደሪያ ደንብ የሚከተሉትን ይዘት ይኖረዋል፡
   (ሀ) የማኅበር ስምና አድራሻ፣
   (ለ) የማኅበሩ ዓላማ፣
   (ሐ) ማኅበሩ አገልግሎት የሚሰጥበት የመሬት ክልል ስፋት ካርታ ወይም ፕላን፣
   (መ) የማኅበሩ አባል ለመሆን የሚያስፈልጉ መስፈርቶች፣
   (ሠ) የማኅበሩ አባላት መብት እና ግዴታ፣
   (ረ) የማኅበሩ አመራር አካል ሥልጣን እና ተግባር፣
   (ሰ) የተለያዩ ክፊያዎች የሚፈፀሙበት ሥርዓት፣
   (ሸ) የማኅበሩ የቆይታ ጊዜ፣
   (ቀ) የማኅበሩ መተዳደሪያ ደንብ የሚሻሻልበት ሁኔታ፣
   (በ) በባለሥልጣኑ እንድጨመሩ የተደረጉ ሌሎች ይዘቶች፡፡

## ክፍል ሦስት
## የማኅበራት የገቢ ምንጭ እና መጠባበቂያ ገንዘብ

### ፲፮. የገቢ ምንጮች

፩) የማኅበሩ የገቢ ምንጭ፡
   (ሀ) የአባልነት ምዝገባ ክፍያ፣
   (ለ) የአባልነት መዋጮ ክፍያ፣
   (ሐ) ከማኅበሩ አባል ላይ የሚሰበሰብ የውሃ አገልግሎት ክፍያ፣
   (መ) ስጦታ ወይም ርዳታ፣
   (ሠ) በባንክ ከተቀመጠ የገንዘብ ክምችት ላይ የሚገኝ ወለድ፣
   (ረ) ከማኅበሩ አባላት ላይ የሚሰበሰብ የቅጣት ክፍያ፣
   (ሰ) ማኅበሩ ለሚሰጠው አገልግሎት የሚከፈሉ ክያዎች እና
   (ሸ) ከተለያዩ ብድር የሚገኝ ገንዘብ ይሆናል፡፡
፪) ማንኛዉም ማኅበር ለጥገና፣ ማሻሻያ ወይም ለመስኖ ልማት አውታሮች አድሳት እና ለመሬት ማንጣፈፍ አውታሮች ለማዋል ለሚያስፈልጉ ወጪዎች ለመሸፈን የሚውል የመጠባበቂያ ገንዘብ ማስቀመጥ አለበት፡፡ አፈፃፀሙ በሚወጣ ደንብ የሚወሰን ይሆናል፤

3) The content of the regulation of an association shall include the following particulars:-
   (a) Name and address of the association;
   (b) Objective of the association;
   (c) Plan or map of the land provide service;
   (d) Requirements to be membership of the association;
   (e) Rights and obligations of the members of the association;
   (f) Power and duties of the administrative bodies of the association;
   (g) Method of various fees to be implemented;
   (h) Term of the association;
   (i) Condition for amendment of regulation of the association; and
   (j) Any content shall be added by the authority.

## Part Three
## Sources of Income of an Association and Reserve Money

### 16. Sources of Income

1) Sources of income of an association shall be:-
   (a) Registration fee of membership;
   (b) Contribution fee of Membership;
   (c) Water delivery fee gathered from the members of an association;
   (d) Gifts or grants;
   (e) Interest from money deposited in the bank account;
   (f) Penalty fee collected from the members of an association;
   (g) Payments for services provided by the association; and
   (h) Loan from various sources.
2) Any association shall keep reserve fund for emergency repairs, improvement or the renewal of the irrigation and drainage system. The implementation shall be decided in the regulation to be issued;

3) Maallaqni ofeeggannoo Keewwata kana Keewwata Xiqqaa 2 jalatti ibsame hanga baasii ta'utti herrega baankii waldichaa keessa taa'uu fi akkaataa Dambii ittiin bulmaata waldichaatiin baasii ta'uu qaba.

## 17. Kaffaltii Galmee Miseensummaa

Waldaan yammuu hundeeffamu baasii qunnamu uwwisuuf miseensoota isaa kaffaltii galmee kaffalchiisuu ni danda'a.

## 18. Buusii Miseensuummaa

1) Waldaan baasii waldichaa uwwisuuf miseensa waldichaa daangaa tajaajila kennu keessatti bal'ina lafa qabate irratti hundaa'ee buusii miseensummaa ni kaffalchisa. Haalli kaffaltii fi hangi isaa Dambii ittiin bulmaataa waldichaa keessatti kan ibsamu ta'a.
2) Buusiin miseensummaa miseensa irraa sassaabamu baasiiwwan armaan gadiitiif kan oolu ta'a:
   (a) Bu'uuraalee misooma jallisii fi qoorsa lafaa diriirsuuf, suphaa fi opireeshinii bo'oo kamiyyuu bishaan ofkeessa dabarsan qulqulleessuu fi baasiiwwan barbaachisan uwwisuuf;
   (b) Namoota hojiiwwan bu'uuraalee misooma jallisii fi qoorsa lafaa irratti gaggeessaniif yookiin karaa bishaan misooma jallisii irra darbu hojjataniif yookiin namoota biroo hojii waldichaa gaggeessaniif kaffaltti raawwatamu uwwisuuf;
   (c) Mindaa hojjettoota waldichaa fi baasiiwwan adda addaa uwwisuu; fi
   (d) Maallaqa ofegganoo waldichaa cimsuuf.
3) Waldaan galii xiqqaa qabu waliigaltee miseensotaatiin kaffaltii buusii miseensummaa walakkaan yookiin guutumaa guutuuttti hirmaannaa humnaa miseensi taasisu yookiin meeshaalee miseensi dhiyeessuun bakka buusuu ni danda'a.

፫) **በዚህ አንቀጽ ንዑስ አንቀጽ ፪ የተመለከተው** የመጠባበቂያ ገንዘብ ወጪ እስከሚ**ሆን** **የማኅበሩ** የባንክ ሂሳብ ውስጥ መቀመጥ እና **በማኅበሩ መተዳደሪያ ደንብ መሠረት ወጪ መደረግ አለበት፡፡**

## ፲፯. የአባልነት መመዝገቢያ ክፊያ

ማኅበር ሲ**መሠረት** የሚያጋጥመውን ወጪ ለመሸፈን አባላ**ቱን** የ**መመዝገቢያ** **ክፍያ** **ሊያ**ስከ**ፍ**ል **ይችላል፡፡**

## ፲፰. የአባልነት መዋጮ

፩ ማኅበሩ የማኅበሩን ወጪ ለመሸፈን የማኅበሩን አባል በምሰጠው የአገልግሎት ክልል ውስጥ በያዘው የመሬት ስፋት ሳይ ተመስርቶ የአባልነት መዋጮ ያስከፍላል፡፡ የክፊያ ሁኔታ እና መጠኑ በማኅበሩ መተዳደሪያ ደንብ የሚገለጽ ይሆናል፤

፪) ከአባል የሚሰበሰበው የአባልነት መዋጮ ለሚከተሉት ወጪዎች የሚውል ይሆናል፣

(ሀ) የመስኖ **ልማት አዉታሮች እና የመሬት ማንጣፈፍን** ለመዘርጋት፣ የመጠገን **እና ማንኛዉንም ዉሃን በዉስጣቸዉ የሚያስተላልፉ የቦይ ኦፕሬሽንን ለማፅዳት** እና የሚያስፈል**ጉትን** ወጪ**ዎች** ለመ**ሸፈን**፣

(ለ) የመስኖ ልማት አውታር እና የመሬት ማንጣፈፍ ሥራዎች የሚመሩ ሰዎች ወይም የመስኖ ልማት ውሃ የሚያልፍበትን **መንገድ ለሚሰሩት ወይም** የማህባሩን ሥራ **ለሚመሩ ሌሎች** ሰዎች የሚፈ**ጸመዉን ክፍያ ለመሸፈን**

(ሐ)የማኅበሩን ሠራተኞች ደመወዝ እና ሌሎች ወጪዎች**ን** ለመሸፈን፣**እና**

(መ)**የ**ማኅበሩ**ን** መጠባበቂያ **ገንዘብ** ለማ**ጠናከር**፡፡

፫) አነስተኛ ገቢ ያስዉ ማኅበር **በአባላት** ስምምነት የአባልነት መዋጮ ክፍያን በከፊል ወይም በሙሉ አባል በሚያደርገዉ የጉልበት ተሳትፎ ወይም በሚያቀርበዉ ዕቃ መተካት ይችሳል፡፡

3) The reserve fund mentioned in accordance to sub-article (2) of this Article; shall be kept in interest-bearing bank account until such time as the funds are required.

## 17. Registration Fee of Membership

An Association can collect registration fee during its establishment to cover its establishment cost.

## 18. Membership Contribution

1) An association shall collect fee from its members in proportion to the size of the plot of land of member in the service area to cover its costs;
2) The fee collected from membership shall be used for the purpose of:-
   (a) To cover the costs of any operating and maintaining the irrigation and land drainage and the costs of cleaning any drainage ditches;
   (b) To cover the costs of the service providers for the operation of the irrigation and drainage system or for those construct the irrigation canal or for the persons achieve the performance of the association;
   (c) Pay salaries of the staffs and other costs of the association; and
   (d) Maintain reserve fund for the association.
3) Members of an association which has small financial income may agree to make some or the entire annual membership fee to be paid in kind including contribution of labor.

**19. Kaffaltii Tajaajila Bishaanii Miseensa Waldaan Raawwatamu**

Waldaan kamiiyyuu hanga bishaan misooma jallisiitiif miseensi fayyadame yookiin bal'ina lafa misoomsu irratti hundaa'ee kaffaltii tajaajilaa akka raawwatu ni taasisa;
Raawwiin isaa Dambii ittiin bulmaataa keessatti kan ibsamu ta'a.

**KUTAA AFUR**
**Sirna To'annoo fi Deeggarsaa**

**20. Aangoo Abbaa Taayitichaa**

Aangoo fi hojiin Abbaa Taayitichaatiif seerota birootiin kennameef akkuma eegametti ta'ee, Abbaan Taayitichaa aangoo fi hojii armaan gadii ni qabaata:

1) Bulchiinsa qabeenya bishaan misooma jallisii, qabiinsa herregaa, qophii karoora hojii fi baajata waldaa, misooma bishaan jallisii, muuxannoowwan suphaa, haaromsa, fooyyessa bu'uuraalee jallisii fi itti fayyadama bishaan jallisii ilaalchisee deeggarsa teekinikaa ni kenna;
2) Akkaataa Labsii kanaatiin waldaalee ni hundeessa; ni galmeessa; ni hordofa; ni to'ata; ni deeggara; tarkaanfii sirreeffamaa ni fudhata; akka fudhatamu ni taasisa;
3) Qabeenyaa fi herrega waldaalee odiitii ni taasisa; qaamolee seera qabeessa ta'aniin odiitii akka ta'u ni taasisa;
4) Hojii misooma jallisii keessatti hirmaannaa fi fayyadamummaan dubartootaa, dargaggootaa fi qaama miidhamtootaa akka cimu ni hojjeta;
5) To'annoon sirna qabiinsa herregaa fi qabeenya waldaalee ilaalchisee taasifamu tumaa Labsii kanaa fi Dambii ittiin bulmaata waldichaa kabajamuu isaa mirkaneeffachuu irratti kan hundaa'e ta'uu qaba.

**፲፱. በማኅበሩ አባል የሚፈፀም የውሃ አገልግሎት ክፊያ**

ማንኛዉም ማኀበር አባል ለመስኖ ልማት በሚጠቀመው የውሃ መጠን ወይም በሚያስማው መሬት ስፋት ላይ ተመስርቶ የአገልግሎት ክፍያ የሚፈጽም ይሆናል፡፡ አፈፃፀሙ በመተዳደርያ ደንብ የሚገለጽ ይሆናል፡፡

**ክፍል አራት**
**የቁጥጥር እና ድጋፍ ስርዓት**

**፳. የባለሥልጣኑ ሥልጣን**

በሌሎች ሕጎች ለባለሥልጣኑ የተሰጡት ሥልጣንና ተግባር እንደተጠመቀ ሆኖ፣ ባለሥልጣኑ የሚከተሉት ሥልጣንና ተግባር ይኖሩታል፡

፩) የመስኖ ውሃ ሀብት አስተዳደር፣ የሂሳብ አያያዝ፣ የማኀበር የሥራ ዕቅድ እና በጀት ዝግጅት፣ የመስኖ ውሃ ልማት፣ የጥገና ልምዶች፣ዕድሳት፣ የመስኖ አዉታሮች ማሻሻያ እና የመስኖ ውሃ አጠቃቀምን በተመለከተ የቴክኒክ ድጋፍ ይሰጣል፣
፪) በዚህ አዋጅ መሠረት ማኀበራትን ይመሠርታል፣ይመዘግባል፣ ይከታተላል፣ ይቆጣጠራል፣ ይደግፋል፣ መስተካከያ እርምጃ ይወሰዳል፣ እንድወሰድ ያደርጋል፡፡
፫) የማኀበራትን ሀብትና ሂሳብ ኦዲት ያስደርጋል፣ ሕጋዊ በሆኑ አካላት ኦዲት እንድሆን ያደርጋል፡፡
፬) በመሰኖ ልማት ሥራ ውሰጥ የሴቶች፣ ወጣቶች እና አካል ጉዳተኞች ታሳትፎና ተጠቃሚነት እንድጠናከር ይሰራል፡፡
፭) የማኀበራት የሂሳብና ሀብት አያያዝ ሥርዓት በተመለከተ የሚደረግ ቁጥጥር የዚህን አዋጅ ድንጋጌዎችና የማኀበሩ መተዳደሪያ ደንብ መከበሩን ማረጋገጥ ላይ የተመሠረተ መሆን አለበት፡፡

**19. Water Service Payment Made by the Members of an Association**

Any association shall impose service payment on each member in proportion to the volume of irrigation water used or by the size of the plot of the land of that member. Its implementations determined in the regulation of the association.

**Part Four**
**Control and Support System**

20. Power of the Authority

Without prejudice to the power and duties vested to in the Authority by other laws; it shall have the following Power and duties;

1) Provide technical assistance and support to associations on water management, accounting, preparation of plan of work and budget of an association, irrigation techniques; experiences of maintenance, renew; repair and utilization of irrigation;
2) Establish; Register; follow-up; monitor and support an association; take corrective measure; cause to be taken in accordance with this Proclamation;
3) Audit asset of an association; cause to be audited by legally recognized body;
4) Work for female, youth and hand cape of participation and utilization on irrigation development;
5) The supervising body while exercising the legal and financial supervision of associations shall be limited to the activities of the association whether it comply with the provisions of this Proclamation and bylaw.

**21. Sirna Gabaasaa**

1) Waldaan kamiyyuu gabaasa hojii fiizikaalaa, galii fi baasii ji'aa wal-dichaa, kurmaanaan guca kanaaf qophaa'e irratti guutee Abbaa Taayitaatiif dhiyeessuu qaba.
2) Waldaan kamiyyuu barri baajataa akkuma xumurameen guyyoota soddoma keessatti gabaasa waggaa ibsa herregaa koppii isaa waliin walqabsiisuun guca kanaaf qophaa'e irratti guutee Abbaa Taayitichaatiif dhiyeessuu qaba.
3) Ibsi qabeenyaa, idaa, galii fi baasiin waggaa waldichaa yaa'ii waligalaatiif dhiyaatee mirkanaa'uu qaba.

**22. To'annoo Sirna Qabiinsa Herregaa fi Qabeenyaa**

1) Galmeen waldaalee qoratamuu kan danda'u:
   (a) Haalli hojimaata waldichaa sirrii miti yookiin akkaataa seeraatiin kan hin raawwatamne ta'uu isaa miseensota waldichaa irraa eeruun afaaniin yookiin barreeffamaan yoo dhaqqabe;
   (b) Dhimmoota seeraa fi faayinaansii waldichaa ilaallatu irratti hojimaanni seera qabeessa hin taane jiraachuu isaa ragaan kan argame yoo ta'edha.
2) Abbaan Taayitichaa galmeewwan waldichaa sakatta'uun haalli itti fayyadama faayinaansii seeraan ala ta'uu isaa yoo mirkaneeffate yookiin waldichi tumaalee Labsii kanaatiin yookiin Dambii ittiin bulmaataa fi Dambii keessaa bu'uureffachuun hojjechaa akka hin jirre ragaa mirkaneessu yoo argate koreen hojii raawwachiiftuu bu'aa sakatta'iinsaan argate miseensa waldichaaf akka dhiyeessuuf yaa'ii waliigalaa ariifachiisaa guyyaa soddoma keessatti akka waamamu ajajuu ni danda'a.
3) Koreen hojii raawwachiiftuu Keewwata kana Keewwata Xiqqaa (2) bu'uureffatee walga'ii yaa'ii waliigalaa osoo hin waamin yoo hafe, Abbaan Taayitichaa ofii isaa walga'ii yaa'ii waliigalaa ariifachiisaa waamuu ni danda'a.

**፳፩. የሪፖርት ሥርዓት**

፩) ማንኛውም ማኅበር የፊዝካል ሥራ ርፖርት፣ የማኅበሩ ወርሃዊ ገቢ እና ወጪ፣ በሩብ ዓመት ለዚህ በተዘጋጀዉ ቅፅ ላይ ሞልቶ ለባለሥልጣን ማቅረብ አለበት፡፡
፪) ማንኛውም ማኅበር የባጀት ዓመት እንደተጠናቀቀ በሰላሣ ቀናት ውስጥ ዓመታዊ ሪፖርት ከሂሳብ መግለጫ ኮፒዉ ጋር በማያያዝ ለዚህ በተዘጋጀ ቅፅ ላይ ሞልቶ ለባለሥልጣኑ ማቅረብ አለበት፡፡
፫) የማኅበሩ ዓመታዊ የሀብት፣ ዕዳ፣ ገቢ እና ወጪ መግለጫ ለጠቅላላ ጉባዔ ቀርቦ መጽደቅ አለበት፡፡

**፳፪. የሂሳብ እና ንብረት አያያዝ ቁጥጥር ሥርዓት**

፩) የማኅበራት መዝገብ ሲመረመር የሚችለዉ፣
   (ሀ) የማኅበሩ አሠራር ሁኔታ ትክክል አይደለም ወይም በሕጋዊ መንገድ ያልተፈጸመ መሆኑን ከማኅበሩ አባላት በቃል ወይም በጽሑፍ ጥቆማ ከደረሰ፣
   (ለ) የማኅበሩ የሕግና ፋይናንስ በተመለከቱ ጉዳዮች ላይ ሕጋዊ ያልሆነ አሠራር መኖሩ ማስረጃ የተገኘ ከሆነ ነዉ፡፡
፪) ባለሥልጣኑ የማኅበሩን መዛግብቶች በመመርመር የፋይናንስ አጠቃቀም ሁኔታ ሕገ ወጥ መሆኑን ካረጋገጠ ወይም ማኅበሩ በዚህ አዋጅ ድንጋገዎች ወይም በመተዳደሪያ ደንብና የዉስጥ ደንብን መሠረት በማድረግ እየሠራ አለመሆኑን የሚያረጋግጥ ማስረጃ ካገኝ ሥራ አስፈጻሚ ኮሚቴ በምርመራ ያገኘውን ዉጤት ለማኅበሩ አባል እንድያቀርብ በሰላሳ ቀን ውስጥ አስቸኳይ የጠቅላላ ጉባኤ ስብሰባ እንዲጠራ ማዘዝ ይችላል፡፡
፫) ሥራአስፈጻሚ ኮሚቴበዚህ አንቀጽ ንዑስ አንቀጽ ፪ መሠረት ጠቅላላ ጉባዔ ስብሰባ ሳይጠራ ከቀረ፣ ባለሥልጣኑ ራሱ አስቸኳይ የጠቅላላ ጉባኤ ስብሰባ መጥራት ይችላል፡፡

**21. Reporting Procedure**

1) Any association shall submit monthly and quarterly physical works, income and expenditure report of the association to the Authority by filling in the approved check list prepared for this purpose;
2) Any association shall submit an annual report to the Authority within 30 days as of each budget year ended, by filling in the approved check list prepared for this purpose; together with a copy of its accounts;
3) The annual assets, liabilities, income and expenditure statement of the association shall be approved by the general assembly every year.

**22. Accounting and Property Control Procedure**

1) The records of an association may be inspected in case of:-
   (a) If there is claim from the members application in written or orally about incorrectness or illegal work or activities of the association;
   (b) If there is evidence of legal or financial malpractice.
2) If the irrigation development Authority having inspected the records of an association finds evidence of financial malpractice or non-observance of the provisions of this Proclamation or the by-laws or internal regulations of the association, it may require the management committee to call an extraordinary meeting of the general assembly within 30 days to present the findings to the members;
3) If the management committee fails to call the meeting of the general assembly in accordance with sub-article (2) of this Article, the Authority itself may call such extraordinary meeting;

4) Abbaan Taayitichaa bu'uura kana Keewwata Xiqqaa (3) tiin walga'ii yaa'ii waliigalaa kan waame yoo ta'e, rakkoo hojimaataa yaa'ii waliigalaaf gabaasa gochuun miseensota koree hojii raawwachiiftuu hojimaata irratti rakkoo uuman itti gaafatamummaa irraa buusuun haala miseensonni koree haaraa itti filataman mijeessuuf aangoo ni qabaata.

**23. Dhimmoota Abbaa Taayitaatiin Mirkana'uu Qaban**

1) Waldaan Labsii kanaan hunda'e hojiiwwan armaan gadii raawwachuuf qaama to'ataa irraa dursee hayyama barreeffamaan argachuu qaba. Hojiiwwan kunis:
   (a) Dambii ittiin bulmaata waldichaa fooyyessuu;
   (b) Daangaa tajaajila waldichaa fooyyessuu;
   (c) Federeeshinii hundeessuu;
   (d) Qabeenya waldichaa dhimmoota biroof qabsiisuu; fi
   (e) Bu'uura Labsii kanaatiin waldichi mirga itti fayyadama bishaan jallisii miseensa irraa akka haqamuuf iyyata mana murtiitti dhiyeessuuf dursee qaama to'ataa irraa hayyama argachuu qaba.
2) Qaamni to'atu bu'uura Keewwata kana Keewwata Xiqqaa (1) tiin gaaffii hayyama dhiyaate irratti guyyaa murtaa'e keessatti murtii kennuu qaba. Raawwiin isaa Dambii bahuun kan murtaa'u ta'a.

**24. Galmeewwan Waldichi Qabaachuu Qabu**

Waldaan kamiyyuu:

1) Kaartaa daangaa tajaajilaa agarsiisu;
2) Akka barbaachisummaa isaatti ji'a sadiin kan haaromsiifamu tarreeffama maqaa miseensotaa, bal'ina qabiyyee lafaa tokkoon tokkoon miseensaa fi bakka itti argamu kan qabate galmee miseensotaa;

፬) ባለሥልጣኑ በዚህ አንቀጽ ንዑስ አንቀጽ ፫ መሠረት ጠቅላላ ጉባኤ ስብሰባ የጠራ እንደሆነ፣ የአሰራር ችግርን ለጠቅላላ ጉባኤ ሪፖርት በማድረግ በአሰራር ላይ ችግር የፈጠሩትን የሥራ አስፈጻሚ ኮሚቴ አባላትን ከኃላፊነት በማዉረድ አድስ የኮሚቴ አባላት የሚመረጡበትን ሁኔታ ለማመቻቸት ሥልጣን ይኖረዋል፡፡

**፳፫. በባለሥልጣኑ መረጋገጥ ያለባቸዉ ጉዳዮች**

1) በዚህ አዋጅ የተመሠረተ ማኅበር የሚከተሉትን ሥራዎች ለመፈጸም ከተቆጣጣሪ አካል አስቀድሞ በጽሑፍ ፈቃድ ማግኘት አለበት፡፡እነዚህ ሥራዎችም፡
   (ሀ) የማኅበሩን መተዳደሪያ ደንብ ማሻሻል፣
   (ለ) የማኅበሩን የአገልግሎት ወሰን ማሻሻል፣
   (ሐ. ፌዴሬሽን መመስረት፣
   (መ) የማኅበሩን ንብረቶች ለሌሎች ጉዳዮች ማስያዝ፣ እና
   (ሠ) በዚህ አዋጅ መሠረት ማኅበሩ የመስኖ ዉኃ ተጠቃሚነት መብት ከአባል እንዲሠረዝ ለፍርድ ቤት ማመልከቻ ለማቅረብ አስቀድሞ ከተቆጣጣር አካል ፍቃድ ማግኝት አለበት፡፡

፪) የሚቆጣጠር አካል በዚህ አንቀጽ ንዑስ አንቀጽ ፩ መሠረት በቀረበዉ የፈቃድ ጥያቄ ላይ በተወሰነ ቀን ዉስጥ ዉሣኔ መስጠት አለበት፡፡ አፈጻጸሙ በሚወጣ ደንብ የሚወሰን ይሆናል፡፡

**፳፬. ማኅበሩ ሊኖረዉ የሚገባ መዛግብት**

**ማንኛዉም ማኅበር፡**

፩) የአገልግሎት ወሰንን የሚያሳይ ካርታ፤
፪) እንዳስፈላጊነቱ በየሦስት ወር የሚታደስ የአባላት ስም ዝርዝር፣ የእያንዳንዱ አባል የመሬት ይዞታ ስፋት እና የሚገኝበትን ቦታ የያዘ የአባላት መዝገብ፤

4) In accordance with sub article (3) of this Article; if the Authority having called the meeting shall have the power to present the findings to the general assembly and to facilitate the removal of the management committee involved in the malpractice and the election of new management committee.

**23. Matters to be Approved by the Authority**

1) Any association established in accordance with this proclamation shall obtain prior written authorization of the monitoring body to conduct the following activities:-
   (a) Amending the bylaws of an association;
   (b) Modifying the service area of an association;
   (c) Establish Federation;
   (d) Pledging the assets of an association for another issue;
   (e) To initiate court case to cancel the water use right of a member the association shall have to get permission from an Authority in accordance with this Proclamation.
2) The monitoring body shall, pass decision on the applications submitted to obtainAuthorization it in accordance with sub-article (1) of this Article, within the time Limit determined by a regulation issued to implement this Proclamation.

**24. Registries to be owned by an Association**

Any association has to have:-

1) A map showing the service area;
2) Registry of members, contain a description of the size and location of each member's landholding, and which shall be renewed in every three month as it deems necessary;
3) Registry the volume of water received or discharge by the association;
4) Registry describing the amount of water that members of irrigation water can obtain;

3) Galmee hanga bishaan misooma jallisii waldichi fudhatu yookiin raabsu ibsu;
4) Galmee hanga bishaan misooma jallisii miseensonni argatan ibsu;
5) Miseensota irraa kaffaltii funaanamee fi kaffaltii irraa barbaadamu galmee ibsu;
6) Galmee qaboo yaa'ii, yaa'ii waligalaa fi koree hojii raawwachiftuu;
7) Galmee bittaa gaggeeffamee fi waliigaltee raawwatame agarsiisu;
8) Galmee lakkoofsi meeshaa itti raawwatame;
9) Bu'uuraalee misooma jallisii fi qoorsa lafaa waldichi itti fayyadamu irratti to'annoo, qorannoo fi hojii qiyaasaa gaggeeffame galmee qabate;
10) Galmee suphaa gaggeeffame agarsiisu;
11) Galmee herregaa seera qabeessaa fi guutuu ta'e;
12) Sanadoota qarshii waliin wal qabatanii fi galmeewwan biroo Dambii waldichaa keessaatti tarreeffaman qabaachuu qaba.

**25. Galmee Qaamni To'ataan Qabaachuu Qabu**

1) Qaamni to'ataan galmee haadhoo haala waliigalaa fi lakkoofsa galmee qaama seerummaa waldaa itti fayyadamtoota bishaan jallisii ibsu ni qabaata.
2) Galmeen haadhoon qaama to'ataan qabamu ragaalee armaan gadii qabaachuu qaba:
   (a) Maqaa fi teessoo waldichaa;
   (b) Tokkoon tokkoon waldaa guyyaa itti galmaa'e;
   (c) Bal'ina daangaa tajaajilaa fi iddoo itti argama isaa;
   (d) Baay'ina miseensotaa;
   (e) Maqaa, teessoo fi lakkoofsa bilbila miseensota koree hojii raawwaachiiftuu;
   (f) Yoo kan jiru ta'e, qabiyyee bu'uuraalee misooma jallisii mootummaa waldichaaf darbee kan agarsiisu.

፫) ማኅበሩ የሚወስደውን ወይም የሚያሰራጨውን የመስኖ ልማት ውሃ መጠን የሚገለጽ መዝገብ፣
፬) አባላት የሚያገኙትን የመስኖ ልማት ውሃ መጠን የሚገለጽ መዝገብ፣
፭) ከአባላት ክፍያ እና የሚፈለግባቸዉን ክፍያ የሚገልጽ መዝገቧ
፮) የቃለ ጉባዔ፣ ጠቅላላ ጉባዔ እና ሥራ አስፈጻሚ ኮሚቴ መዝገቧ
፯) የተካሄደዉን ግዥ እና የተፈጸመዉን ውል የሚያሳይ መዝገብ፣
፰) የንብረት ቆጠራ የተፈጸመበት መዝገብ፣
፱) ማኅበሩ በሚጠቀምበት የመስኖ ልማት አውታሮች እና የመሬት ማንጣፈፍ ላይ የተጠካሄደ የቁጥጥር፣ ጥናት እናቅየሳ ሥራ የያዘ መዝገብ፣
፲) የተካሄደ ጥገናን የሚያሳይ መዝገብ፣
፲፩) ሕጋዊና ሙሉ የሆነ የሂሳብ መዝገብ፣
፲፪) ከገንዘብ ጋር የተያያዙ ሰነዶች እና በማኅበሩ ደንብ ውስጥ የተዘረዘሩ ሌሎች መዝገቦችን መያዝ አለበት፡፡

**፳፭. ተቆጣጣሪ አካል ሲኖረው የሚገባ መዝገብ**

፩) ተቆጣጣሪ አካል የመስኖ ውሃ ተጠቃሚዎች ማኅበር አጣቃላይ ሁኔታ እና የሕጋዊ ሰዉነት መዝገብ ቁጥር የሚገልጽ መዝገብ ይኖረዋል፡፡
፪) በተቆጣጣሪ አካል የሚያዝ የባህር መዝገብ የሚከተሉትን ማስረጃዎች መያዝ አለበት፡
   (ሀ) የማኅበሩ ስም እና አድራሻ፣
   (ለ) እያንዳንዱ ማኅበር የተመዘገበበት ቀን፣
   (ሐ) የአገልግሎት ወሰን ሰፋት እና የመገኛዉ ቦታ፣
   (መ) የአባላት ብዛት፣
   ሠ) የሥራ አስፈጻሚ ኮሚቴ አባላት ስም፣ አድራሻ እና ስልክ ቁጥር፣
   (ረ) ካለ፣ለማኅበሩ የተላለፈ የመንግሥት መስኖ ልማት አዉታሮች ይዞታ የሚያሳይ፡፡

5) Registry of fees paid and owed by members;
6) Registry containing the minutes of the meetings of the general assembly and management committee;
7) Registry of transactions and contracts;
8) Registry of an inventory of assets;
9) Registry of in accordance with inspections and surveys conducted on the irrigation and drainage system used by the association;
10) Registry of maintenance carry out;
11) Complete and accurate books of accounts and financial documents, and;
12) Documents related with finance and other records specified in the bylaws.

**25. Registry to be owned by Controlling Body**

1) The monitoring body shall have a main Registration document of Irrigation Water Users' Associations;
2) The main registration documentable Kept by the Monitoring body shall contain the following details:-
   (a) Name and address of the association;
   (b) Date of registration of each association;
   (c) Volume and location of the service area;
   (d) Number of members;
   (e) Name, address and telephone number of the members of the management Committee;
   (f) Property of government owned infrastructure transferred to the association, if any;

3) Miseensi waldichaa galmee qaama to'ataa bira jiru kamiyyuu yeroo hojii idilee keessatti ilaaluuf mirga ni qabaata.

**26. Waldaalee Itti Fayyadamtoota Bishaan Jallisii Daangaan Isaanii Godina Tokko Yookiin Aanaa Tokko Irraa Gara Biraa Ce'an**

1) Daangaan tajaajila waldichaa bulchiinsa Godina lamaa fi lamaa ol keessatti kan argamu yoo ta'e, haala hundeeffama waldichaa fi raawwii hojii isaa ilaalchisee Abbaan Taayitaa Misooma Jallisii Oromiyaaa qaama to'ataa ta'ee ni hojjeta.
2) Daangaan tajaajila waldichaa Godina tokko keessatti Aanaa lamaa fi lamaa ol keessatti kan argamu yoo ta'e, haala hundeeffama waldichaa fi raawwii hojii isaa ilaalchisee Abbaan Taayitaa Misooma Jallisii Godinaa qaama to'ataa ta'ee ni hojjeta.
3) Iskiimota jiddu galeessaa fi gurguddaa irratti haala hundeeffama waldichaa fi raawwii hojii isaa ilaalchisee Waajjirri Iskiimootaa akka qaama to'ataatti kan to'atu ta'ee, Abbaan Taayitaa Misooma Jallisii Oromiyaa deeggarsaa barbaachisaa ta'e kennuu ni danda'a.

## KUTAA SHAN
## Haala Waldaan Itti Diigamuu fi Herregni Itti Qulqullaa'u

**27. Haala Waldaan Itti Diigamu**

Waldaan tokko kan diigamu:

1) Kaayyoon waldichi hundeeffameef kan hafe yoo ta'e; yookiin
2) Kaayyoo itti hundeeffameef hojiirra oolchuu kan hin dandeenye ta'ee yoo argame; yookiin
3) Sababoota biroo kamiinuu itti fufiinsi waldichaa kan hin barbaachifne ta'ee yoo argamee fi yaa'iin waliigala waldichaa sagalee lama sadaffaan (2/3) akka diigamu murteessee murtiin kun qaama to'atuuf dhiyaatee yoo mirkanaa'eedha.

፫) የማኀበሩ አባል ማንኛውንም ተቆጣጣሪ አካል ዘንድ ያለዉን መዝገብ በመደበኛ የሥራ ሰዓት ዉስጥ ለማየት መብት ይኖረዋል፡፡

**፳፮. ድንበራቸዉ ከአንድ ዞን ወይም ወረዳ ወደ ሌላ የሚሻገሩ የመስኖ ውሃ ተጠቃሚዎች ማኀበራት**

፩) የማኀበሩ አገልግሎት ወሰን በሁለት እና ከሁለት በላይ የዞን መስተዳድር ዉስጥ የሚገኝ ከሆነ፣ የማኀበሩ አመስራረት ሁኔታና የሥራ አፈጻጸሙን አስመልክቶ የኦሮሚያ መስኖ ልማት ባለሥልጣን ተቆጣጣሪ አካል ሆኖ ይሰራል፤
፪) የማኀበሩ አገልግሎት ክልል በአንድ ዞን ውስጥ በሁለትና ሁለት በላይ ወረዳ ዉስጥ የሚገኝ ከሆነ፣ የማኀበሩ አመስራረት ሁኔታ እና የሥራ አፈጻጸሙን አስመልክቶ የዞን መስኖ ልማት ባለሥልጣን ተቆጣጣሪ አካል ሆኖ ይሰራል፤
፫) መካከለኛ እና ትላልቅ ስኪሞች ላይ የማኀበሩ አመሠራረት ሁኔታና የሥራ አፈጻጸሙን አስመልክቶ የስኪሞች ጽሕፈት ቤት እንደተቆጣጣሪ አካል የሚቆጣጠር ሆኖ፣ የኦሮሚያ መስኖ ልማት ባለሥልጣን አሰፈላጊ ድጋፍ መስጠት ይችላል

## ክፍል አምስት
## ማኅበር የሚፈርስበትእና ሂሳብ የሚጣራበት ሁኔታ

**፳፯. ማኅበር የመፈርስበትሁኔታ**

አንድ ማኅበር የሚፈርሰዉ

፩) ማኅበሩ የተመሠረተበት ዓላማ የቀረ ወይም፤
፪) የተመሠረተበትን ዓላማ መተግበር ያልቻለ ሆኖ ከተገኘ፤ወይም
፫) በማናቸዉም ሌሎችም ክንያቶች የማኅበሩ መቀጠል የማያስፈልግ ሆኖ ሲገኝ እና የማኅበሩ ጠቅላላ ጉባዔ ፪/፫ ድምፅ እንዲፈርስ ተወስኖ ይህ ውሳኔ ለተቆጣጣሪ አካል ቀርቦ ሲፀድቅ ነዉ፡፡

3) Members of the association shall have the right to inspect the Registry owned by the controlling body during regular office hours.

**26. Trans-Zone or District Boundary's Irrigation Water Users Associations**

1) In the event that the service area of an association crosses the boundaries of two or more Zone within the regional state the Oromia Irrigation Development Authority shall be the monitoring body in respect of the establishment and operation of such Association;
2) In the event that the service area of an association crosses the boundaries of two or more District within the Zone the respective Zone Irrigation Development Authority shall be the monitoring body in respect of the establishment and operation of such Association;
3) With respect to medium and large scale irrigation projects the project offices shall be the monitoring body in respect of the formation and operation of such Association, in this regard Oromia Irrigation Development Authority shall provide necessary technical support.

## Part Five
## Dissolution and Liquidation of an Association

**27. Dissolution of an Association**

An association shall be dissolved where:-

1) The objective of its establishment is no longer exist; or
2) It is enable to implement the objective of its establishment; or
3) Its continuation is found unnecessary for any other reasons and the general assembly of an Association decided to be dissolved its 2/3 vote upon approval of the controlling body.

**28. Haala Herregni Waldichaa Itti Qulqullaa'u**

1) Akkaataa Labsii kana Keewwata 27 tiin waldaan tokko akka diigamu yoo murtaa'u koreen hojii raawwachiiftuu yookiin qaamni to'atu qulqulleessituu herregaa ramaduu qaba.
2) Bu'uura Keewwata kana Keewwata Xiqqaa 1 tiin qulqulleessituun herregaa ramadame aangoo fi gahee hojii armaan gadii ni qabaata:
   (a) Galmeewwan, sanadootaa fi qabeenya waldichaa walitti qabuun miidhaan akka irra hin geenye ni taasisa.
   (b) Qabeenya waldichaa walitti ni qaba.
   (c) Namoota waldicha irraa maallaqa liqeeffatan waamee ni qulqulleessa.
   (d) Murtii Yaa'iin waliigalaa murteessee Qaama to'ataatiin mirkanaa'e bu'uureffachuun idaa waldichaa kaffaluun kan hafe ni hira.
   (e) Hojiiwwan waldichaa qulqulleessa herregaa haala barbaadamuun raawwachuuf gargaaran ni raawwata.
   (f) Barbaachisaa ta'ee yoo argamu sanadootaa fi argannoowwan herrega qulqulleessuu keessatti argate falmii waldicha ilaallatu irratti akka ragaatti ni dhiyeessa.
3) Adeemsi waldicha diiguu hanga xumuramutti tumaaleen Labsii, Dambii ittiin bulmaataa fi Dambiin keessaa waldichaa miseensa waldichaa irratti raawwatiinsa ni qabaata.
4) Gatiin tajaajila qulqulleessaa herregaa, herrega waldichaa irraa kan kaffalamu ta'a.

**29. Waldicha Galmee Irraa Haquu**

1) Hojiin herrega qulqulleessuu akkuma xumurameen qaamni to'ataan waldichaa galmee waldaa itti fayyadamtoota bishaan jallisii irraa ni haqa.

**፳፰. የማኅበሩ ሂሳብ የሚጣራበት ሁኔታ**

፩) በዚህ አዋጅ አንቀፅ ፳፯ መሠረት አንድ ማኅበር እንዲፈርስ ሲወሰን የሥራ አስፈጻሚ ኮሚቴ ወይም ተቆጣጠር አካል ሂሳብ አጣሪ መመደብ አለበት፣
፪) በዚህ አንቀፅ ንዑስ አንቀፅ ፩ መሠረት የተመደበ ሂሳብ አጣሪ የሚከተሉት ሥልጣንና ተግባር ይኖሩታል፡፡
   (ሀ) የማኅበሩን መዛግብት፣ ሰነዶችና ንብረት በመሰብሰብ ጉዳት እንዳይደርስባቸው ያደርጋል፣
   (ለ) የማኅበሩን ንብረት ይሰበስባል፣
   (ሐ) ከማኅበሩ ገንዘብ የተበደሩትን ሰዎች በመጥራት ያጣራል፣
   (መ) ጠቅላላ ጉባዔ ወስኖ በተቆጣጣሪ አካል የፀደቀዉን ዉሳኔ መሠረት በማድረግ የማኅበሩን ዕዳ በመክፈል የቀረዉን ያከፋፍላል፣
   (ሠ) የማኅበሩን የሂሳብ ማጣራት በሚፈለግ ሁኔታ ለማከናወን የሚረዱ ሥራዎችን ይፈጽማል፣
   (ረ) አስፈላጊ ሆኖ ሲገኝ ሰነዶችና በሂሳብ ማጣራት ዉስጥ ያገኘዉን ግኝቶች ማኅበሩን በሚመለከት ክርክር ላይ እንደ ማስረጃ ያቀርባል፡፡
፫) ማህበሩን የማፍረስ ሂደት እስኪጠናቀቅ የማህበሩ አዋጅ፣ መተዳደሪያ ደንብ እና የውስጥ ደንብ ድንጋጌዎች በማህበሩ አባላት ላይ ተ ፈፃሚነት ይኖረቸዋል::
፬) የሂሳብ አጣሪ የአገልግሎት ክፊያ ከማኅበሩ ሂሳብ የሚከፈል ይሆናል፡፡

**፳፱. ማኅበሩን ከመዝገብ መሠረዝ**

፩) የሂሳብ ማጣራት ሥራ እንደተጠናቀቀ የማኅበሩ ተቆጣጣሪ አካል ማኅበሩን ከመስኖ ውሃ ተጠቃሚዎች ማህበር መዝገብ ይሰርዛል፣

**28. Liquidation of Financial Accounts of an Association**

1) When the dissolution of an association has been decided in accordance with Article 27 of this Proclamation, the management committee or the supervising body shall assign liquid at or.
2) A liquidator assigned pursuant to sub-article (1) of this Article shall have the following powers and duties:
   (a) Receive records, documents and properties of the association and protect them from damage;
   (b) collect the assets and properties of the association;
   (c) call on creditors of the association;
   (d) distribute the assets in accordance with the decision of the general assembly which is approved by the supervising body;
   (e) carry out necessary activities of the association for the proper liquidation of the affairs of the association;
   (f) Represent the association in legal proceedings.
3) Until the dissolution is concluded, the provisions of this proclamation and the relevant by-laws and internal regulations of the association shall continue to apply to the association and its members.
4) The remuneration of liquidator shall be paid from the accounts of the association.

**29. Cancelation of the Association from Registry**

1) Upon conclusion of the liquidation process the supervising body shall cancel the registration of the association from the register of irrigation water users association.

2) Waaldichi guyyaa galmee waldaa itti fayyadamtoota bishaan jallisii irraa haqame irraa eegalee akka digametti lakkaa'ama.

**30. Federeeshinii Hundeessuu**

Waldaaleen Federeeshiniidhaan gurmaa'uu kan danda'an ta'ee, aangoo fi hojiin isaanii Dambii ittiin bulmaataa Federeeshinii hundeeffamuu keessatti kan murtaa'u ta'a.

**KUTAA JAHA**

**Sirna Bu'uuraaleen Misooma Jallisii fi Qoorsa Lafaa Waldaaleef Itti Darbanii fi Tajaajila Waldaaleef Kennamu**

**31. Bu'uuraalee Misooma Jallisii Hammayyaa fi Qoorsa Lafaa Dabarsuu**

1) Bu'uuraaleen misooma jallisii fi qoorsa lafaa hammayyaa baasii mootummaatiin yookiin miti-mootummaatiin ijaarame yookiin haaromfame daangaa tajaajila waldaa tokko keessatti kan argamu yoo ta'e, hojimaata baasii deebisiisuu hordofuun beekamtii Abbaa Taayitichaatiin waliigaltee waldicha waliin taasifamuun mirgi itti fayyadamummaa isaa waldichaaf darbuu ni danda'a.

2) Waldaan kamiyyuu daangaa tajaajila isaa keessatti baasii mootummaatiin yookiin miti- mootummaatiin bu'uuraaleen misooma jallisii fi qoorsa lafaa hammayyaa ijaarame yookiin haaromfame kutaa murtaa'e irratti mirga itti fayyadamummaa yeroo hin murtoofneef dabarfamee akka kennamuuf Abbaa Taayitichaa Naannichaatti iyyachuu ni danda'a.

3) Kuusaa iddoo argama bishaanii, bu'uura hidhaa bishaanii, buufata paampii yookiin bu'uurri misooma jallisii kan biroon daangaa tajaajila waldaa tokkoo keessatti kan argamu yoo ta'e, bishaan lagaa, laga xixiqqaa, iddoo kuusaa, haroo yookiin kan biroo haala uumamaan argamu irraa fudhachuuf kan gargaaru bu'uuraaleen misooma jallisii waldichi akka itti tajaajilamuuf dabarsuun ni danda'ama.

፪) ማኅበሩ ከመስኖ ውሃ ተጠቃሚች ማህበር መዝገብ ከተሰረዘበት ቀን ጀምሮ እንደፈረሰ ይቆጠራል::

**፴. ፌዴሬሽን ስለመመስረት**

ማኅበራት በፌዴሬሽን መደራጀት የሚችሉ ሆኖ፣ ስልጣንና ተግባራቸዉ በሚመሠረተው ፌዴሬሽን መተዳደሪያ ደንብ የሚወሰን ይሆናል።

**ክፍል ስድስት**

**የመስኖ ልማትና መሬት ማንጣፈፍ አውታሮች ለማኅበራት የሚተላለፉበት ስርዓት እና ለማኅበራት የሚሰጠው አገልግሎት**

**፴፩. ዘመናዊ የመስኖ ልማት አውታሮች እና መሬት ማንጣፈፍ ማስተላለፍ**

፩) ዘመናዊ የመስኖ ልማት አውታሮች እና የመሬት ማንጣፈፍ በመንግሥት ወይም መንግ|ታዊ ባልሆነ ወጪ የተገነባ ወይም የታደሰ የአንድ ማኅበር አገልግሎት ወሰን ውስጥ የሚገኝ ከሆነ፣ ወጪ የማስመለስ አሰራርን በመከተል በባለሥልጣኑ እውቅና ከማኅበሩ ጋር በሚደረግ ስምምነት የተጠቃሚነት መብቱ ለማኅበሩ ሊተላለፍ ይችላል፤

፪) ማንኛዉም ማኅበር በአገልግሎት ወሰኑ ውስጥ መስኖና ማንጣፍፍ አውታር የተወሰነ ክፍል አንድ ማኅበር በአገልግሎት ወሰኑ ውስጥ በመንግሥት ወይም መንግሥታዊ ባልሆነ ወጪ የተገነባ ወይም የታደሰ ዘመናዊ የመስኖ ልማት አዉታሮች እና የመሬት ማንጣፈፍ በተወሰነ ክፍል ላይ የተጠቃሚነት መብት ላልተወሰነ ጊዜ ተላልፎ እንዲሰጠው ለክልሉ ባለሥልጣን ማመልከት ይችላል፤

፫) የውሃ መገኛ ማካማቻ ቦታ፣ የውሃ መገደቢያ መሠረት፣ የምፕ ጣቢያ ወይም ሌላ የመስኖ ልማት አውታር በአንድ ማኅበር የአገልግሎት ወሰን ውስጥ የሚገኝ ከሆነ፣ የወንዝ ውሃ፣ ትናንሽ ወንዞች፣ የማጠራቀሚያ ቦታ፣ ኩሬ ወይም ከሌላ በተፈጥሮ ሁኔታ ከሚገኝ ለመጠ ውሰድ የሚረዳ የመስኖ ልማት መሠረቶች ማኅበሩ እንድገለገልበት ማስተላለፍ ይቻላል፤

2) An association shall be considered dissolved from the date of its cancellation from the register of irrigation water users association.

**30. Establishment of Federation**

The Associations may be organized in Federation; and their Power and Duties shall be determined bylaws of the Federation to be established.

**Part Six**

**Transferring Procedures of Irrigation Developments and Land Drainage to an Association and Service Delivered to Associations**

**31. Transferring Modern Irrigation Development Bases and Land Drainage**

1) If the modern irrigation infrastructure and land drainage constructed or rehabilitated by the government or non-government organization found in irrigation water users association service area, use right shall be transferred to the association based on cost recovery procedures followed undertaken by the knowledge of the Authority and agreement with the association;

2) Every association can apply for modern irrigation and land drainage constructed by the government or non-government organization which is found in its service area for hand over for use right for indefinite period to the authority;

3) In the cases where the service area of an association lies in the water supply point of dam, weir, diversion structure, pump station or other type of infrastructure to which water is abstracted from a river, stream, reservoir, pond or other natural source such infrastructure may also be transferred to the association;

4) Sanadni waliigaltee walharkaa fuudhiinsa bu'uuraalee misooma jallisii fi qoorsa lafaa unkaa dhimma kanaaf qophaa'uun kan raawwatamu ta'ee:
   (a) Bu'uuraalee misooma jallisii fi qoorsa lafaa darbu ilaalchisee tarreeffama odeeffannoo barbaachisaa ta'anii; fi
   (b) Bulchiinsaa fi suphaa dabalatee mirgaa fi dirqama qaamolee waliigaltee seenanii kan qabu ta'uu qaba.

5) Qaamni bu'uuraalee misooma jallisii fi qoorsa lafaa waldichaaf hin darbinee fi to'annoo isaa jala jiranii haala gaariin eegamuu fi suphamanii qabamuu isaanii mirkaneeffachuuf itti gaafatamummaa qaba.

**32. Baasii Deebisiisuuf Kaffaltii Miseensotaan Kaffalamu**

Waldichi baasii investimantii ijaarsa bu'uuraalee misooma jallisii fi qoorsa lafaa hammayyaa giddugaleessaa fi gurguddaaf bahe humna kaffaluu miseensotaa haala giddugaleessa godhateen bishaan itti fayyadaman yookiin baay'ina lafa jallisiin misoomsanii bu'uureeffachuun kaffaltii murtaa'e sassaabuun Abbaa Taayitaa Naannichaatiif akka deebi'u ni taasisa. Raawwiin isaa Dambii bahuun kan ibsamu ta'a.

**33. Waraqaa Ragaa Itti Fayyadama Bu'uura Misooma Jallisii Aadaa fi Qoorsa Lafaa**

1) Waldaan kamiyyuu bu'uuraalee misooma jallisii aadaa fi qoorsa lafaa daangaa tajaajila isaa keessatti argamuu ilaalchisee waraqaan ragaa itti fayyadamummaa akka kennamuuf Abbaa Taayitaa Naannichaatti iyyachuu ni danda'a.

2) Waraqaan ragaa itti fayyadama bu'uuraalee misooma jallisii aadaa fi qoorsa lafaa tarreeffama odeeffannoo barbaachisaa ta'an kan qabuu fi waldichi bu'uuraalee kanatti fayyadamuuf mirga inni qabu kan mirkaneessu ta'a.

፬) የመስኖ ልማት መሠረቶች እና መሬት ማንጣፈፍ ስምምነት **ሰነድ** ርክክብ ለዚህ **ጉዳይ** በሚዘጋጅ ቅጽ የሚፈጸም ሆኖ፤
   (ሀ) የሚተላለፈው የመስኖ ልማት መሠረቶች እና መሬት ማንጣፈፍ አስመልክቶ አስፈ**ላ**ጊ **የሆኑ የመረጃ** ዝርዝር፣ እና
   (ለ) **አስተዳደርና** ጥገና ጨምሮ ስምምነት የገቡት አካላት መብትና ግዴታ **የያዘ መሆን አለበት**

፭) ለማኀበሩ ያልተላለፉና በቁ**ጥ**ጥሩ ሥር የሚገኙ **የመስኖ** ልማት መሠረቶችና መሬት ማንጣፈፍ አካ**ል** በ**ጥሩ ሁኔታ መጠበቅ** እና **ተጠግነው መያዛቸውን የማረጋገጥ** ኃላፊነት አለበት፡፡

**፴፪. ወጪን ለማስመለስ በአባላት የሚከፈል ክፊያ**

ማህበሩ ለዘመናዊ **መካከለኛና ትላልቅ** መስኖ **ልማት መሠረቶችና መሬት ማንጣፈፍ** ግንባታ የወጣ የእንቨስትመንት ወጪ የአባላትን የመክፈል አቅም ባገናዘበ መልኩ የሚጠቀሙትን ዉሃ ወይም በመስኖ የሚያላሙት የመሬት ብዛት መሠረት በማድረግ የተወሰነዉን ክፍያ በመሰብሰብ ለክልሉ ባለሥልጣን እንድመለስ ያደርጋል፡፡ አፈፃፀሙ በሚወጣ ደንብ የሚገለፅ ይሆናል፡፡

**፴፫. የባህላዊ መስኖ ልማት አውታር እና መሬት ማንጣፈፍ መጠቀሚያ ምስክር ወረቀት**

፩) ማንኛዉም ማኅበር ባህላዊ የመስኖ ልማትና መሬት ማንጣፈፍ አውታሮችን በአገልጠ ግሎት ወሰኑ ውስጥ በሚገኝ በተመለከተ የመጠቀሚያ ምስክር ወረቀት እንዲሰጠው **ለክልሉ ባለሥልጣን** ማመልከት ይችላል፤

፪) የባህላዊ መስኖ ልማትና መሬት ማንጣፈፍ አውታሮች መጠቀሚያ ምስክር ወረቀት አስፈላጊ **የሆኑ** የመረጃ ዝርዝር የያዘና ማኅበሩ በእነዚህ አውታሮች ለመጠቀም ያለውን መብት የሚያረጋግጥ ይሆናል፡፡

4) The transfer agreement of irrigation and drainage system shall be in the form prescribed and contain:-
   (a) Description of parts of the infrastructure to be transferred and the condition of such infrastructure; and
   (b) The rights and duties of the parties to the agreement in terms of the maintenance of the infrastructure;

5) The infrastructure body shall in any event ensure the protection and maintenance of the parts of irrigation and drainage systems that are not transferred to any association and which remain under its control.

**32. Payment of Members to Cover Costs**

Collect the determined charge and refund to the Authority pursuant to the usage of water or the amount of irrigation land to be used with consideration of member's payment capacity of the association which discharge the investment cost applied for the medium and large modern irrigation and drainage construction.

**33. Certificate for Traditional Irrigation Development Bases and Land Drainage**

1) An association may apply to the appropriate infrastructure body to obtain use right certificate in respect of a traditional irrigation system that lies within its service area;

2) A use certificate shall contain major description of such traditional irrigation system and shall establish the right of the association to use that system.

**34. Odeeffannoo Dabarsuu fi To'annoo Teeknikaa**

1) Waldaan kamiyyuu haala suphiinsaa fi bu'uurri misooma jallisii fi qoorsa lafaa dabarfameef irra jiru Abbaa Taayitaaf odeeffannoo kennuu qaba.
2) Hojjetaan Abbaa Taayitaa irraa aangoon kennameef gara daangaa tajaajila waldichaa seenuun haala bu'uuraaleen misooma jallisii fi qoorsa lafaa irra jiran to'achuu ni danda'a.
3) Hojjetaan Abbaa Taayitaa to'annoo erga taasisee booda bu'uura ragaa argameen:
   (a) Bu'uuraalee misooma jallisii fi qoorsa lafichaa irratti miidhaan yookiin mancaatiin akka hin dhaqqabne; yookiin
   (b) Sababa itti fayyadama bu'uuraalee misooma jallisii fi qoorsa lafaatiin qabeenya mootummaa yookiin qaama biroo irratti miidhaan akka hin dhaqqabneef akkaataa dhimmichaatiin hojiiwwan murta'aan akka raawwatan waldicha ajajuu ni danda'a.

**35. Lafa Biroo Irratti Tajaajila Argachuuf Iyyata Dhiyaatu**

1) Waldaan kamiyyuu faayidaa miseensota isaatiif barbaachisaa ta'uu isaa yoo itti amane bu'uuraalee misooma jallisii fi qoorsa lafaa haaromsuuf yookiin misoomsuuf lafa tokko irraa tajaajia argachuun barbaachisaa ta'ee yoo argame Abbaa Taayitichaatti iyyachuu ni danda'a;
2) Akkaataa Keewwata kana Keewwata Xiqqaa 1 tiin iyyanni yoo dhiyaate, Abbaan Taayitichaa qaama dhimmi ilaallatu waliin akkaataa seeraatiin dursee beenyaan akka kaffalamu taasisuun qaamni iyyate lafichatti akka fayyadamu taasisuu ni danda'a.

**፴፬. መረጃን ማስተላለፍ እና የቴክኒክ ቁጥጥር**

፩) ማንኛውም የመስኖ ልማት እና መሬት ማንጣፈፍ፤ ጥገናና አውታር የተላለፈለት ማህበር አውታሮቹ ስለሚገኙበት ሁኔታ ለባለሥልጣኑ መረጃ መስጠት አለበት፤
፪) ከባለሥልጣኑ ሥልጣን የተሰጠው ሠራተኛ ወደ ማኅበሩ አገልግሎት ወሰን በመግባት የመስኖ ልማትና መሬት ማንጣፈፍ አውታሮች ያሉበትን ሁኔታ መቆጣጠር ይችላል፡፡
፫) የባለስልጣኑ ሠራተኛ ቁጥጥር ካደረገ በኋላ በተገኘው ማስረጃ መሠረት፡
   (ሀ) የመስኖ ልማት አውታሮች እና የመሬቱ ማንጣፈፍ ላይ ጉዳት ወይም ጥፋት እንዳይደርስ፣ ወይም
   (ለ) የመስኖ ልማት አውታሮች እና መሬት ማንጣፈፍን በመጠቀም ምክንያት በመንግሥት ንብረት ወይም በሌላ አካል ላይ ጉዳት እንዳይጠደርስ እንደጉዳዩ የተወሰኑ ሥራዎች እንድያከናውኑ ማኅበሩን ማዘዝ ይችላል፡፡

**፴፭. በሌላ መሬት ላይ አገልግሎት ለማግኘት የሚቀርብ ማመልከቻ**

፩) ማንኛውም ማኅበር ለአባላቱ ጥቅም አስፈላጊ መሆኑን ካመነበት የመስኖ ልማት አውታሮች እና መሬት ማንጣፈፍን ለማደስ ወይም ለማልማት ከአንድ መሬት አገልግሎት ማግኘት አስፈላጊ ሆኖ ከተገኘ ለባለሥልጣኑ ማመልከት ይችላል፤
፪) በዚህ አንቀፅ ንዑስ አንቀፅ ፩ መሠረት ማመልከቻ ከቀረበ፣ ባላሥልጠኑ ከሚመለከተው አካል ጋር በመሆን በሕግ መሰረት አስቀድሞ ካሳ እንድከፈል በማድረግ ያመለከተው አካል በመሬቱ እንዲጠቀም ማድረግ ይችላል፡፡

**34. Transferring Information and Technical Supervision**

1) An association shall provide current information to the authority concerning the maintenance and condition of transferred irrigation and drainage system;
2) A duly authorized officer of the authority may enter into the service area of the association and inspect the condition of irrigation and drainage system transferred to it;
3) The officer of the the Authority body after having inspected and based upon the evidence gathered ;
   (a) To prevent damage or harm to that infrastructure; or
   (b) Can order different works To prevent damage to government property or the property of third parties.

**35. Application to get Service on another Land**

1) Every association shall be entitled to acquire servitude right over any one land necessary to rehabilitate or develop irrigation and drainage system for its members by summit the application to irrigation development Authority;
2) According to this article sub-article (1)the application provide to the irrigation development authority in collaboration with responsibly body approved payment of compensation to the land possessor in accordance with the law and can use the land.

**36. Haala Tajaajila Kennitoota**

1) Tajaajila dhiyeessi bishaanii daangaa waldaa keessatti kennamuuf oolu bu'uuraalee misooma jallisii waldaa yookiin federeeshiniin hin bulle irraa yoo ta'e, tajaajila bishaan jallisii yookiin tajaajiloota kanaan wal qabatan kan kennu tajaajila kennaa suphiinsaa fi opreeshiinii bu'uuraalee misooma jallisii fi qoorsa lafaa ta'a.
2) Haalli tajaajila kennaan waldaa tokkoof tajaajila bishaan misooma jallisii fi tajaajiloota kan biroo walfakkaatu itti kennu bu'uura waliigaltee waldicha waliin raawwateen ta'a.
3) Haalli tajaajila kennitoonni itti hundaa'anii fi tajaajilli itti kennamu Dambii bahuun kan murtaa'u ta'a.

**37. Haala Waliigaltee Dhiyeessa Tajaajilaa**

1) Turtiin yeroo waliigaltee dhiyeessa tajaajilaa kamiyyuu waggaa shanii gadi ta'uu hin qabu. Haa ta'u malee, bu'uura gaaffii tajaajila fudhataatiin yeroo waggaa lamaa gadii fi waggaa shanii ol hin taaneef waliigaluun ni danda'ama.
2) Waliigalteen dhiyeessa tajaajila bishaan misooma jallisii ulaagaalee seeraan taa'e guutee kan qophaa'u ta'ee, dhimmoota armaan gadii kan of keessatti qabate ta'uu qaba:
   (a) Odeeffannoo argama lafa bishaanichaa;
   (b) Waktiilee tajaajilli bishaan jallisii itti kennamu;
   (c) Tajaajila argachuuf sirna gaaffiin itti dhiyaatu;
   (d) Haala dhiyeessa bishaan misooma jallisii ilaalchisee aangoon Abbaa Taayitichaatiif kennamee akkuma eegametti ta'ee, waldaan kamiyyuu sagantaa ji'aan qophaa'uun hanga bishaan ol'aanaa tokkoo tokkoo waldaatiif barbaachisu;
   (e) Qisaasama bishaanii, faalamaa fi sooqiddummaa hir'isuuf tarkaanfilee fudhataman;

**፴፮. የአገልግሎት ሰጪዎች ሁኔታ**

፩) በማኅበር ወሰን ውስጥ አገልግሎት ለመስጠት የሚዉል የውኃ አቅርቦት በማኅበር ወይም በፌዴሬሽን ከማይተዳደር የመስኖ ልማት አውታሮች ከሆነ፣የመስኖ ውኃ አገልግሎት ወይም ከዚህ ጋር የተያያዙ አገልግሎቶችን የሚሰጥ የመስኖ ልማት አውታሮች እና መሬት ማንጣፈፍ ጥገና እና ኦፕሬሽን አገልግሎት ሰጪ ይሆናል፤
፪) አገልግሎት ሰጪ ለአንድ ማኅበር የመስኖ ልማት ውሀና ሌሎች ተመሳሳይ አገልጠ ግሎቶችን የሚሰጥበት ሁኔታ ከማኅበሩ ጋር በፈጸመዉ ስምምነት መሠረት ይሆናል፤
፫) የአገልግሎት ሰጪዎች የሚቋቋሙበትና አገልግሎት የሚሰጥበት ሁኔታ በሚወጣ ደንብ የሚወሰን ይሆናል፡፡

**፴፯. የአገልግሎትአቅርቦት ስምምነት ሁኔታ**

፩) የማንኛውም አገልግሎት አቅርቦት ስምምነት ቆይታ ጊዜ ከአምሰት ዓመት በታች መሆን የለበትም፤ ይሁን እንጂ፣ በአገልግሎት ተቀባይ ጥያቄ መሠረት ከሁለት ዓመት በታች እና ከአምስት ዓመት በላይ ሳልሆነ ጊዜ መስማማት ይቻላል፤
፪) የመስኖ ልማት ውኃ አቅርቦት አገልጠ ግሎት ስምምነት በሕግ የተቀመጠዉን መስፈርቶችን አሟልቶ የሚዘጋጅ ሆኖ፣ የሚከተሉትን ጉዳዮች ያካተተ መሆን አለበት፡
   (ሀ) የውኃው መገኛ መሬት መረጃ፣
   (ለ) የመስኖ ውኃ አገልግሎት የሚሰጥበት ወቅቶች፣
   (ሐ) አገልግሎት ለማግኘት ጥያቄ የሚቀርብበት ሥርዓት፣
   (መ) የመስኖ ውኃ አቅርቦት ሁኔታን አስመጠ ልክቶ ለባለሥልጣኑ የተሰጠዉ ስልጣን እንደተጠበቀ ሆኖ፣ ለእያንዳንዱ ማኅበር የሚያስፈልገውን ከፍተኛ የውሃ መጠን፣
   (ሠ) የውኃ ብክነት፣ ብክለትና ጨውማነትን ለመቀነስ የሚወሰዱ እርምጃዎችን፣

**36. About Service Providers**

1) In the cases where the water supply point of the service area of an association of irrigation and drainage system that is not managed by a federation, the irrigation water and other related services shall be provided to an association by a service provider responsible for the operation and maintenance of the main irrigation and land drainage;
2) The conditions for the establishment of public enterprise or licensing private entities to provide the service shall be specified by regulations to be issued for the implementation of this Proclamation
3) A service provider shall provide irrigation water and other related services to an association on the basis of service agreement reached with the association.

**37. About Agreement of Service Delivery**

1) The term of every service agreement shall not be less than five years; provided, however, that by the request of the association it could be not less than two years, but in no case it shall be not more than five years;
2) Any service agreement shall made in standard format and include, in particular, the following:-
   (a) Information of the water supply point;
   (b) Season of the year in which irrigation water is to be supplied;
   (c) The procedure for requesting water supply during the irrigation season;
   (d) The maximum volume of water the association requires during each irrigation season in accordance with a monthly schedule, subject to any restriction on the service provider to supply such water by any appropriate body;
   (e) Measures to be taken to reduce water wastage, pollution and salinity;

(f) Kaffaltii tajaajila bishaanii fi haala kaffaltiin itti raawwatamu;

(g) Itti gaafatamummaa fi itti fayyadamummaa bishaanii irratti daangaa ka'amuu qaban;

(h) Adabbii waliigaltee raawwachuu dhabuun hordofsiisuu; fi

(i) Itti fayyadama bishaanii bu'a qabeessa ta'e hojiirra oolchuuf yookiin bishaan dhiyeessuu ilaalchisee dirqamoota biroo hayyama tajaajila dhiyeessaa keessatti argaman raawwachiisuuf dhimmoota barbaachisoo ta'an kan biroo.

**38. Waliigaltee Tajaajilaa Fooyyessuu, Dhorkuu yookiin Haquu**

1) Waliigalteen tajaajilaa kan fooyya'u, waliigaltee qaamota waliigaltee seenaniin ta'a.
2) Bu'uura waliigaltee dhiyeessa tajaajilaatiin tajaajila kennaan tajaajila bishaanii fi kan biroo dhorkee tursuu kan danda'u waldichi kaffaltii irra jiru guyyoota 120 oliif osoo hin kaffaliin yoo ture qofa dha.
3) Bu'uura Labsii kanaan waliigalteen kenniinsa tajaajilaa haqamuu yookiin fooyya'uu kan danda'u:
   (a) Qaamota waliigaltichaa keessaa tokko irra deddeebiin waliigalticha kabajuu dhabuun isaa Mana Murtiin kan murtaa'e yoo ta'e; yookiin
   (b) Waldichi kan diigame yoo ta'eedha.

**39. Itti Gaafatamummaa Tajaajila**

Kennaa Waliigaltee tajaajilaa keessatti kan ibsame akkuma eegametti ta'ee, tajaajila kennaan itti gaafatamummaa armaan gadii ni qabaata:

1) Bu'uura waliigaltee tajaajilaatiin hanga bishaan dhiyeessuu qabu dhiyeessuu dhabuun yookiin akkaataa waliigaltee irra jiruun bishaan dhiyeessuu dhabuu isaatiin miidhaa waldicharra gaheef beenyaa walmadaalu kaffaluuf itti gaafatamummaa qaba.

(ረ) የውኃ አገልግሎት ክፊያና ክፊያ የሚፈጸምበት ሁኔታ፣

(ሰ) የውኃ ኃላፊነት እና አጠቃቀም ላይ መደረግ ያለባቸው ገደቦች፣

(ሸ) የውል ግዴታን አለመፈፀም የሚያስከትለው ቅጣት፣ እና

(ቀ) ውጤታማ የሆነ የውኃ አጠቃቀምን ተግባራዊ ለማድረግ ወይም ውኃ ማቅረብን አስመልክቶ በአገልግሎት አቅራቢ ፈቃድ ውስጥ የሚገኙ ሌሎች ግዴታዎችን ለማስፈፀም አስፈላጊ የሆኑ ሌሎች ጉዳዮች።

**፴፰. የአገልግሎት ውልን ማሻሻል፣ መከልከል ወይም መሰረዝ**

፩) የአገልግሎት ውል የሚሻሻለው፣ በተዋዋይ ወገኖች ስምምነት ይሆናል፤
፪) በአገልግሎት አቅርቦት ስምምነት መሠረት አገልግሎት ሰጪ የውኃና ሌሎች አገልግሎቶችን ከልክሎ ማቆየት የሚችለው ማኅበሩ ያለበትን ክፍያ ከ120 ቀናት በላይ ሳይከፍል ከቆየ ብቻ ነው፤
፫) በዚህ አዋጅ መሠረት የአገልግሎት አቅርቦት ስምምነት መሰረዝ ወይም መሻሻል የሚጠችለው፤
   (ሀ) ከተዋዋይ ወገኖች ውስጥ አንዱ ስምምነቱን በተደጋጋሚ አለማክበሩ በፍርድ ቤት የተወሰነ ከሆነ፣ ወይም
   (ለ) ማኅበሩ የፈረሰ ከሆነ ነው።

**፴፱. የአገልግሎት ሰጪ ኃላፊነት**

በአገልግሎት ስምምነት ውስጥ የተገለጸዉ እንደተጠበቀ ሆኖ፣ አገልግሎት ሰጪ የሚከተሉት ተጠያቂነት ይኖሩታል፤

፩) በአገልግሎት ስምምነት መሠረት ማቅረብ ያለበትን የውሃ መጠን ባለማቅረብ ወይም በስምምነት ላይ ባለው መሰረት ውኃን ባለማቅረቡ በማኅበሩ ላይ ለደረሰው ጉዳት ተመጣጣኝ ካሳ ለመክፈል ኃላፊነት አለበት፤

(f) The amount of the water use charge and payment conditions;

(g) Liabilities and limitations on the use of water;

(h) Penalties for non-compliance with the conditions of the contract; and

(i) Other conditions necessary to promote the effective use of water or to implement any legal obligations of the service provider concerning the provision of water as stipulated in the water provision license.

**38. Amendment; Revocation or Cancelation of Service Agreement**

1) The service agreement may be varied or amended by the agreement of both parties;
2) A service provider may suspend the supply of water and other services under service Agreement only if the association delays payment of any outstanding charges for more than 120 days;
3) A service agreement concluded in accordance with this Proclamation may be Terminated:-
   (a) by the decision of the court of law when one of the parties persistently fail to comply with the terms of the agreement; or
   (b) On the dissolution of the association.

**39. Responsibility of Service Provider**

without prejudice to things specified under service agreement; service provider shall have the following responsibilities ;

1) A service provider shall be liable to pay compensation equitable to the damage the association sustained due to his failure to supply water in the agreed quantity or in accordance with the time schedule;

2) Bishaan misooma jallisii waldichaaf dhiyeessuu dhabuu irraa kan ka'e miseensi waldaa kamiyyuu miidhaa irra gaheef tajaajila kennaa irraa beenyaa gaafachuuf hanga beenyaa shallagamuu herreguuf akka qaama waligalticha raawwateetti lakkaa'ama.
3) Bishaan misooma jallisii dhiyeessuu kan dadhabe sababa humnaa oliitiin yoo ta'e, miidhamaaf beenyaa kaffaluuf hin dirqamu. Raawwiin Keewwata kanaa bu'uura seera Hariiroo Hawaasaatiin ta'a.

**40. Ittigaafatamummaa Tajaajila Fudhataa**

Waliigaltee tajaajilaa keessatti kan ibsame akkuma eegametti ta'ee, tajaajila fudhataan itti gaafatamummaa armaan gadii ni qabaata:

1) Bu'uura waliigaltee tajaajilaatiin kaffaltii barbaachisu yeroon kaffaluu;
2) Hojiiwwan waliigalteedhaan kennaman haala waliigatichaan raawwatamuu isaa hordofuu fi deeggarsa barbachiisaa ta'e kennuu.

41. Gatii Tajaajila Dhiyeessa Bishaanii Murteessuu

1) Gatiin tajaajila dhiyeessa bishaan misooma jallisii waldaaf dhiyaatu qorannoo Abbaa Taayitichaatiin gaggeeffamuu irratti hundaa'ee kan murtaa'u ta'a.
2) Abbaan Taayitichaa gatii tajaajila dhiyeessa bishaan misooma jallisii waldaan kaffalamuu qabu kan murteessu:
   (a) Maallalqa suphaaf barbaachisu kan miseensi waldaa akka qusatu irraa eegamu;
   (b) Dandeettii kaffaluu miseensi waldichaa qabuu; fi
   (c) Haala Tajaajila kennaan maallaqa investimantiif oolche irraa faayidaa madaalawaa argachuu itti danda'u tilmaama keessa galchuun ta'a.

፪) ለማኅበሩ የመስኖ ልማት ውኃን ማቅረብ ካለመቻሉ የተነሳ ማንኛውም የማኅበር አባል ለደረሰበት ጉዳት ከአገልግሎት ሰጪ ካሣ ለመጠየቅ የሚሰላውን የካሳ መጠን ለመስሳት ውሉን እንደፈጸመ አካል ይቆጠራል፤

፫) የመስኖ ልማት ውኃን ለማቅረብ ያልቻለው ከአቅም በላይ በሆነ ምክንያት ከሆነ፣ ለተጎጂ ካሣ ለመክፈል አይገደድም፡፡ የዚህ አንቀጽ አፈጻጸም በፍትሐ ብሔር ሕግ መሠረት ይሆናል፡፡

**፵. የተገልጋይ ኃላፊነት**

በአገልግሎት ስምምነት ውስጥ የተገለጸው እንደተጠበቀ ሆኖ፣ ተገልጋይ የሚከተሉት ኃላፊነት ይኖሩታል፤

፩) በአገልግሎት ስምምነቱ መሠረት የሚፈለገውን ክፍያ በወቅቱ መክፈል፣
፪) በስምምነት የተሰጡትን ሥራዎች በስምምነቱ መሠረት መከናወናቸዉን መከታተሳል እና አሰፈሳጊውን ድጋፍ መስጠት፡፡

**፵፩. የውኃ አቅርቦት አገልግሎት ዋጋን መወሰን**

፩) ለማኅበር የሚቀርበዉ የመስኖ ልማት ውኃ አቅርቦት አጋልግሎት ዋጋ ባለሥልጣኑ በሚካሄድ ጥናት ላይ ተመስርቶ የሚወሰነ ይሆናል፤
፪) ባለሥልጣኑ በማኅበር መክፈል ያለበትን የመስኖ ልማት ውኃ አቅርቦት አጋልግሎት ዋጋን የሚወስነው፣
   (ሀ) አባል እንድቆጥብ የሚጠበቅበት ለጥ ገና የሚያስፈልግ ገንዘብ፣
   (ለ) የማኅበሩ አባል ያለው የመክፈል አቅም፣ እና
   (ሐ) አገልግሎት ሰጪ ለኢንቨስትመንት ካዋለው ገንዘብ ተመጣጣኝ ጥቅም ማግኘት የሚችልበትን ከግምት በማ ይሆናል

2) Any member of an association who has sustained losses as a result of the inability of the service provider to provide irrigation water to the association shall be deemed to be a party to the contract for the purpose of calculating the amount of compensation to be claimed from the service provider;
3) Compensation shall not be payable in cases of force majeure as defined in the Civil Code of Ethiopia.

**40. Responsibility of Service Receiver**

1) The Association (service receiver) based on the agreement entered into conduct the service payment on time;
2) The Association (service receiver) based on the agreement conduct follow up and check works are conducted according to the agreement and provide any necessary support for the services provider.

**41. Deciding Water Delivery Charges**

1) The amount of charges payable by an association to a service provider for the delivery of water shall be determined based on the study by irrigation development authority;
2) In determining the amount charges payable to the service provider, the supervising body shall take into account:-
   (a) The necessary reserve funds to be deposited for the maintenance;
   (b) The ability of the members of the association to pay for irrigation water;and
   (c) The service provider's reasonable benefit of investments. The implementation will be described on the implementation manual.

## KUTAA TORBA
## Sirna Waldhabiinsi Ittiin Hiikamu

### 42. Koree Waldhabiinsa Hiiku

1) Waldaan kamiyyuu, yaa'ii walii-galaan kan filataman miseensota koree waldhabiinsa hiiku kan hawaasa biratti fudhatama qabanii fi naamusa gaarii qaban sadii hanga shanii hin caalle koree waldhabiinsa hiikuu ni qabaata.
2) Barri hojii miseensa koree waldhabiinsa hiikuu waggaa sadiif ta'ee, miseensi tokko walitti aansee bara hojii lamaa oliif filatamuu hin danda'u.
3) Koreen waldhabiinsa hiikuu dura taa'aa isaa ni filata.
4) Miseensi koree hojii raawwachiiftuu tokko yeroo tokko keessatti miseensa koree waldhabiinsa hiikuu ta'ee tajaajiluu hin danda'u.

### 43. Aangoo fi Gahee Hojii Koree Waldhabiinsa Hiikuu

1) Koreen waldhabiinsa hiikuu dhimmoota armaan gadii irratti murtii kennuuf aangoo ni qabaata:
   (a) Iyyannoo fi falmii itti fayyadama bishaan misooma jallisii fi raabsa bishaanii irratti miseensa waldaa gidduutti ka'u;
   (b) Iyyannoo sababa Dambii ittiin bulmaataa yookiin hojimaatota waldichaa biroo cabsuun walqabatee dhiyaatu;
   (c) Iyyannoowwan sagantaawwan raabsa bishaan misooma jallisii kabajuu dhabuu; yookiin
   (d) Murtiiwwan bulchiinsaa koreen hojii raawwachiiftuu kennu irratti ol-iyyannoowwan dhiyaatan.
2) Sababoota Keewwata kana Keewwata Xiqqaa 1 jalatti ibsamaniin iyyannoon yoo dhiyaatuuf koreen waldhabiinsa hiikuu:
   (a) Dura taa'aan korichaa dursee madda iyyannoo yookiin komii dhiyaatee guyyaa iyyanni dhiyaate irraa eegalee guyyaa shan keessatti addaan ni baasa;

## ክፍል ሰባት
## አለመግባባት የሚፈታበት ሥርዓት

### ፵፪. አለመግባባት የሚፈታ ኮሚቴ

፩) ማንኛውም ማኅበር በጠቅላላ ጉባዔ የሚመረጡ አለመግባባት የሚፈታ ኮሚቴ አባላት በህብረተብ ዘንድ ተቀባይነት ያላቸውና መልካም ስነምግባር ያላቸው ከሶስት እስከ አምስት የማይበልጡ አለመግባባት የሚፈታ ኮሚቴ ይኖረዋል፤
፪) አለመግባባት የሚፈታ ኮሚቴ አባል የሥራ ዘመን ለሶስት ዓመት ሆኖ፣ አንድ አባል በተከታታይ ከሁለት የሥራ ዘመን በላይ ሊመረጥ አይችልም፤
፫) አለመግባባትን የሚፈታ ኮሚቴ ሊቀመንበሩን ይመርጣል፤
፬) አንድ የሥራ አስፈፃሚ ኮሚቴ አባል በተጠ መሳሳይ ጊዜ አለመግባባት የምፈታ ኮሚቴ አባል ሆኖ ማገልገል አይችልም፤

### ፵፫. አለመግባባት የሚፈታ ኮሚቴ ሥልጣንና ተግባር

፩) አለመግባባት የምፈታ ኮሚቴ በሚከጠ ተሉት ጉዳዮች ላይ ውሳኔ የመስጠት ሥልጣን ይኖረዋል፡-
   (ሀ) በመስኖ ልማት ዉሃ አጠቃቀም እና ክፍፍል ምክንያት በማኅበሩ አባላት መከል የሚነሳ አቤቱታና ክርክር ላይ፣
   (ለ) የማህበሩን መተዳደሪያ ደንብ ወይም ሌሎች አሠራር ከመጣስ ምክንያት ጋር በተያያዘ የሚቀርቡ አቤቱታ፣
   (ሐ) የመስኖ ውኃ ስርጭቶች መርሐ ግብርን አለማክበር ማመልከቻዎች፣ እና
   (መ) የሥራ አስፈጻሚ ኮሚቴ በሚሰጠው አስተዳደራዊ ውሳኔዎች ላይ የሚቀርቡ ይግባኞች፡፡
፪) አለመግባባት የምፈታ ኮሚቴ በዚህ አንቀፅ ንዑስ አንቀፅ ፩ ስር በተዘረዘሩት ምክንያቶች አቤቱታ ስቀርብለት፡
   (ሀ) የኮሚቴ ሊቀመንበር በመጀመሪያ የቀረበ የአቤቱታ ወይም ቅሬታ ምንጭ አቤቱታ ከቀረበው ቀን ጀምሮ በአምስት ቀን ውስጥ ያጣራል፣

## Part Seven
## Dispute Settlement Procedure

### 42. Dispute Settlement Committee

1) Every association shall have dispute settlement committee elected by the general assembly consisting of three up to five persons of high reputation and impartiality;
2) The term of office of a dispute settlement committee shall be three years; no member of such committee may be elected for more than two consecutive terms;
3) Members of a dispute settlement committee elected by the general assembly shall elect one of them to be the chairperson of the committee;
4) A member of the management committee may not at the same time serve as a member of the dispute settlement committee.

### 43. Power and Duties of Dispute Settlement Committee

1) The dispute settlement committee shall have the powers and duties to hear and determine:-
   (a) Disputes on water use and distribution between members of the association;
   (b) Is agreements related to the violation of the association's bylaws, or internal regulation;
   (c) Matters related to non-observance of watering schedule and;
   (d) Appeals lodged against the decision of the management committee.
2) Upon receiving complaint on the grounds specified under sub-article (1) of this Article, the dispute settlement committee shall:-
   (a) Promptly inspect the source of the problem by the chairperson within five days from the day of appealing.

(b) Akkaataa Keewwata kana Keewwata Xiqqaa 2 (a) tiin maddi iyyannoo yookiin komii falmichaa guyyaa qulqullaa'ee xumurame irraa eegalee guyyaa lama keessatti iyyannicha barreeffamaan nama himatame akka dhaqqabuu fi guyyaa beellamaa deebii isaa qabatee dhiyaachuun akka falmatu waraqaa waamichaa ni erga;

(c) Dura taa'aan korichaa guyyaa waamichi himatamaa dhaqqabe irratti dhimmicha ilaaluuf miseensota koreetiif waamicha ni dabarsa;

(d) Guyyaa beellamaa dhimmichi akka ilaalamu murtaa'e falmicha ni dhagaha; ragaawwan isaanii ni sakatta'a; barbaachisaa ta'ee yoo argame bakka ka'umsa falmichaatti argamuun dhimmicha ni qorata;

(e) Guyyaa falmii dhagahe irraa eegalee guyyoota lama keessatti murtii kennuun wal-falmitoota ni beeksisa.

**44. Haala Raawwii Murtii**

1) Bu'uura Keewwata 43tiin murtiin koree waldhabiinsa hiikuun kenname hanga komiin irratti hin dhiyaannetti akkaataa seera hariiroo hawaasaatiin kan raawwatamu ta'a.

2) Murtii koree waldhabiinsa hiikuu irratti qaamni komii qabu guyyaa murtiin kenname irraa eegalee ji'a tokko keessatti Mana Murtii Aanaatti himannaa isaa dhiyeeffachuu ni danda'a.

**KUTAA SADDEET**
**Tumaalee Adda Addaa**

**45. Adabbiiwwan Bulchiinsaa**

To'annoo fi hordoffiin Abbaa Taayitaatiin taasifamu akkuma jirutti ta'ee, balleessaawwan armaan gaditti tarreeffaman miseensi kamiyyuu kan raawwate yoo ta'e, tarkaanfiiwwan bulchiinsaa waldichaan kan fudhatamu ta'a:

(ለ) በዚህ አንቀፅ ንዑስ አንቀፅ ፪ (ሀ) መሠረት የክርክሩ አቤቱታ ወይም ቅሬታ ምንጭ ተጣርቶ ካለቀ ጀምሮ በሁለት ቀን ውስጥ አቤቱታው በጽሑፍ ሳመለከተው ሰው እንድደርስ እና በቀጠሮ ቀን መልሱን ይዞ በመቅረብ እንዲከራከር መጥሪያ ወረቀት ይልካል፣

(ሐ) የኮሚቴው ሲቀመንበር መጥሪያ ስተከሳሽ በደረሰው ቀን ሳይ ጉዳዩን ስማየት ስኮሚቴ አባሳት ጥሪ ያስተሳልፋል፣

(መ) ጉዳዩ እንድታይ በተወሰነ የቀጠሮ ቀን ክርክሩን ይሰማል፣ ማስረጃዎቻቸውን ይመረምራል፣ አስፈሳጊ ሆኖ ከተገኘ በክርክሩ መነሻ ቦታ በመገኘት ጉዳዩን ይመረምራል፣

(ሠ) ክርክሩን ከሰማ ቀን ጀምሮ በሁለት ቀናት ውስጥ ውሳኔ በመስጠት ተከራካሪ ወገኖችን ያሳውቃል፡፡

**፵፬. የውሳኔ አፈፃፀም ሁኔታ**

፩) በዚህ አዋጅ አንቀፅ ፵፫ መሠረት አስመግባባት የምፈታ ኮሚቴ የተሰጠው ውሳኔ ቅሬታ እስካልቀረበበት በፍትሐብሔር ሥነሥርዓት ሕግ መሠረት የሚፈፀም ይሆናል፤

፪) አስመግባባት የሚፈታ ኮሚቴ ውሳኔ ሳይ ቅሬታ ያስው አካል ውሳኔ ከተሰጠበት ቀን ጀምሮ በአንድ ወር ውስጥ ስወረዳ ፍርድ ቤት ክሱን ማቅረብ ይችሳል፡፡

**ክፍል ስምንት**
**ልዩ ልዩ ድንጋገዎች**

**፵፭. አስተዳደራዊ ቅጣቶች**

በባለሥልጣኑ የሚደረግ ክትትልና ቁጥጥር እንደተጠበቀ ሆኖ፣ ማንኛዉም አባል ከዚህ በታች የተዘራዘሩትን ጥፋት ከፈጸመ በማህበሩ አስተዳደራዊ እርምጃዎች የምወሰድ ይሆናል፡፡

(b) Where the allegation is lodged in writing, issue summon on the respondents so as to respond on the complaint and avail himself for the hearing;

(c) The chairperson of the dispute settlement committee shall call the members of the committee to hear the issue within two days;

(d) Hear both parties, examine their evidence or may undertake site inspections, if necessary;

(e) Promptly announce its decision within two days after hearing.

**44. Enforcement of Decision**

1) Any decision or order made in accordance with this Proclamation of this Article 43 shall be considered as the decision of regular civil court and shall be executed unless reversed by appeal;

2) Any party dissatisfied with the decision of dispute settlement committee may lodge appeal to district court within one month starting from date of decision given.

**Part Eight**
**Miscellaneous Provisions**

**45. Administrative Penalties**

In addition to monitoring and evaluation right given to the authority the association may impose administrative sanctions against a member who fails to:

1) Miseensi kamiyyuu:
   (a) Dambii ittiin bulmaataa yookiin Dambiiwwan keessoo yaa'ii waliigalaatiin murtaa'e kamiyyuu kan hin kabajne yoo ta'e;
   (b) Labsii kanaa fi Dambii ittiin bulmaataa irratti hundaa'uun kaffaltiiwwan murtaa'an yeroon kan hin kaffalle yoo ta'e, yookiin yeroo barbaachisutti hojii humnaatiin gahee isaa kan hin baane yoo ta'e;
   (c) Bishaan misooma jallisii bu'uura sagantaa waldichi baaseen ala kan fayyadame yoo ta'e;
   (d) Ta'e jedhee yookiin dagannoodhaan qabeenya yookiin meeshaa waldichaa irratti yoo miidhaa geessisee fi baasii suphaa fi bakka buusuu kaffaluuf fedhii kan hin qabne yoo ta'e;
   (e) Waa'ee lafa isaa fi haala itti fayyadama bishaan jallisii isaa waldichaaf ragaa sirrii ta'e kennuuf fedhii kan hin qabne yoo ta'e;
   (f) Hojjettoota waldichaa yookiin namoota waldichaan ajajamanii akka barbachisummaa isaatti sarara jallisii hojii opireeshiinii fi suphaa gaggeessuudhaaf konkolaataa yookiin meeshaa ijaarsa misooma jallisii qabatanii deeman akka ooyiruu isaa keessa hin galle kan dhorke yoo ta'e; yookiin
   (g) Dambiiwwan teekinikaa opireeshinii bu'uuraalee misooma jallisii fi qoorsa lafaa ilaallatu kan darbe yoo ta'e, waldichi adabbii bulchiinsaa irratti murteessuu ni danda'a.
2) Gostii fi hangi adabbii Dambii ittiin bulmaata waldichaatiin kan murtaa'u ta'ee, adabbii ol'aanaan adabbii mallaqaa yookiin dhiyeessa bishaan misooma jallisii dabalatee tajaajila miseensichi argatu irraa dhaabuu ta'uu ni danda'a.
3) Addabbiin kan kennamu koree hojii raawachiiftuutiin ta'ee, ol'iyyannoon koree falmii waldhabiinsa hiikuutti dhiyaachuu ni danda'a. Akkaataan raawwii isaa Dambii bahuun kan murtaa'u ta'a.

፩) ማንኛዉም አባል፡
   (ሀ) በጠቅላላ ጉባዔ የተወሰነውን ማንኛውንም የማኅበሩ መተዳደሪያ ደንብ ወይም የውስጥ ደንቦች ያላከበረ ከሆነ፣
   (ለ) በዚህ አዋጅና በመተዳደሪያ ደንብ ላይ ተመስርቶ የተወሰኑትን ክፍያዎች በወቅቱ ያልከፈለ ከሆነ፣ ወይም በሚያስፈልግ ጊዜ በጉልበት ሥራ ድርሻዉን ያልተወጣ ከሆነ፣
   (ሐ) የመስኖ ልማት ውሃን ማኅበሩ ባወጣው መርሐ ግብር መሠረት ውጪ የተጠቀመ ከሆነ፣
   (መ) ሆን ብሎ ወይም በቸልተኝነት የማኅበሩ ንብረት ላይ ጉዳት ካደረሰ እና የመጠገኛና የመተኪያ ወጪን ስመክፈል ፍላጎት የለለው ከሆነ፣
   (ሠ) ስለመሬቱ እና የመስኖ ውኃውን አጠቃቀም ለማኅበሩ ትክክለኛ የሆነውን መረጃ ለመስጠት ፈላጎት የለለው ከሆነ፣
   (ረ) የማኅበሩ ሠራተኞች ወይም በማኅበሩ ታዘው እንደአስፈላጊነቱ የመስኖ መስመር ኦፕሬሽን እና ጥገና ሥራ ለማካሄድ ተሽከረካሪ ወይም የመስኖ ልማት ግንባታ መሣሪያ ይዘው የሚሄዱ ወደ ማሳው ውስጥ እንዳይገቡ የከለከለ ከሆነ፣ ወይም
   (ሰ) የመስኖ ልማት እና መሬት ማንጣፈፍ አውታሮች የሚመለከቱትን የቴክኒክ ደንቦችን የተላለፈ ከሆነ፣ ማኅበሩ አስተዳደራዊ ቅጣትን ሊወስንበት ይችላል፡:
፪) የቅጣት ዓይነትና መጠን በማኅበሩ መተዳደሪያ ደንብ የሚወሰን ሆኖ፣ ከፍተኛ ቅጣት የገንዘብ ቅጣት ወይም የመስኖ ልማት ውሃ አቅርቦትን ጨምሮ አባሉ የሚያገኘውን አገልግሎት ማቋረጥ ሊሆን ይችላል፡፡
፫) ቅጣት የሚሰጠው በሥራ አስፈጻሚ ኮሚቴ ሆኖ፣ ለአስመግባባት የምፈታ ኮሚቴ ይግባኝ ሊቀርብ ይችላል፡፡ የአፈጻጸሙ በሚወጣ ደንብ የሚወሰን ይሆናል፡፡

1) Every member shall be:-
   (a) Observe the by-laws or any internal regulations adopted by the general assembly of the association;
   (b) Pay timely any charges determined in accordance with the by-laws and this Proclamation or to provide labor service whenever necessary;
   (c) Use irrigation water in accordance with the association's watering schedule;
   (d) Pay the repair or replacement costs of any property or equipment of the association damaged as a result his negligent or intentional act;
   (e) Provide relevant information to the association about his use of land or water;
   (f) Allow employees or other persons ordered by the association to inter his land, with machines or equipment as necessary, in order to undertake works concerning the operation and maintenance of the irrigation system; and
   (g) Comply with applicable technical rules concerning the operation of the irrigation and drainage system; the association can take administrative measures.
2) The type and amount of sanctions shall be specified in the by-laws or the internal regulations of each association and in particular it could be fine or the suspension of the provision of services including the supply of irrigation water.
3) A sanction shall be imposed by the management committee, and an appeal against such sanction may be submitted to a dispute settlement committee.

**46. Dirqama Deeggarsa Kennuu**

Qaamni kamiyyuu hojiirra oolmaa Labsii kanaatiif deeggarsa kennuuf dirqama ni qabaata.

**47. Walqunnamtii Waldaaleen Qaamolee Bulchiinsaa Sadarkaan Jiran Waliin Qabaatan**

1) Caasaaleen bulchiinsa Aanaa fi Gandaa waldaalee daangaa aangoo isaanii keessatti argamaniif bilisummaa hojimaata isaanii kabajuun sochii hojii isaaniitiif deeggarsa barbaachisu kennuufii qabu.

2) Daangaan tajaajila waldaa tokkoo uumama yaa'iinsa bishaanii hordofuun daangaa Bulchiinsa Godinaalee yookiin Aanaalee yookiin Gandaa naannichaa tokko irraa gara daangaa Bulchiinsaa Godinaalee yookiin Aanaalee yookiin Gandoota naannichaa birootti kan ce'u yoo ta'e, koreen tokko tokkoon qaama bulchiinsaa irraa miseensota bakka bu'aniin ijaarame dhimma waldicha ilaallatu irratti caasaalee bulchiinsaa waliin wal qunnamsiistuu ta'uun ni hojjetu.

**48. Tumaalee Cee'umsaa**

Waldaleen itti fayyadamtoota bishaan jallisii akkaataa seerota biroo rogummaa qabuun gurmaa'anii turan, akkaataa Labsii kanaatiin irra deebii'anii akka gurmaa'an kan taasifamu ta'a. Haalli raawwii isaa Dambii bahuun kan murtaa'u ta'a.

**49. Seerota Raawwatiinsa Hin Qabaanne**

Labsiin, Dambii, Qajeelfamoonnii fi barmaatileen hojii Labsii kanaan wal faallessan kamiyyuu dhimmoota Labsii kanaan hammataman irratti raawwatiinsa hin qabaatan.

**፵፮. ድጋፍ የመስጠት ግዴታ**

ማንኛውም አካል ለዚህ አዋጅ ተግባራዊነት አስፈላጊውን ድጋፍ የመስጠት ግዴታ ይኖረዋል፡፡

**47. ማኅበራት በየደረጃ ካሉት የአስተዳደር አካላት ጋር የሚኖራቸው ግንኙነት**

፩) የወረዳ **እና** ቀበሌ መስተዳድር **መዋቅሮች** በሥልጣን ክልላቸው ውስጥ **ለ**ሚገኙ ማኅበራት የአሠራራቸውን ነፃነት በማክበር **ለሥራቸው እንቅስቃሴ አስፈላጊውን ድጋፍ** መስጠት አለባቸው፤

፪) የአንድ ማኅበር የአገልግሎት ወሰን **የ**ውኃ **ፍሰት ተፈጥሮን ተከትሎ የዞኖች ወይም ወረዳዎች አስተዳደር ወሰን ወይም** ከአንድ **የ**ክልሉ **ቀበሌ** ድንበር ወደ **ዞኖች** ወይም ወረዳዎች አስተዳደር ድንበር ወይም ወደ ሌሎች የክልሉ ዞኖች የሚሸጋገር ከሆነ፣ የሚሻገር ከሆነ ከእያንዳንዱ የአስተዳደር አካል በሚወከሉ አባላት የተደራጀ ኮሚቴ ማኅበሩን በሚመለከት ጉዳይ ላይ ከአስተዳደር መዋቅሮች ጋር አገናኝ ሆነው ይሰራሉ፡፡

**፵፰. የመሸጋገሪያ ድንጋጌዎች**

ከዚህ በፊት አግባብነት ባላቸው ሌሎች ሕጎች መሠረት ተመስርተው የነበሩ የመስኖ ውሃ ተጠቃሚዎች ማኅበራት፣ በዚህ አዋጅ መሰረት በድጋሚ እንድደራጁ የሚደረግ ይሆናል፡፡ የአፈጻጸሙ በሚወጣ ደንብ የሚወሰን ይሆናል፡፡

**፵፱. ተፈጻሚነት ስለማይኖራቸው ሕጎች**

ከዚህ አዋጅ ጋር የሚቃረኑ ማናቸውም አዋጅ፣ ደንብ፣ መመሪያ **እና** ልማዳዊ አሠራሮች በዚህ አዋጅ በተሸፈኑ ጉዳዮች ላይ ተፈጻሚነት አይኖራቸውም፡፡

**46. Duty to Cooperate**

Anybody shall have responsibility to cooperate for the implementation of this proclamation.

**47. Relationship of Associations with Administrative of each Hierarchies.**

1) District and Kebele officials shall provide support necessary for the formation and operation of associations within their jurisdiction by respecting their autonomy.

2) If the service area of the association transcends from one State, District or Kebele administration to another State, District or Kebele Administration following the natural flow of the river, there shall be delegated committee members from each administration to communicate the affairs of the association with the local administrations.

**48. Transitional Provisions**

Irrigation Water users Associations organized by in accordance with appropriate of other laws shall be made to reorganized with pursuant of this proclamation. Its implementation is determined by the regulation to be issued.

**49. Inapplicable Laws**

Any Proclamation, Regulation, Directives and Work practices inconsistent with this Proclamation shall not be applicable on matters covered by this proclamation.

**50. Aangoo Dambii fi Qajeelfama Baasuu**

1) Manni Maree Bulchiinsa Mootummaa Naannoo Oromiyaa Labsii kana raawwachiisuuf Dambii baasuu ni danda'a.
2) Abbaan Taayitichaa Labsii kanaa fi Dambii Labsii kana raawwachiisuuf bahu irratti Qajeelfama baasuu ni danda'a.

**51. Yeroo Labsiin Kun Hojiirra Itti Oolu**

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

**Finfinnee,**
**Adoolessa 10 Bara 2009**
**Lammaa Magarsaa**
**Pirezidaantii Mootummaa Naannoo Oromiyaa**

**፶. ደንብና መመሪያ የማውጣት ሥልጣን**

፩) የኦሮሚያ ክልላዊ መንግሥት መስተዳድር ምክር ቤት ይህን አዋጅ ለማስፈፀም ደንብ ማውጣት ይችላል፡፡
፪) ባለሥልጣኑ ይህን አዋጅ እና ይህንን አዋጅ ለማስፈጸም በሚወጣ ደንብ ላይ መመሪያ ማውጣት ይችላል፡፡

**፶፩. አዋጁ ሥራ ላይ የሚውልበት ጊዜ**

ይህ አዋጅ በመገለተ ኦሮሚያ ታትሞ ከወጣበት ቀን ጀምሮ ሥራ ላይ የሚውል ይሆናል፡፡

**ፊንፊኔ**
**ሐምሌ 10 ቀን ፪ሺ፱ ዓ.ም**
**ለማ መገርሳ**
**የኦሮሚያ ክልላዊ መንግሥት ፕሬዝዳንት**

**50. Power to Issue Regulations and Directives**

1) The Oromia Regional State administration council may issue regulations for the implementation of this Proclamation.
2) The Authority may issue directives on this Proclamation and Regulations to be issued for the implementation of this proclamation.

**51. Effective Date**

This Proclamation shall enter into force as of its publication on Megeleta Oromia.

**Finfine;**
**July 17, 2017**
**Lema Megersa**
**President of Oromia Regional State**

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