

JAMHUURIYADDA SOMALILAND

Xeerka Hay'adda Duulista Madaniga ah Xeer Lr.70/2017 (Somaliland Civil Aviation Authority Law - No. 70/2017)

TUSMADA XEERKA (ARRANGEMENTS OF THE ARTICLES)

Tusmadan iyo lifaaqa dhaqangelka Mucaahadooyinka Caalimiga ah ee ku xusan Xeerka waxaan ku daray nuqulka Xeerka oo sidii uu ugu soo baxay Faafinta Rasmiga JSL, Cadadka Gaarka ah ee soo baxay 6dii Jaanawari 2018. Xeerka Madaxweynuhu wuxuu saxeexay 26kii Diisambar 2017, waxaanu, sida ku xusan Qod. 91aad ee Xeerka, dhaqangelay maalintaas uu saxeexay Madaxweynuhu.

– Tifatiraha www.somalilandlaw.com (Feb 2018).

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¹ bixinayso

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⁴ Qodobku wuxuu ku saabsanyahay 'aminga - security' ee duulista madaniga.

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2. Mucaahadada Mideynta Xeerarka ku saabsan wax ku Qaadista Caalamiga ah ee Hawada 1999. (Qodobka 55(1) ee Xeerkan)
3. Mucaahadada Mideynta Xeerarka ku saabsan wax ku Qaadista Caalamiga ah ee Hawada 1999⁶. (Qodobka 55(2) ee Xeerkan)
4. Mucaahadada Aqoonsiga Caalamiga ah ee Xuquuqda Dayuurad Dhexdeeda 1948. (Qodobka 83(1) ee Xeerkan)
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1. [Convention](#) for the Suppression of Unlawful Seizure of Aircraft 1970. (Article 55(1) of this Law)
2. [Convention](#) for the Unification of certain Rules Relating to International Carriage By Air (Montreal 1999). (Article 50(1) of this Law)
3. Modifications to the Convention for the Unification of Certain rules relating to International Carriage By Air 1999⁷. (Article 50(2) of this Law)
4. [Convention](#) on International Recognition of Rights in Aircraft 1948. (Article 83(1) of this Law)
5. [Convention](#) on International Interests in Mobile Equipment 2001. (Article 83(2) of this Law)

⁵ Adeegyada raacsan (allied services).

⁶ Oo iyadana lagu dabaqayo qaadista hawada ee aan caalimiga ahayn (Qod. 50(2) ee Xeerka Duulimaaka..

⁷ Applicable also to domestic air carriage (Article 50(2))



Xafiiska Madaxweynaha

Sum: JSL/XM/WM/222-05/122017

Taar: 26/12/2017

Wareegto Madaxweyne

Dhaqan-galka Xeerka Hay'adda Duulista Madaniga ah
Xeer Lr.70/2017

Markaan Arkay: Dastuurka Jamhuuriyadda Somaliland, Qodobka 90aad;

Markaan Arkay: Go'aanka Golaha Wakiillada Go'aan Lr.GW/KF-35/748/2017, summadiisuna tahay Ref: GW/G/26/168/2017, kuna taariikheysan 19/12/2017, ujeedadiisuna tahay soo gudbin go'aanka ansixinta Xeerka Hay'adda Duulista Madaniga ah ee Somaliland, Xeer Lr. 70/2017;

Markaan Arkay: Qodobada 75aad, 76aad, 77aad (5), 78 (3) ee Daturka Jamhuuriyadda Somaliland;

Waxaan soo-saaray;

Wareegtadan oo lagu baahinayo Dhaqan-galka Xeerka Hay'adda Duulista Madaniga ah ee Jamhuuriyada Somaliland, Xeer Lr. 70/2017

Allaa Mahad Leh

Muuse Biixi Cabdi
Madaxweynaha Jamhuuriyadda Somaliland

JAMHUURIYADDA SOOMAALILAND

**Xeerka Hay'adda Duulista Madaniga ah
Xeer Lr.70/2017**

GOLAHA WAKIILADA JSL

- Markuu arkay: -** Qodobka 2aad Farqadii 1aad, Qodobka 10aad Farqadihiisa 1aad iyo 2aad iyo Qodobka 11aad Farqadiisa 1aad iyo Qodobka 53aad farqadiisa 3aad ee Dastuurka Jamhuuriyada Somaliland
- Markuu xaqiiqsaday: -** In Jamhuuriyadda Somaliland ay aqbashay, sida ku cad Qodobka 10aad farqadiisa 1aad ee Dastuurka Somaliland, dhamaan heshiisyada caalamiga ah ee la xidhiidha duulista madaniga ah ee la galay ka hor 1991dii;
- Markuu xaqiiqsaday: -** In Jamhuuriyadda Soomaaliland ay u leedahay awood buuxda oo dhamaystiran hawada sare ee dhulkeeda, ayna xaq u leedahay inay nidaamiso oo maamusho hawlaha duulista madaniga ah ee dhulkeeda iyo hawada sare;
- Markuu arkay: -** Baahida wayn ee loo qabo in la sameeyo hanaan duulista madaniga ah oo badqaba, amaan ah, jooqto ah oo dhaqaale leh, kaas oo kor u qaadi kara horumarka dhaqaale iyo bulsho ee dalka;
- Markuu yaqiinsaday:** Baahida loo qabo in duulista madaniga ah ee dalku ay waafaqdo oo la jaanqaado heerarka caalamiga ah si Somaliland u soo jiidato xidhiidh debedeed;
- Markuu garawsaday: -** Baahida loo qabo aasaasidda hay'ad gaar ah oo ka shaqaysa duulista madaniga ee dalka si loola jaan qaado heerarka caalamiga.

Wuxuu Soo saarey
Xeerka Hay'adda Duulista Madaniga ah ee Somaliland
(Xeer Lr 70/2015)

QAYBTA 1AAD
QODOBADA HOR-DHACA AH (PRELIMINARY PROVISIONS)

Qodobka 1aad
Erey-bixin

Xeerkan gudihiisa, hadii aan si kale nuxurku tilmaamin waxaa loo fasirayaa sidan soo socota: -

“Garoon-diyaaradeed” waxa loola jeedaa aag tilmaaman oo dhul ah ama biyo ah (kaas oo ay ku jiraan dhismayaasha, waxyaalaha rakiban iyo qalabka) oo looga dan leeyahay in loo isticmaalo guud ahaan ama qayb ahaan imaatinka (arrival), bixidda (departure) iyo dhaqdhaqaaqa oogada dhulka ee diyaarad (surface movement of the aircraft);

“Diyaarad” waxa loola jeedaa mashiin kasta oo ka heli kara taageero atmosfiyeerka (atmosphere) isaga oo la falgelaya hawada taas oo aanay ku jirin falgelidda hawada guudka dhulka (air against the earth’s surface ;

“Adeegyada mushaaxidda hawada” waxa ku jira xogta (information), hagidda (direction) iyo tash-iilaadka kale ee loo soo saaray ama loo bixiyay si la xidhiidha mushaaxidda ama dhaqdhaqaaqa diyaaradda iyo maamulidda dhaqdhaqaaqa gaadiidka qayb kasta oo ka mid ah garoondiyaradeed oo loo isticmaalo dhaqdhaqaaq diyaaradeed;

“Hay’ad” waxa loola jeedaa Hay’adda Duulista Madaniga ah ee Somaliland (Somaliland Civil Aviation Authority) ee lagu aasaasay Xeerkan;

“Rar (Cargo)” Waxa loola jeedaa hanti kasta oo lagu sido diyaarad oo aanay ku jirin kaydshaha waraaqaha (mail stores) iyo shandadaha la sito ama gacanta lagu qaato;

“Mucaahadada Chicago” waxa loola jeeda Mucaahadada Duulista Madaniga ah ee Caalamiga ah ee lagu galay magaalada Chicago 7dii December 1944 iyo lifaaqyadeeda la xidhiidha heerarka caalamiga ah iyo dhaqanada lagu taliyey (recommended practices) ee loo sameeyey si waafaqsan Mucaahadada iyo wax ka bedel kasta oo lagu sameeyo Mucaahadada ama lifaaqyada loo sameeyo si waafaqsan Mucaahadada;

“Agaasime Guud” waxa loola jeedaa Agaasimaha Guud ee Hay’adda ee lagu assaasey Xeerkan;

“Duulimaad” (Flight) waxa loola jeedaa safar hawada ah oo bilaabma marka dhamaan albaabada debedda ee diyaaradda la xidho kadib marka la fuulo (embarkation) ilaa marka albaabadaas la furo si looga daadego (disembarkation); marka ay diyaaradu u daadegto si qasaba ah (forced landing), duulimaadka waxa laga soo qaadayaa inuu socdo ilaa masuuliyiin u awood leh ay ku soo wareegto masuuliyadda diyaaradda iyo dadka iyo hantida saran;

“Diyaarad shisheeye” waxa loola jeedaa diyaarad aan ahayn mid u diiwangashan Somaliland;

“UCDM” waxa loola jeedaa Ururka Caalamiga ah ee Duulista Madaniga ah (International Civil Aviation organization) ee lagu aasaasay Mucaahadada Caalamiga ah ee Duulista Hawada 1944 “Ruqsad” (Licence) waxa loola jeedaa Ruqsadda Gaadiidka Cirka (Air Transport Licence), Ogolaanshiyaha Hawlgalka Hawada (Air operators Permit (AOP)), Ruqsadda Ururuada Socdaalka Hawada (Air Travellers Organisers Licence (ATOL)), Shahaadada Ka-Hawlgelidda Hawada (Air Operators Certificate (AOC)), Shahaadada Uqalmidda Duulitaan (Certificates of Airworthiness), Shahaadada Diiwaangelinta (Certificate of Registration), Ruqsadaha Shaqaalaha iyo Aqoon-korodhisiga (Personnel Licence and Ratings), Ruqsadda Garoon-diyaaradeed (Aerodrome licence),

Shahaadooyinka/ogolaanshaha Ururada Tababarka Duulista Hawada (Aviation Training Organisations Approvals/Certificates), Shahaadooyinka/Ogolaanshaha Ururada Dayactira Diyaaradaha iyo dhamaan ogolaansho kale ama ansixin loo soo saaray si waafaqsan xeerkan;

“Waraaqo (Mail)” waxa loola jeedaa waraaqaha la isu diro iyo alaabtii kale ee loo diray, loogana gol leeyahay in lagu gaadhsiiyo (delivery) adeegyada boostada si waafaqsan shuruucda Isku tagga Caalamiga ah ee Boostada (Universal Postal Union);

“Xubin” waxa loola jeedaa xubin ka tirsan Boodhka Hay'adda oo uu ku jiro Gudoomiyuhu;

“Wasiir” waxa loola jeedaa Wasiirka Duulista Hawada iyo Gaadiidka Cirka ee Jamhuuriyadda Somaliland ama wasiirka kale ee markaas u xilsaaran duulist hawada;

“Wasaarad” waxa loola jeedaa Wasaaradda Duulista Hawada iyo Gaadiidka Cirka ama wasaaradda kale ee markaas u xilsaaran duulista madaniga ah;

“Goob (Premises)” waxa ku jira dhulka, wershedaha (plants) iyo shaqooyinka kale ee Kaaba;

“Lagu qeexay” waxa loola jeedaa lagu qeexay xeer-nidaamiye lagu soo saaray si waafasan xeerkan;

“Madaxwayne” Waxa loola jeeda Madaxwaynaha Jamhuuriyadda Somaliland;

“Xeer-nidaamiyayaal” xeerkan gudihiisa waxa looga jeedaa in lagu tilmaamo dhamaan shuruucda ka dhasha (subsidiary legislations) ee loo sameeyey si waafaqsan xeerkan;

“Abaal-marin”(Reward) marka ay la xidhiidho duulimaad, waxa ku jira wax kasta oo wax-iswaydaarsi ah (consideration) oo la helay ama la yeeshay ama la heli doono guud ahaan ama qayb ahaan si la xidhiidha duulimaad iyada oo aan waxba laga soo qaadayn cidda la siiyay ama la siin doono;

“HDLT” waxa loola jeedaa Heerarka iyo Dhaqanada Lagu Taliyay;

“Diyaarad Soomaliland leedahay” (Somaliland aircraft) waxa loola jeedaa diyaarad looga diiwaangeliyay Somaliland si waafaqsan xeerkan;

“Nidaamiyaha Amniga Gaadiidka (Transport Security Regulator)” waxa loola jeedaa qof kasta ama jiritaan (entity) kasta oo haya masuuliyadda inay maamusho, ayna fuliso barnaamijyada amni ee la xidhiidha waaxda gaadiidka oo ka bilaabma duulista;

Meesha aan lagu sheegin ama lagu qeexin Xeerkan, ama aan ku jirin halbeegyada (Standards), Go'aannada iyo Hawl-qabadka ugu Fiican (SARPS) ee uu soo saaray Ururka Caalimiga ah ee Duulista Madaniga ah (ICAO) ama Qoraalka Hay'adda Duulista Madaniga ah ee Somaliland (SCAP) ama ay muuqato in iska hor-imaad ku jiro qeexidda, waxaa la raacayaa erey-bixinta uu soo saarey Ururka Caalimiga ah ee Duulista Madaniga ah (ICAO). Erey kasta oo kale waxa uu yeelanayaa micnaha ku qeexan Lifaagyada

Mucaahadada [ama Heshiiska Caalimiga ah] Chicago 1944 iyo wax ka bedelkiisii.

QAYBTA 2AAD
ISTIRAAJIYADDA IYO SIYAASADDA DUULISTA HAWADA

Qodobka 2aad
Istiraajiyadda iyo Siyaasadda Duulista Hawada

1. Wasiirku, isaga oo uga wakiil ah Madaxwaynaha JSL, wuxuu leeyahay masuuliyadda samaynta siyaasado iyo istiraajiyado lagu hagayo, laguna horumarinayo duulista hawada Jamhuuriyadda Somaliland, iyo kuwo lagu kobcinayo siyaasado dhaqaale oo wanaagsan oo keena in gaadiidka hawada (air carriers) iyo kuwa kale ee bixiya adeegyada hawada iyo adeegyada wada jira ay bixiyaan adeegyo waxtar leh oo badqaba, islamarkaana keena in si balaadhan loogu heli karo gaadiidka cirka hanaan waara. Sidoo kalena wuxuu u igman yahay inuu xaqiijiyo in Jamhuuriyada Somaliland ay ka soo baxdo, fulisona waajibbaadka ay saaraan heshiisyada caalamiga ah.

2. Isticmaalka hawada sare ee Somaliland (Somaliland air space) waa inuu u furnaadaa dhamaan diyaaradaha ka diiwaangashan Somaliland, iyada oo ay shardi tahay in isticmaalkaasi uu waafaqo dhamaan shuruudaha iyo/ama xadidaadda dhaqangal ka ah ee loo sameeyay si waafaqsan sharcigan ama sharci kale ama xeer-nidaamiye. Diyaaradaha ajnebiga ah waxa loo ogolaan karaa oo keliya inay isticmaalaan hawada ilaa xadka isticmaalkaas uu ogolaad yahay:

b) Heshiis caalami ah oo qabanaya Somaliland ama heshiis caalami ah oo ay Somaliland ogolaatay inuu qabto

t) Go'aan ay soo saartay Hayadda lagu aasaasay xeerkan iyo/ama go'aan uu soo saaray Wasiirku.

3. Isaga oo raacaya Xeerka, Wasiirku waa inuu xaqiijiyaa inuu ku daro mudnaanta kowaad ilaalinta badqabka iyo amniga ganacsiga hawada iyo horumarinta danta guud, isaga oo: -

b) Tilmaamaya helidda adeegyo kala duwan oo ku filan, dhaqaale leh, waxtar leh, islamarkaana qiimo macquula ah iyada oo aanay jirin takoor ama dhaqamo an xaq ahayn ama khiyaamo ah;

t) Inuu la yimaado hogaamin, guud ahaan ganacsiga duulista hawada ee Somaliland gudeheeda, mushahar iyo xaalado shaqo oo xaq ah

j) Hogaaminta horumarinta iyo sii joogtaynta hanaan gaadiidka cirka ah oo ku tiirsan lana jaanqadaya tartanka jira ama ka iman kara xoogagga suuqa, islamarkaana bixiya adeegyadda ganacsiga hawada ee loo baahan yahay; islamarkaana ogolaanaya gaadiid cir oo waxtar leh, wax ikhtiraacaya (innovative), tartan geli kara, si wanaagsanna loo maamulay si loo helo faa'iido wanaagsan loona soo jiito raasamaal.

x) Kobcinta hanaan nidaamin oo wanaagsan oo cad oo ka jawaabi kara baahidda dadwaynaha.

Kh) Hogaaminta iyo korjoogtaynta (supervising) horumarinta shabakadda gaadiidka cirka Somaliland oo dhaqaale ahaan shaqayn kara (economically viable) oo kobciya horumarka dhaqaale ee gudaha iyo midka heer gobolba.

d) Ka shaqaynta sidii looga hortegi lahaa dhaqamada aan xaq ahayn, khiyaamada ah, ama ka soo horjeedda tartanka ee ay sameeyaan gaadiidka

cirka ee gudaha iyo ka shisheeyaha ahba

r) U soo bandhigidda fursadaha cusub ee suuqa gaadiidka cirka (air carriers) ee cusub iyo ka hore u jirayba si loo kobciyo suuq diyaaradeed waxtar badan islamarkaana lagu tartami karo iyo in la tashiga laga qeyb-galiyo diyaaradaha gudaha laga leeyahay (local carriers).

s) Diyaarinta iyo soo bandhigidda in qaybta gaarka loo leeyahay (private sector) ay ka qaybgasho garoomada diyaaradaha iyo tas-hiiladka mushaaxidda hawada si loogu helo maalgelin, loona horumaryo tayada, waxtarnimada iyada oo looga dan leeyahay in la dhiirigeliyo tartanka.

Sh) Hogaaminta, horumarinta iyo is-dhexgelinta adeegyada gaadiidka, taas oo ay ku jirto heshiisyada iyo tas-hiilaadka ganacsi ee kordhinaya waxtarnimada iyo haboonaanta (convenience) lana yareeyo qarashka ka baxaya macaamiisha iyada oo meel la isugu keenayo adeegyada gaadiidka iyada oo aan nidaamkani waxba ka badaleyn heshiisyadi hore ee jirey.

Dh) Siinta tilmaamo Hay'adda iyo qaybaha kale ee dawladda si loo xaqiijiyo horumarka iyo maaraynta duulista oo waafaqsan heerarka iyo talooyinka caalamiga ah ee duulista madanig ah ee ay soo saarto UCDM iyo laamaha kale ee la aqoonsan yahay.

q) Korjoogtaynta iyo kormeeridda horumarka iyo hawlgudashada Hay'adda si ay u buuxiso shuruudaha sharcigani uga baahan yahay, iyo waafaqidda heerarka caalamiga ah iyo samaynta siyaasado si loo aasaaso hanaan duuliseed oo dhaqaale ahaan xoog ah.

QAYBTA 3AAD

HAY'ADDA DUULISTA MADANIGA EE SOMALILAND

Qodobka 3aad

Aasaasidda Hay'adda Duulista Madaniga ah ee Somaliland

1. Waxa halkan lagu aasaasay Hay'adda Duulista Madaniga ah Somaliland (Somaliland Civil Aviation Authority) taas oo ah mid madaxbanaan oo nidaaminaysa duulista hawada.

2. Hay'addu: -

(b) Waxay leedahay shaqsiyad qaanuuni ahiyo shaambad guud (common seal).

(t) Wax bay dacwayn kartaa wana la dacwayn karaa.

(j) Waxay yeelan kartaa, kaydsan kartaa, isticmaali kartaa hanti ha noqoto mid guurto ah iyo mid maguurto ahba.

(x) Waxay samayn kartaa xeer-nidaamiyayaal, ganaaxyo maamul (administrative fees), iyo ciqaabo ka dib marka uu Wasiirku Ansixiyo.

Kh) Waxay leedahay masuuliyadda maamulidda, gacan ku haynta iyo xukumidda duulista hawada dalka

(d) Hay'addu waxay hoos imanaysaa Wasaaradda Duulista iyo Gaadiidka Cirka oo uga wakiil ah dawladda sida ku cad xeerkan.

3. Hay'addu waa inay u shaqaysaa danta guud, ayna isticmaashaa awoodaha ku xusan xeerkan, gudataana xilka uu xeerkan saaray. Laan kale oo dawladeed ama masuul kale ma saamayn karo, kamana siin karo tilmaamo ama talo xubin ka tirsan Boodhka, Agaasimaha Guud ama shaqaale ama la-taliye (consultant) ka tirsan Hay'adda arin la

xidhiidha go'aan ama talaabo hawl ama maamul weli taagan ama dhamaaday, marka laga reebo:

- (b) Marka si qeexan oo cad loogu sheegay xeerkan, ama
- (t) Marka ay si cad daruuri ugu noqoto in laantaas kale ama masuulkaasi uu si haboon u gudanayo waajib uu u xilsaaray jago rasmi ah oo uu hayo ama sharci dhaqangal ka ah Somaliland.
- (j) Marka Wasiirku isaga oo gudanaya awoodaha uu siiyay xeerku uu samaynayo korjoogtayn, uuna siinayo tilmaamo Hay'adda.

QAYBTA 4AAD **BOODHKA HAY'ADDA**

Qodobka 4aad **Xubinimada Boodhka**

1. Hay'addu waa inay yeelataa Boodh ka kooban 5 xubnood oo laga soo xulayo Shirkadaha Diyaaradaha iyo adeegayaasha Madaarada (local stakeholders) Agaasimaha Guud waa xubin aan cod lahayn oo ka tirsan Boodhka.
2. Xubnaha Boodhka, oo u shaqaynaya si aan joogto ahayn (partime basis), waxa soo magacaabaya Madaxwaynaha marka uu helo talo-soo jeedinta Wasiirka.
3. Xubnaha Boodhka oo uu ku jiro Agaasimaha Guud waa inay noqdaan dad leh akhlaaq wanaagsan iyo hufnaan xirfadeed, islamarkaana waa inay noqdaan dad u leh aqoon khibradeed oo loo aqoonsan yahay, iyo waayo aragnimo mid ama in ka badan waxyaabahan soo socda:
 - b. Injineeriyadda Diyaradaha (Aeronautical Engineering)
 - t. Sharciga Duulista (Aviation Law)
 - j. Maaraynta Gaadiidka Cirka (Air Transport Management)
 - x. Injineeriyadda Garoomada diyaaradaha (Aerodrome Engineering),
 - Kh. Duulinta Diyaaradda (Aircraft Piloting)
 - d. Is-gaadhsiinta (Telecommunications).
 - r. Maaraynta Sare ee Duulista (Senior Aviation management)
 - s. Maaliyadda ama/iyo sharciga.

Qodobka 5aad **Mudada Xilka iyo Waayidda Xafiiska**

1. Marka laga reebo Agaasimaha Guud, iyo laba xubnood oo ka tirsan Boodhka u horeeya, xubnaha Boodhku waa inay caadiyan hayaan xafiiska mudo shan sano ah (5) iyo xaaladihii kale ee lagu tilmaamo waraaqda magacaabista, si shaqadu u socoto, loogana hortago in dhamaan xubnaha marka u horaysa la magacaabo in waqtigu isla hal mar ka dhaco.
2. Xubnaha Boodhka oo aanu ku jirin Agaasimaha Guud waxa dib loo magacaabi karaa hal mar oo kale oo sadex sano ah keliya, iyada oo ay shardi tahay in xiliga u horeeya ee laba xubnood oo ka tirsan Boodhka u horeeya ay ahayd in ka yar sadex sano inaan loogu tirinayn hal xili ahaan

3. Iyada oo aan waxba loo dhimayn farqadaha qodobkan, xubin Boodh way luminaysaa xilka hadii:

- (b) Ay kacdo ama maaaliyad ahaan musalafto.
- (t) Si kama danbays ah loogu helo dembi.
- (j) Ay waalato ama gudan kari waydo xilkeeda.
- (x) Lagu helo habdhaqan xun oo la xidhiidha waajibaadkeeda.
- (kh) Qofka leh aqoon xirfadeed oo gaar ah, ay ka qaado ama ka xanibto inay ku shaqaysato xirfaddaas cid awood u lihi.
- (d) Ay ku guuldaraysato inay ka soo qayb gasho laba shir oo boodhku leeyahay oo isku xiga iyada oo aan ka haysan ogolaansho qoran Gudoomiyaha.
- (r) Ay iscasisho una gudbiso Madaxwaynaha.

4. Xubin ka tirsan Boodhka, oo aan ahayn Agaasimaha Guud, waxa ka qadi kara xilka Madaxwaynaha, marka uu helo talo soo jeedinta Wasiirka, hadii Madaxwaynuhu ku qanco, kuna goaan gaadho in aanay ahayn danta Hay'adda ama Dadwayanaha in xubintu sii hayso xilka.

5. Hadii xubin Boodhka ka tirsani lumiso xilka wax kasta sababtu ha noqotee inta ka horaysa waqtigii ay ka dhamaan lahayd mudadu, qof kale oo u qalma ayaa loo magacaabayaa inta ka hadhsan mudada. Xubinta cusub dib waa loo magacaabi karaa mudo Shan (5) Sano ah marka mudadu ka dhamaato iyada oo la raacayo farqadda sadexaad ee qodobkan, hadii mudada hore ee uu xilka hayey ay tahay laba sano ama wax ka yar markaas loogu tirin maayo mudo xiliyeed (term) ahaan.

Qodobka 6aad **Gunooyinka iyo Qarashaadka Xubnaha**

Xubnaha Boodhku waxay dejinayaan iyaga oo raacaya talada Agaasimaha Guud iyo ansxinta Wasiirka, siyaasadda la xidhiidha qarashaadka adeegyada xubnaha Boodhka, Gunnooyinkaasi waa in laga bixiyaa dakhliga Hay'adda.

Qodokba 7aad **Xilka Boodhka (Functions of the Board).**

1. Boodhku waa:

- (b) Inay kala taliyaan Wasiirka dhamaan xaaladaha shaqo ee Hay'addu u xilsaaran tahay taas oo ay ku jiraan mushaharka iyo gunooyinka shaqaalaha Hay'adda;
- (t) Inay ka helaan dibna u egaan warbixinaha maamulka Hay'adda ayna u gudbiyaan Madaxwaynaha, iyaga oo sii marsiinaya Wasiirka sanadkiiba hal mar. Warbixintu waa inay ka hadashaa waxqabadka Hay'adda ee inta lagu jiro xilli sanadeedka, waana inay la socotaa nuqul xisaab xidhka hanti dhawrka ee xisaabta Hay'adda ee sanadkaas;
- (j) Inay sanad walba u gudbiyaan Wasiirka si uu u ansixiyo miisaaniyadda sanadka soo socda;
- (x) Inay sameeyaan habraac ay ku qabsadaan shirar gudi hoosaadyadu
- (kh) Inaanay lahaan awood fulineed, ama maamul
- (d) In ay bixiyaan toosin iyo talooyin khibradeed oo salka ku haya hindisayaal wax-qabad iyo qorshayaal lagu horumarinayo hawada ama madaarada dalka
- (r) Inay dib u eegaan si xiliyaysan masuuliyadka Boodhka ayna sameeyaan talo soo

jeedino wax-ka bedel, hadii loo baahdo, Agaasimuhuna u gudbiyo Wasiirka si uu ansxiyo;

(s) Inay iska dhexdoortaan xubnaha Boodhka oo aanu ku jirin Agaasimuhu, Gudoomiye, ayna dejiyaan hanaan ay ku qabsadaan kulanadooda.

Qodobka 8aad

Dhismaha Boodhka iyo hababka go'aan qaadashada

1. Marka laga reebo Agaasimaha Guud, Gudoomiyaha oo keliya ayaa meteli karra Boodhka. Gudoomiyuhu waa inuu maareeyaa oo habeeyaa shaqada Boodhka.
2. Kulanka Boodhka wuxuu gudoomiyuhu ku qabanaya ugu yaraan sadexdii biloodba hal mar. Kulan lama qaban karo hadii aan la siin dhamaan xubnaha Boodhka ka hor waqtiga kulanka 72 saacadood oo ogaysiis qoran ah. Xubin Boodh waxay xaq u leedahay inay kaga qayb gasho kulanka Boodhka:
 - (b) Inay timaado goobta kulanku ka dhacayo.
 - (t) Inay kaga qayb gasho hab elektorooni oo ay ku jirto telefoon, meesha ay joogto marka uu ogolaado Gudoomiyuhu.
3. Xubin Boodh uma igman karto umana xilsaari karto xuquuqdeeda ka qaybgalka shirka Boodhka iyo codaynta toona qof kale.
4. Boodhku wuxuu ku gaadhayaa goaankiisa cod hal dheeri ah. Kooramka Boodhku waa marka ay joogaan laba xubnood.
5. Gudoomiyaha ayaa gudoominaya shirarka Boodhka. Hadii ay daruuri noqoto in la qabto shirka Boodhka iyada oo uu maqan yahay Gudoomiyuhu waxa Gudoomiyuhu u magacaabaya xubin inay gudoomiso shirka.
6. Boodhku waa inuu diyaariyaa oo samaystaa habraacyadiisa.

QAYBTA 5AAD

SHAQAALAHA HAY'ADDA

Qodobka 9aad

Agaasimaha Guud ee Hay'adda

1. Waxay yeelanaysa Hay'addu Agaasime Guud oo uu magacaabay Madaxwaynuhu kadib marka uu la tashado Wasiirka, wuxuuna uga masuul yahay Wasiirka badqabka, amniga, horumarka dhaqaale ee duulista madaniga ah, baadhitaanada (investigations) iyo fulinta sharcigan, waana:-
 - b) Sarkaalka u sareeya arimaha maamul iyo kuwa xisabeed ee Hay'adda
 - t) Waxa uu masuul ka yahay maamulka maalin laha ah ee Hay'adda
 - j) Waxa la magacaabayaa mudo 5 sano ah. Waxaana dib loo magacaabi karaa hal mar oo danbe oo keliya oo 5 sano ah
 - x) Waa inuu noqda qof buuxiya shuruudahan soo socda:
 - (I) Waa inuu haystaa shahaadada kowaad ee jaamacadda (degree)
 - (II) Waa inuu leeyahay aqoon maamul, idaari iyo aqoon la xidhiidha duulista madaniga ah

- (III) Waa inuu si fiican u yaqaan afka Ingiriisiga
- (IV) Waa inaanu dembi loogu xukumin ciqaab xadhig fal-dembiyeed la xidhiidha khiyaano
- (V) Waa inaanu ku lahayn si toos ah iyo si dadbantoona dan lacageed, maaliyadeed ama dan kale ganacsi ku hawlan ama ka hawlgala duulista hawada
- (VI) Waa inuu yahay qof leh akhlaaq wanaagsan iyo hufnaan shaqo

2. Agaasimaha Guud wuxuu dejinayaa tirada shaqaale isaga oo raacaya siyaasadda shaqaale, oo ay ku jirto mushaharkooda iyo gunooyinkooda ee uu u garto inuu ugu baahan yahay hawlgudasho wanaagsan oo waxtar leh ee xilka Hay'adda si waafaqsan qodobada xeerkan.

3. Agaasimaha Guud waa inuu dejiyaa qaab-dhismeedka maamul ee Hay'adda iyo baahida shaqaale iyada oo Wasiirku ansixinayo.

4. Agaasimaha Guud wuxuu Madaxwaynuhu uu xilka kaga qaadi karaa oo keliya hadii:
- (b) Ay ka muuqato inaanu awood u lahayn inuu si waxtar leh u guto waajibadkiisa xafiiska; ama
 - (t) Uu ku guuldaraysto inuu ka qaybgalo sadex ama in kabadan oo ah shirarka Boodhka laba iyo toban (12) bilood gudohood isaga oo aan ka haysan ogolaansho qoran Gudoomiyaha, hadii aanu soo bandhigin sabab macquul ah oo uu ku maqnaaday; ama
 - (j) Lagu helo oo ay ku cadaato iyada oo la hayo cadaymo lagu qanci karo habdhaqan xun (serious misconduct) oo la xidhiidha xilkiisa Agaasime Guud ahaan; ama
 - (x) Hadii uu yahay qof leh aqoon xirfadeed oo gaar ah ay ka qaado ama ka xanibto inay ku shaqaysato xirfadaas cid awood u lihi; ama
 - (kh) Lagu helo is-khilaaf dan (conflict of interest) ee ku xusan qodobka 10aad ee xeerkan
 - (d) Agaasimaha Guud xilka loogama qaadi karo si aan waafaqsanayn qodobada xeerkan

5. Boodhka wuxu u magacaabi doonaa Hay'adda Xoghayn oo ah qof:

- (b) Khibrad u leh sharciga;
- (t) Fududeynaya xidhiidhka iyo habsami usocodka shirarka Boodhka; diyaarinta, shaambadeynta iyo diiwaangelinta qodobada shirarka Hay'adda kasoo baxa;
- (j) Xoghayntu waxay qaban doontaa hawl-kasta oo kale oo uu Boodhku ama Agaasimaha Guud u igmado.

Qodobka 10aad

Is-diidka ama iskhilaafka danaha (Conflict of Interest)

(1) Wasiirka, xubin Boodhka ka tirsan, Agaasimaha Guud, shaqaalaha Wasaaradda iyo Hay'adda waa inaanay gacanta ku hayn, maamulin ama hawlgelin shirkad ama ganacsi duulista hawada ah oo ka shaqaysa ama ganacsigeeda ka wada Somaliland inta ay xilka hayaan iyada oo aanay u sheegin aanuna ansixin Wasiirku.

(2) Qof kasta oo ka mid ah kuwa lagu sheegay farqadda (1) ee qodobkan ee ku leh dan maaliyadeed shirkad ama ganacsi duulista hawada ah waa inuu si buuxda ugu sheegaa

dantaas cidda soo magacawday.

(3) Qof kasta oo ka mid ah kuwa lagu sheegay farqadda (1) ee qodobkan waxa ka mamnuuc ah inuu ka qayb qaato wax hawl ah ama go'aan ah oo si toos ah ama dadban u saamayn kara danihiisa maaliyadeed ee shirkad ama ganacsi duulista la xidhiidha.

Qodobka 11aad **Hawl-gabka**

(1) Adeegyada loo qabto Hay'adda waa inay noqdaan kuwo la ansxiyay si loogaga helo bisil ama/iyo hawlgab Hay'adda.

(2) Saraakiisha iyo shaqaalaha kale ee Hay'adda waxay xaq u leeyihiin bisil (pensions) si waafaqsan sharciga.

QAYBTA 6AAD **QODOBADA MAALIYADDA (FINANCIAL PROVISIONS)**

Qodobka 12aad **Tikidhada diyaaradda, kirada-gaarka ah (charter) iyo khidmadda iibka rarka** **(Cargo)**

(1) Hay'addu waxay, kadib marka ay la tashato Wasiirka, samaynaysaa qorshe ay ku jaangoynayso qadarka khidmadda ah (charge) ee loo siinayo Hay'adda shaqooyinka ay qabato. Qorshaha aasaasaya qaabdhismeedka ujuurada (fee) waa:

b) In uu tilmaamaa khidmadda la qaadayo iyo xadigga la qaadayo (scale of charges), iyada oo la tixgelinayo kharashka ay Hay'addu ku gudato habsami usocodka hawlaha ay uxil saaran tahay si waafaqsan Mucaahadada Caalamiga ah ee Chicago.

t) In khidmadaha kala duwan lagu saleeyo xaaladaha kala duwan

j) In la qeexo habka, iyo waqtiga qofku ku bixinayo khidmadda la bixinayo.

2. Dhamaan ujuurooyinka (fees) iyo ujuurooyinka cusub waa in la faafiyaa iyada oo la gaadhsiiyayo dhamaan dadka ay khuseyso ee ka shaqeeyo duulista madaniga ah lixdan maalmood ka hor taariikhda dhaqangelinta iyo/ama ururinta ujuurada. Ujuurooyinka cusub ee aan loo samayn habkan waxay noqonayaan kuwo la laalo.

3. Xeer-nidaamiye uu soo saaro Wasiirku ayaa lagu go'aaminayaa khidmadda la siinayo Hay'adda ama inaanay qaadin wax khidmad ah Hay'addu, hadii uu saas sameeyona waa inuu dejiyaa hanaan ay ku jaangoyn karto Hay'addu khidmadda la qaadayo waxaana lagu sheegi karaa:

b) Qadarka khidmadda ee la qaadayo ama inta u badan ama u yar ee la qaadi karo ama cabirka lagu eegayo qaadista khidmadda

t) Habka iyo waqtiga la bixinayo ujuurada iyo cidda bixinaysa.

4. Marka arin la xidhiidha shaqada Hay'adda lagu soo roogo qaadista khidmad si waafaqsan qodobkan, waxa waajib ku ah Hay'adda inay ku qaado khidmadaas si waafaqsan haananka loo dhigay marka laga reebo inay dhaafi karto qayb ama guud ahaan khidamadaas.

5. Looma fasiri karo farqadaha qodobkan in laga qaado Hay'adda awooda ay u leedahay inay gasho heshiisyo lagu qaadayo lacag gaadhsiisan hadba inta lagu heshiiyay iyada oo gudanaysa Hay'addu xilkeeda.

6. Marka Hay'addu diyaariso khidmadaha iyo ujuurooyinka ku xusan Qodobka 13aad Faqradda 1aad, waxa loo gudbinayaa Golaha Wakiilada si uu u ansixiyo.

Qodobka 13aad **Dhaqaalaha Hay'adda**

1. Hay'addu waa inay yeelataa awood ku filan oo ay ku gudato maamulidda lacagaha (clearing house) iyada oo isticmaalay tiknoolijiyadda u danabaysan (electronic technology) oo ku salaysan inay la xidhiidho xubnaha iyo dadka wada hawlaha duulista.

2. Dhaqaalaha ay Hay'addu wax ku maamulayso wuxuu ka soo baxayaa:

b) Inta looga qoondeeyo miisaaniyadda dawladda Somaliland

t) Dhamaan ujuurooyinka iyo dhaqaalaha ay ka hesho adeegyada ay bixiso Hay'addu oo ay ku jirto kuwa ay ka hesho:

(i) Ruqsadda abaabulayaasha safarada hawada ama hawlgeliyayasha safarada (Air Travel Organizer's or Tour Operator's Licence);

(ii) Ruqsadda Gaadiidka Cirka/ogolaanshaha Hawlgelidda diyaarahada ee duulimaadyada aan gancsiga ahayn;

(iii) Shahaadada ka hawlgelidda hawada (Air Operator Certificate);

(iv) Cabirka kalkaalinta mushaaxidda (Calibration of navigational aids) marka ay jirto ;

(v) Ruqsadaha Shaqaalaha (Personnel licences);

(vi) Ogolaanshaha Ururka Dayactirka (Approved Maintenance Organization (AMO) approval);

(vii) Shahaadada iyo diiwaangelinta diyaarad (Aircraft registration and certification);

(viii) Shahadada u qalmidda duulista (Certificate of Airworthiness) soo saaristeeda iyo cusboonaysiinteda;

(ix) Kiraynta hanti, wershed iyo qalab;

(x) Ujuurooyinka baadhitaanka caafimaad (Medical examination fees), markay jirto;

(xi) Wixii laga helo iibka xogta iyo daabacaadaha;

(xii) Ujuurooyinka diiwaangelinta heshiisyada;

(xiii) Ruqsad kasta, shahaado, ogolaansho, heshiis ama kiro loo soo saaray si waafaqsan xeerkan;

(xiv) Diiwaangelinta qoraalada iyo danaha sharci;

(xv) Ruqsadaha Hawlgelinta Garoonada diyaaradeed iyo garoonada helikobtarada;

(xvi) Banaynta Joogga Duulista;

(xvii) Ururada Tababarada Duulista;

(xviii) Diiwaangelinta shirkadaha (Registration of Agencies);

(xix) Qadarka lacagta laga qaado adeegyada mushaaxidda hawada ee hawada Somaliland

j) Dhamaan ganaaxyada laga bixiyo ku xadgudka xeer-nidaamiyayaasha iyo

amarada duulista madaniga ah;

x) Dhamaan wixii loo siiyo Hay'adda hadiyad, deeq, dardaaran, ama taageero ama qaadhaan farsamo ama maaliyadeed oo ay siiyaan ashkaas ama ururo Kh) Caawimada shisheeye;

d) Dhamaan dhaqaalaha laga helo bixinta adeegyo duulista ah, heshiisyo ama wixii kale ee soo gala Hay'adda;

r) Dhamaan Heshiiyadii hore ee jirey sida Ground Handling-ka iyo Adeegayada kale hay'addo madax banaan maamulaan saameyn kuma yeelanyo xeerkan.

Qodobka 14aad **Qarashka Hay'adda**

1. Agaasimaha Guud ee Hay'addu wuxuu ku bixin karaa dhaqaalaha Hay'adda:
 - b. Qarashaadka maamulka iyo hawlaha dayactir ee Hay'adda.
 - t. Baahinta iyo kobcinta waxqabadka Hay'adda.
 - j. Bixinta gunooyinka, qarashaadka iyo wixii kale ee ay mutaystaan Boodhka iyo Gudiyada Boodhka.
 - x. Bixinta mushaharaadka, gunooyinka iyo wixii kale ee ay mutaystaan Shaqaalaha Hay'addu.
 - kh. Bixinta qarashaadka hawlaha muhiimka ah ee soo kordha.
 - d. Qarashaadka kale ee la xidhiidha hawlmaalmeedka Hay'adda.
 - r. Wixii ku jira miisaaniyadda loo ansixiyay Hay'adda.
2. Ogolaanshaha qarashgelidda (spending authorization) ee Agaasimaha Guud waxa dejinaya Wasiirka iyada oo ay tahay in ay gaadhsiisnaato heer ku filan inuu ku guto waajibaadkiisa shaqo.
3. Agaasimaha Guud waa inuu si joogto ah ama marka uu soo codsado u siiyaa warbixin ku saabsan qarashaadka Hay'adda Wasiirka

Qodobka 15aad **Awoodda aqbalidda hadiyado iyo deeqo**

- (1) Hay'addu waxay aqbali kartaa hadiyad dhul, lacag ama hanti kale ah iyada oo la raacayo habka uu dhigo qofka ama ururka bixinaya hadiyadda.
- (2) Hay'addu ma aqbali karto hadiyada hadii shuruudaha uu wato qofka ama ururka bixinaya ay yihiin kuwo aan la socon Karin shaqada Hay'adda

Qodobka 16aad **Awoodda Amaahda iyo Maalgashiga**

1. Iyada oo raacaysa shuruucda dhaqangalka ah, Hay'addu waxay amaahan kartaa lacagta ay ugu baahato gudashada xilkeeda ku xusan xeerkan marka Wasiirku ansixiyo isaga oo kala tashanaya Madaxwaynaha.
2. Hay'addu waxay iyada oo raacaysa qodobada xeerkan iyo shuruudaha hantida la socda maalgashan kartaa dhamaan ama in ka mid ah dhaqaaleheeda iyada oo raacaysa hagayaasha guud ee loo dejiyo.

3. Hay'addu waxay dhaqaaleheedu ku maalgelin kartaa damaanaad (securities) hadii loo arko maslaxad guud.

Qodobka 17aad
Cashuur dhaafka

(1) Hay'adda waa in laga dhaafaa inay bixiso cashuurta hantida ama ta kirada iyo cashuurta macaashal macaaashka.

(2) Shuruucda ku saabsan cashuuraha shirkadaha iyo wakaaladaha waa inaan lagu dabiqin Hay'adda.

Qodobka 18aad
Waajibka Taxadarka Maaliyadeed

(1) Masuuliyadda ilaalintu waxay saaran tahay Agaasimaha Guud oo ay waajib ku tahay inuu u maamulo hawlaha Hay'adda si taxadar leh oo waafaqsan miisaaniyadda si uu u xaqiijiyo in aan Hay'addu noqon mid kacda.

(2) Hay'addu waa inay u dadaashaa sidii ay uga soo kaban lahayd dhamaan qarashaadka ay gasho ayna ka gaadho faa'ido macquul ah raasamaalkeeda iyo maalgashigeeda.

QAYBTA 7AAD
XOGTA, OGAYSIISYADA IWM

Qodobka 19aad
Awoodda Codsashada Xog

1. Dhamaan gaadiidka cirka, gegooyinka diyaaradaha, iyo adeeg bixiyayaasha ka hawlgala duulista Somaliland, waa inay kaydiyaan xogta hawl maalmeedkooda, iyadoo ujeedadu tahay helitaanka xogta loo baahanyahay si siwanaagsana loogu guto xilka uu saaray xeerkani, sarkaal kasta oo awood u leh oo ka tirsan Hay'addu waxa uu isaga oo gaadhsiinaya ogaysiis qoran: -

b) Uga baahan karaa qof kasta oo qabanaya hawl ganacsi oo la xidhiidha gaadiidka cirka taas oo ay ku jirto qaadida rakaabka ama alaabta qaada (carriage of passengers or goods) si uu uga helo abaalmarin (reward), gegooyinka diyaaradaha, iyo adeeg bixiyayaasha ka hawlgala duulista hawada Somaliland inay u dhiibaan warbixin sanadle ah ama sanad badhkii ah ama waqti kale ama warbixin gaar ah ee looga baahan yahay si sharcigan iyo xeer-nidaamiyayaasha kale waafaqsan Hay'adda iyaga oo dhaarsan iyo habka iyo nidaamka Hay'addu dhigto.

t) Inay ka siiyaan jawaabo suaalaha ay u aragto Hay'addu inay ku helay xogta ay u aragto daruuri.

j) Inay nuqul ka siiyaan Hay'adda heshiis kasta, wadashaqayn, ama is-faham dhexmara qaade (carrier) iyo qaade kale ama qof la xidhiidha gaadiid uu saamaynayo xeerkani.

2. Hay'addu waa inay xadidaa qaabka uu yeelanayo diiwaanada (records) ay

kaydinayaan dhamaan gaadiidka cirka (air carriers), gegooyinka diyaaradaha iyo adeeg bixiyayaasha ka hawlgala duulista hawada Somaliland oo ay ku jiraan diwaanka dhaqdhaqaaqa rakaabka (record on the movement of passengers) kuwa gudaha, kuwa debedda (international), kuwa soo degaya, kuwa dhoofaya, halka ay ka soo kicitimaan ugu horayntii iyo halka ay u socdaan (origin and destination), rarkooda (Cargo), hawlgalada diyaaradda, nooc diyaradda la isticmaalay iyo waqtiga la haynayo diiwaanka. Qaadaha, gegida diyaaradda, ama adeeg bixiyaha waxay hayn karaan diiwaano dheeraad ah hadii aan diiwaanadaa dheeraadka ahi aanay xumaynayn saxnaanshaha diiwaanada ay tilmaantay islamarkaana ansixisay Hay'addu.

3. Gadiidka cirka (air carriers), gegida diyaaradda iyo dhamaan adeeg bixiyaaashu waa inay hayaan diwaan dhamaystiran oo ah hawlaha ay qabtaan, qiimaha, shuruucdooda hoose, noocyada iyo shuruudaha qaadista adeegga ilaa xiliga ay xadido Hay'addu, waana in ay ka dhigta diwaanadeeda kuwo la heli karo marka ay u codsato Hay'addu ujeedada ah inay hubiso in la waafaqay shuruudaha sharcigani dhigay.

4. Isaga oo gudanaya xilka saaran Hay'adda, sarkaal loo awoodsiya oo ka tirsan Hay'addu waa in uu si aan la ishortaagin u geli karaa:

- b) Goobta ganacsi, diyaarad, qaabdhismeed ama qalabka (structure or equipment) gaadiidka cirka, gegi diyaaradeed ama adeeg bixiye loo isticmaalo ujeedo la xidhiidha gaadiidka hawada (air transport) ama hawl la xidhiidha,
- t) Diiwaanada la kaydiyay ama looga baahan yahay inay kaydiyaan gaadiidka cirka (air carrier), gegi diyaaraeed ama adeeg bixiye.

5. Qodobkan gudihiisa sarkaal loo awood siiyay waxa looga jeedaa Agaasimaha Guud ama sarkaal kale oo ka tirsan Hay'adda oo si guud ama si gaar ah uu ugu awood siiyay Agaasimaha Guud inuu qabto shaqada Hay'adda ee xeerkan ku xusan.

Qodobka 20aad **Xadidaadda Shaacinta Xog (Restriction on disclosure of Information)**

1. Wax qiyaas ah (estimate), faa'iido ama xog la xidhiidha ganacsiga (undertaking) gaadiidka cirka (air transport) oo lagu helay sida uu dhigayo qodobka hore ee xeerkan, lama shaacin karo hadii aan marka hore laga helin ogolaansho qoran qofka qabanaya ganacsiga laga hayo qiyaasta, faa'iidadada ama xogta, marka laga reebo:-

- b) Markay waafaqsan tahay tilmaamo ay bixisay Hay'addu iyada oo ujeedadu tahay inay isticmaasho ama fuliso xil ku dhigan xeerkan;
- t) Ay ujeedadu tahay gar-dhegaysi loo qaadayo si wafaqsan xeerkan.

2. Hadii qof shaaciyo ama kashifo qiyaas, faa'ido ama wax xog ah si ka soo horjeedda farqadda (1) ee qodobkan, waxa uu gelayaa dembi waana in lagu ciqaabaa xadhig aan ka badnayn 6 bilood ama ganaax dhan 1,000,000 (hal milyan) ama labadaba.

Qodobka 21aad **Diidmada Bixinta Xog**

1. Qofku wuu diidi karaa in uu si furan u shaaciyo xog (public disclosure of information):

- b) ku jirta diwaan loo kaydiyay si waafaqsan xeerkan,

t) tama ay u heshay Hay'addu si waafaqsan Xeerkan

2. Diidmada waa in lagu sameeyaa qoraal waana in lagu sheegaa sababta diidmada. Hay'addu waa inay amartaa in aan si furan loo shaacin xog marka Hay'addu go'aansato in shaacinta xogtaas ay:

b) Khatar gelinayso in Somaliland u diyaar garawdo, una bandhigto meeqaamkeeda wadahal caalami ah ama is-kaashi,

t) Ku yeelanayso saamayn xun meeqaamka tartan ee gaadiidka cirka (air carrier) ee gaadiidka gudaha ah ama mid debedeed.

Qodobka 22aad **Gaadhsiinta Ogaysiisyada**

1. Ogaysiis kasta oo uu ogolaaday sharcigani in la gadhsiiyo qof waxa lagu geyn karaa:

b) In qof ka gacanta laga saaro ama wakiilkiisa ama qofka u shaqeeya.

t) In la geeyo cinwaanka saxda ah ee qofka.

j) In la geeyo xafiiska rasmiyan ugu diiwaangashan qofka iyada oo loo marinay boostada ama qaade.

2. Ogaysiis kasta oo la gaadhsiinayo cid shaqsiyad qaanuuni ah leh waxa laga soo qaadayaa in si sax ah loo gaadhsiiyay hadii la gadhsiiyo Agaasimaha Guud ama xoghayaha cidda shaqsiyadda qaanuuneed leh.

3. Qodobkan gudihiisa, cinwaanka saxda ah ee qof la gadhsiinayo ogaysiis waa:

b) Marka ay tahay cid leh shaqsiyad qaanuuni, xafiiska lagu diiwangeliyay ama xafiiska kowaad.

t) Xaaladaha kale, cinwaankii u danbeeyey ee lagu ogaa qofka.

Qodobka 23aad **Gaadhsiinta Dhukumentiyada**

Ogaysiis, yeedhmo ama qoraal kale oo xeerkani ogolaaday in la soo gaadhsiiyo Hay'adda waa in la soo gaadhsiiyaa xafiiska Agaasimaha Guud ee Hay'adda oo ku yaal xafiiska guud (headquarters) ee Hay'adda.

Qodobka 24aad **Amarada**

(1) Marka laga reebo xaaladaha degdega ah (emergency situation) dhamaan awaamiirta iyo xeer- nidaamiyayaasha Hay'adda waxay ku dhaqangelayaan mudo macquulaha gudeheeda taas oo Hay'addu ay tilmamayso, waxayna sii ahaanayaan dhaqangal ilaa inta laga soo saarayo amar ama xeer-nidaamiye cusub ama ilaa waqtiga lagu sheegay amarka ama xeer- nidaamiyaha.

(2) Mar kasta oo ay u aragto Hay'addu inay jirto xaalad degdeg ah oo u baahan ficil degdeg ah taas oo la xidhiidha badqabka duulista madaniga ah, Hay'addu waxay awood u leedahay, marka ay hesho cabasho ama iyaduba bilawdo cabasho la'aan, hadii Hay'addu sidaas amarto, iyada oo an wax jawaab ah ama nooc kasta oo dhegaysi ah ka qaadin cidda ay khusayso, ay bixiso ama aanay bixin ogaysiis, samayso dhegaysi ama

aanay samayn, kaydin warbixin, inay qaado amaro ama goaamo cadaalad ah oo macquul ah kuwaas oo daruuri u ah danta badqabka duulista madaniga ah si ay u wajahdo xaaladaas degdega ah; iyada oo ay shardi tahay Hay'addu inay kadib si dhaqso ah u bilawdo dhegaysi la xidhiidha arinka laga soo saaray amarka ama go'aanka.

(3) Agaasimaha Guud wuxuu awood u leeyahay inuu hakiyo (suspend) ama wax ka bedelo amarka isaga oo u samaynaya ogaysiis hanaanka Hay'addu u aragto inay ku haboon yihiin.

QAYBTA 8AAD **QODOBADA QUBANAHA AH**

Qodobka 25aad **Aagga Ilaashan ee Garoon-diyaradeed**

1. Hay'addu waxay go'aamin kartaa in gegidiyaradeed u baahan tahay aag ilaashan oo ku wareegsan. Hay'addu waxay samayn kartaa go'aankaas:
 - b) Iyada oo eegaysa xaddiga dhaqdhaqaaqa gegida (scale of traffic of the airport).
 - t) Inay xaqiijiso badqabka iyo amniga gegida diyaaradda iyo marinka cir mushaaxidda (air navigation) iyo ujeedo aag furan (free zone) oo duulista hawadu leedahay.
 - j) Duruufaha gaarka ah ee gegidaas diyaaradeed ee keenta welwel dan guud.
2. Hadii Hay'addu go'aamiso in gegi diyaaradeed u baahan tahay aag ilaashan, Hay'addu waa inay samaysaa inta aan loo soo dhaafi Karin aagaas ilaashan, waxayna u leedahay awood inay ku soo rogto xanibaado:
 - b) Dadka geli kara aagaas ilaashan.
 - t) Shaqada (activities) oo ay ku jirto dhismaha laga qaban karo aagaas.
3. Marka la aasaaso xadka aan loo soo dhaafi Karin aagga ilaashan, Hay'addu waa inay xaqiijisaa in xadkaasi uu ku filan yahay amniga gegida diyaaradaha.
4. Waa in laga hortagaa in la soo farogeliyo adeega mushaaxa diyaaradaha (aeronautical navigation services). Caqabadaha duulista (aviation obstacles) sida dhismayaasha, dhirta, xadhkaha, qoryaha dhaadheer, biyo-xidheenada iyo wixii la mid ah waa in sidoo kale laga mamnuuca aagga ilaashan.

Qodobka 26aad **Awoodda yeelashada dhul**

1. Hay'addu, iyada oo raacaysa xeerarka dhulka magaalooyinka iyo dhulka kaleba maamula, waxay yeelan kartaa dhul ay u isticmaasho inay gudato xilka xeerkani saaray.
2. Hadii ay ka soo wajahdo Hay'adda wax caqabad ah oo ku saabsan yeelashada dhul xeer (taas oo ay ku jirto in la isku fahmi waayo xadiga lacagta laga bixinay yeelashada), Hay'addu waxay codsi u gudbin kartaa Wasiirka si uu u sameeyo talaabooyinka ku cad farqadda (3) ee Xeerkan
3. Wasiirku marka uu helo codsiga Hay'adda uuna sameeyo baadhitaanka uu arko

inuu u baahan yahay, wuxuu ka codsan karaa Madaxwaynaha inuu ku dhawaaqo in dhulkaas dan guud awgeed loogu wareejiyo Hay'adda. Marka ay tahay dhul magaalada ah, hadii ay Wasiirka ugu muuqato inay haboon tahay, wuxuu la xidhiidhi karaa duqa degmada dhulku ku yaal si uu ugu wareejiyo dhulkaas dan guud ahaan.

4. Marka dhul loogu dhawaaqo si waafaqsan farqadda (3) ee qodobkan, dhulka dhawaaqaasi la xidhiidhaa wuxuu noqonayaa dhul dan guud oo qaranku leeyahay sida ku cad qodobka 1(3) ee Xeerka Maamulka Dhulka (Xeer Lr. 17/2001) ama qodobka 8 ee Xeerka Lahaanshaha Dhulka Beeraha ah (Xeer Lr. 8/99) iyo qodobka 31 ee dastuurka Somaliland, Hay'adduna sidaas ayay ku yeelanay dhulkaas.

5. Hadii dhawaaqa loo sameeyey si waafaqsan farqadda (3) ee qodobkan oo la xidhiidha dhul:

- b) Dhulkiina loo yeeshay si waafaqsan farqadda (4) ee qodobkan; ama
- t) Duqa degmada dhulku ku yaal uu ku qanco in aanu jirin wax xaq ah oo ku dhegan dhulkaas; duqa wuxuu u gacan gelinayaa dhulka Hay'adda isaga oo soo saaraya shahaadada lahaanshaha dhulka isaga oo ku soo saaraya magaca Hay'adda.

6. Hadii uu jiro magdhowga loo si waafaqsan xeerka dhulka iyo qodobka 31(2) ee dastuurka marka lala noqonayo xuquuq dhulka la socotay, marka ay jirto, waa in marka hore ay bixisa dawladda Somaliland, balse Hay'addu waa inay dib u siisaa dawladda magdhowga ay bixisay iyo dhamaan qarashaadka la socda ee dawladu gashay.

7. Naqshadayn dhulka ku xusan farqadda (2) ee qodobkan:

- b) Oo ay ku jirto cabirka xuduudaha dhulka,
- t) Muujinaya jihooyina iyo caalamado lagu garan karo,
- j) Oo uu saxeexay qof aqoon u leh sahaminta (survey) dhulka iyo Agaasimaha Guud ayaa ku filan inuu tilmaamo dhulka.

Qodobka 27aad

Xadidaadda fulinta ka dhanka ah hanti Hay'addu leedahay

(1) Wax dacwad ah oo ka dhan ah Hay'adda, fulin ama xayiraad ama nooc kasta oo kale, marka laga reebo xayiraadaha ay u soo saartay maxkamad si waafaqsan Xeerka Habka Madaniga, laguma soo saari karo Hay'adda.

(2) Wixii lacag ah ee xukun maxkamadeed ku soo saaray Hay'adda, waa in iyada oo la raacayo tilmaamaha maxkamadda awoodda u lihi soo saartay laga bixiyaa dhaqaalaha Hay'adda.

Qodobka 28aad

Ka-damaanad qaadidda Saraakiisha (Indemnification of Officers)

Xubin ka tirsan Boodhka, Agaasimaha Guud ama shaqaalaha Hay'adda waa inay uga damaanad qaadda Hay'addu wixii dacwad madani ah ee lagu soo oogo taas oo ka dhalatay isaga oo gudanaya xilkiisa ama isticmaalaya awoodaha ay leedahay Hay'addu ee xeeran ama xeer kale siiyay.

QAYBTA 9AAD

BAADHITAANKA IYO FULINTA

Qodobka 29aad

Awoodda baadhitaanka, soo rogidda ganaax iyo fulinta

(1) Hay'addu waxay awood u leedahay inay ka samayso baadhitaano iyo latashi dadwayne cabashooyinka iyo/ama dhacdooyinka, marka laga reebo shilalka iyo dhacdooyinka culculus, kadib marka si sax ah loo ogaysiiyo qofka ama dadka ay khusayso.

(2) Hadii Hay'addu ay ku qanacdo baadhitaankaas iyo wadatashigaas kadib in qofkaasi ama dadkaasi ay ku xadgudbeen qodob ka mid ah xeerka, xeer-nidaamiye ama amar, hadba say tahay, waxay soo rogi kartaa ganaax maamul (administrative fees), waxayna, iyada oo soo saaray amar, ka dalbi kartaa qofka ama dadkaas inay sameeyaan talaabooyinka waafaqsan xeerkan, xeer-nidaamiyaha ama amarka ee ula muuqda Hay'adda inay daruuri u yihiin in aan lagu sii xadgudbin xeerkan, xeer – nidaamiye ama amar.

(3) Hay'addu waxay awood u leedahay inay qaado dhamaan talaabooyinka daruuriga ah, oo ay ku jiraan awooda inay soo dejiyaandiyarad iyo inay xidhaan goob (premises) adeeg bixiye gaadiidka cirka ah ama bixiye adeegyada duulista isku dhafan, si loo xaqiijiyo in la waafaqay qodobada xeerkan, xeer-nidaamiye ama amar loo soo saaray si waafaqsan xeerkan.

Qodobka 30aad

Tilmaamaha Wasiirka

1. Wasiirku wuxuu korjoogtanayaa hawlaha Hay'adda Duulista Madaniga ah. Wasiirku wuxuu u igmanaya masuuliyadda hagidda hawlaha Hay'adda Agaasimaha Guud wuxuuna ku siinayaa tilmaamo iyada oo aan ka horimanayn qodobada xeerkan Hay'adda arimaha siyasadda:-

(b) Ee danta amniga qaranka,

(t) Ee la xidhiidha wax kasta oo ula muuqda wasiirka inay saamayn ku yeelanayso xidhiidhka Somaliland iyo wadan shisheeye ah,

(j) Si loo guto ama loo fudaydiyo gudashada waajibaad saaran Somaliland taas oo ay keentay ka mid ahaanshaha ay Somaliland ka mid tahay urur caalami ah ama ay dhinac ka tahay heshiis caalami ah.

(x) In la gaadho ama la fudaydiyo gaadhidda ujeedo kasta oo kale oo ula muuqata Wasiirka inay haboon tahay isaga oo ka duulaya ka mid ahaanshaha ay Somaliland ka mid tahay urur caalami ah ama dhinac ka tahay heshiis caalami ah

(kh) Inu amro in ay Somaliland ka mid noqoto xubin urur caalami ah ama dhinac ka noqoto heshiis caalami ah

2. Hay'adda marka ay gudanayso xilkeeda iyo awoodeheeda waxa hagaya tilmaamaha Wasiirka.

3. Hay'addu waa inay siisaa Wasiirka xogta una fudaydisaa helidda xogta la xidhiidha hawlaha (activities) Hay'adda marka Wasiirku ka dalbo.

4. Wasiirka ayaa ka masuul ah heshiisyada caalamiga ah ee lala gelayo dawladaha shisheeye.

Qodobka 31aad **Baadhitaanka Shilalka**

1. Hay'addu waa inay u samaysaa xeer-nidaamiye iyo habraacyo baadhista shilalka ama dhacdooyinka duulista, kuwaas oo waafaqsan heererka caalamiga ah.

2. Agaasimaha Guud waa inuu ku sameeyaa dib-u-eegis qodobkan si uu uga go'aan gaadho suuragalnimada in la abuuru laan dawladeed oo gaar ah, oo ka madaxbanaan Hay'adda oo u qaabilsan baadhista shilalka. Laantaas dawladeed waa in la sameeyo mudo aan ka badnayn sadex sano gudohood laga bilaabo marka la meel mariyo xeerkan. Wasiirka ayaa leh ansixinta abuuridda laanta cusub.

3. Agaasimaha Guud waa inuu sameeyaa ama heshiis kula galaa cid kale baadhista shilalka iyo dhacdooyinka la xidhiidhada diyaarad madani ah ee ka dhaca Somaliland ama biyo xeebeedkeeda ama diyaarad madani ah oo ka diiwaangashan Somaliland oo shilku kaga dhacay meel ka baxsan dalka debediisa iyada oo ujeedadu tahay ka go'aan gaadhidda xaqaa'iq, waxyaabaha sababa iyo duruufaha la xidhiidha.

4. Kaga qayb-qaadashada baadhitaan shil/dhacdo diyaarad ka diiwaan gashan Somaliland dhulka dal kale waa inay waafaqsanaataa mucaahado, heshiis ama is- fahan kale oo ka dhexeeya Somaliland iyo dalka shilku ka dhacay.

5. Marka baadhitaanka la samaynayo, qofka/laanta samaynaysa baadhitaanka ama qofka ka masuulka ah samaynta baadhitaanku waa inuu madaxbanaanadaa, una yeeshaa awood buuxda inuu baadho isticmaalona awoodaha xeerkani sheegay.

6. Natiijooyinka iyo warbixinaha shilka ama dhacdada waa in loo gudbiyaa Wasiirka, Madaxwaynaha iyo Hay'addana la siiyaa nuqul.

7. Hay'addu waa inay u qaadataa si dhab ah natiijada ama kala duwanaanshaha ka soo baxa baadhista, Agaasimaha Guud na waa inuu qaadaa xeer- nidaamiyayaal ama/iyo talaabooyin sixid ah oo ku salaysan natiijooyinka ama sida uu amro Wasiirku.

8. Ka hor intaan la samayn laan cusub, dhaqaalaha lagu samaynayo baadhista waxaa ka masuul ah dawladda Somaliland iyo Hay'adda.

9. Hay'addu waa inay qaadataa go'aano iyo xeer- nidaamiyayaal waafaqsan heerarka iyo talo-bixinta hab dhaqan ee UCDM iyo mucaahadada Chicago si loo xadido shilalka korna loogu qaado badqabka.

10. Shilalka la xidhiidha diyaaradaha ciidan (military) ee ku dhaca hanti ciidan gudaha iyo xuduudaha goob ciidan waxa badhistooda iska leh ciidanka. Badqabka awgeed, warbixinaha natiijooyinka ka dhashay baadhisahaas ee ay soo dhamaystiran ciidanku waxa la siinayaa Agasimaha Guud. Shillka dayuurad ciidan ee ka dhaca debedda xarun ama goob ciidan waa inay si wada jir ah u baadhaan Hay'adda iyo ciidanku.

11. Warbixinaha lagu sameeyay si waafaqasan qodobkan waa kuwo loogu gol leeyahay in lagu qaado talaabooyin sixid oo lagu xaqiijinayo badqabka duulista sidaas darteed qayb ka mid ah warbixinta ama warbixinaha waxa loo isticmaali karaa ama loo soo bandhigi karaa cadayn ahaa dacwad ama sheegasho qasaare ka dhalatay wax kasta oo lagu sheegay warbixinta/warbixinaha.

QAYBTA 10AAD
AWOODDA HAY'ADDA EE NIDAAMINTA DUULISTA
MADANIGA AH

Qodobka 32aad
Awoodda nidaaminta mushaaxidda hawada

1. Hay'addu waxay samaynaysaa iyada oo soo saaraysa xeer-nidaamiye qodobada looga baahan yahay: -

b) In la fuliyo Mucaahadada Caalamiga ah ee Duulista Madaniga ah ee lagu galay Chigago 7 December 1944 iyo lifaaqyadeeda kuwaas oo la xidhiidha heerarka caalamiga ah iyo talooyinka hab dhaqan ee loo sameeyey is waafaqsan Mucaahada iyo wax kabadelkeeda.

t) Inay fuliso mucaahado ama heshiis kale oo la xidhiidha duulista madaniga ah kuwaas oo Jamhuuriyadda Somaliland ay qayb ka tahay ama ay qabanayaan qodobadiisu.

j) Guud ahaan maamulidda mushaaxidda hawada.

2. Iyada oo aan waxba loo dhimayn guud ahaanshaha farqadda (1) ee qodobkan, awoodahaha halkan lagu bixiyay waxa ku jira, iyada oo aan intaas ku eekayn, awoodda samaynta xeer-nidaamiyayaal: -

b) Ka diwaan-gelinta diyaarad Somaliland.

t) Ka mamnuucidda diyarad inay duusho iyada oo aan haysan Shahaadada u qalmidda (certificate of airworthiness) oo ku soo baxday ama loo ansixiyay si waafaqsan xeernidaamiye dhaqan gal ah taas oo la xidhiidha diyaaradda ayna waafaqsan tahay xeer-nidaamiyeyaasha ku saabsan dayactirka iyo dib-u-habaynta diyaarad kasta.

j) Iyada oo looga gol leeyahay ruqsad siinta, kormeeridda (inspection) garoomada diyaaradeed, gelidda garoomada diyaaradeed iyo goobaha diyaaraduhu ku soo degaan, kormeeridda (inspection) wershedaha diyaaradaha sameeya, iyo mamnuucidda iyo maamulidda isticmaalka garoon diyaaradeed oo aan u haysan ruqsad si waafaqsan sharciga.

x) Ka mamnuucidda dad inay ka hawlgalaan, ama laga shaqaalaysiiyo ama xidhiidh la yeeshaan mushaaxidda hawada (air navigation) awood kasta oo ay tahay (any capacity) ilaa ay buuxiyaan shuruudaha looga baahan yahay, iyo ruqsad siinta dad ka shaqeeya garoon diyaaradeed si ay u kormeeraan, tijaabiyaan, una korjoogteeyaan diyaarad.

Kh) Xaaladaha, gaar ahaan garoomada diyaaradaha, diyaarad soo gelaysa ama ka baxaysa Jamhuuriyadda Somaliland ay ku duuli karayso, iyo xaaladaha ay ku duuli karto diyaarad isaga gooshay gudaha Somaliland.

d) Xaaladaha rakaabka iyo alaabta lagu qaadi karo hawada iyo diyaarada loo isticmaali karo ujeedooyin kale oo faa'iido leh, iyo ka mamnuucidda ku qaadida hawada alaab nooca ama noocyada la tilmaamo.

- r) Yaraynta ama ka hortagga farogelinta isticmaalka ama waxtarnimada (effectiveness) qalab loo isticmaalo si la xidhiidha mushaaxidda hawada, iyo ka mamnuucida ama maamulidda isticmaalka qalabkaas iyo muujinta caalamadaha iyo nalalka (lights) khatar gelin kara diyaaradda.
- s) Guud ahaan si loo nabadgeliyo badqabka, waxtarnimada iyo caadi ahaanshaha mushaaxidda hawada iyo badqabka diyaaradda iyo dadka iyo hantida ay sido diyaardu, iyo ka joojinta diyaarad inay khatargeliso dadka kale iyo hantida
- Sh) Ka dalbidda dadka ku hawlan, ama ka shaqeeya ama ku xidhan, mushaaxidda hawada inay keenaan xog la xidhiidha xaaladaha cimilada (meteorological information) iyada oo laga leeyahay ujeedo ku saabsan mushaaxidda hawada
- Dh) Maamulidda samaynta seenyaale (signals) iyo is-gaadhsiinta kale ee ka imanaysa ama loo dirayo diyaarad iyo dadka saaran diyaarad.
- c) Soo rogidda iyo maamulidda isticmaalka caalamadaha sheega dalka ay ka tirsan tahay diyaarad ee duulista madaniga ah iyo caalamadaha kale ee ay u aasaasato Hay'addu ujeedadu ku xidhan mushaaxidda hawada.
- f) Ka mamnuucidda diyaarad inay dul maro aag ka tirsan Somaliland oo la tilmaamay.
- f) Codsashada shuruuc la xidhiidha dhaqamada ee lug ku leh gegooyinka dayuuradaha iyo diyaaradda iyo dadka iyo hantida ay sido diyaradi.
- q) Habka iyo shuruudaha lagu soo saarayo, ansxinayo (validation), lagu cusboonaysiinayo, lagu kordhinayo (extension) ama wax lagaga bedelayo shahaado, ruqsad ama dhukumentu kale oo uu waajibiyay xeer-nidaamiye (taas oo ay ku jirto in la maro imtixaamo iyo tijaabooyin), iyo qaabka, haynta, soo bandhigida (production), tirtiridda (cancellation), hakinta (suspension), ogolaanshaha iyo iska dhiibidda (surrender) ee dhukumentu.
- k) Diiwaangelinta dhalashada iyo geerida ka dhacda diyaaradda iyo tilmaamaha dadka lagu waayo diyaarad.
- l) Dejinta khidmadaha (charges) laga qaadayo maamulidda marista hawada (air traffic control) iyo adeegyada xaaladaha cimilo (meteorological services) iyo isticmaalka gegooyinka dayuuradeed ee loo siiyay ruqsad si sharciga waafaqsan iyo adeegyada lagu bixinayo gegooyinkaas.
- m) Qeexidda ujuurada (fees) laga bixinayo soo saarista, ansixinta, cusboonaysiinta, kordhinta ama wax ka bedelidda shahaado, ruqsad ama dhukumentu kale ama maridda imtixaan ama tijabo uu waajibiyay xeer- nidaamiye iyo wax kasta oo kale oo ula muuqata Hay'adda inay ku haboon tahay ujeedooyinka qaadida ujuurooyin.
- n) Ka gaar yeelidda (exemption) ku dabiqididda qodobada nidaaminta ama in ka mid ah diyaarad ama dad ama noocyo diyaarado ah; hadba sida ay keento xaaladaha guux ama gariir ay sababto diyaarad joojta garoondiyaaradeed iyada oo ay shardi tahay in aan wax dacwad ah oo ku saabsan qasid (nuisance) oo lagu saleenayo oo keliya guuxa iyo gariirka ay keentay diyaaradda garoonka joojta lagu soo oogi karin diyaarada mar hadii ay waafaqsan tahay xeer- nidaamiyayaasha ku saabsan garoomada dayuuradaha.
- w) Duruufaha iyo xaaladaha ay tahay wax la ogolaan karo in loo isticmaalo diyaarad xayaysiis hawada ah (aerial advertisement) iyo maamulidda xayaysiisyada ay sameeyaan gaadiidka hawadu, gegooyinka diyaaradaha iyo adeegga maamulidda gaadiidka hawada Arimaha la xidhiidha naqshadaynta (desing), dhisidda iyo wax-ka-bedelka (modification) diyaarad iyo dhamaan arimaha kale ee la xidhiidha naqshadaynta, dhisidda iyo dayactirka diyaarad.
- g) Arimaha la xidhiidha maamulidda amniga iyo baadhidda rakaabka iyo

shandadoohooda (ha noqdoon kuwa lala socdo iyo kuwo aan lala soocon e) kuwaas oo lagu samaynayo ka hor intaan la saarin ama la dhigin meel ka mid ah diyaarad si waafaqsan lifaaqa Mucaahada Chicago, iyada oo la waafaqayo qorshaha qaran ee amniga duulista.

3. Hay'addu waxay awood u leedahay:-

b) Inay si xor ah oo aan la xanibin ay u gaadhi karaan (access) dhamaan shaqaalaha duulista madaniga ah, diyaradaha (ka hawlgala Somaliland iyo diyaaradda ka diiwaangashan Somaliland meel kasta oo ay joogto) tas-hiilaadka duulista, si ay u baadho (inspect) diyaarad, sameeye iyo dayactire diyaarad (aircraft manufacturer and maintainance) iyo tas-hiilaadkiisa, tas- hiilaadka tababar (oo ay ku jiraan barbaradku), iyo qalabka kale ee loo naqshadeeyey si loogu isticmaalo gaadiidka cirka, hadba sidii u ah daruuri inay u suura geliso Hay'adda inay ka go'aan gaadho u soo saarista ama siinta shahaado diwaangelin ama ansixin (approval) diyaradaas, sameeyaha ama dayactiraha diyaaradaha iyo dhamaan qalabka kale ee la isticmaalo, iyo si ay u xaqiijiso in diyaaradahaasi ay u qalmaan inay hawada ku duullaan loona hawlgeliyay si waafaqsan sharcigan, xeer-nidaamiyayaasha ka dhasha iyo lifaaqyada dhaqangalka ah ee UCDM.

t) Soo saarista (issue), wax ka bedelka, tirtiridda, diidida iyo hakinta shahaadada urur dayactir oo la ansixiyay si loo waafajiyo xeer-nidaamiye loo soo saaray si waafaqsan xeerkan.

j) Soo saarista (issue), wax ka bedelka, tirtiridda, diidida iyo hakinta soo saarista shahaado (production of certificate).

x) Soo saarista ama ansixinta (validat) noocyo shahaadooyin ah iyo tilmaamidda xaaladaha, shuruudaha iyo xadka (limitations) ay leeyihin shahaadooyin kaasi ee loogu baahan yahay danta badqabka.

Kh) Soo saarista, cusboonaysiinta ama ansixinta shahaadooyinka u qalmidda duulista (air worthiness) ee la xidhiidha diyaarad, iyo ku sheegidda shahaadooyinkaas, mudada (duration) ay jirayaan shahaadooyinkaasi, nooca adeegyada diyaaradda loo isticmaali karo iyo xaaladaha, shuruudaha iyo xadka la socda ee loogu baahan yahay danta badqabka.

d) Soo saarista, wax ka bedelka, tirtiridda iyo hakinta ogolaashaha (approvals), ruqsadaha iyo shahaadooyinka u qalmidda hawo ku duulista (airworthiness) si waafaqsan xeer-nidaamiyayaasha xeerkan.

r) Samaynta, soo saarista iyo wax ka bedelka tilmaamaha (directives), ogaysiiyada, amarada, xaaladaha iyo shuruudaha u qalmidda ku duulista hawada si loo waafajiyo xeer-nidaamiyayaasha u qalmidda ku duulista hawada (airworthiness).

s) Aasaasida hawlgaladda duulimaad (flight operations), injineeriyadda u qalmidda duulista hawada iyo ururda baadhista u qalmidda duulista hawada, ee loogu baahan yahay badqabka mushaaxidda hawada.

Sh) Aasaasidda hab lagu siiyo ruqsad shaqaalaha si loo siiyo ruqsad shaqaalah dayactirka diyaaradaha, shaqaalah duulimaadka (flight crew), kuwa haga marista hawada (air traffic controllers), saraakiisha hawl-galadda duulimaadka iyo dadka kale ee ku hawlan isticmaalka ama hawlgelinta diyaarad, tas-hiilaad diyaaradeed, gegidiyaaradeed iyo hawlo kale oo la xidhiidha, kaabe u ah ama baadhitaar, si waafaqsan xeerka, xeer-nidaamiyayaasha iyo shuruudaha ruqsadsiinta ee lagu sheegay qodobka 1 ee Mucaahadada Chicago.

Dh) Qeexidda, kormeeridda iyo korjoogtaynta xaaladaha ay diyaaradi ku qaadi karto rakaab, waraaqo isgaadhsiineed iyo rar (cargo) ama loo isticmaalo ujeedooyin

kale, iyo ka mamnuucidda diyaarad inay qaado noocyo alaab ah hadba siday ay qeexdo Hay'addu.

c) Cadaynta/bixinta ruqsadaha gegooyinka diyaaradaha iyo cadaynta marinada hawada (airways), hababka mushaaxidda (navigational approaches) iyo gacansiitan ku degidda Somaliland si loo xaqiijiyo badqabka mushaaxidda hawada.

g) Mamnuucidda iyo maamulidda rakibidda dhisme (structure) iyada oo laga duulay dhererkisa ama goobta (position) oo loo arko inay khatar gelin karto badqabka mushaxidda hawada.

f) Soo rogidda iyo maamulidda isticmaalka caalamada (ensign) aqoonsi ee diyaarada ee duulista madaniga ah iyo caalamadaha kale ee loo aasaasay ujeedo ku xidhiidhsan musaaxidda hawada Somaliland.

q) Maamulidda hawlaha bixiyayaaasha adeegyada mushaaxida hawada si waafaqsan heerarka iyo talobixinada UCDM iyo shuruucda dalka.

k) Nidaaminta iyo ka qayb qaadashada hawlgalada baadhitaanka iyo gurmada.

l) Go'aaminta baahida hawlgalada gaadiidka ganacsi ee hawada.

m) Maamulidda heerarka bixinta adeegyada hawo marista iyo samaynta xeer-nidaamiyayaal iyo amaro la xidhiidha hawo marista diyaaradaha (taas oo ay ku jirto joog badqaba "safe altitude") iyada oo ujeedadu tahay mushaaxinta, ilaalinta iyo baadisocidda diyaarad, ilaalinta dadka iyo hantida dhulka saaran iyo ka hortegidda isku dhaca diyaaradaha iyo gaadiidka dhulka ama badda iyo isku dhaca diyaarad yo shay hawada duuulaya.

n) Maamulidda heerarka bixinta adeegyada hawada ee cimilada (aeronautical meteorological services) si lo helo hawlgal duulista hawada ah oo badqaba.

w) Dib u eegista iyo ka warbixinta maamulidda amniga gaadiida ee Somaliand gaar haan iyada oo la waafaqay heerarka iyo talooyinka UCDM iyo lifaaqa 17 iyo amniga duulista madaniga ah. Dib u eegista (review) waa in la siiyaa Agaasimaha Guud.

4. Iyada oo aan waxba loo dhimayn farqada (1) iyo (3) ee qodobka, Hay'addu waxay leedahay ayna isticmaali kartaa awoodahan: -

b) Inay maamusho, korjoogteyso ayna kormeerto hawlaha qaadayaasha (carriers) reer Somaliland ah iyo kuwa ajnabiga ah, shirkadaha (agents) socdaalka iyo kuwada kale arimaha duulista ee ka hawlgala Somaliland, iyo inay hayso diwaan la xidhiidha arimahaas.

t) Inay ka dalabto xisaab celino istaaitikal ah iyo kuwo gaar ah iyo warbixino gaar ah gaadiidka hawada (air carrier); inay dejiso hanaanka iyo qabka warbixinahaas iyo inay waydiiso gadiid hawadaha jawaabo su'aalaha ay u aragto inay keenayaan xogta ay u baahan tahay.

j) Inay dejiso qaabka ay yeelanayaan Diiwaanada ee ay haynayaan gaadiidka hawadu taas oo ay ku jirto diiwaanada iyo qoraalada xisaabeed ee dhaqdhaqaaqa marinada cirka (movement of traffic).

x) Inay ka dalabto qaadayaasha Somaliland ah iyo kuwa ajnabiga ah inay kaydshaan ayna ka dhigaan wax dadwaynuhu arki karo dhamaan khidmadaha (fares and charges) ay qaado.

Kh) Inay ka dalabto gaadiidka hawada ee gudaha ah inay so gudbiyaan sanadkii ama waqtigii kale ee ku haboon, magacyada saamilayda ama qof kasta oo ku leh saami ka badan boqolkiiba 5 saamiyada gaadiid hawada ah taas oo ay la socoto magacyada qof kasta oo saamilaydaas looga wakiil yahay.

d) Inay baadho kana go'aan gaadho iskeed ama marka ay hesho cabasho ka timi gaadiid hawada ah, shirkada safarka hawada ah (air travel agency) ama

bixiyaha adeegyada isu dhafan in la sameeyey ama la samaynayo dhaqamo aan xaq ahayn oo khiyaamo ah ama habab aan xaq ahayn oo tartan oo gaadiidka cirka ah, iibinta tikidhada ama bixinta adeegyada wada jira iyo inay amarto in gaadiidkaas hawada, shirkadaas safarka hawada ama bixiyaha adeeg kale ee wada jira inuu joojiyo dhaqanaadaas ama hababkaas tartan.

r) Inay aasaaasto hanaan lagu sameeyo baadhitaanada lagaga go'aan gaadho codsiyada ogolaansho hawlgal oo gaar ah; hababkaas waxa ku jiri kara ogaysiiyo qoran oo la siiyo cidi haysta shahaadada hawgalka hawada (air operator's certificate) inuu sameeyo soo gudbin kaas oo loo dhegaysan karo af ahaan iyada oo la taagerayo codsigaa taas oo aan dib u dhigayn soo saarista ogolaanshaha gaarka ah ee hawlgalka hawada, iyada oo la tixgelinayo heerka iyo degdegga jira.

s) Kala qaybgelida iyo ka talo siinta Wasiirka arimaha farsamo oo ay ku jirto heshiisyada laba geesoodka ah ee adeegyada hawada (bilateral air services agreement), iyo guud ahaan hawlaha ururada duulista ee caalamiga ah, iyadoo la tashi lala sameynayo shirkadaha dalka laga leeyahay.

Sh) U dejinta heerar tabobar iyo ansixinta machadyada tabobar ee gadiidka cirka.

Dh) Xadidida ujuurada laga bixinayo soo saarista, ansixinta, cusboonaysiinta, kordhinta iyo wax ka bedelka shahaado, ruqsad ama dhukementi kale oo loo soo saaray si waafaqsan sharcigan ama maridda imtixaan ama tijaabo kuwaas oo ku haboon ujeedada qaadida ujuurada.

c) Dejinta inta u yar ee caymiska ee ay qaadan karto cidda haysata shahaadda hawlgelinta duulista, maamulidda garoondiyaradeed (aerodrome operator) ama adeeg bixiyaha.

g) Inay xaqiijiso xadka caymiska ee uu geli karo hayste (holder) inaanu ka yaraan inta ay dejisay Hay'addu.

g) Inay dejiso (fix) soona rogto khidmadaha la xidhiidha bixinta ruqsadaha, ogolaanshaha (permit) shahaadada ama ogolaansho kale ee loo siiyo qof si waafaqsan xeerka ama xeer nidaamiye ka dhasha, iyo arimaha la xidhiidha diiwaangelinta diyaarad ama raham (mortgages), ansixinta (approvals), aqbalidda (consent) iyo noocyada kale ee faa'iidooyinka ee la siiyo qof si waafaqsan sharcigan ama xeer-nidaamiyayasha ka dhasha Wixii ka baxsan Heshiisyadi hore u jirey.

5. Awoodaha lagu siiyay Hay'adda qodobkan waxa ku jira awoodaha inay diyaariso, samayso, soo saarto, dibna u eegto xeernidaamiyayaal iyo amaro ee arimaha la xidhiidha ama badhitaar u ah arimaha ay u aragto Hay'addu inay u yihiin daruuri danta guud iyo badqabka mushaaxidda hawada iyo maamulka garoomada diyaaradeed.

6. Marka ay isticmaalay awoodeheeda iyo marka ay gudanay xilka uu saaray xeerkani, Hay'addu, iyada oo raacay qodobka 31 (baadhista shilalka) ee xeerkan, umana soo gudbinayso go'aamadeeda inay ansixiyaan ama ka go'aan gaadhaan ama ka talobixiyaan cid kale, shaqsi, laan kale ama urur, balse waxa hagaya badqabka, amniga iyo danta guud.

7. Awoodaha iyo xilka Hay'adda ee sharcigani siiyay waxa leh Agaasimaha Guud ee Hay'adda kaas oo isagu shaqsiyan gudan kara ama cid kale u xilsaari kara.

8. Agaasimaha Guud wuxuu u igman karaa xilkiisa qof si haboon uga qalma iyada oo la raacay maamulka, korjoogtaynta iyo dib-u-eegista ay samayso Hay'addu. Agaasimaha

Guud waa inuu hubiyaa in xilkaas aan loo igman hab keenaya in hawlgeliye diyaarad, hawlgeliye ama maamule garoondiyaaadeed, bixiyayaasha adeegyada la xidhiidha shaqada duulista, hawlgeliyayaasha duulista guud iyo hawlgeliyayaasha tas-hiilaadka dayactirka ay iyagu hagaan.

9. Agaasimaha Guud isaga ayaa ka masuul ah in si haboon loo guto xil, awood ama waajib uu cid kale ugu igmaday si sharciga waafaqsan.

10. Hay'addu waa inay soo saartaa xeer-nidaamiyayaal ku saabsan hawlqabad ku salaysan badqab (performance-based safety), iyada oo tixraacay hagidda UCDM documentiga 9806 (Human Factors Guidelines for Safety Audit Manual), lifaaqa 11 ee Mucaahadada Chicago.

11. Xeer-nidaamiyayaasha lagu soo saaro si waaqsan xeerkan waa inay ku soo rogaan ciqabaad xadgudubyada iyo jebinta xeernidaamiyayasha, taas oo ay ku jirto ka hakinta ama kala noqoshada shahaadda, ruqsadda ama ogolaanshaha, iyo, marka ay la xidhiidho dembi gaar ah, ganaaxyo (fines), iyo iyada oo la raacayo qodobada dastuurka ee la xidhiidha xuquuqda iyo xoriyaadka aasaasiga ah, iyo heshiisyadii hore u jirey ee la galey inay qaado talaabooyinka (taas oo ay ku jirto dhexgelidda "interception" diyaarad) ee diyaarad dul maray dulka Jamhuuriyadda Somaliland kaas oo in la dul maraa ay tahay mamnuuc" ..

12. Xeer-nidaamiyayaashaasi waxa loo samayn karaa qodobo kala duwan oo la xidhiidha noocyo kala duwan oo diyaarado, gegooyinka diyaaradaha, dad ama hanti ah, iyo duruufaha kala duwan, balse waa in loo qaabeeyaa hab aan keenayn takoor duruufaha isku mid ka ah.

13. Marka ay isticmaalay awoodeheeda samaynta xeer- nidaamiyayaal, Hay'addu waa inay la tashataa danayayaasha oo ay ku jiraan diyaaradlayda, kuwa haga maamulka garoomada diyaaradaha, bixiyayaasha adeegga marista hawada, macaamiisha iyo ururada iyo laamaha kale ee ku lug leh duulista hawada.

QAYBTA 11AAD
XILKA HAY'ADDA

Qodobka 33aad
Xilka Hay'adda

1. Hay'adu waxay masuul ka tahay: -

b) Ka diiwaangelinta diyaarad Somaliland iyo u soo saarista mulkiilaha shahaadada diiwaangelinta.

t) Aasaasida iyo haynta hab diiwangelin lagu kaydsho mulkiilaha iyo xaqa la socda diyaarad ka diwaangshan Somaliland.

j) Ka mamnuucidda diyaarad Somaliland ah iyo mid

ajnabi ahba inay ku duusho hawada Somaliland, ilaa shahaada u qalmidda (certificate of airworthiness) la soo saaray ama la ansixiyay si waafaqsan xeer-nidaamiyaha dhaqangalka ah ee diyaradaas; iyada oo ay shardi tahay in mamnuucidaas kor ku xusani aan lagu dabiqaan diyaarad kaga jirta duulimaad tijaabo ah goobo loo cayimay dayactirka iyo hagaajinta in lagu sameeyo.

- x) Baadhista iyo nidaaminta garoomada diyaaradaha, baadhista weshedaha diyaaradaha iyo mamnuucidda iyo maamulidda isticmaalka garoomada diyaaradaha ee aan haysan ruqsadaha.
- kh) Ka mamnuucidda in qof si uun ugu hawl-galo mushaxidda hawada hadii aan Hay'addu go'aamin in qofkaasi uu buuxiyay shuruudihii sharciga iyo xeer-nidaamiyayaashu dhigeen.
- d) Xaqiijinta waxtarnimada iyo caadi ahaanshaha mushaaxidda hawada iyo badqabka diyaaradaha, dadka iyo hantida diyaaraduhu sidaan iyo ka hortegida in diyaaraduhu khatargeliyaan dadka iyo hantida.
- r) Ka mamnuucidda diyaarad inay ku kor duusho goobo la cayimay oo ka tirsan Somaliland
- s) Soo saarista, ansixinta, cusboonaysiinta, kordhinta ama wax ka bedelka shahaado, ruqsad ama dhukumentiyada kale oo xeer-nidaamiye jideeyey (taas oo ay ku jirto imtixaan qaadista iyo tijaabada) iyo haynta, soo bandhigida, tirtiridda, hakinta, soo dhiibidda dhukumentiyadaas oo ay ku jirto, kuma eeke, u qalmidda, hawlgelinta diyaaradda, caafimaadka iyo shahaadada garoon diyaaradeed.
- Sh) Diiwangelinta dhalashada iyo geeridda ka dhaca diyaarad iyo tilmaamaha dadka lagu waayo diyaarad.
- Dh) Isku ururinta iyo haynta xog bangi (data bank) ee shilalka iyo dhacdooyinka diyaaradaha iyo duulista, iyo kobcinta barnaamijyo lagaga hortegayo shilalka.
- c) Ku nidaaminta nidaamiyaha amniga gaadiidka (transport security regulator) xil gudashadiisa si loo xaqiijiyo in la soo saaro lana fuliyo xeer-nidaamiyayaal, habdhaqano iyo habraacyo waafaqsan lifaaqa 17 ee Mucaahadada Chicago iyo gaar ahaan UCDM Buugyaraha Amni ee ka Badbaadinta Duulista Madaniga ah Ficolada Farogelinta Aan-sharci ahayn (Doc 8973-restricted).
2. Hay'adu waa inay sidoo kale: -
- b) Hawlgelisaa, gacanta ku haysa, horumarisaa, maamushaa garoomada diyaaradeed ee Somaliland ee loogu xilsaaro xeer-nidaamiye uu soo saaray Wasiir ku.
- t) Inay bixiyaan ayna hayaan adeegyada iyo tas-hiilaadka ula muuqda inay daruuri u yihiin ama ku haboon yihiin si wanagsan u hawlgelinta garoomada diyaaradeed ee loo xilsaaray iyaga oo raacaya heerarka iyo talo bixiita UCDM.
3. Marka ay gudanay xilka ku dhigan farqadda (2) e qodobkan, Hay'addu waxay.
- (i) Dhisi karta, wax ka bedeli karta, dayactiri kartaa dhisme iyo tas-hiilaad duulista ah ee garoomada diyaaradeed ee loo xilsaaray ama meelo kale.
- (ii) Yeelan kartaa ama iibsan kartaa dhul ama dhisme.
- (iii) Ku bixin kartaa kirayn, sii kirayn ama dano ama xuquuq gaar ah oo kale taas oo la xidhiidha dhul ama dhisme ku yaal garoonka diyaaradeed ee loo xilsaaray shuruudo iyo bixinta kiro ama wax waydaarsi kale oo ula muuqda inay u haboon tahay Hay'adda.
- (iv) Kula geli kartaa heshiis kiro ama maamul qof ama dad ku haboon, shuruudaha uu ansixiyo Boodhku, ee garoonka loo xilsaaray.
- (v) Fulin kartaa hawlaha ula muuqda inay yihiin kuwo faa'iido leh, daruuri ah ama wanaagsan ee la xidhiidha isticmaalka iyo gudashada xilkeeda ku aadan garoon diyaaradeed.
- (vi) Ruqsadaynta, aasaasidda, hawlgelinta, dejinta heerar iyo maamulida ama ogolaanshaha machadka tabobar oo leh ujeedo waxbarasho ee dayactirka, duulista iyo/ama wadida (piloting), diyaaraha ee aqoonta duulista ee looga baahan yahay inay

gaadhaan heerarka duuliseed ama hagaajinta diyaaradda.

4. Mar kasta oo ay Hay'addu qabanay xilka la xidhiidha bixinta adeeg ee ku dhigan farqadaha (2) iyo (3) ee qodokan, xitaa hadii ay tahay mid ku meel gaadh ah, iyo shaqo kasta oo kale oo ka baxsa nidaaminta (regulatory functions) Wasiirku hadii uu u arko inuu ku aamino shaqooyinkaas Hay'adda, shaqooyinkaas waa inay gutaan xil ahaan iyo maaliyad ahaanba waax ka baxsan oo ka madaxbanaan Hay'adda si loo helo kala sooc sharci iyo mid maaliyadeed oo ay ka soocnaato waaxaha iyo unugyada kale ee ku hawlan xilka Hay'adda ee nidaaminta iyo korjoogtaynta duulista madaniga ah.

5. Ruqsadaha iyo heshiisyada la xidhiidha maalgashiga iyo horumarinta garoonada diyaaradeed waxa shardi ah in loo galo sifo sharciga waafaqsan ugu horayn marka Wasiirku ogolaado isaga oo Madaxwaynaha kala tashanaya.

QAYBTA 12AAD
MAAMULIDDA GANACSIGA GAADIIDKA CIRKA

Qodobka 34aad
Ruqsad siinta ganacsiga gaadiidka cirka

Iyada oo la raacayo qodobka 41 ee Xeerkan iyo xeernidaamiyayaaasha ka dhasha xeerkan ka dib marka u horeeysa ee laga helo Shahaadada ku hawlgelinta hawada Hay'adda: -

b) Qof na kuma isticmaali karo diyaarad gudaha Somaliland inay duusho iyada oo sidda rakaab ama rar iyada oo la kiraystay ama bilaash ah, safar ama safarro (ha noqoto mid ka bilaabanta ama ku dhamaata isla hal meel ama meelo kala duwan) ama samaynta duulis iyada oo ujeedadu tahay mid ganacsi, marka laga reebo ogolaanshaha iyo waafaqsanaanta: -

I. Ruqsad Gaadiidka Cirka ah ee duulimaad jidwalaysan (an Air Transport Licence for scheduled flights).

II. Ogolaanshaha Hawlgalka Hawada ee duulimaad jidwalaysan;

III. Ama ogolaansho kale (other authorization) oo ay siisay Hay'addu.

t) Qofna diyaarad kuma isticmaali karo Somaliland gudeheeda, marka laga reebo inay waafaqsan tahay ruqsadda, ogolaanshaha (permit) ama awoodsiin kale oo ay soo saartay Hay'addu.

j) Hay'addu waxay qeexi kartaa noocyada ruqsadaha, ogolaanshaha, shahaadooyinka ama ogolaanshaha kale, kuwaas oo la soo saari karo, shuruudaha loogu qalmayo, iyo shuruudaha lagu soo saarayo, wax ka bedelkooda, hakinta ama laalista.

x) Hay'addu waa in ay siisaa mudnaanta diyaaradaha madaniga ah (local carriers), lana tashataa inta aaney bixin ruqsad diyaarad ajanabi si loo dhowro danaha shirkadaha wadanka laga leeyahay.

Qodobka 35aad
Aasaasidda sicirka, noocyada, dhaqamada gaadiidka cirka

Mid kasta oo ka mid ah gaadiidka cirka Somaliland ama gaadiidka cirka ee shisheeyaha ah waa inay dejiyaan: -

b) Qiimaha, noocyo(classifications), xeer- hoosaadyada, iyo dhaqamada la xidhiidha

gaadiidka cirka kuwaas oo aan ahayn kuwo leh takoor ama khiyaamo, aan u dhigmin hab tartan oo aan xaq ahayn.

t) Qiime aan ahayn mid qaali ah ama xanibaad ay keentay si xun u isticmaalay meeqaam sare oo ay joogto ama awood ay suuqa ku leedahay.

j) Qiimayaal is-wata (joint prices) oo loo aasaasay gaadiidka cirka, u kala qaybinta qiimayashaas qaadayaasha ka qayb gelaya iyada oo aanay la socon takoor dhexdoda ah.

x) Hay'addu waa in ay ilaalisaa danaha shirkadaha Wadaniga ah.

Qodobka 36aad
Shahaadada Hawlgeliyayaasha Hawada (Air Operators Certificate (AOC)) iyo shahaadda badqabka kale

Waa waajibaadka Hay'adda inay soo saarto shahaadada hawlgeliyaha hawada iyo dhamaan shahaadooyinka kale ee la xidhiidha badqabka shaqada gaadiidka cirka.

Qodobka 37aad
Waajibaadka Guud ee Hay'adda ee la xidhiidha Xilka Ruqsad siinta Gaadiidka

Hay'addu waa inay u gudataa xilkeeda ruqsadsiinta gaadiidka cirka si waafaqsan xeerka si loo xaqiijiyo in diyaaradaha ka diwaangashan Somaliland ama laga leeyahay Somaliland ay sida ugu waxtarsan ee ugu suuragalsan iyaga oo bixinaya adeegyo gadiidka cirka ah ula tartamaan marinada caalamiga ah, hay'adduna inta aaney ruqsad siin ruqsad siin shirkad ajanabi ah waa in ay danta diyaaradaha wadanka laga leeyahay la tashina arrinkaas kala sameysaa si loo dhowro suuqa iyo jiritaanka shirkadaha wadanka laga leeyahay.

QAYBTA 13AAD
QODOBADA LA XIDHIIDHA GAROOMADA DIYAARADAHA, U MAAMULIDDA DHUL UJEEDO DUULISTA AH

Qodobka 38aad
Awoodda Wasiirka ee ansixinta aasaasidda Garoondiyaaradeed

1. Wasiirku wuxuu ansixin karaa aasaasidda iyo horumarinta gegidiyaaradeed meel kasta oo ka mid ah Somliland.

2. Wadooyinka, habab (approaches), qalabka, agabka, dhisamayaasha iyo hoyga kale (accommodations) ee la xidhiidha gegooyinkaas diyaaradeed waa inay hagaajiyaan cidda lihi si waafaqsan xeer-nidaamiyayasha iyo tilmaamaha lagu soo saaray si waafaqsan xeerkan.

Qodobka 39aad
U qalmidda Ruqsadda Garoondiyaaradeed

(1) Ruqsad gegidiyaaradeed waa in aan la siin qof aan ahayn:

b) Muwaadin u dhashay Jamhuuriyadda Somaliland;

- t) Dawladda Dhexe, Golaha Degaanka ama shirkad ay leedahay ama maamusho Dawladda dhexe ama Gole Degaan;
- J) Shirkad ka diiwaangashan Somaliland kuna leh xafiiskeeda wayn (principal office) ee ganacsi Somaliland.

Qodobka 40aad

Waajibka ka saaran Hay'adda in ay tixgeliso degaanka markay bixinay ruqsad garoondiyaradeed

Hay'adu, marka ay gudanayso xilkeeda la xidhidha ruqsad siinta gegi-diyaradeed, waa inay tixgelisaa baahida loo qabo in la yareeyo intii suura gal ah saamayn xun (adverse effect) in gegooyinka diyaaraduhu ku yeeshaan degaanka.

Qodobka 41aad

Dejinta Khidmadda looga qaadayo guuxa Ruqsadda garoondiyaradeed

Iyada oo aan waxba loo dhimayn awoodda uu leeyahay qofka gacanta ku hayo gegi diyaaradeed (aerodrome operator) inuu u galo heshiis hadba sidii ula muuqata sax, qofka gacanta ku hayo gegidiyaaradeed wuxuu, iyada oo ujeedadu tahay in la dhiirigeliyo isticmaalka diyaarado buuq yar oo degan iyo dhimidda qaska ay yeelan karto sanqadha diyaaradu, xadidi karaa khidmad la xidhiidha qiiqa ama arin la xidhiidha heerarka sanqadha (noise) ee si madaxbanaan loo cadeeyey loona kala duway, gariirka, sii daynta qiiq oo lagu cabiro heerarka UCDM oo ay sababtay diyaaradu.

Qodobka 42aad

Shahaadada hawlgelinta garoondiyaradeed **(Aerodrome Operating Certificates)**

(1) Qof kasta oo doonaya inuu maamulo garoon diyaradeed waa inuu codsiga shahaadada maamulidda gegidiyaaradeed u soo gudbiyaa Hay'adda. Hay'addu waa inay aasaastaa, iyada oo fulinaysa xeer-nidaamiyayasha iyo naqshadaha iyo hagayaasha maamulidda gegooyinka, dhamaan shuruudaha ay tahay in codsaduhu uu buuxiyo si uu ugu qalmo in uu qaato shahaadada. Dhamaan shuruudahaasi waa inay yihiin kuwo aan shaqsiyadaysnayn (objective criteria) oo macquul ah oo si cad ugu xidhiidhsan inay kor u qaadaan badqabka duulimaadyada.

(2) Hay'addu waa inay aasaastaa, marka ay fulinaysa xeer-nidaamiyayaasha, heerarka u hooseeya ee badqab ee naqshadaynta (design) iyo maamulida gegidiyaradeed oo u adeegta duulimaad kasta oo kiro ama aan kiro ahayn, mid jidwalaysan am aan-jidwalaysnayn ee qaadida raaabka.

(3) Hadii Hay'addu hesho, kadib marka ay samayso baadhitaan, in codsaduhu uu buuxiyay shuruudihii lagu sheegay qodobkan, gegida diyaaraduna ay si haboon oo ku filan u qalabaysan tahay, maamuluhuna (operator) uu awood u leeyahay inuu qabto hawsha si badqabta oo waafaqsan shuruudaha sharcigu dhigay iyo heerarka loo aasaasay fulinta xeer-nidaamiyayaasha, Hay'addu waa inay, marka uu ansixiyo Wasiirku, u soo saarta shahaadada hawlgelinta garoondiyaradeed qofkaas.

(4) Shahaado kasta oo garoondiyaradeed waa inay ku yaaliin shuruudaha iyo

xadidaadaha (limitations) daruuriga ah si loo xaqiijiyo gudashada iyo waafaqidda xeer-nidaamiyayasha badqabka hawlgaladda gaadiidka cirka ee ganacsi. Hadii aan Hay'addu go'aamin inay ka soo horjeedo xeer-nidaamiye la daabacay ka dib ogolaanashaha Agaasimaha Guud, shuruudahaas iyo xadidadaahaas waa inay ku jirtaa, kuma se eekee, shuruudo iyo xadidaado la xidhiidha:-

- b) Keenidda, hawlgelinta iyo dayactirka qalab badqab oo ku filan (adequate safety equipment), oo ay ka mid yihiin dab damis iyo qalabka gurmada.
- (t) Naqshada, noocyada, xaaladaha iyo dayactirka dhabooyinka diyaaradaha ee kowaad iyo kuwa taageeraha ah (primary and secondary run ways), calaamadaha iyo habka nalalka hawada ee dhulka yaal (air ground lighting system) si waafaqsan xeernidmaamiyayasha.
- (j) Ilaalinta mareegaha (circuit), hababka (approaches) iyo korka dhoofidda (departure surface) ee gudaha aagga maamulka hawo marista garoonka diyaaradda si waafaqsan xeernidmaamiyayasha.
- (x) Keenidda, hawlgelinta iyo dayactirka qalabka saadalinta cimilada duulista (aviation meteorology) iyo gelidda adeegyada saadaalinta (forecasting services).
- kh) Keenidda, hawlgelinta iyo dayactirka maamulka shidaal siina diyaaradda (aircraft fuelling) iyo goobaha shidaalka (fuel installations).
- (d) Bixinta adeegyada, qalabka iyo hawlgelinta hawo marista (air traffic), si waafaqsan xeernidmaamiyaha heerarka adeegyada hawo marista.
- (r) Bixinta, marka la hawlgelinayo, dayactirayo hanaanka maamulidda gelidda (access control system), qalab baadhista amni (security screening equipment) iyo, samaynta hagayaal qabanaya dhamaan dadka doonaya inay galaan gudaha iyada oo loo samaynayo hab waafaqsan qorshaha amniga duulista.

(5) Hay'addu waa inay u soo gudbisaa nuqul shahaado kasta oo gegidiyaaradeed Wasiirka si uu hayo keliya (for record purpose only).

Qodobka 43aad
Adeegyada garooniyaaradeed iyo Buugyaraha
Hawlgalada (Operations Manual)

Maamule garooniyaaradeed kastaa waa inuu diyaariyaa, hayaa oo daabacaa buugyare adeegyada iyo hawlgaladda garoonka diyaaradeed (Aerodrome services and operations manual). Waana inuu u soo gudbiya Hay'adda oo dib u eegaysa buugyaraha. Hay'addu waxay awood u leedahay inay wax ka bedel ka ay u aragto inuu haboon yahay ay ku samayso buugyarahaas. Buugyaruhu waa inuu tilmaamaa hab maamulka garoonka, waana inuu cadeeyaa habraacyada ka duulista iyo soo degidda (take-off and landing procedures) iyo shuruudka khusaysa isticmaalka garoonka diyaaradeed.

Qodobka 44aad
Xuquuqda gaarka ah (Concessions)

1. Dawladda Somaliland waxay u siin kartaa cid sadexaad xuquuq gaar ah:-
 - b. Maamulidda iyo hawlgelinta ganacsi dawladu leedahay oo ka shaqaysa oo keliya garoomada diyaaradaha ama hawl la xidhiidha duulista madaniga ah.
 - t. Maalgelinta (financing), dhisidda, ama kor u qaadida tas-hiilaad.
 - j. Qaybaha ka tirsan garoon diyaaradeed ama dhisme la xidhiidha duulista kaas oo ay dawladu leedahay ama ay maamusho ama leedahay ganacsi dawladu leedahay,

taas oo ay ku jirto, adeeg ama tas-hiilaad garoondiyaradeed ama mushaaxidda hawada.

2. Xuquuqda gaarka ah waa in loo bixiya hanaan waafaqsan shuurucda Somaliland ee habraaca bixinta xuquuq gaar ah.

3. Hadii waxa loo bixinayo xuquuqda gaarka ah uu yahay maamulidda iyo hawlgelinta ganacsi dawlada leedahay oo ku hawlan garoon diyaaradeed ama hawl la xidhiidha duulista, heshiiska xuquuqda gaarka ah waxa, iyada oo la raacayo ogolanshaha sharci, waxuu ka duwanaan karaa ama tirtiri karaa qodobo kale oo dhaqan gal ah oo ku jira sharci qoran oo si gaar ah u maamula ganacsiyada dawlada leedahay.

4. Hadii xuquuqda gaarka ahi ay ku saaban tahay garoon diyaaradeed ama dhisme la xidhiidha duulista kaas oo ay leedahay dawlada ama hoos jooga maamulka ama lahaanshaha ganacsi dawlada leedahay:-

(b) Xaq kasta iyo dhamaan xuquuqdaas oo dhan ee ganacsiga dawlada leedahay ama dhismaha ay khusayso waa in, hadba sidii ay ku haboon tahay, la tirtiraa ama la hoos geeyaa xuquuqdaas qofka lagu siiyay xuquuqda gaarka ah heshiiska

(t) Ganacsiga dawlada leedahay uma laha wax xaq ah inay sheegato ama hesho wax magdhow ah nooc kasta oo ay tahay luminta ama hoosgaynta xuquuqdaas.

5. Wixii xuquuq ah ama waajibaad ah ee la socda ganacsiga ay dawlada leedahay ee ka dhasha heshiis ay la gashay cid sadexaad waa in, sharciyan, loo xilsaaraa, ayna qaadataa cidda xaq gaarka ah loo siiyay (concessionaire) hadii xuquuqdaas ama waajibaadkaasi ay la xidhiidhaan isticmaalka ama hawlgelinta dhismaha loo bixiyay xuquuqda gaarka ah.

Qodobka 45aad **Shuruudaha Barnaamijka Qaran ee Duulista Madaniga ah**

1. Si waafaqsan lifaaqa 17 ee UCDM, Nidaamiyaha Amniga Gaadiidka ee Somaliland (Transport Security Regulator for Somaliland) waa inuu aasaasaa islamarkaana fuliyaa barnaamijka amniga duulista (National Aviation Security Program) si looga ilaaliyo dhamaan hawl-galada duulista madaniga ah dhamaan ficilada aan sharciga ahayn ee lagu farogelinayo, isaga oo soo saaraya xeer-nidaamiyayaal, dhaqamo iyo habraacyo kuwaas oo tixgelinaya caadinimada iyo wixtarnimada hawl-galada duulimadyada, badqabka rakaabka, shaqaalaha diyaaradda (crew), shaqaalaha dhulka iyo dadwaynaha ee dhamaan arimaha la xidhiidha ka ilaalinta ficilada aan sharciga ahayn ee lagu farogelinayo duulista madaniga ah. Barnaamijka waa inay ku jirtaa shuruudaha looga baahan yahay:-

b) Buugyarayaasha iyo habraacyada amniga garoomada dayuuradaha.

t) Habracyada iyo buugyarayaasha amniga dayuuradaha.

j) Qorshe qaran oo amniga duulista ah.

2. Waa in lagu aasasaa laba sanadood gudohood Gudida Maaraynta Amniga Duulista Madaniga ah ee Qaranka (National Civil Aviation Security Management Committee) oo uu gudoomiye u yahay Wasiirku. Xubnaha waa inay ku jiraan wakiilo ka socda Wasaaradda Warfaafinta, Wasaaradda Difaaca, Wasaaradda Caafimaadka, Wasaaradda Maaliyadda, Waaxda Socdaalka, Agaasimaha Guud ee Hay'adda iyo Shirkadaha

Diyaaradaha, Shirkadaha adeega madaarka iyo wasaaradaha kale ee Wasiirku u garto. Gudidu waxay ka masuul noqonay tilmaamidda khataraha amni ee duulista hawada iyo isku xidhka xogta khataraha duulista ee wasaaradaha iyo waaxaha dhexdooda. Gudidu waxay yeelanay awoodda ay ugu baahan tahay ururinta iyo wadaagista xogta lagu ilaalinayo duulista hawada.

Qodobka 46aad
Maamulidda gelidda tas-hiilaadka iyo garoomada diyaaradeed

(1) Gelidda meelaha amni ahaan loo mamnuucay in la galo waa ka mamnuuc dadkoo dhan si looga hortago dad iyo gaadiid aan loo ogolaan inay galaan meelahaas cayiman. Ogolaanshaha gelidda waxa bixin kara oo keliya xubno loo awood siiyay oo ka tirsan Hay'adda si waafaqsan siyaasadaha dejisan iyo borotokoolada dadka la sharfay (VIP protocols).

(2) Gelidda meelaha amni ahaan loo mamnuucay waa in la ilaaliyaa si loo xaqiijiyo in qof iyo gaadiid aan loo ogolaani aanu u gelin meelahaas. Waana in la baadhaa dhamaan dadka iyo gaadiidka iyada oo la raacyo habka ay dejiso Hay'addu.

Qodobka 47aad
Baadhitaanka Amni (Security checks) ee dadka iyo shandadaha

Qof kasta oo gelaya garoon diyaaradeed iyo shandada gacanta ee uu sito, haday jirto, ka hor intaanu fuulin diyaaradda waa inuu ogolaadaa inuu baadho sarkaal ka tirsan amniga duulista ama qof kale oo qoraal ay ugu awoodsiiyay Agaasimaha Guud. Hay'addu waxay uleedahay awood iyo masuuliyad inay aasaasto hanaan baadhitan oo lagu baadho rakaabka iyo shandadaha ba.

Qodobka 48aad
Talaabooyinka la xidhiidha diyaarad

Hay'addu waxay awood u leedahay nidaaminta, dib u eegista iyo badhista si ay u ogaato inay waafaqsan yihiin wixii looga baahnaa mid kasta oo ka mid ah qorshayasha amni ee hawlgeliyaha (Operator security plan) iyo habraaca hawlgeliyayasha hawada (air operators) si ay u xaqiijiso badqabka iyo amniga diyaaradaha duulimaadka ku jira ama dhulka jooga. Awoodaas waxay ku fidsan tahay, kuma eekee:-

(b) Baadhista shandadaha gacanta.

(t) Hanaanka baadhista ee ay fuliyaan kuwa hawlgeliya diyaaradaha (air operators for air crafts).

(j) Xaqiijinta in hawlgeliyaha hawada ku ay waafaqan yihin amniga.

(x) Alaabta aan la cashuurin (duty free) iyo cunto bixinta (catering).

(kh) Alaabta loo isticmaalo dhinaca amniga ee qaybta laga soo dego iyo qaybta laga dhoofa (terminals) ama goobta rakaabka.

(d) Qaadidda hubka ee shandadaha, uu sito shaqaale duulimaad (flight crew) ama ay u baadheen Hay'addaha sharci fulintu (law enforcement capacity).

Qodobka 49aad
Ilaalinta garoomada diyaaradaha (Safeguarding of Aerodromes)

(1) Heerarka iyo ruqsadiinta garoomada: lifaaqa 14, ee UCDM, Majaladda 1 (Volume 1), naqshada iyo Hawlgaladda garoomada (aerodrome Desing and Operations) ayaa lagu dhaqmayaa hadii aan sidaas si ka duwan la sheegin. Hadii aan lagu sheegin shuruudaha Daabacaada Duulista Madaniga ah ee Somaliland (Somaliland Civil Aviation Publication), inta ka khusaysa HDLT ee lifaaqa 14 ee UCDM, Majaladda 1 (Volume 1), Naqshadda iyo Halwgaladda garoondiyaradeed, ayaa lagu dhaqmayaa.

(2) Marka cid haysata shahadada garoondiyaradeed ay aamin san tahay inaan lagu dhaqmin Daabacaadda Duulista Madaniga ah ee Somaliland HDLT, Hay'adda ayaa xaalad walba gaarkeeda u qiimaynaysa. Inta ka khusaysa lifaaqa 14 ee HDLT ayaa u ah aasaas qiimaynta. Baahida wax ka bedelka danbe ee Daabacaadda Duulista Madaniga ah ee Somaliland si loogu daro HDLT waa in sidoo kale ay eegtaa oo ay samaysaa Hay'addu waa in la gaadhsiiyaa cid kasta oo haysta ruqsad.

QAYBTA 14AAD
QODOBO GAAR AH OO LA XIDHIIDHA ISKA-GELIDDA
(TRESPASS), BUUQA (NUISANCE), GURMADKA- BADBAADO IYO XUQUUQDA
IKHTIRAAC (PATENTS)

Qodobka 50aad
Masuuliyadda qaadaha (Carriers' Liability).

(1) Mucaahadada Montreal ee la saxeexay 28 kii May 1999 (The Convention for the Unification of Certain Rules Relating to International Carriage by Air) waxay isla marka xeerkani dhaqan galo waxay noqonay mid dhaqan gal ku ah ku qaadista caalamiga ah ee hawada (international carriage by air) ee gelaya ama ka baxaya Somaliland ee qaadista hawada ee Mucaahadadaas lagu dabaqo iyada oo aan la eegayn dalka ay ka diwaangashan tahay diyaaradu, waana in lagu xukumaa, iyada oo la raacayo xeerkan, xuquuqadka iyo masuuliyadka (liabilities) qaadayasha (carriers), rakaabka, diraha, loo diraha iyo dadkii kale ba (consignor and consignee and other persons).

(2) Mucaahadada Montreal ee la saxeexay 28 kii May 1999 (The Convention for the Unification of Certain Rules Relating to International Carriage by Air) waxay isla marka xeerkani dhaqan galo waxay noqonay mid dhaqan gal ku ah ku qaadista hawada ee aan caalamiga ahayn (non-international air carriage) ee gudaha Somaliland, iyada oo aan la eegayn dalka ay ka diwaangashan tahay diyaaradu, waana in lagu xukumaa, iyada oo la raacayo xeerkan, xuquuqadka iyo masuuliyadka (liabilities) qaadayasha (carriers), rakaabka, diraha, loo diraha iyo dadkii kale ba (consignor and consignee and other persons).

(3) Hadi shil diyaaradeed ay ka dhalato geeri ama dhawaac rakaab, qaaduhu (carrier) waa inuu sii siiyaa lacag inta u yar (minimum) lagu xadido xeernidaamiye mudo 30 maalmood gudohood ah oo ka bilabmay maalinta shilku dhacay, qofka ama dadka xaq u leh inay helaan magdhowgaas baahida dhaqaale ee markaas soo if-baxda ee dadkaas. Sii bixintaasi uma dhiganto aqoonsi masuuliyadeed (recognition of liability) waxaana ay kafayn kartaa qadar kale oo uu u bixin lahaa qaaduhuu qasaare ahaan.

Qodobka 51aad
Ficilada iska-gelidda, Buuqa iyo khasaaraha diyaaraddu keento

(1) Wax dacwad ah laguma soo oogi karo ku xadgudbid dhul ama buuq iyada oo sababtu tahay oo keliya duulimaad diyaaradeed oo dul maray hanti dherer ka sareeya dhulka kaas oo ah, iyada oo la eegayo dabaysha, jawiga iyo dhamaan duruufaha kal, mid macquul ah, ama dhacdooyinka caadiga ah ee duulimaadkaas, ilaa iyo inta duulimaadkaas hantida dul maray uu yahay mid waafaqan xeernidaamiyayasha dhaqan galka ah.

(2) Marka uu dhawac, lumid ama khasare u gaysto qof ama hanti taal dhulka ama badda shay ama qof ka soo dhacay diyaarad ku jirta duulimaad, duulay ama kacay iyada oo aan waxba loo dhimayn sharciga la xidhiidha taxadar darada laga qayb qaato (contributory negligence), khasaaraha la xidhiidha dhaawaca, lumidda ama khasaaraha waa in laga magdhabaa iyada oo aan la cadaynayn taxadar darro ama niyad ama sabab kale oo keentay ficilka, iyada oo laga soo qaadayo in dhaawaca, lumidda ama khasaraha ay sababtay ficil ku talo gal ah, taxadar darro ama khalad uu sameeyey mulkiilaha diyaaradda. Iyada oo ay shardi tahay in dhaawaca, lumidda ama khasaaraha uu sababay sida kor lagu sheegay duruufo kuwaas oo:-

(b) Khasaaraha uu ka magdhabi karo mulkiiluhu dhaawaca, lumidda ama khasaaraha oo keliya sababaha lagu sheegay farqadan,

(t) Masuuliyad sharci ay saarayso qof kale oo an ahayn mulkiilaha inuu bixiyo khasaaraha la xidhiidha dhaawaca, lumidda ama khasaaraha,

(j) Mulkiiluhu wuxuu xaq u leeyahay inuu ka damaanad qaado qof kale wixii dacwad ah ee la xidhiidha dhaawaca, lumida ama khasaaraha kor lagu soo sheegay.

(3) Marka diyaarad si niyad sami ah uu ugu gacan keliyay, ama uga kireeyo qof kale mulkiilaha diyaaradu oo aanu la socon duuliye, u-taliye (commander), mushaaxiye ama hage ka tirsan shaqaalaha diyaaradda oo uu shaqaalaysiiyay mulkiiluhu, qodobkan waa la dabaqayaa iyada oo halkii laga isticmaalayey mulkiile lagu bedelayo qofka diyaaradda loo gacan geliyay ama laga kireeyey.

Qodobka 52aad
Ku dabaqidda diyaarad sharciga qarqoomidda iyo gurmada-badbaado

(1) Adeeg kasta oo la bixiyay iyada oo la caawinayo, ama la bad-baadinayo naf, ama rar (cargo) ama alaab, diyaarad ku jirta, dul hehaabay ama dul maray biyo bad ama mawjadeed, ama dul taal xaaxiga badda ama biyo mawjadeed, waxa laga soo qaadayo adeeg gurmada-badbaado (salvage service).

(2) Hadii adeegga gurmada-badbaado ay siisay diyaaradi hanti ama qof, mulkiilaha diyaaradu wuxuu xaq u leeyahay abaal marrin la mid ah hadii adeegga gurmada uu bixin lahaa markab.

(3) Farqadaha (1) iyo (2) ee qodobkani waxay ahaanayaan kuwo la dabaqo, iyada oo aan la eegayn in diyaaradu ay ahayd mid shisheeye islamarkaana adeegyada lagu bixiyay meel kale oo ka baxsan biyaha dhulka Somaliland (territorial waters).

(4) Wasiirku isaga oo soo saaraya xeer-nidaamiye wuxuu amri karaa in qodobo ku jira

xeer markaas dhaqangal ah oo la xidhiidha degidda ama qarqoormidda (wreck), u gurmashada naf ama hanti ama waajibka saaran in la siiyo caawimo gaadiid bad (vessel) oo ku jira xaalad xun, in, iyada oo wax ka bedel iyo u gaar uyeled (exceptions) lagu samayn karo (hadii ay jiraan), hadba sida uu tilmaamo, lagu dhaqo diyaarad qodobaaas la xidhiidha gaadiidka badda.

(5) Ujeedada qodobkan awgeed, qodob ku jira xeer ka dhaqan gal ah Somaliland kaas oo la xidhiidha gaadiid bad oo la dhigay, ama looga tegay inaanu u badqabin (unfit) si loogu isticmaalo adeegyo bad waxa laga soo qaadayaa inuu yahay mid degay.

Qodobka 53aad
Ka joojinta diyaarad inay dhoofto

Xeer-nidaamiye ama amar loo soo saaray si waafaqsan xeerkan oo la xidhiidha diyaarad wuxuu ka joojin karaa diyaarad inay dhoofto si loo xaqiijiyo in la raaco sharcigan, Xeer-nidaamiye ama amar, wuxuuna samayn karaa talaabooyin dheeraad ah oo ula muuqda inay ku haboon yihiin in la xaqiijiyo in diyaaradu aanay dhooftin.

QAYBTA 15AAD
DEMBIYADA (OFFENCES)

Qodobka 54aad
Dembiyada

(1) Ficil kasta oo uu ku sameeyo qof diyaarad Somaliland ah meel ka baxsan Jamhuuriyadda Somaliland kaas oo, hadii uu ku samayn lahaa meel ka mid ah Somaliland u ka dhigi lahaa dembi sharci dhaqangal ah, waa in, marka la doonayo in dacwad ciqab ah oo la xidhiidha ficilkaas laga-ga soo oogo qof gudaha Somaliland, laga soo qaada inuu ku galay ficilka meel ka mid ah Somaliland.

(2) Hadii aanu ogolaan Xeer-ilaaliyaha Guud ee Somaliland, qofna looguma soo oogi karo dacwad sida ay dhigayso farqadda hore.

(3) Marka lagu dacwinayo in dembi ku xusan xeerkan la galay, dacwadda dembigaas waxa qaadi karta maxkamadda ku taal Somaliland ee ikhtisaaska u lahaan lahayd hadii dembigaas lagu geli lahaan meel ka mid ah Somaliland.

Qodobka 55aad
Af-duubidda iyo faragelinta

(1) Mucaahadada Ka-hortagga Qabsiga Sharci daradda ah ee Diyaaradaha (Convention for the Suppression of the Unlawful Seizure of Aircrafts) ee lagu saxeeay Hague 16 December waxay marka xeerkani dhaqan galo ka noqonay Somaliland dhaqangal.

(2) Qof kasta oo saaran diyaarad joogta dhulka ama ku jirta duulimaad oo si sharci darro ah, xog ama ku hadidid xoog, ama qaab kale oo cabsi gelin ah, qasbida ama gacanta ku dhiga maamulka diyaarad, waxa uu galay dembiga afduubid diyaarad.

(3) Qof kasta oo isku daya inuu galo ficilada lagu sheegay farqadda (2) ee qodobkan ama

ka qaybgalay samaynta ficilkaas, waxa laga soo qaadayaa inuu galay dembiga afduubid diyaarad.

(4) Qof kasta oo gala dembiga afduubid waa in lagu ciqaabaa marka lagu helo xabsi dhan 5 ilaa 20 sano.

(5) Qof kasta oo isaga oo gelaya dembiga afduubid diyaarad, ka gala, iyada oo la xidhiidha dembigaas, ficil waxyeelo ah rakaab ama qof ka tirsan shaqaalaha diyaaradda, waxana lagu ciqaabayaa ciqaab la mid ah midii uu ku ciqaabi laha sharci dhaqangal ka ah Somaliland hadii ficilkaas uu ka dhici lahaa Somaliland gudeheeda.

(6) Maxkamadaha Somaliland ayaa awood u leh inay qaadaan dacwdaha ka dhanka ah dadka gala dembi ku xusan qodobkan marka:-

(b) Dembiga lagu galay diyaarad ka diwaangashan Somaliland gudeheeda.

(t) Diyaaradda gudeheeda dembigu ka dhacay ay soo caga dhigato Somaliland iyada oo cidii dembiga gashayna saaran tahay.

(j) Dembigu uu ka dhacay diyaarad laga kireeyey iyada oo aanay la socon shaqaale kirayste ku leh xafiiskiisa guud ee ganacsi Somaliland ama hadii aanu lahayn goob ganacsi, si joogto ah u degan Somaliland.

(x) Dembiga ka dhacay diyaarad aan ka diwaangashanayn Somaliland oo joogta dhulka Somaliland.

Qodobka 56aad

Dembiyada khatargeliya badqabka, burburiya ama khasaare u gaysta diyaarad duulimaad ku jirta

1. Qof kasta oo si sharci darro ah oo ku talo gal ah:

b) U geysta ficil waxyeelo leh qof saaran diyaarad ku jirta duulimaad kaas oo khatargelin kara badqabka diyaaradda; ama

t) Soo gudbiya war uu ogyahay inuu yahay been si uu khatar geliyo badqabka diyaarad duulimaad ku jirta.

2. Qofkasta oo lagu helo faldambiyeedyada ku xusan farqada 1aad xarfaheeda (b, t) oo ay maxkamad horteed kaga cadaato waxaa lagu xukumayaa xadhig dhan 5 sano ah.

3. Qof kasta oo si sharci darro ah oo ku talo gal ah:

b) U burburiya diyaarad ku jirta duulimaad ama ku sababa khasaare diyaaradaas heer aanay duuli Karin ama ku keeni kara khatar badqabka duulimaadka; ama

t) Dhiga ama sababa in la dhigo diyaarad adeeg kujirta hanaan kasta ha u isticmaalee aalad ama shay kaas oo burburin kara diyaarada ama ku keeni kara khasaare gaadhsiin kara inanaay awoodin duulimaad ama sababi kara khasaare kaas oo khatargelin kara badqabka duulimaadka.

4. Qofkasta oo lagu helo faldambiyeedyada ku xusan farqada 2aad xarfaheeda (b,t) oo ay maxkamad horteed kaga cadaato waxaa lagu xukumayaa ugu badnaan xabsi daa'in.

5. Qof kasta oo isku daya inuu galo ama caawiya gelidda dembi lagu xusay farqadaha (1) iyo (2) ee qodobkan waxa laga soo qaadayaa inuu galay dembigaas waxana lagu ciqaabayaa marka lagu helo ciqaabta u taal dembigas.

Qodobka 57aad
Hubka iyo waxyaalaha qarxa

1. Qof kasta oo

b) Isaga oo saaran, ama doonayo inuu fuulo diyarad, ku jirta ama gelay hawgal, gaadiidka ganacsi ee cirka, haysta ama ku dhex qarsada dadka ama hanti ku dhexjirta hub qarsoodi ah oo halis ah ama khatar leh, kaas oo uu heli karo qofkaas saaran diyaaradda.

(t) Haysta ama qof u hayo ama dhiga, ama isku dayay inuu dhigo ama isku dayay inuu la fuulo diyaarad bam ama aalad si la mid ah u qaraxda.

2. Qof kasta oo lagu helo faldambiyeedyada ku xusan farqada 1aad xarfaheeda (b,t) ee Qodobkan oo ay maxkamad horteed kaga cadaato waxaa lagu xukumayaa xadhig dhan 5 ilaa 20 sano.

3. Qof kasta oo si kutalogal ah isaga oo aan tixgelinayn badqabka dadka, ama si taxadardarro ah u dhayalsanaya badqabka dadka, gala ficil lagu mamnuuca farqadda (1) ee qodobkan waxa uu galay dembi waana in marka lagu helo lagu ciqaabaa 5 ilaa 15 sano ah.

4. Qodobkan lagu dabiqi maayo sarkaal ka tirsan Hay'addaha sharci fulinta ee Somaliland, kaas oo awood u leh ama ugu baahan shaqadiisa inuu qaato hub, ama qofka uu u ogolaaday Agaasimaha Guud inuu ku qaato hub halis ah khatar ah gadiid cir oo ganacsi, lagumana dabaqayo qof sita shandad hub ku jira kaas oo aanay gaadhi Karin dadka rakaabka ah hadii hubkaasi yahay mid uu ogyahay hawlgeliyaha hawadu (air operator.)

Qodobka 58aad
Faro-gelinta diyaarad hawlgal ku jirta

Qof kasta oo si ku talo gal ah ama taxadardaro ah isaga oo dhayalsanaya badqabka dadka farageliya ama isku daya inuu farageliyo hawlgalka (operation) diyaarad ku jirta hawgal ama doonay inay gasho Somaliland gudeheeda wuxuu galay dembi waa in marka lagu helo lagu ciqaabaa xadhig dhan 1 ilaa 5 sano.

Qodobka 59aad
Faro-gelinta xubnaha shaqalaha diyaarad (crew members)

(1) Qof kasta oo, diyaarad ku jirta duulimaad, ku farageliya shaqaalaha diyaaradda duulimadka ku jirta gudashada waajibkiisa ama yareeya awoodii qofkaas ku gudan laha waajibaadkiisa waxa marka lagu helo lagu xukumayaa ganaax aan ka badnayn 5 0000 0000 SL Shillings (shan milyan oo Somaliland Shillings ah).

(2) Qof kasta oo, isagoo saaran diyaarad, weerara, cabsi geliya, ama u hanjaba shaqaale ka tirsan diyaaradda duulimaadka ku jirta, waxa marka lagu helo lagu ciqaabayaa, hadii aan ficillku u dhigmin dembi wayn, xabsi aan ka badnayn 6 bilood ama ganaax aan ka badnayn 1 000 000 SL Sh (hal milyan) ama labadaba.

(3) Qodobkan gudihiisa, shaqaalaha diyaaradda waxa looga jeedaa dhamaan shaqaalaha duulimaadka oo dhan.

Qodobka 60aad
Ikhtisaaska (Jurisdiction)

(1) Qof kasta, oo saaran diyaarad ka diiwaangashan Somaliland, ee gala ficil, kaas oo hadii lagu geli lahaa gudaha Somaliland noqon lahaa ku xadgudub xeerarka ciqaabeed Somaliland, waa in marka lagu helo lagu ciqaabaa sida ay dhigayaan shuruucdaasi.

(2) Iyada oo aan waxba loo dhimayn Qodobka 55(6) ee xeerkan, marka qof saaran diyaarad uu galo ficil waxyeelo leh ama ku hanjabo gaysasho waxyeelo si ka dhan ah dhamaan ama qayb ka mid ah rakaabka ama shaqaalaha, maxkamadaha Somaliland ayaa ikhtisaas u leh dembiyadaas hadii:-

- (b) Qodobka 55aad ee Mucaahadada Ka-hortagga Qabsiga Sharci daradda ah ee Diyaaradaha (Convention for the Suppression of the Unlawful Seizure of Aircrafts) uu siiyo Somaliland ikhtisaaska ficilkaas.
- (t) Diyaaradu ay ku jirto duulimaad tilmaaman (prescribed flight).
- (j) Diyaaraddu ay ka diiwaangashan tahay Somaliland.
- (x) Diyaaradu ay tahay diyaarad dawladeed ama urur caalami ah oo booqasho ah.
- (Kh) Diyaaradu ay joogto meel ka baxsan Somaliland balse qof ka galay uu yahay muwaadin reer Somaliland ah.

Qodobka 61aad
Mamnuucidda ficilada qaska iyo edeb xumada ah

Ha'yadu iyada oo soo saaraysa xeer-nidaamiye waxay ka mamnuuci kartaa ficilada ah kuwo qas ah ama edebta u xun diyaaradaha dushooda ee jooga ama dul maraya Somaliland.

Qodobka 62aad
Dembiyada laga galo garoomada diyaaradeed

(1) Qof kasta oo, garoon diyaaradeed dhexdiisa, si sharci darro ah oo ku talo gal ah, u isticmaala aalad, shay ama hub si uu u galo ficil waxyeelo leh kaas oo ku sababa ama ku sababi kara qof waxyeelo jidh oo wayn, ama Burburiya ama u gaysta khasaare wayn diyaarad ama tas-shiilaad taal garoon diyaaradeed ama qasa adeeg garoonka diyaaradeed, Waa in marka lagu helo lagu ciqaabaa xadhig dhan 5 ilaa 10 sano.

(2) Qof kasta oo isku daya inu galo ama ku caawiya gelidda dembi lagu xusay farqadda (1) ee qodobkan waxa laga soo qaadayaa inuu galay dembigaas waxana lagu ciqaabayaa marka lagu helo ciqaabta u taal dembigaas.

Qodobka 63aad
Burburinta ama khasaare u gaysashada mushaaxidda hawada ama tas-hiilaad kale

1) Qof kasta oo si sharcidarro ah oo ku talo gal ah u burburiya ama khasaare u gaysta tas-hiilaadka mushaaxidda hawada ama sahaminta cimilada ama u farageliya

hawlgalkooda si khatargelin karta badqabka diyaarad duulimaad ku jirta waxa uu galay dembi waana in lagu ciqaabaa marka lagu helo xadhig dhan 1 ilaa 5 sano.

(2) Qof kasta oo isku daya inuu galo ama caawiya gelidda dembiga ku xusan farqadda (1) ee qodobkan waxa laga soo qaadayaa inuu galay dembiga waana in lagu ciqaabaa ciqaabta u taal dembigaas.

Qodobka 64aad **Faro-gelinta Mushaaxidda Hawada**

Qof kasta oo, Isaga oo uga jeeda inuu farageliyo (interfere) mushaaxidd hawada Somaliland, ka soo ifiya Somaliland gudeheda nal (light), seenyaale (signal), ama isgaadhsiin meel ama hab lagu qaldi kara nalka ama seenyaalaha sida sharcigan waafaqsan loo soo saaro ama seenyaale dhab ah oo ku xidhann garoondiyaradeed ama tas-hiilaad mushaaxidda hawada ah, ama, kadib marka uu digniin siiyo Agaasimaha Guud, sii wada nalkaas ama seenyaalahaas marin habaabiska ah Wuxuu galay dembi waxana lagu ciqaabayaa marka lagu helo xadhig dhan 1 ilaa 5 sano ama ganaax 5,000.000 SL Shillings (shan milyan ah) ama labadaba.

Qodobka 65aad **Ku xadgubidda shahaadada**

1. Qof kasta: -

- b) Oo isaga ogg oo ku talo galay been abuur, samaysta, wax ka bedela, ama si been abuur ah u samaysta shahaado sharcigani waajibiyay in la soo saaro.
- t) Isaga oo og u isticmaala ama iskugu daya inuu u isticmaalo shahaadadaas ama ruqsadaas been abuurka ah
- j) Isagoo ogg oo ku talo galay ku muujiya ama sababa in lagu muujiyo diyaarad calaamado been ka sheegaa ama marrin habaabinaya wadanka ay ka tirsan tahay ama ka diwaangshan tahay diyaaraddu.

2. Qofkasta oo lagu helo faldambiyeedyada ku xusan farqada 1aad xarfaheeda (B, T iyo J) oo ay maxkamad horteed kaga cadaato waxaa lagu xukumayaa xadhig dhan 3 sano ama ganaax dhan 3,000,000/= (saddex milyan) ama labadaba.

Qodobka 66aad **Ku xadgubidda warbiximaha iyo diiwaangelinta (Record)**

1. Hawlgaliye kasta oo hawada ah (Any air operator), ama sarkaal kasta, wakiil (agent) ama shaqaale, ama metele (representative), kaas oo isaga oo og oo ku talo galay: -

- b) Ku guuldaraysta ama diida inuu siiyo warbixin Agaasimaha Guud sida uu wajibiyay sharcigani; ama
- t) Ku guuldaraysta ama diida inuu u kaydiy ama u hayo xisaabad, diiwano iyo qoraalo sida uu tilmaamo Agaasimaha Guud; ama
- j) Kaydiya warbixin, xisaabaad, diiwaan ama qoraal been ah.

2. Qofkasta oo lagu helo faldambiyeedyada ku xusan farqada 1aad xarfaheeda (b, t iyo j) oo ay maxkamad horteed kaga cadaato waxaa lagu ciqaabayaa ganaax dhan 3,000,000/= (saddex milyan).

Qodobka 67aad
Diidida maragfuridda ama soo saarista diiwaano (Records)

Qof kasta oo dayaca ama diida inuu ka soo qayb galo oo ka maragfuro, ama ka waabo su'aalo baadhitan sharci ah, ama inuu soo saaro buug, waraaqo, ama dhukumentiyiyo kuwaas oo ku hoos jira awooda qofkaas, isaga oo adeecaya amar loo soo saaray si waafaqsan sharcigan ama xeernidaamiye ama codsi sharci ah oo uu sameeyey Agaasimaha Guud, wuxuu galay dembi waxana lagu ciqaabayaa marka lagu helo ganaax aan ka badnayn 1,000,000 SL Shillings (hal milyan) ama xadhig aan ka banan 30 maalmood ama labadaba.

Qodobka 68aad
Xog been ah

(1) Qof kasta oo bixiya ama sababa bixinta xog been ah, isaga oo ogg in xogtaasi tahay been, oo khusaysa isku dayga samaynta ficil ay ka dhigayaan dembi qodobada 55 iyo 59 ee Xeerkan, waxa uu galay dembi waana in marka lagu helo lagu ciqaabaa xadhig dhan 1 ilaa 3 sa'o ama ganaax dhan 3,000,000 (sadex milyan ama labadaba.

(2) Qof kasta oo si ku talo gal ah, ama isaga oo dhayalsanaya badqabka nafta aadanaha, bixiya ama sababa bixinta xog been ah, isaga oo og in xogtaasi tahay been, oo khusaysa isku day samayn ficil ay ka dhigayaan dembi qodobada 55 iyo 59 ee xeerkan, waxa uu galay dembi waana in lagu ciqaabaa marka lagu helo xadhig dhan 5 ilaa 10 sano.

Qodobka 69aad
Qaadida qayb ka mid ah diyaarad shil gashay

Qof kasta oo isaga oo og oo ku talo galay una haysan wax awood ah qaada, qariya, ama haysta qayb ka mid ah diyaarad madani ah oo shil gashay, ama hanti saarnayd diyaaradaas markii ay shilka gashay, wuxuu galay dembi waana in lagu ciqaabaa marka lagu helo xadhig dhan 6 bilood ama ganaax dhan 1,000,000 SL Shillings (hal milyan) ama labadaba.

Qodobka 70aad
Alaabta khatarta ah (Dangerous Goods)

Qof kastoo isaga oo ku talo galay ama og, u keena, ama sababa u keenidda hawlgeliye hawada ah (air operator) ee gaadiid cirka ah oo ganacsi, ama si taxadardaro ah u sababa ku qaadida gaadiid cir oo ganacsi (commercial air transport) xamuul (shipment), rar (cargo), shandad, ama hanti kale si khilaafsan qodobada lifaaqa 18 ee Mucaahadada Chicago iyo UCDM Tilmaameheeda Farsamo ee si badqabta ugu qaadida gaadiidka cirka alaab khatar ah (ICAO Technical Instruction for the Safe Transport of Dangerous Goods by Air) waxa uu galay dembi waana in lagu ciqaaba marka lagu helo xabsi dhan lix bilood ama ganaax dhan 1,000,000 SL Shillings (hal milyan) ama labadaba.

Qodobka 71aad
Dacwad-oogista iyo War-bixinaha Hay'adda

Marka Xeer-ilaaliyaha Guud uu ka helo Hay'adda warbixin baadhitaan oo la xidhiidha denibiyada ku xusan xeerkan, si dacwad loogu soo oogo oo uu arko in cadaynta ay soo gudbisay aanay ku filayn in dacwad la soo oogo, wuxuu ogaysiin karaa Hay'adda si ay u soo gudbiso cadayn dheeraad ah.

Qodobka 72aad
Ganaaxyada Maamul (Administrative Fines)

(1) Qof kasta oo ka shaqeeya hawlgal ganacsi gaadiidka cirka ah oo gudaha ah ama mid caalami ah ama qabanaya arimo ama hawlo ay nidaaminay Hay'addu xeerkan gudihisa kaas oo jebiya qodob ka tirsan xeerkan ama xeer-nidaamiye ama amar la soo saaray kaas oo la xidhiidha nidaaminta duulista madaniga ah waxa lagu soo rogi karaa iyada oo la raacayo qodobka 29(2) ee xeerkan ganaax maamul oo aan ka badnayn 10,000,000 SL Shillings (toban milyan).

(2) Agaasimaha Guud wuxuu leeyahay awoodda uu ku qiimaynayo kuna yarayn karo ganaax maamul (administrative fees). Marka uu ka go'aan gaadhayo ganaax maamul, Agaasimaha Guud waa inuu tixgeliyaa dabciga, duruufaha, xadka, iyo culayska xadgudubka (contravention) ee la xidhiidha qofka ku xadgudbay, ilaa xadka ku talagal, taariikha xadgudubyo hore, awooda iska bixinta, saamaynta ay ku yeelan karto inuu ganacsigii sii wado iyo arimihii kale ee cadaalada loogu baahdo.

(3) Wasiirku waa inuu, marka uu helo talada Agaasimaha Guud, faafiyaa xeer-nidaamiyayaal maamulaya qiimaynta iyo dabaqidda ganaaxyada maamul iyo heerka ganaaxa ee la xidhiidha xadgudubyada kala duwan ee la xidhiidha kuwaas oo uu dib ugu-eegayo Agaasimaha Guud sixir bararka, ugu yaraan sanadkii hal mar. Ganaaxyada maamul ee dib loo eegay waa in lagu soo saaraa wax-kabedel xeer- nidaamiye.

(4) Diyaaradda madani ee ku lug leh xadgudubka lagu sheegay farqadda (1) ee qodobkan, kaas oo mulkiilaha ama wadaha (operator) diyaaradu uu ka masuul yahay, waa in lahayaa ilaa lacagata ganaaxa maamul laga bixiyo.

QAYBTA 16AAD
QODOBO GUUD

Qodobka 73aad
Kormeeridda ku raridda (transportation) Alaab khatar ah hawada

Hay'addu waa inay kormeertaa oo fulisaa waafaqiddda Lifaafa 18 ee Mucaahadada Chicago iyo tilmaamaha farsamo ee ku qaadidda alaabta khatarta ah hawada (ICAO Technical Instructions for the Safe Transport of Dangerous Goods by Air), iyo HRDL waxayna awood u leedahay inay wax ka bedesho tilmaamahaas farsamo iyada oo ka wakiil ah Jamhuuriyadda Somaliland.

Qodobka 74aad
Awooda Hay'adda ee samaynta shuruuc lagu ilaalinayo Caafimaadka Dadwaynaha

(1) Hay'addu iyada oo la tashanaysa laamaha kale ee dawlada waxay, soo saari kartaa

xeer-nidaamiyayaal si looga hortago khatar kaga soo foolan caafimaad ka dadwaynaha oo kaga imanay ama kaga soo fiday cudur fida ama lakala qaado diyaarad imanaysa ama jooqta garoondiyaradeed iyo ka hortagga soo fidida cudur faafa ee diyarad ka tegay garoondiyardeed.

(2) Hay'addu waxay, iyada oo soo saaray xeer-nidaamiye, ay dejinay in jebinta xeer-nidaamiye loo soo saaray si waafaqsan farqadda (1) qodobkan lagu ganaaxa lacag.

Qodobka 75aad

Awoodaha degdega ah (Emergency Powers) ee ilaalinta caafimaadka dadwaynaha

(1) Hadii Wasiirku ku qanco in Jamhuuriyadda Somaliland ama qayb ka mid ah ay soo gaadhay ama khatar ku tahay inuu ka qarxo cudur faafa oo halis ah, islamarkaana in qodobada xeerka dhaqangalka ah aanu ku filayn ka hortagga khatar caafimaad oo dadwaynaha ka soo wajahda fiditaanka cudur dayuurad, Wasiirku wuxuu qaadi karaa talaabooyinka muhiimka ah ee ula muuqda daruuri si looga hortago khatartaas.

(2) Xaalad kasta oo kale Wasiirku wuxuu, iyada oo aan waxba loo dhimay awoodaha ku dhigan qodobka 80 ee xeerkan, isaga oo ogaysiis ku soo saaraya Faafinta Rasmiga ah, samayn karaa awaamiir ku meel gaadh ah oo la xidhiidha diyaarad iyo dadka ku safraya ama wixii ay sido iyo garoonka diyaradeed hadba sidii ay ula muuqata inay daruuri u tahay duruufaha.

(3) Awaamiirta lagu soo saaray si wafaqsan farqadda (2) ee qodobkan waxay ahaanayaan dhaqangal ugu badnaan sadex bilood laga bilaabo taariikhda ogaysiiska, iyada oo ay shardi tahay in Wasiirku, isaga oo soo saaraya amar gaar ah, uu sii wadi karo dhaqangalkooda waqtiyo dheerad ah oo aan ka badnaan Karin sadex bilood.

(4) Cidii jabisa amarada ku xusan farqadaha 1aad iyo 2aad ee Qodobkan waxaa lagu ciqaabayaa xadhig gaadhsiisan hal sano ama ganaax dhan (1,000,000 SI sh) ama labadaba.

Qodobka 76aad

Awoodaha Wasiirka ee soo saarista amaro xaaladda degdega ah (emergency)

(1) Marka lagu jiro xaalad dagaal, ha noqdo mid socda ama mid muuqda (imminent) ama marka loogu dhawaaqo xaalad degdeg ah si waafaqsan qodobada 53(5) iyo 90(11) ee dastuurk Somaliland, hadii Wasiirka ay ula muuqato in danta badqabka ama xasiloonida dadwaynaha awgeed, in soo saarista dhamaan ama in ka mid ahaan amarada soo socda ay haboontahay, Wasiirku wuxuu ogaysiis ku soo baxay Faafinta Rasmiga ah:-

b) Ku tirtiri karaa, hakin karaa, gebi ahaan ama shuruudaha ay ula muuqato Wasiirka inay haboon yihiin inuu ku qeexo amarka, dhamaan ama qaar ruqsadaha, ogolaashaha (permits), shahaadooyinka ama ogolaansho kale oo loo soo saaray si waafaqsan xeerkan (other authorization).

t) Ku mamnuuci karaa gebi ahaan ama shuruudaha ay ula muuqato Wasiirka inuu ku qeexo amarka, ama u nidaamin karaa hanaanka u ku tilmaamo amarka, duulimaadka dhamaan ama in ka mid ah diyaaradaha ama noocyo diyaarado ah inay dul maraan guud ahaan ama qayb ka mid ah Jamhuuriyadda Somaliland.

j) Ka mamnuuci karaa, gebi ahaan ama iyada oo ay la socoto shuruudo, ama ku nidaamin karaa dhisidda, dayactirka ama isticmaaalka garoondiyaradeed, wershed diyaaradeed, naadi ama dugsi duulimaad (flying school or club), ama goob diyaaradaha lagu sameeyo, lagu hagaajiyo lagu hayo, ama nooc kasta ama tilmaamo ee uu sheego.

x) Ku tilmaami karaa in diyarad ama noocyo diyaarado ah, ama garoondiyaradeed, wershed diyaradeed, naadi ama dugsi duulimaad, ama goob lagu sameeyo diyuuradaha, lagu hagaajiyo ama lagu hayo, oo ay la socoto wixii qalab ah, wershed ah (plant), alaab ama ashyaa ah ee loo isticmaalay hawgelinta, samaynta, hagaajinta ama dayactirka dayuuradda in loo dhiibo, isla markaas ama waqti la xadiday gudhiisa, masuuliyiinta iyo habka uu Wasiirku uu ku tilmaamo amarkiisa si loogu gacan geliyo dawladda Jamhuuriyadda Somaliland si loogu isticmaalo adeeg dadwayne (public service).

kh) Ku tilmaami karaa in hawlgeliye shirkad diyaradeed (airline operator) ku leh goobtiisa ganacsiga ee wayn Jamhuuriyadda Somaliland, ama maamule garoondiyaradeed (aerodrome operator) ama bixiyaha adeegyada hawo marista iyo sahaminta cimilada, iyo shaqaalaha shirkad diyaaradeed (air line operator), maamule garoondiyaradeed (aerodrome operator) ama bixiyaha adeegyada hawo marista iyo saadaalinta hawada, inay u fuliyaan dulimaadyo, iyo waajibaad kale ee la xidhiidha hawgelinta duulimaadyada, danta caamka ah awgeed habka lagu sheegay amarka.

2. Amar kasta oo lagu soo saray si waafaqsan farqadda (1) ee qodobkan waxa ahaanay mid dhaqan gal ah, iyada oo aan la eegayn wixii ay isku khilaafsan yihiin xeer-nidaamiye lagu soo saaray si waafaqsan xeerkan ama xeer kale oo ka dhaqan gal ah Somaliland.

3. Qof kasta oo ay ka soo gaadho dhawac ama khasare amarka loo soo saaray si waafaqsan xubnaha (c) (d) ama (e) ee farqadda (1) ee qodobkan waxa laga siinayaa magdhow ay go'aamiso cidi ama qofkii uu u magacaabo Wasiirku.

4. Wasiirku wuxuu ogolaan karaa in la qaado talaabooyinka lagu hubinayo in la raacay amar lagu soo saaray si waafaqsan farqadda (1) ee ula muuqda Wasiirka inay lagamaarmaan yihiin.

5. Qof kasta oo isaga oo og adeeci waaya, ama ku guuldaraysta inuu raaco, ama sameeya ficil ka soo horjeeda amarka ku xusan farqadda (1) ee qodobkan, waxa uu galay dembi waana in, marka lagu helo, lagu ciqaabaa xadhig lix bilood ilaa sanad ah ama 1,000,000 SL Shillings (hal milyan) ama labadaba, maxkamadda dembiga ku heshayna waxay amri karta in lala wareego diyaaradda ama shayga dembiga lagu galay, ama qayb ka mid ah diyaaradaas ama shayga, in lagu wareejiyo dawladda.

Qodobka 77aad **Tilmaamidda Adeegyada Daruuriga ah (Essential Services)**

(1) Dhamaan adeegyada fudaydiya si wanaagsan u nidaamsan oo badqabta u kicidda duulimaad iyo la tacaamilida diyaaradaha iyo ka degidooda (disembarkation) iyo ka daad guraynta rakaabka iyo rarka dhamaan garoomada diyuuradaha Jamhuurida Somaliland waxa halkan lagaga dhigay adeegyada daruuriga ah ee tilmaaman.

(2) Wasiirku wuxu isaga oo soo saaraya xeer-nidaamiye ka mamnuuci karaa dhamaan ama qaar ka mid ha shaqaalaha, saraakiisha iyo dadka kale ee shaqeeya ha noqdaa dad dabiici ah ama cid shaqsiyad qaanuuni ah leh, ee ku hawlan bixinta adeegyada lagu sheegay farqadda (1) ee qodobkan inay ka qayb qaataan mudaharaad shaqo ka fadhiisi (strike) ama ficil kale oo shaqaaluhu qaadaan.

(3) Qodobkan gudihisa, mudaharaad shaqo ka fadhiisi (strike) waxa loola jeeda shaqo joojinta ay joojiyaan koox dad ah oo shaqeeya, kuwaas oo wada jira ama diidmo la qorsheeyey oo lagu wada jiro ama diidmo ay sameeyeen dad wadaaga faham guud inay shaqeeyaan kadib markii muran dhexmaray loo-shaqeeyaha, taas oo ay u sameeyeen si ay ugu qasbaan loo-shaqeeyahooda, ama dawladda ama laan dawladda ka tirsan, ama inay u caawiyaan shaqaale kale oo loo-shaqeeyahooda qasbaya ama dad kale koox dad ah oo shaqeeya, si uu u aqbalo ama aanu u aqbalin xaalado shaqo iyo xaalada jidh ahaaneed ee shaqo ama siyaasad dhaqaale oo dawladeed ama sicir goynta (pricing) wax-soosaar daruuri ah; qeexidan gudeheedana:-

(b) "Shaqo joojin" waxa ku jira in lagu shaqeeyo xawaare ka yar kii markii caadiga ahaa ama in ka yar waxsoosaarki caadiga ah iyada oo aanay jirin cudurdaar macquul ah oo hawl-gelinta ah (reasonable operational justification).

(t) "Diidmada sii wadida shaqada" waxa ku jira in la diido in lagu shaqeeyo xawaarihii caadiga ahaa ama wax-soo saarkii caadiga ahaa.

Qodobka 78aad
Iswaydaarsiga laba geesoodka ah ee masuuliyadka
korjoogtaytan badqabka

(1) Hay'addu iyada oo ka duulaysa qodobka 83bis ee ee Mucaahadada Duulista Madaniga ah ee Caalamiga ah (Convention on International Civil Aviation) iyo heshisyada laba geesoodka ah ee ay la gasho masuuliyiinta duulista ee dawlad kale waxay waydaarsan kartaa dalkaas gebi ahaan ama qayb ka mid xilkeeda iyo waajibaadkeeda la xidhiidha diyaaradooda diwaangashan ee qodobadan soo socda ee Mucaahadada: qod. 12, 30, 31, iyo 32.

(2) Hay'addu waxay ka tanaasushay masuuliyadeeda la xidhiidha xilka iyo waajibaadka ay Hay'addu iska wareejisay sida ku qeexan heshiiska labada geesoodka ah ee qodobada lagu taxay farqadda (6) ee diyaradda ka diiwaangashan Somaliland ee lagu tilmaamay farqadda (6)(a) ee lagu wareejiyay debedda waxayna aqbalay masuuliyadda la xidhiidha xilka iyo waajibaadka ee qodobada diyaaradda ka diwaangashan dal ka tirsan UCDM ee lagu sheegay farqadda (6)(b) ee lagu soo wareejiyay Jamhuuriyadda Somaliland.

(3) Hay'addu waxay ku sheegi kartaa heshiiska wareejinta xilka iyo waajibaadka ee ku dhigan farqadan wixii shuruud ah ee Hay'addu ula muuqato inay daruuri yihiin oo haboon yihiin, marka laga reebo in aan Hay'addu ku wareejin karin masuuliyadeheeda diyaarad ka diiwaan gashan Somaliland ee lagu sheegay farqadda (6) (a) dal ay UCDM ku tilmaantay inaanu waafaqsanayn waajibaadka ka saaran xeerka caalamiga ah, iyo mucaahadooyika ee korjoogtaynta duulista madaniga ah oo badqabta.

(4) Hay'addu, iyada oo raacaysa heshiisyada loo galay si waafaqsan qodobkan, waa inay aqoonsataa u-qalmidda ku duulista hawada (airworthiness) iyo ruqsadaha shaqaalaha

ee uu soo saaray ama cusboonaysiisay ama ansixisay dal ka tirsan UCDM ee hawgeliyaha (operator), iyo/ama qof haysta ruqsad, ogolaansho ama shahaado.

(5) Hay'addu waa inay ogaysiisa UCDM iyo dalalka ay khusayso heshiiska wareejinta ee ay gashay.

(6) Qodobkan gudihisa “diyaarad diiwaangashan” waxa loola jeedaa”-

(b) Diyarad ka diiwaangashan Somaliland, kuna hawlgasha si waafaqsan heshiis kiro, keli-kiraysi (charter), ama iswaydaarsi diyaarad ama nooc kale oo heshiis ah oo la mid ah ee hawlgeliye (operator) ku leh goobtiisa ganacsi ee wayn (principal place of business) ama, hadii aanay lahayn goobtaas ganacsi, degenaansho joogto ah dal kale;

(t) Diyaarad ka diiwaangashan dal shisheeye kuna hawlgasha heshiis kiro, keli-kiraysi (charter), ama iswaydaarsi diyaarad ama nooc kale oo heshiis ah ee hawlgeliye (operator) ku leh goobtiisa ganacsi ee wayn, ama hadii aanay jirin goobtaas ganacsi, degenaansho joogto ku leh Jamhuuriyadda Somaliland.

Qodobka 79aad **Heshiisyada Iskaashi ee Badqabka Duulista**

(1) Hay'addu waa inay dhiirigelisaa wadashaqayn heer gobol ah ee nidaaminta iyo maamulidda badqabka duulista si waafaqsan xeerarka caalamiga ah.

(2) Hay'addu waxay iyada oo ka duulaysa farqadda (1) ee qodobkan, la geli karta heshiis wadashaqayneed ee arimaha badqabka duulista dalalka kale ee xubinta ka ah UCDM.

(3) Hay'addu waa inay siisaa Wasiirka talo farsamo marka Wasiirku uu ka go'aan gaadhayo ka qaybgalka wadahalada iyo heshiisyada iskaashi heer gobol ah iyo mid heer caalami ah.

(4) Agaasimaha Guud ee Hay'addu wuxuu u igman karaa hawl badqabka iyo nidaaminta dhaqaale ee duulista ah shaqsi ama shirkad ay siisay ruqsad UCDM taas oo marka la ansixiyo ruqsadeeda u muuqata inay awood u leedahay inay u qabato adeeg Hay'adda.

Qodobka 80aad **Dhaqamada tartanka xorta ah ka soo horjeeda (Anti-Competitive Practices)**

(1) Marka sharciga tartanka ee Somaliland aanu gaar ku ahayn ganacsiga duulista, Hay'addu waa inay samaysaa xeer-nidaamiyayaasha ay u aragto daaruuri, si ay u mamnuuco ama aanay u dhiirgelin dhaqamada tartanka furan ka soo horjeeda.

(2) Iyada oo aan waxba loo dhimayn guud ahaanshaha farqadda (1) ee qodobkan, dhaqamada ay tahay in la nidaamiyo waa inay ku jiraan:-

(a) Dhaqamada ku leh waxyeelo muuqata dhaqaalaha, garoondiyaradeed oo kale, bixiyaha adeeg hawo marista ah, hawlgeliyaha (air operator), diyaarad ama bixiyaha adeegyada duulista ee isku dhafan,

(b) Dhaqamada la cadayn karo marka la soo bandhigo cadayn la qaadan karo in hadii la ogolaado in la sii wado inay ku sababay garoon kale, hawlgeliye (air operator), diyaarad ama bixiyaha adeegyada duulista ee isku dhafan inuu ka baxa

suuqa dhaqaalaha.

(3) Marka ay iskeed u bilawdo ama loo soo gudbiyo codsi rasmi ah oo la diiwangeliyay (documented) Hay'adda, Hay'addu waxay baadhi kartaa in sicirka (price) gaadiidka cirka ee qaade dalka gudihisa ah ama mid shisheeye, noocyo sharci-hoosaad ama dhaqan saamaynaya sicirka, ama qiimaha gaadiidka lagu bixiyay sicirkaas, uu yahay mid aan waafaqsanayn sharcigan. Hay'addu waxay bilaabi kartaa baadhitaanka hal mar iyada aan waxba waydiiin qaadaha (carrier), balse waxay bilaabi kartaa oo keliya marka ay bixiso ogaysiis macquul ah. Hadii kadib baadhitaanka Hay'addu ay go'aansato in sicir, noocyo, sharci-hoosaad ama dhaqan uu yahay mid sharcigan jebinaya, Hay'addu waxay diidi kartaa isna hortaagi kartaa isticmaalka sicirkaas, noocyadaas, sharci-hoosaadkaas ama dhaqankaas.

(4) Waxa intaas dheer marka ay tahay qaade shisheeye ah (foreign air carrier), Hay'addu waxay diidi kartaa isna hortaagi kartaa isticmaalka sicirkaas, noocyadaas, sharci-hoosaadkaas ama dhaqankaas marka ay go'aamiso Hay'addu in ficilkaasi uu yahay mid leh dan guud (public interest).

QAYBTA 17AAD ILAAALINTA RAKAABKA

Qodobka 81aad Magdhowga Rakaabka loo diiday inay fuulaan diyaarad

Hay'addu waxay soo saaraysa xeer-nidaamiyeyaal shardi ka dhigaya in hawlgeliyaha (air operator) ku jira ganacsiga gaadiidka rakaabka uu yeesho siyaasado ka hadlaya:-

- (b) Siyaasadaha hoysiinta rakaabka dhadhaqaaqoodu xadidan yahay.
- (t) Caruurta aan lala socon.
- (j) Xaqa rakaabka ee qaadista.

Qodobka 82aad Nidaaminta iibka, qaybinta iyo bixinta adeegyada isku dhafan

(1) Dhamaan dadka ku hawlan iibinta, qaybinta iyo bixinta adeegyada isku dhafan waa inay helaan ruqsadaha, ogolaanshaha (permit) iyo ogolaanshaha kale (other authorizations) ee Hay'adda.

(2) Hay'addu waxay samayn kartaa xeer-nidaamiyeyaal khuseeya arimaahaas kuwaas oo ay ku jiraan:-

- (b) Xogta uu soo gudbinayo qofka doonaya ruqsadda.
- (t) Shuruudaha lagu bixin karo ruqsadda.
- (j) Duruufaha ruqsadda lagu hakin karo ama lagula noqon karo.

Qodobka 83aad Xuquuqda dayuuradda lagu leeyahay (Rights in Aircraft)

(1) Mucaahadada Aqoonsiga Caalamiga ah ee Xuquuqda Dayuurad dhexdeeda (Convention on the International Recognition of Rights In Aircraft) 1948 marka xeerkani dhaqan galo waxay ka dhaqangelayasaa Jamhuuriyadda Somaliland iyada oo la

raacayo farqadda (2) ee qodobkan.

(2) Mucaahadada Danaha Caalamiga ah ee Qalabka Guurguura 2001 (Convention on International Interests in Mobile Equipment) marka xeerkani dhaqan galo waxay ka dhaqangelaysa Jamhuuriyadda Somaliland iyada oo ay shardi tahay in Wasiirku awood u leeyahay inuu sameeyo dhawaaqyada (declarations) uu u baahan tahay ama ogoshahay Mucaahado.

Qodobka 84aad

Xaqa ay Hay'addu u leedahay in ay dalbato Caymis

(1) Qaade kasta (carrier) oo ka hawlgelaya adeegyada gaadiidka cirka ee ku socda ama ka tegaya gudaha Somaliland waa inay leeyihiin caymis ku filan oo gaadhsiisan masuuliyadkooda (liabilities) sharcigani, amar ama xeer-nidaamiye saaray iyo sidoo kale masuuliyadkooda (liabilities) ku aadan magdhowga khasaaraha soo gaadhi kara qof sadexaad qiimo lagu xadidi doono xeer-nidaamiye ay samayso Hay'addu.

(2) Maqnaanshaha camiskaasi waa inuu noqdaa sabab ku filan in loo diido, hakiyo ama lagala noqdo ogolaanshaha inay ka shaqayso adeegyada hawlgelinta gaadiidka cirka ama adeegyada kale ee ay nidaamisay Hay'addu.

(3) Qof kasta oo looga baahan yahay inuu haysto caymis ku filan si wafaqsan farqadda (1) ee qodobkan waa in uu soo gudbiyaa cadayn jiritaanka caymiska iyo/ama dib u cusboonaysiintiisa ka hor waqtiga dhicidiisa Hay'adda taas oo cadaynaysaa inay ka haysato siyaasad caymis oo ansaxa caymiye ay aqoonsan tahay dawladda Jamhuuriyadda Somaliland. Caymiskaas waa in laga soo qaadaa inuu yahay mid dhaqan gal ah dhamaan mudada masuuliyadda (liability), caymiyuhuna isaga oo raacaya sharcigan iyo xeer-nidaamiyayaasha waxa looga baahan yahay inuu hayo, si uu ugu qalmo inuu galo, diiwaanka Hay'dda ee dhinacyada la caymiyay iyo masuuliyadka.

(4) Qaade kasta oo ka hawlgelaya adeegyada gaadiidka cirka ee ka tegaya, soo gelaya ama gudaha Somaliland ah, kaas oo jebiya farqadaha (1) iyo (3) ee qodobkan, waxa uu galay dembi waana in lagu ciqaabaa marka lagu helo ganaax lagu dejiyo xeer-nidaamiye.

Qodobka 85aad

Heshiisyada Adeegyada Hawada

Dhamaan dhaqaalaha ka soo xerooda heshiisyada adeegyada hawada ee lala galay Somaliland ha noqdaan mid dhinacyo badani galeen (multilateral) ama mid laba dhinac ah waa in la siiyaa Wasaaradda waana in lagu shubaa xisaab gaar (separate account) waxana loo isticmaali karaa oo keliya horumarinta, fulinta iyo hawlgelinta duulista madanig ah ee Somaliland iyo/ama adeegyada baadhista (search) iyo gurmada (rescue) ee ay sameeyaan agaasin ka kooban ciidan iyo madani.

Qodobka 86aad

Daabacaadda Xiliyaysan ee Siyaasadaha Duulista Hawada

(1) Wasiirku wuxuu hadba daabici karaa siyaasadaha duulista madanig ah ee dawladda Somaliland.

(2) Hay'addu waa inay daabacdaa siyaasadda ay ugu talo gashay inay qaadato ee la xidhiidha arin gaar ah iyada oo isticmaalaysa awoodeheeda islamarkaana gudanaysa xilkeeda uu saray sharcigani, waana inay noqotaa waajibka Hay'adda inay daabacdo qoraalada (statements) loogu bahan yahay ogaysiis ahaan.

(3) Ka hor intaanay daabacin qoraalada ku xusan qodobkan, Hay'addu waa inay la tashataa wakiilo ka socda:-

(b) Qaybaha duulista madaniga ah iyo kuwa ciidan ee Somaliland.

(t) Adeegyada gaarka ah ee gaadiidka cirka kuwa isticmaala dadwaynaha iyo ashkhaasba.

(j) Masuuliyiinta iyo ururada caalamiga ah ee xeer caalami ahi waajib kaga dhigay Somaliland.

(4) Habka loo daabacayo qoraalada lagu xusay qodobkan waxa qeexaysa Hay'adda.

QAYBTA 18AAD
QODOBADA U DANBEEYA (FINALPROVISIONS)

Qodobka 87aad
Awoodda guud ee soo saarista xeer-nidaamiyayaal

Iyada oo aan waxba loo dhimayn qodobada xeerkan ee u siiyay awoodo Wasiirka iyo Hay'adda soo saarista xeer- nidaamiyayaal, amaro, go'aano, hagayaal iyo tilmaamo la xidhiidha arimo gaar ah, Wasiirku wuxu soo saari karaa xeer-nidaamiyayaal uu ku fulinayo xeerkan.

Qodobka 88aad
Luqadda mucaahadooyinka iyo xeer-nidaamiyayaasha

(1) Mucaahadooyinka lagu aqoonsaday xeerkan waxa loo daynayaa, si waafaqsan qodobka 6(2)⁸ luqadda Ingiriisida ee ay ku qoran yihiin si loo ilaaliyo saxnaanshahooda.

(2) Xeer-nidaamiyayaasha faah-faahsan ee arimaha farsamo ee duulista madaniga ah, waa in lagu qoraa af Ingirisii, Hay'adduna waxay, hadii loo baahdo, diyaarin kartaa qoraalo af Soomali ku qoran oo Mucaahadooyinka iyo xeer-nidaamiyayaasha ah.

Qodobka 89aad
Laalis

1. Waxa halkan lagu laalay Xeerka Nidaamka Duulista Madanig ah (Decree Law No. 13) ee 9 September 1965.

2. Iyada oo la raacayo qodobka 90 ee xeerkan, waxa halkan lagu laalay qodob kasta oo sharci ama xeer- nidaamiye oo aan la jaanqaadi karin (inconsistent) xeerkan.

3. Xeerkani wax saameyn ah kuma yeelanaayo dhamaan heshiisyadii shirkadaha gaarka

⁸ Ee Distoorka Jamhuuriyadda Somaliland.

loo leeyahay ee hore u jiray.

Qodobka 90aad
Qodobda ku meel gaadhka ah (Transitional Provisions)

1. Xeer-nidaamiye kasta, amar, hage ama tilmaame ama heshiis uu galay Wasiirka ama wasiiradii hore ee maamulayay duulista madaniga ah, kuwaas oo jira marka Xeerkani dhaqangalo, sida ku qeexan qodobka 91 ee Xeerkan, ahaanayaan dhaqangal.
2. Heshiisyada lagu sheegay farqadda (1) waa inay ku jiraan ogolaanshaha (permits) ruqsadaha, ama heshiisyada la xidhiidha adeegyada garoondiyaradeed kuwaas oo shaqaynaya marka xeerkani dhaqangalo.

Qodobka 91aad
Dhaqangalka

Xeerkani wuxuu dhaqangelayaa, kadib marka ay ansixiyaan labada Gole ee sharci-dejinta (Golayaasha Wakiilada iyo Guurtida), Madaxwaynuhuna saxeexo.

C/risaaq Siciid Ayaanle
Xoghayaha Guud ee Golaha Wakiilada
JSL

Baashe Maxamed Faarax
Gudoomiyaha Golaha Wakiilada
JSL

KU DHAQANKA MUCAAHADOOYINKA CAALIMIGA ah ee Xeerkan lagu xusay oo, sida ku qeexan Qod. 88 ee Xeerkan, ku qoranaandoonan Afka Ingriisiga

1. Mucaahadada Ka-hortagga Qabsiga Sharci daradda ah ee Diyaaradaha 1970. (Qodobka 55(1) ee Xeerkan)
2. Mucaahadada Mideynta Xeerarka ku saabsan wax ku Qaadista Caalamiga ah ee Hawada 1999. (Qodobka 55(1) ee Xeerkan)
3. Mucaahadada Mideynta Xeerarka ku saabsan wax ku Qaadista Caalamiga ah ee Hawada 1999. (Qodobka 55(2) ee Xeerkan)
4. Mucaahadada Aqoonsiga Caalamiga ah ee Xuquuqda Dayuurad Dhexdeeda 1948. (Qodobka 83(1) ee Xeerkan)
5. Mucaahadada Danaha Caalamiga ah ee Qalabka Guurguura 2001. (Qodobka 83(2) ee Xeerkan)